

## NOT VOTING—4

Boxer  
Coburn

Durbin  
Heller

The nomination was confirmed.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Under the previous order, the motions to reconsider are considered made and laid upon the table. The President shall be immediately notified of the Senate's action.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session. The Senator from Vermont.

## MORNING BUSINESS

Mr. LEAHY. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

The Senator from Oklahoma is recognized.

## THE HIGHWAY BILL

Mr. INHOFE. Madam President, after the vote today, I think that any effort to pass a bill such as the ones we just voted on would be very difficult. But something good does happen from that; that is, we had the vast majority of people in the Chamber recognizing that we need to do something that would be stimulative to the economy—something unlike the stimulus bill we had before, where only 3 percent of the money actually went to building roads, highways, maintenance, and that type of thing.

I do appreciate the fact that we are now in a position where I think, with this behind us, we can be looking at a good, legitimate highway transportation reauthorization bill. I have been working very closely with Senators BOXER, VITTER, and BAUCUS—we are considered the “big four” in the Environment and Public Works Committee—to come up with something. I have to say that we have worked very hard, and I am talking about hours and hours. Anytime you can get Senator BARBARA BOXER from California and me to agree on something, you know we have gone through a lot of work—and we have. We have gone through a lot of give and take.

Senator BOXER and I, along with Senators VITTER and BAUCUS, recognize that we desperately need to have a transportation reauthorization bill, and we need to do it the right way. All these things we have been doing with extensions don't work. There is not a Member of this Chamber who doesn't go back every week and talk to his transportation director and say why can't we quit these extensions and get a good bill.

We have a good bill, and we are talking about reforms. It is our intention

next week, I believe, to mark up this bill. We are looking forward to that. I have a very strong bias toward transportation. For the years I was in the House, I was on that committee. We didn't have these problems then. We had a highway trust fund that always had a surplus because we were very aggressive at that time and, of course, a lot more people were purchasing gas at that time and revenues were up. So we had a surplus.

Unfortunately, this always happens in Washington, DC. Members came along and looked at the surplus, and that was a target. Everybody wanted in on it, so they put their deals into the highway trust fund. That is partly why we got to where we are today.

I appreciate the conversation we have gotten from the President. He talks about how he wants infrastructure, and he has a picture of where he was standing in front of a bridge making a speech about creating jobs. But he doesn't have anything in his program that does anything with infrastructure. Our problem is that President Obama has been talking the talk, and he has spoken more about infrastructure than any other President since Eisenhower proposed the Interstate Highway System. But when you get up to the \$800 billion stimulus bill, in doing the calculations, only 3 percent—about \$27 billion of that—was in highway construction or maintenance. Senator BOXER and I made an effort on the floor—a bipartisan effort—to try to raise the percentage. I wanted it up to 10 percent or higher, but we were unable to do it. The President was not on our side on that.

I think the good news is that today's votes, of both Democrats and Republicans, showed that they are very interested and supportive of a highway bill. We have gotten a lot of that out of the way and we can concentrate on a highway bill. I think both parties are trying to create jobs and economic growth through the building of highways and bridges.

Most Americans are unaware of how damaging regulations are. When I stop and think about proposing a massive program, which is what we are talking about now—reauthorization program—it is massive in that the funding level would probably stay the same as it has been since the highway authorization bill of 2005. But when they talk about that, we are always faced with the regulation problems. We are trying to address in this bill the regulation problems that are out there to try to have some shortcuts, to try to get some things done that otherwise would take a lot longer. Regulations have been a huge problem.

## EPA REGULATIONS

This administration's Environmental Protection Agency alone has an unprecedented number of regulations, and they are destroying jobs. The results are there. I will mention the five most expensive regulations of all the regulations that have come out.

First is the greenhouse gas regulation. I think we all know what that is. That is them trying to do something through regulations they were unable to do through legislation.

Second, ozone, the national ambient air quality standards. That would be about a \$678 billion loss in GDP by 2020.

Incidentally, I failed to mention the greenhouse gas regulations, which would be in excess of \$300 billion to \$400 billion a year.

The boiler MACT regulations—that would be a \$1 billion loss to GDP. Utility MACT—MACT is maximum achievable technology. In other words, one of the problems with all these MACT bills coming out of the administration is that there is no technology available to carry out the mandates on emissions. Cement MACT is another, with \$3.5 billion in compliance costs.

Fortunately, in September, President Obama withdrew the EPA's proposed toughened ozone standards. There is good reason for that, and one is that ozone standards are supposed to be predicated upon new science. This was on the same science that the last ozone changes were based on. I think when people caught on to that and recognized what it would cost—in Oklahoma, we would be looking at some 15 counties that would be out of attainment, and there is nothing more dreadful that could happen to a State than have your counties go out of attainment so that you are not able to recruit jobs, or even keep the jobs you have. We would be talking about around 7 million jobs throughout the United States. Because of that, politically, he postponed that. Frankly, I think he is postponing it until after the next election. If he should be re-elected, I can assure you we will see that again.

Democrats always say we need to have tax increases and that is the best way to grow. I look at this sometimes. Recently, the Office of Management and Budget came up with a calculation that is consistent with one I have been using for 20 years: For each 1-percent increase in economic activity in this country, or 1-percent growth, that equates to about \$50 billion of new revenue. Interestingly enough, this is all a Republican idea. President Kennedy, who was a Democrat, said we have to raise more money for the Great Society, and the best way to raise money is to reduce marginal tax rates. He did it and it worked. We saw what President Ronald Reagan did in the years that followed that. During the 8 years he was in office, the proceeds for marginal rates went from \$204 billion to \$466 billion. That was at a time when rates were reduced more than any other 8-year period in history. We are looking at other opportunities to reduce regulations and all that so we can resolve the problem.

There is one thing that is very important—and I know there is nobody in this Chamber who doesn't recognize the concern I have expressed over the

years about the legislation proposed ever since the Kyoto treaty on legislative cap and trade. Every time there is an analysis made—whether by MIT, or by the Wharton School, Charles Rivers, or any of the rest of them—the range of the cost of cap and trade legislatively is always between \$300 billion and \$400 billion a year. We found out that if you do it by regulation, it is going to be far more than that. These are Democrats who are on record as saying that. Lisa Jackson, for whom I have a great deal of respect, is the Obama-appointed Director of the Environmental Protection Agency. Every time I ask her a question, she gives me an honest answer. She said:

I have said over and over, as has the President, that we do understand that there are costs to the economy of addressing global warming emissions, and that the best way to address them is through a gradual move to a market-based program like cap and trade.

Yes, they would cost a lot of money. Nobody refutes the \$300 billion to \$400 billion figure.

JOHN KERRY said this:

If Congress does not pass legislation dealing with climate change, the administration will use the Environmental Protection Agency to impose new regulations.

These regulations would be more expensive. I think the EPA admitted that if they were able to accomplish this through regulations, they would need to hire an additional 230,000 employees and spend an additional \$21 billion to implement its greenhouse gas regime.

All of this economic pain is for no gain. As EPA Administrator Jackson also admitted before the EPA committee, these regulations will have no effect on the climate. I want to mention that. That is significant. A lot of people disagree with me in terms of the impact of CO<sub>2</sub> emissions and all of that.

Let me say this. Two things having to do with that issue are very important. One is that if we were to pass legislation or do something through regulation that would be aimed at reducing greenhouse gases, would this have an effect on the reduction of emissions worldwide? I asked that question to Lisa Jackson, and her answer was “no.” Obviously, the problem is not here in the United States, it is in China, India, and other places.

In looking at it that way, I have to also mention that we all know what happened with climategate. We all know, when we went in and started an endangerment finding, it was based on the science that came from the IPCC, which has now been totally discredited. When I have more time, I will go into the details as to how that was discredited. For example, this was such a great scandal, the Daily Telegraph said:

This scandal could well be the greatest in modern science.

So that is what was happening. They were cooking the science at the United Nations and the IPCC. Now we are at the point where we asked for an inspector general opinion as to whether the EPA had followed the proper guidelines

in trying to regulate greenhouse gases, and, in fact, they did not follow the right guidelines.

So I would only say that the inspector general's investigation uncovered that the EPA failed to engage in the required record-keeping process leading up to the endangerment finding decision, and it also did not follow its own peer review procedures to ensure that the science behind the decision was sound science. EPA Administrator Lisa Jackson readily admitted the science that was used was flawed, the science used by the Intergovernmental Panel on Climate Change.

So I would say this: We are concerned about what is going to happen now. We are concerned about the overregulations. We are concerned about the process that has been used and how regulations are used to support an agenda the President has.

I will mention one last thing, and that is a regulation I didn't mention before. Of the five most expensive regulations, this isn't one of them, but it could end up costing the most. We know for a fact that the United States of America—we have a report now that shows that with all the findings and with all the good things that are happening in the shale throughout the United States and elsewhere in the Northern Hemisphere, we could be totally free from dependency on any other country if we would just get politicians out of the way and develop our own resources.

We have enough natural gas to meet America's demand for 90 years and enough oil for 50 years, but in order to do this, they have to use a process called hydraulic fracturing. Ironically, that was started in my State of Oklahoma in 1949 and has been used ever since that time, and there has never been a confirmed case of groundwater contamination. Nonetheless, right now we see that they are going through this process of saying: We are going to take over the regulation of hydraulic fracturing from the States and place it with the Federal Government. I have to be suspicious that there is motive behind that, and that motive is to restrict the use of hydraulic fracturing.

We could open the east coast, the west coast, the gulf coast, the northern slope, and everything else, but if we can't use that process, we will not be able to achieve energy independence, which we can do. We don't have to use anything new that is out there other than oil, gas, and coal. With what is happening right now with hydrogen, we have an opportunity to become self-sufficient.

With that, I will yield the floor so my good friend can make his comments.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

#### TRIBUTE TO THE 389TH EXPEDITIONARY FIGHTER SQUADRON

Mr. RISCH. Madam President, I rise today to recognize the valor and ac-

complishments of the 389th Expeditionary Fighter Squadron. The 389th—better known as the T-Bolts—is part of the 366th Fighter Wing based at Mountain Home Air Force Base in Idaho. At Mountain Home, the squadron is composed of 80 airmen from across the United States, including aviators and essential ground personnel. While deployed, the squadron grew to over 400, including maintainers, intelligence personnel, and support staff from the 366th.

In May 2011, the T-Bolts deployed to Bagram airbase in Afghanistan, with 18 F-15E Strike Eagles to support Operation Enduring Freedom. In the process, they demonstrated resolve and what can be accomplished through fierce loyalty to each other and to our country. The T-Bolts prosecuted 3,100 combat missions and dropped 800 tons of ordnance. They supported 3,700 ground missions by American and allied forces and responded to 820 “troops in contact” emergency combat support calls. In addition, they worked directly with special operations forces to destroy 170 enemy weapons caches and capture 620 detainees, including 90 high-value individuals.

The diligence of the maintainers and ground personnel ensured that the 389th met 100 percent of their taskings without missing a single sortie. And the pilots and weapons system officers broke the F-15E deployment record, flying more than 14,000 hours in just over 6 months.

Through their excellence and determination, the 389th kept relentless pressure on the al-Qaida network, killing key members of their senior leadership. Additionally, they directly supported numerous large-scale coalition ground operations with kinetic and non-kinetic effects as they provided lethal close air support across Afghanistan.

The men and women of the 389th made a real and substantial contribution to the safety of America, the success of the global war on terror, and the destruction of al-Qaida and those who would do us harm. By successfully taking the fight to the enemy, the T-Bolts helped write the history of the early 21st century through their tenacity and courage.

No one summed it up better or more eloquently than the commander of the 366th Fighter Wing, COL Ron Buckley, who said of his airmen:

I am incredibly proud of the professionalism and dedication our gunfighters displayed while flawlessly executing their mission to deliver precise combat air power for joint operations on the ground. From aircrews to maintainers to support, the T-Bolts carried on the incredible legacy of the gunfighters and answered our Nation's call.

I also want to take this important opportunity to honor America's unsung heroes by recognizing and commending the families and loved ones of those who serve in the 389th. We are also