

we increased the production of oil. Part of that comes from a formation in my part of the country called the Bakken shale. It is unbelievably complicated what we have done, but our country has learned to go explore and get oil from formations that 5, 8, 10 years ago you could not get oil from. There is up to 4.3 billion gallons of oil in the Bakken shale formation, 4.3 billion barrels of recoverable oil, that can now be unlocked using today's technology. They drill down 2 miles with a drilling rig, do a big curve, and go out 2 miles. With one rig they go down 2 miles, then go out 2 miles and then they hydrofracture it and the oil drops. They are getting up to 2,000 barrel-a-day wells. That is just one part of the substantial additional production available in this country, and it is producing now in a very significant way in Montana and North Dakota in the Bakken shale.

Also, in the Energy bill that was passed by the Senate Energy Committee, I introduced an amendment that was agreed upon on a bipartisan vote that opens the eastern Gulf of Mexico. We believe that there is at least 3.8 billion gallons of recoverable oil and at least 21 trillion cubic feet of natural gas in the eastern Gulf of Mexico including the Destin Dome. There is a lot to be achieved by additional production and we should do that. There is no question we should do that. The legislation that has been passed on a bipartisan vote, with my amendment to open the additional production, would allow that to happen.

That is one piece of the Senate Energy Committee's legislation. But there is much more. We understand our most abundant resource is coal, but we need to have a lower carbon future as we continue to use fossil fuels for energy. So the research and the science that is exciting, to be able to continue to use coal and capture and sequester or capture and provide beneficial use of CO₂, is something we are working on very hard. We advance it in this legislation.

If you are going to maximize production of energy where the wind blows and the Sun shines, through solar energy and wind energy, you need to develop an interstate highway of transmission. We don't have that. We have an interstate highway system to drive on, but we don't have an interstate highway system to move electricity on and to produce energy where the wind blows and the Sun shines and then move it to the load centers. That does not exist at the moment.

In the last 10 years, we have built about 11,000 miles of natural gas pipeline to move natural gas around the country. During the same period, we only built 668 miles of high-voltage transmission lines between the States. We have to fix that. If you are going to maximize the production of energy where the wind is blowing and the Sun is shining, and we should, then you need to have an interstate highway of

transmission to move that energy to the load centers. This transmission section is in the Senate Energy Committee's bill.

We have included a national renewable electricity standard, for the first time in history, in this legislation. That will drive the production of renewable energy because 15 percent of the energy that is sold must come from renewable energy sources. I think the votes exist on the floor of the Senate to get to a 20-percent RES. All of that, I think, is very important.

The other thing we do is we move toward an electric drive vehicle system with investments in battery technology and all of the related issues that would involve electric drive vehicles. That is going to be part of our future.

Beyond the electric drive future, I think, is hydrogen and fuel cell technology. There is so much to be excited about. We do need to get the legislation that has already passed the Senate Energy Committee to the floor of the Senate. Let me describe it briefly by saying this. There are some who say the issue is climate change, and we have to bring a climate change bill to the floor of the Senate.

Here is my view. To address climate change and have a lower carbon future means that you have to put in place policies that actually reduce carbon. How do you do that? By doing the very things I have described in this legislation that is now out of the Senate Energy Committee and ready to come to the floor. It is addressed to the specific policies that will reduce carbon, that will actually allow us to make progress in addressing climate change issues.

I know there is a lot of discussion, and also a lot of controversy surrounding the issue of cap and trade. My own view on cap and trade is that I don't have the foggiest interest in providing a \$1 trillion carbon trading market for traders and speculators on Wall Street to decide on Monday and Tuesday what our energy is going to cost on Thursday and Friday. I am not interested in doing that, given the history of what has happened on Wall Street and the economic wreck they caused in recent years.

Having said that, we still need a lower carbon future. I agree with that. The way to do that is to pass smart energy policy. We have a bipartisan bill that addresses all these issues: additional production, additional conservation, more efficiency, maximizing renewables, the first ever renewable electricity standard. All these issues will strengthen our country, and I hope very much one of the priorities in the coming months will be to pass the energy legislation that was passed by the Senate Energy Committee and advance our country's interest.

The ACTING PRESIDENT pro tempore. The Senator has used 15 minutes. Mr. DORGAN. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, before I address some of the issues before us, let me say a word about my friend and colleague from North Dakota who, during this recess, announced he is going to retire at the end of this year. Senator DORGAN and I have served together both in the House and the Senate. He has been such a powerful force and powerful voice in the Senate Democratic caucus on so many important issues that we share values on. I am not going to bid him farewell because I know this year will be a busy year for him, representing his State and being engaged. His talk, just this moment on the floor, about issues of concern are clear evidence he is going to be fighting for his causes and his people in this upcoming year. But I do have to express my regret that my colleague is leaving us and thank him for his many years of fine service to the people of his State, in the House and the Senate, and I look forward to making this a great sendoff year and again thank him for his contribution.

Mr. DORGAN. If the Senator will yield, I have always refrained from using the word "retire" because I can't sit around very much. So I don't intend to quit working. But I am not seeking reelection, the Senator is correct about that. This is a great institution, and it is a great privilege to serve here. I look forward to a lot of work this year with my colleague from Illinois and I hope, together, we will frame the policies that will help put America back on track to a better future.

LESSON FROM MASSACHUSETTS

Mr. DURBIN. Mr. President, what did we learn yesterday in Massachusetts? I guess many things about the feeling of the American people. When you take a look at the polls, it is interesting. It is not as if it is a very partisan feeling among most Americans. They are not happy with either political party, when it comes right down to it, and if given a third-party choice, a lot of folks tend to move in that direction. It reflects a number of feelings. The first is, we have a weak economy and a lot of people unemployed and there is a lot of uncertainty. I think that has created anxiety, if not anger. I think also it is an issue about whether this Congress and this administration can respond to the issues that count, that matter in people's lives, and do it in a timely fashion. There is a frustration that many of the issues we take up seem to take forever, and most of them take forever right here in this room because the Senate was designed to slow things down and sometimes bring them to a halt. That is even adding to the frustration and maybe the anger across America.

When you ask people in polls about the situation in Washington, they say two things that are not necessarily consistent. They say: No. 1, I am concerned about the debt of this Nation. How much more debt can we pile up on

future generations and how much more can we mortgage our future to foreign lenders such as China that will buy up our debt and buy a bigger piece of control of our economy? A legitimate point. But the second thing they will say is: Listen, I hope the President and Congress will do something to help create jobs to get this country moving forward—which, of course, would involve the expenditure of Federal funds. They do not always give consistent answers, but it is easy to look behind the results in Massachusetts and in other States and see that the American people are upset and concerned about the current situation. What will we take from this?

There will be a realignment in the Senate, in terms of going forward. There will be 59 Democratic Senators and 41 Republican Senators after the new Senator from Massachusetts, Mr. BROWN, is sworn into this body. But still we will face the issues people want us to deal with.

When I went home to Illinois, I didn't shy away from health care. I took it on the road and went to South Suburban Chamber of Commerce in Cook County. That is right near the city of Chicago. Yesterday, I went to the Chicago Chamber of Commerce and invited in small businesses to talk about health care. What I heard from them I heard in letters and e-mails and messages from all over the State; that is, people are genuinely concerned. They may feel at least some satisfaction with their current health insurance, but they are worried about the future. When small businesses stand, as they did yesterday, and say: Our premiums went up 17 percent, 20 percent each year and it is unsustainable, that is a reality. If we play to a draw here and do nothing, it is understandable people will be even more frustrated and angry.

I understand the shortcomings of our effort to reform health care. I am humble enough to realize that even our best work may not be perfect and may need to be changed in the future. But it is not enough to just stop the debate and ignore the problem. I would engage and invite my colleagues from the other side of the aisle, if they truly want to govern, if they truly want to work with us, please step forward. Show us you are willing to sit down and work together; we are and we have tried and we will continue to. We should. It is not just a matter of health care. It also goes to the question of creating jobs.

We have an opportunity now to breathe life back into this economy, to get more people back to work. Like one of my friends, a Congressman from Illinois, PHIL HARE, said recently: I get personally ill when I hear the term "jobless recovery."

I share his angst and nausea, if that is what it is, over that term. There will be no jobless recovery. Until people get back to work, we are still in recovery and have not reached our goal yet, which is to end the recession with a strong economy and people back to work.

How will we reach that goal? We need to do something this year, and we need to do it quickly so we do not miss a construction season, so we can create new opportunities for jobs in building bridges and highways and airports and water projects all across America—investment in our infrastructure that pays off over the long run and creates jobs immediately. That is something we need to do. It will take money to do it.

Fortunately, there is a source. President Bush had his Troubled Asset Relief Program and took hundreds of billions of dollars and loaned them to financial institutions and companies to get through the worst of the recession. Many of those companies are paying us back, some with interest. We wish to take the money that is being paid back there and invest it back into this economy to get it moving forward.

This sounds to me like something that Democrats and Republicans should agree on. I think we both share the goal of getting out of this recession and begin moving forward, but we need a cooperative, bipartisan effort for that to be achieved. I hope we can find it. I hope we can reach common ground there.

I believe most of the Senators from most of the States represented here have heard from their Governors. My State is struggling. Others are as well. There will be layoffs of key personnel—firefighters, policemen, and teachers, for example. We should find a way to help those States get through this tough patch they have run into because of a recession and downturn in revenues. We don't want to see our children suffer because teachers are laid off and there are more kids in the classroom. We certainly do not want to endanger our communities by laying off firefighters or policemen, if that means our safety is compromised in our homes and neighborhoods. So there ought to be some common ground we can find, both sides of the aisle.

At the same time, there is a meaningful discussion underway with Senators CONRAD and GREGG, Democrat and Republican, on long-term deficit reduction. In the midst of a recession it is hard, I think terribly hard, to argue we will not be adding to the national debt as we try to bring ourselves out of the recession. But we clearly need to have a plan—a direction and a long-term goal—of reducing our deficit. We can reach that goal, and I think we should. We need to do this on a bipartisan basis.

I hope in the days ahead, when the President gives the State of the Union Address, he will speak to this and he will try to help us in reaching that common goal.

So whatever the result in Massachusetts, it will, of course, make the news today, will diminish in importance as other stories replace it. But at the end of the day, we still have responsibilities. We still need to deal with the rising cost of health care. We need to deal

with the fact that 50 million Americans do not have health insurance. We need to confront the health insurance companies that are turning down people when they need help the most with their health insurance plan. We certainly need to address the job situation, making sure our government is funding and inspiring new job growth across our country. We need to deal with a long-term deficit with a plan that starts to bring us out of our national debt or at least reduce our national debt.

That, to me, represents at least three immediate and attainable goals that should be done on a bipartisan basis. Whether we have 60 votes or 59 votes, those issues still challenge us. So the lesson from Massachusetts is the American people are expecting responsible results in Washington. We have to deliver them. We can deliver them. But to do it, we need a bipartisan approach. We need both Republicans and Democrats to work together toward these goals.

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

The PRESIDING OFFICER (Mr. BURRIS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CHAMBLISS. 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. CHAMBLISS. Mr. President, is the Senate still in morning business?

The PRESIDING OFFICER. The Senate is in morning business.

Mr. CHAMBLISS. I ask unanimous consent that all time be yielded back and that we move to the nomination of Beverly Martin.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF BEVERLY BALDWIN MARTIN TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to report the following nomination.

The assistant legislative clerk read the nomination of Beverly Baldwin Martin, of Georgia, to be United States Circuit Judge for the Eleventh Circuit.

The PRESIDING OFFICER. Under the previous order, there will be 60 minutes of debate equally divided and controlled between the Senator from Vermont, Mr. LEAHY, and the Senator from Alabama, Mr. SESSIONS.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent to speak under