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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, our comfort and guide, as we begin this day in the forward march of history, we acknowledge Your sovereignty. Your unfailing love and mercy continue to sustain us, and we put our hope in You.

Today, fill our lawmakers with Your wisdom, enabling them to shoulder the demands of decisions, the strain of conflict, and the uncertainties about tomorrow. Let Your justice guide their thoughts and Your righteousness direct their steps. Fill them with Your joy and use them for Your glory.

Make each of us a blessing and not a burden, a lift and not a load, a delight and not a drag.

We pray in the Name of our Lord and Savior. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

Washington, DC, February 29, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will be in a period of morning business for 1 hour. The Republicans will control the first half and the majority will control the second half.

Following morning business, the Senate will resume consideration of the highway bill. We continue to work on a process to complete action on this bill. We are going to have to do that. If we can't get an agreement to move forward on this bill, I have no alternative but to try to stop the filibuster that is taking place. I hope we don't have to do that. We have agreed to work on amendments that are relevant and germane. Senator DURBIN, the whip, has worked on side-by-sides and other amendments, so we are ready to move forward, but we can't do it unless we get some basic cooperation, and it will be a shame if we can't move forward on this bipartisan bill.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the second half.

The Senator from Illinois.

ORDER OF BUSINESS

Mr. DURBIN. Madam President, will the time be running on the minority party's first half hour?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. DURBIN. Madam President, I suggest the absence of a quorum until a member of the minority appears.

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

The assistant legislative clerk proceeded to call the roll.

Mr. THUNE. 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.

ENERGY POLICY

Mr. THUNE. Madam President, back in 2008 then-Senator Obama said that under his policies energy costs would necessarily "skyrocket" and that he would "have preferred a gradual adjustment to higher gasoline prices." He indicated at the time that under his policies energy prices were going to go up. He mentioned that he would like a more gradual adjustment, but when he talked about those policies, he said energy costs would necessarily "skyrocket."

I think we now know which of the campaign promises the President has kept because we have seen energy prices skyrocket for most Americans. In fact, gasoline prices have doubled

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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under President Obama's watch. If you look at January 2009, the price per gallon of gasoline was \$1.85. Today it is \$3.73, and some analysts are predicting \$5-a-gallon gasoline by May of this year. Today marks the 24th straight day of gasoline price increases.

The problem with all this is that the President rhetorically, when he goes out and talks about energy, says that he wants an all-of-the-above strategy. We always say that imitation is the sincerest form of flattery, and obviously that is a phrase many of us as Republicans have been using for some time. We talk about an all-of-the-above strategy that includes oil and gas and clean coal and nuclear and biofuels and solar and wind—all of those. The problem with what the President says is that his actions say he really means "none of the above." He says "all of the above," but he means "none of the above" because the President has taken unprecedented steps to restrict access to America's affordable and reliable sources of oil and natural gas.

President Obama's energy policies are increasing the cost of gasoline in this country. His administration is pursuing new regulations that will increase the cost of domestic energy production and destroy jobs. More domestic production of energy in this country equals lower prices at the pump and more American jobs.

The President's statements have been punctuated or reinforced by members of his administration. I go back to 2008, Dr. Steven Chu, who is now President Obama's Energy Secretary, who said at the time:

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

Think about that: that somehow we have to figure out how to boost the price of gasoline to the levels in Europe. If we look at the levels in Europe, I think even at that time we are talking about \$9 to \$10-per-gallon gasoline. So we have members of this very administration suggesting, even back then, that part of the strategy, the energy strategy, was to increase prices. Think about that, having an energy strategy that is actually going to drive up the cost of energy to people in this country.

Yesterday, in testimony before the House Appropriations Committee, now-Secretary Chu, who said back in 2008, "Somehow we have to figure out how to boost the price of gasoline to the levels in Europe," was asked: But is the overall goal to get our price of gasoline down? That was asked by a Member of the House of Representatives, again, as Secretary Chu was testifying in front of the House Appropriations Committee. Is the overall goal to get our price of gasoline down?

This is what the Secretary said:

No, the overall goal is to decrease our dependency on oil, to build and strengthen our economy.

When we are literally doubling the price per gallon of gasoline, how does

that strengthen your economy? Small businesses are faced every single day with the high costs of energy. It is an important component of running a business in this country. Energy is probably one of the most important costs people are going to deal with. It certainly is in my part of the country, where I represent an agricultural economy. American families are looking at gasoline prices that literally have doubled since this President took office. Yet here is the Secretary of Energy, the very guy who was to guide energy policy in this country, in front of a House committee as recently as yesterday, when asked about the overall goal, whether the overall goal is to get the price of gasoline down, he said no. It squares perfectly with what he said 4 years ago when he indicated that we need to figure out how to somehow boost the price of gasoline to the levels in Europe.

That is an amazing statement. I think it is almost incomprehensible to the American people in terms of what it means to their daily lives because they are the people who ultimately, in their pocketbooks, have to deal with the consequences of bad policies—bad policies that raise the price of energy and make it more difficult for them to balance their budgets and to be able to continue to enjoy the standard of living and quality of life in this country.

Yesterday Secretary of the Interior Ken Salazar defended the Obama administration's failure of an energy policy when testifying before the Senate Energy and Natural Resources Committee. He said:

We have an energy strategy and a policy that we have been working on from day one, and we believe it continues to show good results.

Think about that.

We have an energy strategy and a policy that we have been working on from day one, and we believe it continues to show good results.

I don't know how you can argue that doubling the price for a gallon of gasoline is a good result. And literally taking areas out of production in this country that could be yielding energy, that would help reduce the dependence we have on foreign sources of energy, drive down the price at the pump and create American jobs is a good result? I don't know how you can argue that what has happened during this administration's time in office has been anything but disastrous for the American people, for American business, and for the continued dependency we have on foreign sources of energy.

President Obama rejected the Keystone XL Pipeline which would have created 20,000 shovel-ready jobs and delivered up to 830,000 barrels of oil per day from Canada, America's largest trading partner.

President Obama has reduced the number of offshore leases by half. President Obama has blocked exploration and production on 97 percent of offshore areas; 97 percent of those areas

that could be useful in helping meet America's energy needs have been put off limits by this President, by his policies that blocked exploration and production in those very areas.

Under the Obama administration, new permits to drill in Federal onshore and offshore areas have declined by 40 to 50 percent.

That is the President's record on energy. How his Secretary of the Interior can say their energy strategy shows good results is beyond me. It is completely at odds with the reality and with the facts.

The Obama administration is implementing a national backdoor energy tax through unprecedented regulation of greenhouse gas emissions under the Clean Air Act, specifically targeting the oil and gas industry with new regulations, such as new source performance standards, Boiler MACT, and tier 3 gasoline standards that could drive up the cost of gasoline production by 25 cents, raise the refining industry's operating costs by \$5 to \$7 billion annually, lead to a 7- to 14-percent reduction in gasoline supplies from U.S. refiners, and force as many as seven U.S. refineries to shut down. That is the tier 3 gasoline standard the Obama administration is proposing. Time after time, opportunity after opportunity is missed.

This President continues to put policies in place that make it more difficult and more expensive to create jobs and raises the cost of doing business by raising the cost of energy and raising the costs that every American consumer has to deal with in the form of higher gasoline prices.

When he says he supports an "all-of-the-above" energy plan, his policies tell a very different story because his policies have discouraged increased production of oil, and high oil costs are indeed a key driver of gasoline costs. Republicans support a real all-of-the-above strategy, and that includes production in all sources of energy. It includes support of projects such as the Keystone XL Pipeline that will strengthen America's energy security, and we have to have a robust energy plan focused on increasing those areas of domestic production that will send a strong signal to energy markets around the world to make America less vulnerable to skyrocketing gasoline prices.

It is interesting the response on Capitol Hill to this spike in gasoline prices we have seen over the past several days is along these lines. There was a letter from Senator SCHUMER to Secretary Clinton a couple of days ago in which he talked about the skyrocketing fuel prices and directly linked those to the global energy market but suggested that the solution should be urging the State Department to work with the Government of Saudi Arabia to increase its oil production to its actual capacity of 12.5 million barrels to help stabilize markets.

Instead of developing American resources and actually doing something

that would lessen the dependence we have on these foreign sources of energy, the solution proposed by some of our colleagues—at least some of our Democratic colleagues—is to have Secretary of State Hillary Clinton go to the Saudis, hat in hand, and beg them to increase daily production by 2.5 million barrels, ironically at the very time they are blocking policies that would help generate that same 2.5 million barrels a day right here in the United States and stabilize world markets.

In fact, if we look at many of these areas that are off limits to production today—the North Slope of Alaska, the Atlantic Outer Continental Shelf, the eastern Gulf of Mexico, the Pacific Outer Continental Shelf, the Keystone XL Pipeline—if we add up the amount of production that will bring to our country, it adds up to 4.5 million barrels a day, 4.5 million barrels per day of additional energy production that we could be benefiting from and enjoying at a time when we are seeing gas prices literally double.

Of course, in accordance with the President's promise when he was running for office that prices were going to skyrocket, it should not come as any surprise. But these energy policies implemented by this administration have literally created a situation where we are now having to go and ask the Saudis: Please, would you please give us an additional 2.5 million barrels of oil a day instead of opening the areas that could generate up to 4.5 million barrels per day if we would simply develop the resources we have in this country and quit blocking the access to these important energy resources.

This is a fairly straightforward issue for the American people, No. 1, because it hits very squarely in their daily lives. The pocketbook issues, the bread-and-butter issues, the issues people discuss around their tables every day are the issues that I think are most important to America right now, particularly with a down economy and high unemployment rates. Certainly, what we are seeing in terms of energy costs makes that situation worse for American families. In fact, the payroll tax holiday which was extended a couple of weeks ago will actually be eaten up, any savings that might be achieved to the American family's pocketbook will literally be eaten up simply by paying the higher costs of gasoline that are going to be imposed on every American family as a result of these higher prices, again, that simply are the result of us not having enough supply.

This is a market situation. Gasoline is a global commodity. When we have more supply, it brings the price down. When we have more domestic production, it means two things: it means lower prices at the pump for American consumers, and it means more jobs for American workers. Blocking access to American sources of energy production means higher prices at the pump for American consumers and fewer jobs for

American workers. It is that straightforward. It is that simple.

The American people understand that. That is why the policies this administration is pursuing—and, clearly, from the statements that are being made by these members of the President's administration, from Secretary Chu to Secretary Salazar to the President himself—suggest, if you can believe this—unfathomable, I am sure, to many Americans—that it is intentional to actually push those prices higher.

That is what Secretary Chu said back in 2008: We need to boost our prices to the level they are seeing in places such as Europe.

I think the American people believe differently about that. I believe they deserve better. They want policies that lower the cost of energy and make America less dependent upon dangerous foreign regimes. I know many of us—Republicans in the Senate—are ready to go to work putting those policies in place if the President and his allies in the Senate will give us that opportunity.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

ENERGY POLICY

Mr. MCCONNELL. Madam President, I want to associate myself with the remarks of the Senator from South Dakota and follow up in that regard.

Yesterday I came to the Senate floor and explained how the President's ideological outlook and the policies that have grown out of it will only continue to drive up the cost of gasoline at the pump. After I spoke, the President's Energy Secretary seemed to confirm it when he told a congressional panel that the Department of Energy isn't working to drive down the price of gas. They are working to wean us off of it altogether, and high gas prices add urgency to those efforts.

In other words, high gas prices actually help the administration achieve what it is trying to achieve. What I suggested yesterday and what I am suggesting again this morning is that we look at statements such as this and many others from the President and some of his top advisers in the past, along with the President's actual policies when it comes to assessing the current situation at the pump—not the speeches he gives when he starts feeling the political heat for it because he can't have it both ways.

Once again, here are the facts. The President continues to limit off-shore areas to energy production and is granting fewer leases on public land for oil drilling. At the same time, he has encouraged other countries such as Brazil to move forward with their off-shore drilling projects. The Obama ad-

ministration continues to impose burdensome regulations on the domestic energy sector that will further drive up the cost of gasoline for the consumer. He is proposing raising taxes on the energy sector, a move that the Congressional Research Service has said would drive up costs.

As we all know, he flatly rejected the Keystone XL Pipeline, a potentially game-changing domestic energy project that promises not only greater independence from Middle Eastern oil but tens of thousands of private sector jobs.

All of these policies help drive up the cost of gasoline and increase our dependence on foreign sources of oil, but perhaps none is as emblematic of the President's simplistic and punitive approach to energy policy as the last one. The President simply cannot claim to support a comprehensive approach to energy while at the same time standing in the way of the Keystone Pipeline. It doesn't make any sense. It is either one or the other.

Most Americans understand that. That is why many of us were pleased when the company that is responsible for building Keystone said it plans to move forward with the southern portion of the pipeline, despite the administration's decision to block the northern portion to alleviate a bottleneck in Cushing, OK. They are just not going to let this administration punish them or the rest of those who want to build this pipeline.

Asked about the impact of delays, the company's President and CEO said they were partly to blame for the recent spike in gas prices, which is presumably why the White House came out in support of the move. But the hypocrisy is quite stunning.

How could a White House that is single-handedly blocking one-half of the pipeline to appease an extreme segment of its political base now claim to support the southern half of the same pipeline? Well, the short answer is they don't have the authority to block the southern half, so they think that by claiming to support it, then they can get credit from people for being on both sides of the issue. But if Keystone is good for America and good for jobs, the President should just come out and support the whole pipeline. With gas prices literally skyrocketing and growing turmoil in the Middle East, we can't afford another year of foot-dragging. It is time for the President to move quickly to approve the entire Keystone XL Pipeline. This is literally a no-brainer.

An overwhelming majority of Americans support the Keystone XL Pipeline in its entirety. The President should listen to them. Instead of lecturing the American people about his idea of fairness, he should spend a little more time thinking about what most Americans think is fair. Most Americans don't think it is particularly fair that the President of the United States is blocking them from tapping into our