

half long holiday from their out-of-control spending and then return to the status quo for the rest of the year.

Let me add that paying lip service to the threat caused by the deficit is not a substitute for responsible leadership and that the job-destroying tax hikes on small businesses and American families are not the answer to out-of-control Washington spending. At a time when increasing gas prices are already threatening our economic recovery, a minivan tax that some on the other side have proposed will not solve our Nation's fiscal crisis. But I will tell you what it will do. It will destroy jobs and impose a real burden on families every time they fill up at the pump—at a time when people are looking for relief instead.

Democrats' steadfast refusal to cut another dime from the bloated Washington budget has left them no choice, it seems, but to propose raising taxes on American families and small businesses so they can continue spending at unsustainable levels. Republicans, on the other hand, have made a serious proposal to rein in wasteful spending. To me, at least, the choice before us is pretty clear.

As we approach today's vote, it is worth noting that even if we were to pass the biggest spending cuts that have been proposed so far in this debate, it would not even put a dent in the fiscal problems we face as a result of the growth in entitlement spending. Think about it. Democrats have been waging war this week over a proposal to cut \$4.7 billion. Meanwhile, the amount of money we have promised to spend on programs such as Social Security and Medicare—money we do not have—is about \$52 trillion.

This week's debate is just a dress rehearsal for the big stuff, and so far Democrats are showing they are just not up to it. They either lack the stomach or the courage, and the President, as members of his own party point out, is nowhere to be found on this issue. I have talked about this leadership vacuum repeatedly this week on the entitlements and how their unchecked growth threatens to bury all of us in red ink before we know it. We can argue about whether to cut \$5 billion or \$60 billion in day-to-day expenses all we want, but the fact is, even if we hit the bigger number, we are still staring at a catastrophe. And the President appears to be totally uninterested—uninterested—in leading us to a bipartisan solution the way Ronald Reagan and Bill Clinton did the last time we faced a crisis of this magnitude.

When it comes to another crisis, the jobs crisis, the President is not just failing to lead, he is flatout barring the door with a mountain of stifling new regulations and calculated inaction on outstanding free-trade agreements with Colombia and Panama.

This morning, the U.S. Trade Representative is set to testify before the Finance Committee to voice the administration's support of a trade agree-

ment with South Korea. While we support the administration's position on South Korea, the lack of leadership on these two other countries which signed free-trade agreements with us more than 3 years ago is completely disheartening. The reason for inaction is stunning. Union bosses do not want to see them passed. For some reason, they seem to think that expanding the market for U.S. goods into Colombia and Panama somehow hurts them, which is absurd, absolutely absurd. The administration has previously expressed tepid support for these deals, an acknowledgment that expanding markets for U.S. goods can only help U.S. workers and that the picture in Colombia is better than the labor bosses would have us believe, but they have failed to follow through.

The irony of union opposition to these trade deals is that an expanded U.S. presence in Latin America can only help the workers there by exporting U.S. business standards and practices, and, of course, more exports for U.S. firms means more jobs for U.S. workers in the United States.

In the last few weeks, company after company has come before Congress to testify how important accessing Latin American markets is for their future and to create jobs right in America. According to the chamber of commerce, failing to pass these trade agreements, along with the trade agreement with South Korea, could cost us 380,000 U.S. jobs.

While we dither on these agreements, Colombia has moved on. Having been stiff-armed by the United States, it is finding other trade partners. Naturally, Colombia has turned to other countries and, worse, still is warming relations with Hugo Chavez in neighboring Venezuela. Last week, Colombia President Juan Manuel Santos was quoted referring to Chavez as his "new best friend"—a man who just last year accused Santos of plotting to assassinate him.

At a time when nearly 14 million Americans are looking for work, the President should be listening to those of us who come to him with ways to create jobs. And this is one of them. The administration has no excuse for failing to act on these trade agreements. It is in the interest of our country to approve them. It would create jobs at home at a time when we desperately need them. I am confident Congress could pass these on a bipartisan basis today.

I urge the administration to act today, and not just on South Korea but on Colombia and Panama. I, for one, am prepared to do everything in my power to pass these agreements, all of them together, this year.

Madam President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

CAP AND TRADE

Mr. JOHANNES. Madam President, I rise today to talk about the administration's ill-advised cap-and-trade agenda and to support a bipartisan bill that I cosponsored. The Energy Tax Prevention Act would stop EPA from going around Congress and using regulations to implement the administration's failed cap-and-trade agenda. The bill is necessary because the administration is marching ahead with its cap-and-trade agenda even though the American people clearly want to focus on job creation, not policies that destroy jobs.

For evidence that the administration is marching ahead, one need only look at the President's budget. It clearly states "continues to support greenhouse gas emissions reductions in the United States in the range of 17 percent below 2005 levels by 2020 and 83 percent by 2050." Not surprisingly, these reductions are nearly identical to those proposed in the Waxman-Markey House cap-and-trade bill. Americans rejected that legislation because it would have increased taxes on everyone—anyone who turns on a light switch, buys American-made products, fills up their gas tank.

The Energy Tax Prevention Act would prevent the administration from using its regulatory powers to circumvent Congress and implement this energy tax that Americans rejected last year. It is about protecting jobs—manufacturing jobs, for example—and it puts Congress back in the driver's seat in charge of energy policy, taking it back from unelected bureaucrats at the too-often overreaching EPA.

Above all, this bill rejects the notion that placing additional energy tax burdens on Americans is good policy. As the price of oil climbs and gas prices follow, our bill says: Don't hit Americans with another tax. Make no mistake, cap-and-trade policies would drive up the cost of everything, transportation fuels and electricity leading the way. Nobody disagrees with this understanding. In fact, the central policy mechanism of all of these proposals is making the use and production of fossil fuels more expensive.

The Congressional Budget Office has weighed in on this issue, and they put it this way:

... a cap-and-trade program would thus lead to price increases for energy and energy-intensive goods and services ... Such price increases would stem from the restriction on emissions ... Indeed, the price increases would be essential to the success of a cap-and-trade program.

In other words, these efforts are designed to make oil, gas, and coal-fired electricity more expensive, and the

same is true for the EPA's regulatory plan. Gas prices will go up, electricity will go up, farm input costs will go up, consumers will pay more, and U.S. manufacturing will get crushed under the heavy hand of the EPA. Meanwhile, our overseas competitors, unfettered by the cap, will gobble up market share and hurt those providing good-paying jobs in this country. Our farmers and ranchers will not be spared either. The cost of running pivot irrigation will go up. Nebraska has thousands of them. Diesel fuel for tractors and combines will go up. The price tag on fertilizer that farmers need to grow crops will skyrocket.

Some of my constituents might be saying: I am not a farmer, I am not a manufacturer, so I am not affected. Unfortunately, no American can escape the reach of this ill-advised regulatory effort. Because refineries are first targeted in EPA's regulatory schedule, because electrical plants are first targeted, electric bills and the cost of fuel will go up. If you think gas prices are high now, brace yourself—more price hikes are coming. And if you think your electric bill at the end of the month is already plenty high, look out for EPA's energy tax.

Believe it or not, the Obama administration has made it clear that these higher prices are exactly, precisely what the doctor ordered. During the Presidential campaign, President Obama famously said—he was really up-front:

Under my plan, electricity bills would necessarily skyrocket.

Citizens probably entered the voting booth with the false hope that we in Congress would never let that happen. Sadly, the Obama administration has made it clear that they intend to work around Congress. Energy Secretary Steven Chu even told the Wall Street Journal in September of 2008:

Somehow we have to figure out how to boost the price of gasoline to the levels of Europe.

That is not my vision for America. And with gasoline over \$7 per gallon in places such as Germany and France, I doubt many Americans share that vision. Yet this administration has chosen to use the EPA to make gasoline expensive through its ill-advised energy tax plan. The EPA is literally targeting our fuel refineries when gas prices are headed to \$4 per gallon and oil is over \$100 a barrel. It doesn't make sense.

But just when we thought we saw a ray of hope, when the President said he wanted to slow down the regulatory freight train bearing down on the Nation's job creators, well, something happened. He said he wanted to reduce the regulatory burdens on small businesses. He even went so far as to put out an Executive order in January, and he instructed the agencies to review "rules that have gotten out of balance, placing unreasonable burdens on business, burdens that have stifled innovation and have a chilling effect on growth and jobs."

Well, unfortunately, the EPA apparently believes their greenhouse gas regulations are more important than job creation. The headline from the Hill newspaper says it all: "EPA Confident Obama Reg Policy Won't Affect New Climate Rules." So the EPA, all powerful, quickly dismissed the Executive order saying: "EPA is confident that our recent and upcoming steps to address GHG emissions under the Clean Air Act comfortably pass muster under the sensible standards the President laid out."

In other words, the EPA believes, and continues to think, their regulatory cap-and-trade plan is not an unreasonable burden on consumers, small business, and job creators. One would have to suspend all rational thought to reach that conclusion. It is unbelievable. Here is the kicker: These EPA regulations will have no discernible impact on global temperatures.

Put simply, the EPA's agenda is all about more pain and no gain because the rules and regulations in the United States don't control places such as China, India, and Brazil, obviously. You see, global warming is called global warming for a reason. Yet it is our farmers, our ranchers, and our small businesses that will be saddled with the job-killing costs. American job creators will have one arm tied behind their back trying to compete. Even EPA Administrator Jackson admitted the House cap-and-trade bill would have negligible impact on global temperatures.

This is all unbelievably bad for America. It is no wonder the Senate roundly repudiated the idea last year. Yet the EPA charges forward. We must restore some measure of common sense. This bill is the right step, and I urge my colleagues to support it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

A SECOND OPINION

Mr. BARRASSO. Madam President, I come to the floor, as I do every week, as a physician who has practiced medicine and taken care of families in Wyoming for a quarter of a century, to give a doctor's second opinion of the health care law.

County commissioners from around the State of Wyoming are coming to town today for their annual meeting. It was 1 year ago today, at their annual meeting, when NANCY PELOSI—then-Speaker of the House—addressed that group and said: We have to pass the bill so you can find out what is in it.

That quote has been repeated again and again and again, and people now know what is in this health care law. People have found out. Every month since this law has been passed, people have found out additional things about the health care law they absolutely do not like. Now that the American people know what is in the bill, and they know they don't like it, let's get to the

fundamentals of what the American people have asked for. When they asked for a change in health care in this country, they said they wanted the care they need from the doctor at a price they can afford. The new law fails that test, and it fails miserably.

It has only taken 1 year to break almost every promise the President made when he addressed the Congress and the country. So what I would like to do now is take a look, month by month, at how those promises were broken. I will start with March, since it is now March and this started with NANCY PELOSI's statement in March of 2010.

One year ago, the Congressional Budget Office evaluated the law to see how much it would actually cost. They told us the law could only reduce the deficit if it did something about the long-term insolvency of Medicare. Instead, the Democrats and the President proposed and adopted and signed into law cuts of over \$500 billion from Medicare. This was not to save Medicare but to start a whole new government entitlement program, a decision the CBO said would increase the deficit by \$260 billion.

Let's go to April. In April, we learned the costs for those Medicare cuts go way beyond dollars and cents. An analysis by the Department of Health and Human Services found these cuts could drive up to 15 percent of hospitals out of business. For this administration, the shortage of hospitals apparently takes a backseat to the shortage of Washington bureaucrats.

Let us go to May. In May, we learned over 200,000 Americans with preexisting conditions and expensive health insurance would not be eligible to enroll in the new high-risk pools created in the health care law; that is, of course, unless they were willing to completely drop the insurance they had and wait, without insurance—wait without insurance—for 6 months. Only then would they qualify for what was in the health care law. For many people with preexisting conditions, who were paying higher premiums, they felt that would be irresponsible behavior; that it would be risky, put them at financial risk. But that is what this administration and this government was proposing.

In June, after the administration sent over 4 million postcards to small businesses—you remember the postcards, the ones claiming those small businesses would be eligible for a tax credit—the Associated Press blew the whistle. It turned out the only small businesses that were fully eligible for these tax credits had to employ fewer than 25 people. So to be eligible at all, they had to have fewer than 25 people. Moreover, the Associated Press reported the tax credit drops off sharply if the company employs any more than 10 people or if the annual salary was averaging more than \$25,000. So if you had 10 employees and paid them, on average, \$25,000, you could get the tax credit. But once you went to that 11th employee and gave someone a raise,