

a Congressman, a lot of times in the dark of night, will try to put something down that maybe is not in the best interests of the United States but helps his district. That occasionally happens. It shouldn't happen. Under our system, it won't happen if we require all appropriations to be authorized. But the other kind, in addition to the congressional earmarks, are bureaucratic earmarks. That is what the President can do.

I will give an example. I am on the Armed Services Committee. The President's budget comes out. He says what we should spend money on to defend America. A couple of years ago, before this moratorium the Republicans put on in the House, one of the lines he had in his budget was \$330 million for a launch system called a bucket of rockets. It was a good system, and I would like to have that system for defending America. But we thought in our committee that the same \$330 million would be better spent on buying six new FA-18E/F model strike fighters for our Air Force. Well, we could do that, except that would be called an earmark. When we destroy an earmark, we don't save any money, we just say, Mr. President, we are not going to do it, so you go ahead and you do it. Consequently, we were able to take the \$330 million and put it in the FA-18s, but after that would pass, that would be called an earmark, and so the President would have all the power.

If we look back at the \$825 billion stimulus bill, we can look at some of the things that were in there. He said he wasn't going to have any earmarks. These are Presidential earmarks: \$219,000 to study the hookup behavior of female college co-eds in New York; \$1.1 million to pay for the beautification of Los Angeles' Sunset Boulevard; \$10,000 to study whether mice become disoriented when they consume alcohol in Florida; \$712,000 to develop machine-generated humor in Illinois; \$259,000 for foreign bus wheel polishers in California. It goes on and on.

There is \$150,000 for a Massachusetts middle school to build a solar array system on its roof; \$1 million to do research on fossils in Argentina. Here is a good one. I will not attribute this to my two good friends who are Senators from Wyoming, but \$1.2 million to build an underpass for deer in Wyoming.

That is what the President put in. Those are all earmarks. Consequently, I think what we are trying to get to here is if he had been successful in the \$447 billion stimulus bill earlier this week, then we could anticipate the same type of thing happening.

I want the conservatives of America to wake up to the fact that the problems we have, when they talk about earmarks, are not congressional earmarks, they are bureaucratic earmarks.

It wasn't long ago that Sean Hannity on his show had a feature, I think it took him several nights to do it. It was

the 102 most egregious earmarks. He named all of these earmarks, one after another, and went on and on and on. I came down to the Senate floor the morning after that and I read that same list. There were 102 earmarks, very similar to what I read. The interesting thing about it—and I said this on the Senate floor at that time—what did these 102 earmarks have in common? Not one was a congressional earmark. They were all bureaucratic earmarks.

We are going to be attempting to do something about this, because it is something that almost everyone would agree needs to be done. What we are going to introduce and the bill I am working on now, and I am gathering some cosponsors, is legislation that will bring real transparency and accountability to this process. It would do this by involving Congress in the grant-making process.

Right now, agencies are required to disclose a lot of information about grant awards, but not until after they are already awarded. We don't know about them. Even we here in this Chamber don't know about them until some unelected bureaucrat actually makes these what I would refer to as bureaucratic earmarks. So it is setting up a system very similar to the Congressional Review Act.

The Congressional Review Act lets us look at the regulations and have a process by which we can stop the bureaucrats from passing regulations that we may think as elected Members, elected by the people, are not good. This will do essentially the same thing the CRA does for regulations, it would do for these earmarks. So it is something we will be active in. I think back now, if we had not defeated that \$447 billion stimulus bill the first part of this week, we would be looking at right now, and I am sure they would be putting together, their list of earmarks.

I think we have an opportunity now to do two things. No. 1, when the President—and I say when, and not if—when the President comes up with another jobs bill, let's look at it very carefully to make sure we have everything specifically in there if it is going to be deserving of our votes. I say that to each individual, Democrat and Republican, in this Chamber.

The second thing is make sure we don't open the door for him to be able to come up with another several hundred billion dollars of earmarks as we did in the \$825 billion stimulus bill 2 years ago.

With that, Madam President, I yield the floor and suggest the absence of a quorum.

THE PRESIDING OFFICER (Mrs. MCCASKILL). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

THE PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. 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. INHOFE. Madam President, since there is no one seeking time right now, even though I have used my time, I ask unanimous consent to be recognized again for up to 10 minutes.

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

ENERGY

Mr. INHOFE. Madam President, I heard a report today from Senator MURKOWSKI. Apparently, the Energy Committee had a hearing on the 90-day shale gas report. I think this is very significant. I am sure she will come down and talk about it in detail. I didn't even know about it until noon today when she gave her report and I happened to be there, but it is something that is very significant.

In this country we talk about energy and the fact that we have enough energy we can produce domestically in the United States of America to run this country for 100 years in terms of gas, with present consumption, and 50 years as far as oil is concerned, and we are dependent upon oil, gas, and coal to run this country, and those are something—a lot of people are saying we have to do away with fossil fuels. Every time I hear people say that, it is kind of laughable, when they say we have to do something about our dependence on foreign oil by doing away with our own production in this country.

Our problem is not that we do not have the amount of coal, oil, and gas that we need to be totally independent from anybody. We do. But, politically, we have obstacles. There is not one other country in the world where the politicians will not let that country develop its own resources except for the United States of America.

It is kind of interesting. It was not too long ago when President Obama, who is very much in line with some of the far-left environmentalists who want to do away with fossil fuels, was realizing people were catching on, and people knew that with all the shale deposits that are out there—and every week that goes by, we find another great big opportunity for shale; this is both oil and gas—and the President said gas is plentiful, and we need to use more gas, and all that. But at the end of his speech, he said: We have to do something about that procedure called hydraulic fracturing.

Anyone who understands energy knows that to get at all of these deposits—these shale deposits of gas or oil—you have to use a procedure called hydraulic fracturing. It happens we know something about it in my State of Oklahoma because in 1948 the first well was cracked, and we have not had one documented case in 60 years of ground water contamination as a result of hydraulic fracturing. So it is something that does work.

But those individuals who want to make people think they are wanting us

to develop our own resources then turn around and say we are going to stop or have the Federal Government regulate hydraulic fracturing. It is totally inconsistent, and I think it is a direct effort to misinform the people.

So in this meeting today, Senator MURKOWSKI did a handout, and I am going to read a couple of the quotes from some of the people who had previously testified before the committee. Keep in mind, this is after a 90-day shale gas report. They talked about hydraulic fracturing and all of that.

One quote is from Dr. Daniel Yergin, who is chairman of IHS Cambridge Energy Research Associates, and he is a bestselling author. He said:

There's a gap in perception—this idea that oil and gas is not regulated. We were all impressed by the quality and the focus, the long experience of the states in regulating oil and gas. . . . There's a strong backbone to it and that is not as well recognized in some circles. So I think there is a very strong fabric here.

Here is a quote. This is from Kathleen McGinty. I remember her from when she was an aide to Al Gore. She was chair of the Council on Environmental Quality during the Clinton administration. She said:

We didn't come up with any conclusion—

This is the 90-day shale report—that the deck chairs need to be shuffled around. . . . There was nothing in the testimony that we heard or in the substance that we focused on or in the "what" needed to be done that led to a glaring conclusion that there was an actor missing from the scene.

Well, this is someone who comes from, completely, the other side. So I think it is very important. The more times you look at this thing, the more there is an awareness of the people—that is heightened almost on a daily basis—that we have all this opportunity, and we are not doing it just because of the political obstacles.

Dr. Stephen Holditch is the petroleum engineering department head, Samuel Roberts Noble chair, and professor of petroleum engineering at Texas A&M University. He said:

Local control, local understanding of best practices is really the best way to go. . . . There's nothing broken with the system now.

My State of Oklahoma is an oil State. A lot of our stuff is pretty shallow. On the other hand, in the Anadarko Basin, we have some of the more deep things. But if you look, for 60 years the States have regulated hydraulic fracturing, and it has worked very well. It is not one of these one-size-fits-all because in some States—when you get in New York and Pennsylvania, now, and the Marcellus Shale, the stuff is pretty deep, but it is abundant. Well, the regulation there would be different than it would be in my State of Oklahoma or in Louisiana or in New Mexico or any of the other oil States.

I was really glad to see this come out, and I am glad Senator MURKOWSKI is now letting people become aware of it because we have enough oil, gas, and

coal to be totally independent, if we can just get the obstacles out of the way. One of the techniques used in being able to recover this, of course, is hydraulic fracturing. So that is why a lot of the people who are trying to shut down fossil fuels are trying to shut down that process.

I had an experience—I wish I could remember the name of the company, but it was in Broken Arrow, OK—during the recess, where I was calling on different people, and there was a young man who started a company. He had been with a larger one. He is making platforms for hydraulic fracturing. Now, a platform is about one-fourth of the size of this Chamber I am speaking in right now. It is a very large thing. On the platform, so they can hydraulically fracture these wells, they have a very large diesel engine. A regulation came through—I was not even aware of this until I sat down with him; this is less than 1 month ago—he said the regulation was that you can no longer build platforms and use them for hydraulic fracturing unless you have a tier 4 engine.

Well, we went to check, and he was right. There is no tier 4 engine. It is on the drawing boards, but it is not available commercially now. So that is just another way through regulation they are trying to do away with hydraulic fracturing.

So we have to be on our toes, and we have to have a wake-up call for the American people. If we want to have good, clean, abundant, cheap energy, we have it right here in the United States of America, and we need to knock down the political obstacles and develop our own resources like everybody else does.

With that, I yield the floor.

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. KERRY. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 287; that the nomination be confirmed, the motion to reconsider be made and laid upon the table, with no intervening action or debate, and that no further motions be in order to the nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nomination considered and confirmed is as follows:

DEPARTMENT OF STATE

Sung Y. Kim, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Korea.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. KERRY. Madam President, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate proceed to executive session to consider Calendar No. 78; that there be 4 hours for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on Calendar No. 78; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

Mr. KERRY. 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 that the order for the quorum call be rescinded.

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

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. REID. Madam President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. There being no objection, the Senate, at 3:43 p.m., recessed subject to the call of the Chair.

JOINT MEETING OF THE TWO HOUSES—ADDRESS BY THE HONORABLE LEE MYUNG-BAK, PRESIDENT OF SOUTH KOREA

Thereupon, the Senate, preceded by the Deputy Sergeant at Arms, Martina Bradford, the Secretary of the Senate, Nancy Erickson, and the Vice President of the United States, JOSEPH R. BIDEN, proceeded to the Hall of the House of Representatives to hear an