

ethanol production stand on its own and allow true supply and demand to dictate the real price of corn.

It seems to me he is spot on. It seems to me when we look at charts like this on grain prices, on the huge subsidy that oil companies get, on the protective tariff, we have to say enough is enough. The USDA predicts that continued demand from the livestock, ethanol, and food industry will reduce corn reserves to the lowest level since the mid-1990s. These low grain reserves will have repercussions globally. We know rising food prices exacerbate global poverty and could intensify political unrest in some parts of the world. But the bottom line is, diverting 39 percent of our crop toward ethanol is artificially driving up corn prices, which in turn is straining people and industries that depend on affordable corn.

In addition to impacting the price of corn, the \$6 billion annual ethanol subsidy is fiscally irresponsible. If the current subsidy were to exist through 2014, as the industry has proposed, the Treasury would pay oil companies at least \$31 billion to use 69 billion gallons of corn ethanol that the Federal renewable fuels standard already requires them to use under the Clean Air Act. The biggest recipient receiving money is BP. According to reports, it receives \$55 million. We cannot afford and should not pay oil companies such as ExxonMobil and BP to follow the law to the tune of \$6 billion a year. As the GAO has found, the mandate for the use “is duplicative in stimulating domestic production and use of ethanol, and can”—and is—“resulting in substantial loss of revenue to the Treasury.”

Let me just say one thing about the tariff. The tariff on low-carbon sugarcane ethanol, which I proposed repealing in 2006, makes our Nation more dependent on foreign oil. How? The combined tariffs on ethanol are 60 cents per gallon, at least 15 cents per gallon higher than the ethanol subsidies they supposedly offset. So this is essentially a major trade barrier.

We have a real problem with this triple crown: We mandate its use, we pay people to use it, and then we set a large tariff barrier to prevent anybody from importing any ethanol, whether it is corn or sugar, that is cheaper. This is expensive, \$15 million a day, \$6 billion, as I said, a year.

I know many of my colleagues agree with the substance of this legislation, and I appreciate very much that the amendment is being considered under somewhat unusual circumstances and procedures. I hope we can have a fair vote. I hope Members will not disregard the import of what we are doing. We are essentially saving the government nearly \$6 billion a year by simply repealing the subsidy, repealing the mandate, and repealing the tariff. I believe the time has come.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

LIBYA

Mr. UDALL of New Mexico. Madam President, I rise today because I believe the United States is headed down a slippery path toward an escalation of military force in Libya. I also believe if the U.S. military is to be involved in such an escalation, then the Congress must exercise its constitutional authority and approve or disapprove the President's proposal.

I supported President Obama's initial decision to engage in a limited military operation to prevent an imminent humanitarian catastrophe. President Obama and the international community were clear that targeting of civilians by Muammar Qadhafi would not be tolerated. It has been over 60 days since the President notified the Congress that he intended to use military force in Libya. We are adrift. We are without direction. We are in danger of fighting an expanded war, a war that was originally justified as a limited military operation, a no-fly zone, to prevent civilian casualties and imminent catastrophe. This war has now been slowly expanded for one that is pushing for regime change.

We have been down this path before. Let's not go there. In Libya we are now receiving reports that helicopter gunships are being used to target ground forces—something that was never originally intended under the premise of a no-fly zone. In fact, it seems that the no-fly zone has slowly evolved into what some have called a no-drive zone. Congress has not approved this action.

I do not believe the U.N. Security Council approved such an action in U.N. Security Council Resolution 1973.

We also hear it is now the policy to support regime change and that there are some plans to arm rebel groups. Some outside groups and Members of Congress are clamoring to escalate the war in Libya. They believe air power will never dislodge Muammar Qadhafi and his family. The Congress has not approved the use of military force to achieve regime change. Flooding the region with small arms is also being proposed. This would be a major mistake and could lead to a host of unintended consequences.

We do not know enough about the rebels fighting Qadhafi, but we do know there are plenty of mercenaries, as well as members of al-Qaida, waiting to exploit any chaos. If arms are flooded into the region, there is no guarantee they will be able to account for those arms. In my opinion, there is a high likelihood those arms could end up in the hands of some very unsavory and dangerous individuals.

The bottom line is this: Congress has not had the opportunity to weigh in. Like my colleagues, I deplore Muammar Qadhafi. I support a democratic transition and his departure from power, but the military goals should be defined and limited as a matter of policy. It should not include regime change. This would be a dangerous escalation.

As many of you know, the Senate Foreign Relations Committee was planning a markup for last Thursday of S. Res. 194, titled “Expressing the Sense of the Senate on the United States Military Operations in Libya.” I had strong concerns about the resolution we were scheduled to consider. A sense of the Senate is clearly not an authorization for use of military force. A sense of the Senate does not meet the requirements of the War Powers Act. And a sense of the Senate falls short of meeting our constitutional obligation to declare war.

I drafted an amendment to S. Res. 194. I ask unanimous consent the text of this amendment be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. UDALL of New Mexico. My amendment stated:

The President is not authorized to deploy ground forces, including special operations forces, in pursuance of any goals related to United States policy in Libya, unless expressly authorized by Congress or as determined necessary by the President to protect a member of the United States Armed Forces currently deployed in the region.

I believe any authorization of military force should contain similar language. I understand Senator WEBB and Senator CORKER have introduced a resolution with these prohibitions and exceptions to protect our troops and I support these efforts to limit the mission in Libya. It is important that we do not escalate military actions in Libya. An escalation would be a dangerous course, and it would be costly to the region and our country.

While the markup has been postponed, it is my understanding that Senator KERRY and others are working on language that would fulfill our constitutional obligations and comply with the War Powers Act. I look forward to consideration of a resolution of this kind in the Foreign Relations Committee and strongly believe it should include language similar to the amendment I was going to offer.

I have been proud to serve in the Congress for more than a decade. We have fought two lengthy wars during this period of time. I have seen the impact on our military, on their families, on our national deficit. Before the United States escalates its involvement in another overseas conflict, Congress must weigh in. It is our constitutional duty.

EXHIBIT 1

DRAFT AMENDMENT TO S. RES. 194

That the President is not authorized to deploy ground forces, including special operations forces, in pursuance of any goals related to United States policy in Libya, unless expressly authorized by Congress or as determined necessary by the President to protect a member of the United States Armed Forces currently deployed in the region.

Mr. DURBIN. Will the Senator from New Mexico yield for a question?

Mr. UDALL of New Mexico. I will be happy to yield.

Mr. DURBIN. Madam President, I thank the Senator from New Mexico, my colleague on the Senate Foreign Relations committee, for his statement on the floor this morning. It reflects my sentiments completely. I have believed since I was first elected to the House of Representatives and my time in the Senate that we have an awesome responsibility under the Constitution to speak for the American people when the United States of America makes a decision to engage in conduct that relates to our military—particularly when it comes to a declaration of war.

It is clearly understood that if American citizens are under attack or American soil is under threat of attack, the President has the power to move, and move quickly, as Commander in Chief to protect us. In this instance, the War Powers Act suggests that it is now, after 60 days, at that point the responsibility of Congress to step forward, to speak for the American people, and to make a decision as to whether we go forward with a military commitment.

What the Senator from New Mexico has suggested I believe goes right to the heart of our constitutional responsibility. It is a responsibility which we swore to uphold. It is also a responsibility which politically we try to avoid. It is a hard debate and a hard decision.

I am sure the Senator from New Mexico believes, as I do, that some of the toughest votes we have ever had to face as Members of Congress relate to this decision because if the decision is made to go to war, we know the lives of Americans are at risk.

That is why I believe what the Senator from New Mexico said on the Senate floor this morning is so critically important. I am going to work with him and with the chairman of the Senate Foreign Relations Committee to move forward on a resolution which is consistent with the War Powers Act which expressly states the feelings of the American people through their Representatives in Congress about this decision and our constitutional responsibility.

I sincerely hope we can resolve this before we end this work period, which will be about July 1. If we can bring an issue forward on the floor for that purpose, I believe it is in the best interests of our senatorial responsibility.

I might say, because I have discussed this with the Senator from New Mexico, we know one of our colleagues on the other side of the aisle wants to expressly authorize the use of ground forces in Libya. Let me make it clear, the President has not asked for that. He is not engaged with ground forces, land forces in Libya. At this time I would not only reject it, I would fight it. I think it is a bad decision. I think to engage the United States in a third theater of war with ground forces is way too much at this moment in our history.

So I thank the Senator from New Mexico for not letting this issue dis-

appear amidst the hubbub of all the agendas we face on the floor of the Senate but coming to the floor and reminding us of our constitutional responsibility.

I will close by thanking Senator CARDIN of Maryland as well, who has been a lead sponsor in our efforts. I will be working with him and the Senator from New Mexico and other like-minded Senators.

I thank the Senator for coming to the floor.

I know that wasn't in the nature of a question, but I ask the Senator, does he agree?

Mr. UDALL of New Mexico. I thank the Senator for his statement. I believe with all of us working together—our chairman of the Foreign Relations Committee, Senator CARDIN, and others, as well as the Presiding Officer, who is also on the Foreign Relations Committee with us—we can come to a resolution which complies with what the President has stated.

The President says he has no intention of sending ground forces into Libya. But it is important at this point in time, as the Senator from Illinois pointed out and as the Constitution mandates, that we step in and express the will of the American people on this issue. That is the whole purpose of what I am on the floor for today, and I look forward to working very closely with the Senator from Illinois.

With that, I note the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

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

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

Mr. COATS. Madam President, I know the Democratic side has not used its full allotment of time, but because another speaker is not here, I will go ahead, and hopefully we will be able to yield time if someone else does come forward.

THE ECONOMY

Mr. COATS. Madam President, I have been on the Senate floor several times now during the last few weeks to discuss our grave economic condition, the need to reduce Washington's out-of-control spending, and, most importantly, the urgent need to start taking action before time runs out.

If there is any remaining doubt in anyone's mind that the U.S. economy is facing a historic and unprecedented fiscal crisis, consider a few of the recent news reports since I last spoke on the floor, which was not that many days ago. Reports came out saying that the national unemployment rate increased to 9.1 percent, with over 22 mil-

lion Americans unemployed or underemployed. This is not how we rebound from a recession, historically. There is something more going on here than the normal downturns and upturns of the economic cycle. This is something of historic proportion.

Since I last spoke on this floor, two more rating agencies—Moody's and Fitch—have issued serious warnings that they may downgrade America's AAA debt rating. This comes after S&P already lowered its outlook of the U.S. economy to negative.

Just last week, on its cover, USA TODAY published the frightening headline "U.S. owes \$62 trillion; unfunded obligations amount to \$534,000 per household." Those are unfunded obligations. We have funded obligations we currently owe in addition to that, and some put those even higher.

There was an interview yesterday with Bill Gross, who heads up PIMCO, the largest bondholder in the country—in the world, actually. Bill Gross indicated in this interview that the money owed to cover future liabilities in entitlement programs in the United States is actually in worse financial shape than Greece and other debt-laden European countries. Much of the attention, of course, is focused on our public debt, which is running at \$14.3 trillion, but what hasn't been focused on as much are the unfunded liabilities that will come due, the obligations and promises already made that will have to be paid for, that will be in addition to the \$14.3 trillion already on the books. Taken together, Gross said this is going to equal nearly \$100 trillion. It is a number beyond anyone's comprehension, it is hard to fathom what \$100 trillion means to the American taxpayer, to America's abilities, obligations and financial responsibilities. Now, maybe \$100 trillion is a little high. It doesn't matter whether it is \$80 trillion or \$90 trillion or \$100 trillion; it is certainly going to put our country in a very, very difficult position.

I wish to read one more piece from the CNBC interview with Bill Gross:

We've always wondered who will buy Treasuries after the Federal Reserve purchases the last of its \$600 billion to end the second leg of its quantitative easing program later this month. It's certainly not Pimco and it's probably not the bond funds of the world.

I quoted Erskine Bowles, who is a Democrat, was Chief of Staff for President Clinton and was one of the co-authors of the fiscal commission report presented at the request of the President laying out the dire crisis we face and recommendations on how to address it. Erskine Bowles, co-chair of the President's fiscal reform commission, said that the growing national debt and Federal deficits are "a cancer and they are truly going to destroy this country from within, unless we have the common sense to do something about it."

This is the challenge before us—each Member of the House of Representatives and each Member of the Senate