inaccessible or restricted to drilling. No drilling is allowed on the entire east and west coasts. No drilling is allowed in ANWR, in Alaska, and very limited drilling is in the gulf.

Oil and gas production is skyrocketing in States such as North Dakota and Texas simply because the President has very little control over the drilling there. That is not Federal land. This is in Texas, Oklahoma, and North Dakota. The Congressional Research Service concurs, stating in a recent report that about 96 percent of the increase in oil and gas production since 2007 took place on nonfederal lands. In other words, it has happened in spite of the President's efforts. The President imposes all of these punitive taxes because he doesn't have control over private lands. He tries to say: In my administration we expanded production. That has happened in spite of his policies.

At end of the day, all of President Obama's oil and gas policies make it harder for U.S. firms to justify projects at home. This is to the detriment of our economy. Just look at the increase in taxes, the killing of the pipelines, the stopping of hydraulic fracturing, making drilling off-limits. To let you know what States are missing out on, a Friday New York Times front-page article ran about oil and gas development going on in west Texas describes how this helped the local economy, saying new-found wealth is spreading beyond the fields in nearby towns.

Petroleum companies are buying so many pickup trucks that dealers are leasing parking lots the size of city blocks to stock their inventory. Housing is in such short supply the drillers are importing contractors from Houston. The hotels are leased out before they are even built. Two new office buildings are going up in Midland, a city of just over 110,000 people—the first in 30 years—while the total value of downtown real estate has jumped 50 percent since 2008, with virtually no unemployment.

Restaurants cannot be found. They cannot find people to work because they are fully employed. One of the individuals from Oklahoma, a great producer, went up to North Dakota. He is up there right now. I talked to him yesterday and he said: The biggest problem we have is that we cannot hire anyone. It is full employment. Things are great.

That is what the rest of the country is missing out on. When we make the United States less competitive for U.S. oil and gas firms, as the President's tax policies propose, this sort of red-hot growth goes to places such as Azerbaijan and Nigeria instead of Midland, TX, and Oklahoma City. Rather than help our economy, the President's tax policies make us more reliant on foreign oil imports from unstable regions of the world.

I don't know about you, but I would rather see pickup truck dealerships running out of vehicles to sell in Cushing, OK, than in Caracas, Venezuela.

The President will not admit this, but we have seen what punitive tax hikes do to the oil and gas industry. They hurt our economy. President Carter, way back in the early eighties, confirmed this with the windfall profits tax. He was going to punish the bad oil companies. As a result of that, it decreased domestic production by 3 to 6 percent, which increased American dependence on foreign oil sources by 8 to 16 percent. Almost all of it was from the Middle East. It doubled our dependence by putting taxes on the oil industry here. A side effect was also declining, not increasing, tax collections.

Since we know what happens when we do this sort of thing, we don't need to try the experiment again. Regardless, the President and most on the left insist that taxpayers are subsidizing oil and gas firms. But, apparently, they have not been reading the facts.

The Tax Foundation recently estimated that between 1981 and 2008, oil and gas companies sent more money to Washington and State capitols than they earned in profits for shareholders.

The administration's own Energy Information Administration reported that the industry paid about $35.7 billion in corporate taxes in 2009.

The oil and gas industry sends $86 million per day to Federal and State governments, and their effective income tax rate is over 41 percent, which may be the highest of any industry in America. But the President and congressional Democrats want them to pay more.

In addition to these tax increases, Secretary Salazar recently told Congress his department is planning to raise the onshore royalty rate by 50 percent. These are the royalty rates to ensure taxpayers get a fair return on the development of oil and gas leases on public lands. If what we are trying to do is raise more revenue, we should get it by growing the economy.

We have used the figure over and over that with each 1 percent increase in economic activity that translates into about $50 billion in new revenue. We can do that by unlocking more domestic supply for development, and this will lower prices at the same time. We have plenty of it. The CRS report recently stated we have the largest combined oil, natural gas, and coal recoverable reserves on Earth—more than any other country, more than Saudi Arabia, more than any other country. This means we have a 50-year supply of oil in present consumption in the United States, for 50 years, just exporting our own development or 90 years' supply of natural gas.

At the end of the day, this bill, and the rest of the President's proposals, will only make U.S. oil firms less competitive compared to their international peers. It will raise the cost of energy by restricting global prices. It will force us to become more reliant on others, which will make us more vulnerable from a defense and economic security perspective. The only way to resolve this problem and to do something about reducing the price at the pump is to start developing our own resources.

A minute ago I talked about what is happening in Midland, TX, and North Dakota, and what is happening in some areas in Oklahoma. I can remember when I was a little kid I worked on cable-and-tool rigs. That was very difficult at the time.

A man by the name of A.W. Swift had 18 cable-and-tool rigs. At that time, instead of rotaries, they would pound down. Sometimes I would work two shifts. One night I was working the second shift, and the well blew up. The owner had one son named Burt. Burt was killed and I wasn't. When I stop to think about the prosperity in those days of the oil and gas industry in Oklahoma, I think about the nearby town of Pawhuska, where people had to wait in line to pay their lunch bill. It was full employment and not an empty storefront. But up until we started producing again in Oklahoma, it was very much almost a ghost town.

Now things are coming back, and we can take advantage of that. In spite of the tax policies of President Obama, we are coming back, and we can do this throughout the United States. The most important thing we can do is make sure the Menendez-Obama bill to increase taxes on the oil and gas companies in the United States is defeated. We hope we have the opportunity to do that.

With that I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

Mr. TESTER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

REPEAL BIG OIL TAX SUBSIDIES ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2204, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 337, S. 2204, a bill to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. will be equally divided between the two leaders or their designees.

Mr. INHOFE. Mr. President, I ask unanimous consent that the time on each side be equally divided during the quorum calls.

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

Mr. INHOFE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CORNYN. Mr. President, I come to the floor today to express concerns about the rising cost of gasoline and the Obama administration's efforts to further increase the American consumers' pain at the pump.

As we all know, the average price of gasoline has now more than doubled since the first week of the President's inauguration in January 2009, from $1.84 a gallon to $3.86. Furthermore, the Associated Press has reported the typical American household spends about $4,155 a year filling up at the pump—an all-time high—and 8.4 percent of the median household income, the highest percentage spent for gasoline since 1981 when oil prices soared due to the crisis in the Middle East.

The Energy Information Administration estimates that 72 percent of the price of a gallon of gasoline is made up from the cost of crude oil, which is a globally traded commodity. Although some would like to distract from the fundamentals, Congress cannot repeal the law of supply and demand.

Indeed, President Obama used to agree with us. Last March, for example, he said ''producing more oil in America will help lower oil prices.'' However, his administration has adopted policies that directly conflict with our goal of lowering gasoline prices. To add insult to injury, with the public outcry, the President is out to further confuse the facts and actually take credit for increasing production when those increases have been on private lands outside of his control, and while opposing greater exploration on Federal lands under his purview. At the same time he is even seeking now to push prices even higher by raising taxes in his fiscal year 2013 budget.

This week the Senate will be debating a bill by Senator MENENDEZ of New Jersey to increase taxes on oil producers. I don't know of anyone who could reach any other conclusion than that by raising taxes on the people who produce oil and gas, it will raise, not lower, the cost of oil, thus the refined petroleum product known as gasoline. So, actually, by punitively and in a discriminatory sort of way raising prices on an unpopular sector of the economy, we will actually make matters worse, not better.

The Tax Code supports the energy sector by providing a number of targeted tax incentives—or tax incentives only available to the energy industry. In addition to targeted tax incentives, there are a number of broader tax provisions that are available for energy- and nonenergy-related industries. For example, the section 199 domestic production deduction incentive is available to most domestic manufacturers with income derived from production property that was manufactured, produced, grown, or extracted within the United States.

So this section 199 provision applies to a whole host of American businesses, not just the oil and gas business. Yet the Menendez bill and the Obama administration continue to single out oil producers for tax increases, even though oil-related activities are already limited from claiming the deduction compared to other industries.

Analysis by the Congressional Research Service for the energy targeted tax incentives shows that while the majority of U.S. primary energy production comes from fossil fuels, the majority of energy tax-related revenue losses are associated with provisions designed to support renewables.

During 2009, 77.9 percent of U.S. primary energy production could be attributed to fossil fuels—77.9 percent in 2009. Of the Federal tax support targeted to energy in 2009, an estimated 12.6 percent went toward fossil fuels. In contrast, in that same year, more than 10 percent of U.S. primary energy sources came from renewable fuels.

In other words, just to repeat: 10.6 percent from renewable, 77.9 in that same year from oil and gas, but notwithstanding the fact only 10 percent of energy produced came from renewable fuels, 77.4 percent of energy targeted Federal tax support went toward supporting renewable fuels.

If we want to put all these tax provisions on the table, I think we should do that. As a matter of fact, the Simpson-Bowles study identified more than $1 trillion of tax expenditures. But let's not just pick out one sector of the economy and, in the process, raise taxes and increase the price of gasoline at the pump as an unintended but clearly likely outcome.

We know the Menendez bill is not about tax reform. This is about mixing the message and trying to drive a wedge between the American people and the people who actually create jobs. Unfortunately for the administration, raising taxes will, in fact, translate into higher prices.

It is a fair question to ask whether this administration can defend its policies, such as their budget proposal to raise taxes where they argued these tax provisions should be repealed because they ''encourage overproduction of oil'' and are thereby ''detrimental to long-term energy security.''

I am not sure most Americans understand that the official policy of this administration is that tax deductions should be removed because they encourage overproduction of oil in America. I thought the goal—one of our goals—was to produce more at home so we would depend less on imported energy from abroad.

Then there is the Keystone Pipeline, which is well-known. The President is the primary obstacle to the completion of that pipeline which will create more than 20,000 new jobs and produce 700,000 barrels of oil at refineries in the United States from a safe and friendly source—the nation of Canada. Because the President is blocking completion of the Keystone XL Pipeline, they are looking for alternative customers. Indeed, the Prime Minister of Canada has visited China to prospect that potential purchase.

What is worse, it is not just that the President hasn't acted, it is that the President has actually lobbied in the Senate to defeat efforts to bypass his obstruction to the completion of the Keystone XL Pipeline.

Well, the President must be feeling the heat because he showed up in Cushing, OK, to celebrate and to say he would expedite about one-third of the pipeline, which, ironically, doesn't require him to do anything. It certainly doesn't turn on the spigot in Canada to get the oil in that pipeline to come from Canada down to the United States.

So we can see our Nation has no coherent energy policy. We see that not only is this an area that has been neglected to the detriment of the American consumer, but actually the sorts of policies being pursued by the administration—particularly with regard to the Keystone XL Pipeline and raising taxes on domestic oil producers—are designed to make matters worse for American consumers at a time when they are struggling to recover from this recession, with historically high rates of unemployment and too few jobs.

Looking at all the evidence on energy prices, it is hard to come to any conclusion other than that high energy prices are part of President Obama's plan. The policies he has put in place have intentionally elevated the price of gasoline, much to the detriment of the American people.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from the State of New Jersey.

Mr. PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise in support of S. 2204, which is my legislation to repeal Big Oil subsidies.

This bill is pretty simple. We end wasteful subsidies to the big five oil companies, and we use those proceeds to invest in clean energy, in creating jobs, and reducing the deficit. I think the American people are sick and tired of paying ridiculously high gasoline prices at the pump and then paying Big Oil again with our collective taxpayer subsidies. I think that money is better spent keeping our economy going and developing alternatives to oil that will create competition in the marketplace and help to reduce gas prices.

We are poised to waste $24 billion over the next 10 years subsidizing only five companies that are poised to make over $1 trillion in profits—not proceeds, in profits—over the same time frame. And as we all pay more at the pump, Big Oil rakes in more money.

Exxon boasts in its Securities and Exchange Commission filings that for every $1 increase in the price of oil, their profits rise by $375 million. For every $1 the price of oil goes up, they boast in their filings that their profits—not proceeds, profits—rise by $375 million. The American driver's pain is Big Oil's profit.

What is Big Oil doing with its profits? Well, the answer is not useful. As you can see in this chart, the profits from the big five oil companies were $137 billion in 2011. That is an impressive 75-percent increase from 2010. Did they use that extra money to produce more oil, as some of my colleagues here would suggest? No, they didn't. They took your money and actually in that time frame didn't produce a drop more of oil. As you can see, despite the fact that overall U.S. production is higher now than it has been in the last 8 years, last year these five companies actually produced 4 percent less oil.

So it is fair to ask: If they did not invest to produce more oil, then what are they doing with this $137 billion in profits, this 75-percent increase in profits in 1 year? Well, they spent about $38 billion repurchasing their own stock to enrich themselves, and they spent nearly $70 million on campaign contributions and lobbying to protect their billions of dollars in subsidies. As you can see here, it was a pretty smart investment. For every $1 they spent in lobbying, they got about $30 in subsidies. One might say that is not a bad return on their investment.

So instead of giving these subsidies to Big Oil so they can enrich themselves and seek to affect and control our political system, I think we could use some of those funds to reduce the deficit. I think we can all agree we need to reduce the deficit, but there seems to be some considerable disagreement on how to do it. Last week, those on the other side of the aisle came out with what I call the Romney-Ryan budget, their proposed budget, and it would drastically cut funding for wounded soldiers, for seniors, for students, but it leaves in place these wasteful subsidies even though we have this enormous profit.

Through some political sleight of hand they defy reality when they tell us with a straight face that we have to make tough choices, and then they cut funding for wounded soldiers, for seniors, and students but won't touch the subsidies for Big Oil.

Somehow, in this Republican parallel universe, logic is turned on its head and we are asked to believe that fairness doesn't mean treating everyone equally. It means more for the very rich and more for Big Oil. But we don't live in a parallel universe. We live in the real world. Fairness means that working families should not be the only people sacrificing. And we can't lower the deficit while we give taxpayer dollars away to Big Oil companies that are making record profits and not producing more energy. It is amazing to me that anybody can come and make that argument.

What makes these subsidies even more ridiculous is that when we pressed those who have supported the industry or those who have come from the industry, everyone seems to admit that oil companies do not need these subsidies. Former President Bush, who was very good with the oil industry, said that oil companies do not need incentives to drill when oil hits $55 per barrel. Those were his remarks. Now it is over $100 a barrel. So if they didn't need incentives to drill when it was at $55 a barrel, how does anybody come to the floor and suggest they need incentives now when it is over $100 a barrel?

Then the former CEO of Shell said that subsidies are not necessary for drilling and production. That is pretty much probably clear when they are making $137 billion in that 1 year, and where they will make $1 trillion over the next decade.

Of the $24 billion we save by cutting these subsidies to the big five, we can use over $11 billion to extend a series of critically important expiring energy tax incentives. These clean energy technologies will cut demand for oil, they will drive economic growth, will create jobs, and will allow America to lead the global clean energy market.

Despite Big Oil's rhetoric—let me tell you, it is amazing. I see they are spending a lot of that money, all this money here not making oil, but they are spending it on television to scare everybody and to say that, Oh, if you take any of those subsidies away, somehow prices will rise. Well, we know that, despite Big Oil's rhetoric, cutting subsidies will not raise gas prices. We know that. Why? Because experts from the U.S. States Treasury Department, from the nonpartisan Congressional Research Service, and from oil executive testimony that came before the Finance Committee that I sit on, made it very clear that is not the case.

But more than that, some of the most important tax policies that will be extended in this bill will help drive down gas prices by creating competition for oil as a transportation fuel. These incentives include the one for biofuels such as cellulosic ethanol, biodiesel, also incentives for natural gas and propane used as a transportation fuel. There are also incentives for alternative fuel refueling infrastructure and for electric vehicles. Taken together, these incentives are laying the groundwork for a truly competitive market where we are not beholden to one type of fuel to power our vehicles. But the good news doesn't even end there. There are also tax incentives that will help the United States compete for the renewable industries of the 21st century.

For example, the section 1603 Treasury grant program has helped finance renewable energy projects around the country. It has leveraged over $35 billion in investments to create tens of thousands of energy projects. In my home State of New Jersey alone, 750 grants were given for solar, geothermal, landfill gas, hydropower, wind projects. These projects are worth over $350 million, creating many jobs, and will help New Jersey on energy bills for decades to come.

Another important renewable energy incentive is the production tax credit for wind. Since the last reauthorization of PTC in 2005, wind power capacity has more than tripled. But if that production tax credit is not extended, it is estimated that annual installations of wind will drop by more than 75 percent and wind-supported jobs will decline from 78,000 in 2012 to 41,000 in 2013, and total wind energy investment will drop by nearly two-thirds. So it is time to get back to reality. It is time to tell middle-class families struggling to make ends meet that fairness means everyone—everyone—pays their fair share when it comes to reduce the deficit. It means ending ridiculous taxpayer giveaways to the five most profitable companies in the world.

I cannot understand how the oil industry is spending money on radio and other forms of media to say, Oh, my God, If you take any of our subsidies away—and these aren't even all of the subsidies they have. These are just a couple, the $24 billion over 10 years. They are going to make $1 trillion over 10 years. So you are telling the American people that when you are going to make $1 trillion over 10 years, we collectively as taxpayers must still give you $24 billion or else somehow $1 trillion minus $24 billion wouldn't be enough for you in profits that you would gouge the consumer at the pump? I don't think the American people are going to accept that.

It is time for us to stop wasting taxpayer money on oil subsidies and use this money to invest in clean energy, in jobs, in lowering the deficit. All of that can be done on this opportunity when we vote in favor of moving forward on S. 2204, the Repeal Big Oil Subsidies Act. It is time to put the interests of the American people ahead of the money interests in this Congress with this vote, and then moving forward.

I hear my colleagues may very well vote for us today to have a debate—which I more than welcome. I am looking forward to it. I have got a lot more to talk about in this regard—but then won't vote at the end to repeal the subsidies. So I guess what we will hear is a chorus of voices that will speak about defending Big Oil and defending its $24 billion in subsidies, and justifying that even with $1 trillion in profits they still need to get their hands into the pockets of taxpayers and take another $24 billion in addition to what they get at the pump so they can make even more profits. And, somehow, there will be a justification to that. I hope the American people will be watching, because that type of justification is beyond comprehension. I know it as I hear it from families in New Jersey.

I hope we will have this debate. I hope we will be able to move forward. I want to be able to talk about how I hear my colleagues talk about drill, baby, drill. Well, I was incredulously amazed that actually we are now exporting from the United States millions of gallons of gasoline and refined petroleum products every day to other places in the world. It seems to me that if we drill it here, particularly on Federal lands and water, we should keep it here because obviously the bigger the supply we have, the more we are going to create downward pressure on prices. But I think most Americans would be pretty shocked to know that we are actually exporting. They think everything that is created here is kept here, which is why I found it interesting—I keep hearing my colleagues talk about the Keystone Pipeline. Well, there are those of us who said, You know what. If you will make it with materials made in America so that we can ensure American jobs are created with it, and if you keep the energy here and not export it someplace around the world, then there are a lot of people who would say: Yes, along with the right environmental safeguards, let's consider it. But overwhelmingly that was voted against. So so much for American jobs. So much for securing American energy. Because what is the use of a pipeline to bring an energy source and then have it sent to other places in the world? That doesn't help us.

I am a big believer if we are going to drill it on Federal lands and water, we are going to keep it here, we are going to help us lower prices. I am a big believer if we are going to do something such as Keystone, let's make sure it is made with American materials and made with American hands and, at the end of the day, the energy is kept in the United States. I am a big believer in saying at a time of shared sacrifice, it is wrong to ask working families to do more and yet give the oil companies $24 billion, when they will make $1 trillion in profits. It is wrong to say to a wounded soldier we are going to cut programs in his long-term health care that will ultimately help him get back on his feet, but we are going to give Big Oil $24 billion. It is wrong to tell students who are trying to determine their future and get access to that college education and who will encumber themselves with significant costs along the way, no, they pay more, but we are going to give Big Oil $24 billion. It is wrong to tell seniors we are going to end Medicare as we know it, but we are going to give Big Oil $24 billion. That is beyond my comprehension.

I look forward to the debate because it is going to be very interesting to see some of the remarkable ways in which people are going to have to explain that. I don't think it is explainable to the American people. Tonight's vote starts a process: Which side are we on? Are we on the side of the American taxpayer or are we on the side of Big Oil? I hope an overwhelming number of our colleagues will, starting tonight and moving toward final passage, say we are on the side of the American taxpayer and the American consumer. If we do that, we can create some justice in this process. We can help create competition in the energy market to drive down prices, we can reduce the deficit by another $12 billion, and we can be a lot more fair to working families in this country. That is the choice before us. That is a choice the Senate will make in a positive way.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BINGAMAN. I thank the Chair.

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the Reid motion to proceed to Calendar No. 337, S. 2204, a bill to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation.

Harry Reid, Robert Menendez, Richard J. Durbin, Patrick J. Leahy, Patty Murray, Carl Levin, Charles E. Schumer, Bernard Sanders, Amy Klobuchar, Al Franken, Benjamin L. Cardin, Sheldon Whitehouse, Sherrod Brown, Mark Udall, Daniel K. Akaka, Debbie Stabenow, John F. Kerry.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 2204, a bill to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. HATCH), the Senator from Utah (Mr. LEE), and the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 92, nays 4, as follows:

[Rollcall Vote No. 59 Leg.]

YEAS—92

Akaka	Franken	Murkowski
Alexander	Gillibrand	Murray
Ayotte	Graham	Nelson (FL)
Barrasso	Grassley	Paul
Baucus	Hagan	Portman
Bennet	Harkin	Pryor
Bingaman	Heller	Reed
Blumenthal	Hoeven	Reid
Blunt	Hutchison	Risch
Boozman	Inouye	Roberts
Brown (MA)	Isakson	Rockefeller
Brown (OH)	Johanns	Rubio
Burr	Johnson (SD)	Sanders
Cantwell	Johnson (WI)	Schumer
Cardin	Kerry	Sessions
Carper	Klobuchar	Shaheen
Casey	Kohl	Shelby
Chambliss	Kyl	Snowe
Coats	Lautenberg	Stabenow
Coburn	Leahy	Tester
Cochran	Levin	Thune
Collins	Lieberman	Toomey
Conrad	Lugar	Udall (CO)
Coons	Manchin	Udall (NM)
Corker	McCain	Vitter
Cornyn	McCaskill	Warner
Crapo	McConnell	Webb
DeMint	Menendez	Whitehouse
Durbin	Merkley	Wicker
Enzi	Mikulski	Wyden
Feinstein	Moran	

NAYS—4

Begich	Landrieu
Inhofe	Nelson (NE)

NOT VOTING—4

Boxer	Kirk
Hatch	Lee

The PRESIDING OFFICER. On this vote, the yeas are 92 and the nays are 4. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

VOTE EXPLANATION

• Mrs. BOXER. Madam President, I was absent from the vote to invoke cloture on the motion to proceed to S. 2204, the ''Repeal Big Oil Subsidies Act.'' Had I been present, I would have enthusiastically vote ''aye.''•

Mr. SCHUMER. Madam President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to 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.

TRIBUTE TO SENATOR BARBARA MIKULSKI

Mr. HARKIN. Madam President, I join with the entire Senate family in congratulating my great friend, the distinguished senior Senator from Maryland, BARBARA MIKULSKI, on becoming the longest serving female