

area of Alaska known as ANWR to drilling. They relied on the nonargument that it would take too long to get the oil to market. That was 10 years ago today. Every Democrat who was asked about it said the same thing, that it would take too long to get the oil to market. I have two pages of quotes from Democrats saying it would take at least 7 to 10 years to get the oil to market.

Well, here we are 10 years later. In some places gas prices are now three times what they were in April 2002. The United States still imports one-half of its oil. ANWR is still off-limits. If we ask Democrats why they oppose more domestic exploration, they will say the same thing they said 10 years ago.

This is precisely the kind of thing this President campaigned against 4 years ago. He was the one who was going to stop kicking the can down the road. He was the one who was going to tackle the problems everybody else was afraid to face. He was the one who was going to rise above petty squabbles and the tired talking points of the past and offer something different. He was going to be a different kind of politician who would usher in a new era of authenticity.

What did the American people get? They got the same gimmicks as before. They got someone whose idea of solving a problem is to give a speech about it or to blame whatever person, place, or thing doesn't happen to poll well that day. What the American people got was a President who absolutely refuses to lead.

It is the same thing they got from the Democrat-controlled Senate, the same tired talking points, the same evasion, the same refusal to address our problems at all.

Yesterday, the chairman of the Budget Committee made it official. For the third year in a row, Senate Democrats will refuse to do the basic work of governance by refusing to offer a budget blueprint for government spending—by the way, as required by the law.

After pledging both to me and his Republican counterpart on the committee that he would, in fact, mark up a budget this year, the chairman of the Budget Committee bowed, once again, to the political pressure and said he would not put his Democratic colleagues at any political risk by asking them to vote on a plan their constituents might not like; that is, not until after the election. The Democratic chairman did suggest, however, that if Europe implodes, he might change his mind.

Well, with all due respect, the statute doesn't say the majority must present a budget if the European economy implodes. It says it must present a budget, period, so that the American people can see how much they are going to be taxed and how their tax dollars are going to be spent.

I am having a hard time thinking of a word to describe the level of leadership we are getting from Democrats in Washington these days—whether it is

the President or the Democratic Senate. Frankly, it is a disgrace. There isn't a single issue I can think of that they are willing to do anything about.

Under this President's watch, Washington has been spending more than \$1 trillion a year more than it takes in. Senate Democrats don't even have the courage to put it all in black and white. They don't have any problem spending it; they just don't want to be on record voting for it. That is what passes for leadership in Washington these days.

Well, something has to give. Our challenges are too urgent. The status quo just would not cut it anymore.

NUCLEAR REGULATORY COMMISSION

Mr. McCONNELL. Madam President, I want to talk about the Nuclear Regulatory Commission. This is the Federal agency that ensures the safety of our Nation's nuclear powerplants.

Specifically, I want to bring attention to the reappointment of Kristine Svinicki—or, rather, the curious lack of action surrounding her reappointment.

Commissioner Svinicki is one of the most respected Commissioners ever to serve at the NRC. She is an experienced and fair-minded regulator whose leadership has earned her the admiration of Members of Congress on both sides of the aisle. She was confirmed for her first term without a single dissenting vote.

Prior to her 4 years on the Commission, Commissioner Svinicki spent more than two decades in public service working on nuclear safety issues in the Senate, at the Department of Energy, and with the Wisconsin Public Utilities Commission. A nuclear engineer, she is one of the world's foremost authorities on nuclear safety and nuclear power, and a great asset to the Commission.

Last year Commissioner Svinicki had the courage to stand up and blow the whistle on a sitting NRC Chairman, Gregory Jaczko, for bullying subordinates.

According to an Associated Press story from December:

The commissioners told Congress [that] women at the NRC felt particularly intimidated by Jaczko. Commissioner William Magwood—

Who is a Democrat, by the way—told the oversight panel that Jaczko had bullied and belittled at least three female staff members, one of whom told Magwood she was "humiliated" by what Magwood called a raging verbal assault.

This is the Democratic Commissioner on NRC, and here is an excerpt from the inspector general's report:

"Several current and former Commission staff members," it says, "said the Chairman's behavior caused an intimidating work environment. A former Chairman told OIG that the Chairman often yelled at people and [that] his tactics had a negative effect on people. He described the behavior as ruling by intimidation."

Commissioner Svinicki stood up to this guy, who somehow managed to avoid being fired in the wake of all of these revelations, in an effort to preserve the integrity of the agency and to protect the career staffers who were the subject of the Chairman's tactics. Now, for some mysterious reason, she is being held up for renomination.

The FBI completed its background check on Commissioner Svinicki 15 months ago. Her ethics agreement was approved around the same time. She has been ready to go for more than a year. There is no legitimate reason for Commissioner Svinicki not to have been renominated and reconfirmed by now. Any further delay is unacceptable.

If Commissioner Svinicki isn't renominated by June 30, NRC will lose one of its finest members, the Commission's work will be impaired, and we will be forced to conclude that the reason is related to her honorable actions as a whistleblower—that she is being held up in retaliation for speaking up against a rogue Chairman who bullies his subordinates.

There is a reason Congress charged five Commissioners with the responsibility to protect public health and safety. Ensuring the safety of our Nation's nuclear powerplants is serious business. So this morning I am calling on the White House to renominate Commissioner Svinicki today to ensure that this well-qualified and widely respected woman remains in place for another term.

The public is best served by a commission that is fully functional. There should be no question in anyone's mind that it will be fully functional. We cannot wait any longer for this nomination.

I yield the floor.

RESERVATION OF LEADER TIME

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

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1925, which the clerk will report by title.

The assistant legislative clerk read as follows:

Motion to proceed to S. 1925, a bill to reauthorize the Violence Against Women Act of 1994.

The ACTING PRESIDENT pro tempore. Under the previous order, the first hour will be equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

The Senator from Rhode Island is recognized.

LEADERSHIP IN WASHINGTON

Mr. WHITEHOUSE. Madam President, to follow up briefly on the subject of leadership in Washington, perhaps the Speaker of the House could show some leadership on jobs by calling up the bipartisan—75 to 22—jobs highway bill that passed this Senate, which is widely supported and its delay is actually costing us jobs because of the summer construction season wasting away as these extensions go on. There would be some leadership that would mean something for jobs in America.

Madam President, I rise today to address the need we have in the Senate for comprehensive cybersecurity legislation. I ask unanimous consent to speak for up to 15 minutes.

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

CYBERSECURITY

Mr. WHITEHOUSE. Madam President, our Nation's inadequate cybersecurity poses an ever-growing threat to our safety, our prosperity, and our privacy. Attackers go after our intellectual property, our national security, and our critical infrastructure. The McAfee Night Dragon Report, for example, concluded that foreign intruders had access to major oil, energy, and petrochemical companies' computer networks for at least 2 years and likely as many as 4 years. Government reports are equally sobering, though usually classified.

One that is not classified is the Department of Homeland Security report recently that attacks on computer systems that control critical infrastructure, factories, and databases increased almost eightfold in just the last 12 months. Secretary of Defense Leon Panetta has warned that "the next Pearl Harbor we confront could very well be a cyber attack."

Majority Leader REID has recognized the severity of this national and economic security threat and intends to bring cybersecurity legislation to the Senate floor soon. We recognize too the hard work of Chairman LIEBERMAN and Ranking Member COLLINS of the Homeland Security Committee, as well as Chairman FEINSTEIN of the Intelligence Committee, and Senator ROCKEFELLER of the Commerce Committee. The Cybersecurity Act of 2012, which they introduced—and I am proud to cosponsor—is a good start toward addressing the many cybersecurity threats that face this Nation.

The SECURE IT Act, introduced by Senator MCCAIN and seven colleagues, seeks to improve the sharing of cybersecurity threat information; the Federal Information Security Management Act, or FISMA, which governs cybersecurity at Federal agencies; and our cyber research and development. There is considerable overlap between these bills, which signals that the Senate could legislate on cybersecurity in a bipartisan and serious manner.

Support for cybersecurity legislation is also bicameral. The Cybersecurity

Task Force constituted by House Republicans produced recommendations that share key points with our Cybersecurity Act of 2012. Numerous bills are working their way through the House on a bipartisan basis. Central to that work in the House are the contributions of Rhode Island Congressman JIM LANGEVIN. His leadership is a major reason the House has come to recognize the dangerous vulnerabilities within our critical infrastructure and that we now stand on the verge of a breakthrough in improving the security of those networks.

When a test at the Idaho National Labs showed hackers could blow up a power generator from thousands of miles away, Congressman LANGEVIN brought the owners and operators of our electric grid before Congress and investigated their promise the issue was being addressed. When he found out that wasn't true, he called them out. His subsequent work as a cochair of the Center for Strategic and International Study Commission on Cybersecurity, along with other experts from within and outside of government, resulted in many of the recommendations reflected in our legislation. Then, in 2010, Congressman LANGEVIN passed a landmark cybersecurity amendment in the House that provided a legislative template for setting standards for critical infrastructure. I thank JIM LANGEVIN, my colleague from Rhode Island, for his relentless commitment to keeping America safe in cyberspace.

I am here this morning to stress four points I believe we must keep in mind as we take up cybersecurity legislation. The first is that cybersecurity legislation should improve the public's limited awareness of current cybersecurity threats and the harm those threats present to our national security economy and privacy. The public, for years, has been kept in the dark, and that is wrong.

The corporate sector systematically underreports cyber attacks for fear of scaring customers, for fear of encouraging competitors or for fear of triggering regulatory review. I was pleased the Securities and Exchange Commission, after prompting by Senator ROCKEFELLER and myself and others, issued guidance for when registered companies must disclose breach information.

The government itself systematically underreports cyber attacks because it overclassifies information about cyber attacks on government systems. Jim Lewis of the Center for Strategic and International Studies, for example, recently explained that cybersecurity has a unique problem in that some of the most reliable data is classified. It was a rare exception when a November 2011 report by the Office of the National Counterintelligence Executive identified China and Russia as responsible for the systematic theft of American intellectual property through cyber espionage. The legislation that we pass must shed light on the scale

and severity of the cyber threat to the American public.

In that vein, I am pleased the Cybersecurity Act of 2012 includes provisions from the Cybersecurity Public Awareness Act, S. 813, which I introduced with Senator KYL. These provisions will at least begin to improve the public's awareness of the current cyber threat environment we face.

Second, we must recognize that inadequate awareness and inadequate protection against cyber risks is endemic among our largest corporations. Part of the problem is a gulf in cybersecurity awareness between corporate chief information officers and corporate CEOs. Carnegie Mellon's CyLab recently reported:

Boards and senior management still are not exercising appropriate governance over the privacy and security of their digital assets . . . These findings are consistent with the complaints by CISO/CSOs that they cannot get the attention of their senior management and boards and their budgets are inadequate . . . There is still an apparent disconnect.

Nor is this an area in which the market can be trusted to work. As former Bush Secretary of Homeland Security Michael Chertoff has explained:

The marketplace is likely to fail in allocating the correct amount of investment to manage risk across the breadth of the networks on which our society relies.

This is not an area where corporations manage adequately on their own. FBI Director Robert Mueller recently explained:

There are only two types of companies: those that have been hacked and those that will be.

Even more trenchant, the McAfee report on the "Shady RAT" attacks similarly stated it is possible to divide "the entire set of Fortune Global 2,000 firms into two categories: those that know they've been compromised and those that don't yet know."

Kevin Mandia of the leading security firm Mandiant has explained:

[I]n over 90 percent of the cases we have responded to, government notification was required to alert the company that a security breach was underway. In our last 50 incidents, 48 of the victim companies learned they were breached from the Federal Bureau of Investigation, the Department of Defense or some other third party.

The National Cybersecurity Investigation Joint Task Force, led by the FBI, told me the same thing: more than 90 percent of the time the corporate victim had no idea.

What we can conclude from this is that improved sharing of cybersecurity threat information is necessary but is not sufficient to protect our Nation's cybersecurity. Even a perfect information-sharing process will not prevent cyber attacks if the information being shared is incomplete. The blindness of most corporations to this threat limits the effectiveness of corporate-to-corporate information sharing. The NSA's Defense Industrial Base pilot—the so-called "DIB" pilot—proved the government can share classified information

with trusted corporations, but it revealed significant risks and limitations, particularly if the government were to share its most sensitive intelligence information with a broad set of private companies.

The third point I want to make this morning, and perhaps the most important, is that this legislation on cybersecurity will have failed if it does not ensure that our American critical infrastructure has adequate cybersecurity. There must be a process for identifying critical infrastructure, establishing appropriate security standards, and ensuring that critical infrastructure companies meet the standard.

If an attack comes, we must be sure that America's most capable defenses and countermeasures are pre-positioned to defend critical American infrastructure. We simply cannot wait until an attack is underway on basic needs and services on which we depend, such as our electric grid, our communications networks, and the servers that process our financial transactions. So there are two measures here: One is that we must have a way to define critical infrastructure so we know what it is and, just as important from a civil liberties perspective, we know what it isn't. When we identify critical infrastructure on which our safety and economic and national security depend, we are also defining what does not qualify and where privacy concerns can be much more important than national security concerns. Nobody wants government in our chat rooms, e-mails, or social media; everyone gets why government should protect the electric grids that bring power to our homes.

The second is that once we identify our critical infrastructure, we need to find a way for our national security assets to protect that critical infrastructure. Our government has unique capabilities to protect those basics, such as our electric grid.

As Kevin Mandia has explained:

[t]he majority of threat intelligence is currently in the hands of the government.

Some of this information can be disclosed, but some cannot be, in order to protect sensitive sources and methods. This requires us to find other ways for our most sophisticated government capabilities to protect our critical infrastructure. For example, we should think seriously about the concept of secure domains and how they can be deployed effectively while protecting civil liberties. I am glad section 804 of the Cybersecurity Act of 2012 takes on that task by requiring expert study of the advantages and disadvantages of establishing secure domains for critical infrastructure.

If the business community can identify a workable alternative approach, such as a voluntary or opt-in regulatory system, I am willing to get to work, but we must not balk at taking on the hard question of how to secure our critical American infrastructure.

The last point I want to make today is that Congress, in this bill, should

consider the appropriate structure and resources for the cybersecurity and cyber crime mission of the Department of Justice, the Federal Bureau of Investigation, and law enforcement components of the Department of Homeland Security. We do not do enough to investigate, prosecute, and take other appropriate legal action against cyber crime, cyber espionage and other cyber threats. Last year's takedown by the Department of Justice of the Coreflood botnet should be a regular occurrence, not a special occurrence. But it will not be—it cannot be—with our current cyber crime resources. The technical, international, and legal aspects of these investigations are too complex.

I spent 4 years as a United States attorney, I spent 4 years as our State's attorney general. These are astonishingly complicated and difficult cases. They are massively resource intensive. So it is time for a fundamental rethinking of cyber law enforcement resources: both the level of resources and the manner in which they are structured. We should be discussing whether cyber crime should have a dedicated investigatory agency akin to the DEA or ATF or whether existing task force models should be used. These are important questions the legislation has not addressed. Accordingly, I plan to offer a floor amendment that will require an expert study of our current cyber law enforcement resources that can recommend a proper level of funding and structure of forces going forward.

Once again, I thank my colleagues for their hard work to date on cybersecurity issues. I urge that all of us join together to pass cybersecurity legislation into law as soon as possible. Two years ago, I said that because of cyber we in the United States are on the losing end of the largest transfer of wealth through theft and piracy in the history of the world. GEN Keith Alexander, who leads the National Security Agency and U.S. Cyber Command, has reached the same conclusion when saying recently that cyber theft is "the greatest transfer of wealth in history." McAfee likewise has recently evaluated the theft of national secrets, source code, designs, and other documents, and concluded that what "we have witnessed over the past 5 to 6 years has been nothing short of a historically unprecedented transfer of wealth."

We are the losers in that transfer of wealth. We cannot afford to wait to address this enormous and ever-growing threat.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

POSTAL SERVICE REFORM

Mr. WYDEN. Madam President, shortly we will be turning to the legislation to reform the Postal Service, and I wanted to take a few minutes to talk about a particularly important part of that discussion.

In recent years there has been a revolution in how our citizens exercise

their right to vote. Instead of every American showing up in person, more and more Americans are choosing to vote by mail, using absentee ballots, no-excuse absentee voting or, in the case of my home State of Oregon, the entire election is conducted by mail. This amendment I will be offering and that I am discussing this morning—and in which I join Senator FEINSTEIN and other colleagues—is designed to protect the millions of Americans who choose to use the post office to exercise their right to vote. This amendment protects those millions of Americans from any kind of postal delay that could disrupt their ability to ensure their vote is counted.

My home State of Oregon has a system in which all ballots are cast by mail.

In Oregon, if the ballots are not delivered by mail to the county election offices by the deadline on election night, they are not counted. So it is essential to the conduct of fair elections in my home State that delivery of ballots cast by mail not be delayed.

To prevent the potential threat to our elections from delayed mail delivery, the Wyden-Feinstein amendment would place a moratorium on the closure of postal facilities until November 13, 2012, in States that vote by mail or allow any voter to vote no-excuse absentee. It would also require the Postal Service to notify election officials of closings and consolidations and require the Postal Service to study the effect of closing or consolidating a mail processing facility on the ability of the affected community to vote by mail.

My home State consistently has high voter turnout. Vote by mail has been successful and it is popular. In my State, more than 85 percent of registered voters participated in the 2008 elections, but this kind of approach to voting is popular not just in my home State of Oregon. In the 2008 election, 89 percent of ballots in Washington State were cast by mail, as well as 64 percent of those in Colorado, over 50 percent in Arizona, and it was nearly that high a percentage in California.

In my home State, the Postal Service is a place where people send and receive packages and mail order prescriptions, and it is also a place that community residents come together. It seems to me that if we are going to close and consolidate postal facilities, not only will it harm the delivery of ballots and campaign-related mail to voters and return of the ballots to election officials, but it also will zap much of what is vital to rural America; that is, the opportunity to come and gather in one place.

Jordan Valley, located in beautiful eastern Oregon on the Nevada border, is 457 miles from Portland. With the proposed consolidations, the nearest regional processing center would literally be almost 500 miles away. If the U.S. Postal Service goes ahead with their proposed closures and consolidations, then a ballot cast in Jordan Valley could travel approximately 1,000

miles before it reaches the hands of election officials. This is unacceptable for constituents who vote in the far corners—the rural corners—of my State.

Cuts to the Postal Service mean that ballots mailed in the final days before an election may not get to election officials in time to be counted. Ballots sent the weekend before a Tuesday vote may not get into the hands of election officials by the present-day deadline of election day. Closing and consolidating postal facilities disproportionately harms the ability of rural residents to have their votes counted.

These issues raise important questions: Is closing postal facilities in States that primarily vote by mail a responsible approach? For me and many of my constituents and the millions of Americans who have chosen to vote in this fashion, the resounding answer is, no, this is not a responsible approach. Closing processing facilities and potentially impacting the delivery of ballots in a general election is a risk not worth it. Closing postal facilities will have unintended and unforeseen consequences on the impact of elections.

That is why this amendment would place a moratorium until November 13, 2012, in States that conduct all their elections by mail or permit no-excuse absentee voting to ensure that elections are fair. No-excuse voting, of course, allows any voter to vote absentee without having to offer additional reasons for their making that choice. Twenty-seven States allow no-excuse absentee voting. So not only will the constituents that I and Senator MERKLEY and Senator FEINSTEIN and Senator BOXER represent in Oregon and California be affected by this amendment, but States such as Nevada, Arizona, Florida, Georgia, Iowa, Kansas, Maine, Nebraska, New Jersey, New Mexico, North Carolina, Ohio, Oklahoma, Utah, Wisconsin, and Wyoming are part of the many states in this country that this amendment would protect.

In September of 2011, election officials in California were doing their jobs and preparing and mailing sample ballots for a September election in an isolated community in northern California. Unaware that the small post office that serves the area was closing on October 1, the sample ballots were not immediately returned so they had no reason to believe the voters had not received them. But as ballots slowly trickled in, election officials grew a bit suspicious, and they learned many voters had just received their sample ballot more than 3 weeks after it was mailed, and many had not received their official ballot yet. Election officials received no more than two or three a day literally for the first week.

Voters explained to officials there was so much confusion over the closure of the post office that they were much more concerned about receiving their

other first-class mail—bills and prescriptions—than their ballots and hadn't been looking for them. They were told the contents of their post office box were being directed to the Arcata Post Office. But when they went to Arcata to retrieve it, there was no mail for them in Arcata. For 18 days, they didn't receive any mail at all.

Only 15 days before the election, the staff attempted several times to contact the Arcata Post Office but could only leave a message for the postmaster who was not returning their calls. Folks then contacted friends at a local central processing center in yet another town, Eureka, CA, who were able to give a direct line to the Arcata postmaster.

At first, the postmaster indicated nothing was wrong, but the residents, in his terms, were “confused about the closure of their post office.” After checking the number of ballots that had been returned from the precincts, election officials decided to resend all those ballots. The postmaster finally provided election officials with the change of address list for all residents, and they were able to correct the database, cancel the ballots that had not yet been received, and remail ballots to all voters who had not yet returned their ballots.

Obviously, the bottom line is clear. The closure of small post offices requires more preparation and sharing of information with the residents of an impacted area as well as agencies and businesses that rely on the post office to communicate with their customers. Had election officials not had a contact in that area, they may not have become aware of the problem until it was too late to resend the ballots.

Under the amendment I will be offering later with Senator FEINSTEIN, the Postal Service would be required to notify election officials of closings and consolidations to prevent the kind of calamitous repeat of what I have described happened in a recent local election in California. Additionally, the amendment would require the Postal Service to study the effect of closing or consolidating a mail processing facility on the ability of the affected community to vote by mail and the ability of the Postal Service to deliver ballots on time in accordance with applicable State law.

Disenfranchising voters or discouraging the millions of Americans who now have chosen this new approach to voting is not a wise or prudent step for the Senate to take at this time. Placing a moratorium until after the elections will ensure that what is done in the Senate does not negatively impact voting in Oregon, California or the scores of other States that make extensive use of mail ballots in their elections.

I hope it will be possible for us to win bipartisan support for the proposition that ensuring the highest level of voting participation in our country is fun-

damental to our democracy. I hope my colleagues will support the amendment I intend to offer later with my colleague and friend from California, Senator FEINSTEIN, to protect the millions of Americans who choose to vote by mail.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

TEN YEARS AGO TODAY

Mr. GRASSLEY. Madam President, I am here to point out that 10 years ago this very day, this Senate decided not to drill for more oil in the United States, where we know oil exists. At that time, the argument that was used was why drill because it was going to take many years to get it online. The Senate bought the argument we shouldn't drill because it was going to take too long.

Today, we think about more opportunities to drill for oil in the United States.

I wish to point out that the very same arguments that were used 10 years ago are being used today: If we drill today, we might not get some of that oil online for several years down the road. We want to be thinking about the future, as we should have thought about the future in 2002, 10 years ago, when we decided not to drill.

Around the country, American consumers are paying near-record prices for gasoline at the pump. The current average price for gasoline is near \$3.90. Since January 2009, the average price of a gallon of regular gasoline has more than doubled. In 2011, consumers spent a greater percentage of their household income on gasoline than any year since 1981, when we thought 90 cents for a gallon of gas was a lot of money.

Affordable energy is a major economic issue. Paying nearly \$4 for gas acts as a hidden tax and results in people having less money to spend on other things. Rising energy prices also increase the cost of doing business for job creators, taking away dollars that otherwise could go to hiring workers. We should be doing everything possible to prevent these high energy prices today or tomorrow.

The Senate had an opportunity 10 years ago today to take action to increase our domestic oil supply. Unfortunately, the Senate missed that opportunity. It missed an opportunity for lower prices today and importing something less than the \$830 million we spend every day to import oil. We need to keep that money in this country.

Ten years ago today, the Senate considered an amendment offered by then-Senator Frank Murkowski—father to present Senator LISA MURKOWSKI—to open a tiny portion of the Arctic National Wildlife Refuge to oil and gas development. A vote on the cloture motion was rejected by the Democratic majority in the Senate on April 18, 2002.

During that debate, opponents argued that opening ANWR to development would never supply more than 2

percent of our Nation's oil demands. They opposed it based on the belief that opening ANWR wouldn't address the real problems; namely, our dependence upon fossil fuels. They said we needed to work toward a comprehensive approach.

Opening ANWR was also portrayed as a distraction from the real solutions, such as conservation, alternative and renewable energy, and less environmentally sensitive fossil energy development. Some even argued that fully inflated or low friction tires should be a larger part of our national energy policy.

I recognize the need for a comprehensive, balanced national energy policy. I truly believe in an all-of-the-above approach that includes conservation, alternative and renewable energy, nuclear power, and oil and gas development.

But the fact remains we were talking about these policies as solutions to our energy problems in 2002. Yet gas prices are still near \$4 a gallon.

I listened to dozens of speakers in the Senate that day who argued against opening ANWR because it wouldn't address our near-term energy needs. They said it would take nearly 10 years to get that oil to the consumers. Ten years ago we were told to forget about opening ANWR because development was too far down the road to impact our energy supply and energy security.

Here are a few quotes from my Democratic colleagues during the debate in April 2002. I am not going to use their names. But this Democratic Senator said:

I oppose the proposal to drill in the Arctic National Wildlife Refuge. Drilling in ANWR will not increase energy independence, even if we started drilling tomorrow, the first barrel of crude oil would not make it to our market for at least ten years. So it would not affect our current energy needs.

Another Democratic Senator said—and these Senators are still here today:

The oil exploration in ANWR will not actually start producing oil for as many as 10 years. Exploring and drilling for oil is not forward thinking.

Another Democratic Senator said this:

That oil would not be available for 10 years. This means drilling in ANWR would not provide any immediate energy relief for American families.

Another Democratic Senator said:

Developing ANWR is simply not a necessary component of a progressive energy policy for this country. For a period starting about 2012—

That is this year, understand; he was looking ahead 10 years—

For a period starting at about 2012, we would see an increase of domestic production under ANWR, if ANWR was open to development. So development would not address the near-term prices or shortages with which people are faced.

Ten years down the road, here we are, but if we drilled back then we would have this oil on line and we would not be spending \$830 million every day to import oil.

Another Senator said this:

When my colleagues come to the floor of the Senate and suggest to us that the crisis in the Middle East is a reason to drill in ANWR, that is a misleading argument because no oil will flow from ANWR until from 7 to 10 years from now.

That means if you open the refuge today, you are not going to see oil until about 2012, maybe a couple of years earlier.

You see, a decision made in 2002—people were looking ahead 10 years and saying it was not going to make much difference, but 2012 is here and we could have been using that oil.

Another Senator said:

Oil extracted from the wildlife refuge would not reach refineries for 7 to 10 years.

That is the end of my quotes of several Democratic Senators who are now serving. If they are using the same argument now, are they going to be smart enough to look ahead to 2022 when maybe we could start using the oil we would start drilling for today? The defeat of the Murkowski amendment back in 2002 was then enormously shortsighted. If we had voted to open ANWR 10 years ago, that oil would be driving down the price at the pump for consumers today. You know the rule of economics; if you increase supply, you reduce price. And we would at least be keeping the money in the United States instead of spending \$830 million every day to import oil. Time after time, opponents of domestic oil production have argued that because it will not lower prices at the pump today it is not worth doing. You know from the debate of 2002 that is a bunch of hogwash. Does anybody wonder if the American people wish that the Senate had opened ANWR 10 years ago?

It is past time to take action to ramp up domestic production of traditional energy, energy we can harvest in this country instead of importing it and paying \$830 million to import it. Greater domestic energy production would increase supply and help to lower prices. It would create American jobs.

President Obama continues to push policies that contribute to higher gas prices, including restricting access to Federal lands and permitting delays, regulatory threats to refiners, and his decision to deny Keystone XL. He says he is for "all of the above," but when you look at that list, he is for "none of the above." By limiting domestic energy production we have less supply and higher prices.

The Obama administration has made things worse by restricting access to domestic energy sources. The President's record contradicts his remarks that he is for an "all of the above" strategy. His policies have prevented more oil production in the United States and resulted in higher prices, lost opportunities for jobs creation, less energy security, and shipping out of the country 830 million of our dollars that could be used in this country and kept in this country, money we are spending to import oil.

President Obama's denying of the Keystone XL Pipeline inhibits energy-

related development that could create 20,000 jobs. Greater domestic energy production would increase supply and help to lower prices, and it would create American jobs.

It is time to take action. Denying ANWR development 10 years ago was a mistake, a mistake I hope we learn a lesson from. The Senate missed an opportunity 10 years ago that would have brought gas price relief and more supply, keeping more money in this country, creating jobs in this country right now. We should not make the same mistake again. You cannot repeat that statement too often. We should not make the same mistake again. We should be looking ahead 10 years, as they were doing in 2002, but they were using it as an excuse to do nothing. So don't ever tell me don't drill today because it will not come on line until 10 years from now. That is not a very wise thing to say to me, after you said that 10 years ago. We should have learned the lesson.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

GULF OILSPILL

Mr. VITTER. Madam President, I come to the floor to recognize a solemn occasion. In two days, on Friday, April 20, it will be the 2-year anniversary of the Deepwater Horizon explosion. I want to pause at this moment of anniversary, 2 years, and offer a few thoughts about what was clearly a very significant episode and challenge for our whole country, but particularly for my State of Louisiana and for the gulf coast.

First of all, I want to start where I think we should always start in discussing and considering this event, and that is the loss of 11 lives. Eleven men were killed in that explosion. Again, we need to pause, reflect, pray, and offer prayerful support to them and their families. Those 11 victims were Donald Clark, Stephen Curtis, Aaron Dale Burkeen, Adam Wiese, Roy Kemp, Jason Anderson, Gordon Jones, Blair Manuel, Dewey Revette, Karl Dale Kleppinger, Jr., and Shane Roshto.

I ask unanimous consent that here on the Senate floor we pause for a few seconds in silent, prayerful thought and consideration of those 11 men and their families.

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

(Moment of silence.)

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Thank you, Madam President. The tragedy, of course, started there with those 11 lives lost and we must never forget that, including as we redouble our efforts to ensure safety in those sorts of drilling environments in the future.

Of course, the second big impact was on the environment, particularly the gulf environment where I live, in Louisiana—4.9 million barrels of oil were discharged during the spill. That was

about 50,000 barrels a day, every day for 3 months; 320 miles of Louisiana coastline were oiled. That was a little over half of the total coastline on the gulf that was oiled—600 miles. Over 86,000 square miles of waters were closed to fishing; about 36 percent of Federal waters in the gulf were closed.

We did that on a very aggressive, proactive basis to make sure we avoided any contaminated seafood ever reaching a store shelf, ever reaching a restaurant. The good news is we accomplished that. Through that proactive closing, not a single piece of contaminated seafood ever reached a store shelf or ever reached a restaurant customer. That was quite an accomplishment.

Lots of dead animals were collected—6,800; 6,100 birds and also other sea turtles and dolphins. It was the biggest ever in American history, a huge environmental disaster.

Two years later, as we pause and look at the environmental effect of that, frankly, there is good news and bad news—or at least good news and continuing challenges. The good news is I don't think anyone would have predicted that the gulf would rebound to where it is today. Mother Nature has proved again to be amazingly resilient. That is good news. At the time there were all sorts of pretty dire predictions of huge dead zones covering half the gulf. That has certainly not materialized. So Mother Nature has proved amazingly resilient. But I don't want to trivialize continuing challenges, continuing work. There is continuing environmental work, I understand core projects that are ongoing that are very important. First is the NRDA process, under Federal law, the Natural Resource Damage Assessment. That is the process under Federal law by which all stakeholders help assess the damage to the environment so that the folks guilty of this horrendous incident pay for those damages, pay the State, pay the Federal Government, pay others who will work to restore the environment.

That NRDA process is ongoing. It is a multiyear process. But there is some positive result from that process already. Step one of the process was a settlement with BP for an upfront payment of about \$1 billion.

Just today, two specific projects in Louisiana were announced as a direct result of that first—not last but first—upfront payment of \$1 billion. There is the Lake Hermitage Marsh Creation Project in Plaquemines Parish. That will create approximately 104 acres of brackish marsh from beneficial use of dredge material. That is being announced today. And the Louisiana Oyster Culture Project—that is the placement of oyster cultch onto about 850 acres of public oyster seed grounds throughout coastal Louisiana. So those projects are the start of that NRDA project coming to fruition.

Then the second important work that is ongoing that involves all of us here

in the Senate directly is the need to pass the RESTORE Act through the highway reauthorization bill, the transportation reauthorization bill.

The RESTORE Act language would dedicate 80 percent of the Clean Water Act fines related to this disaster to gulf coast restoration. I thank all of my colleagues again for an enormously positive, overwhelmingly positive, bipartisan vote to attach that RESTORE Act language to the Senate highway bill. I urge my House colleagues, including House conservatives, to pass a House version of the highway bill today. That is important for our country, for highway infrastructure, and it is important because it is a vehicle for this RESTORE Act.

A third and final category I want to touch on that is not as positive, frankly, as the environmental rebound is the impact of all of this and the related moratorium on drilling to our economy on the gulf coast and energy production. Immediately after the disaster, very soon thereafter, President Obama announced a complete moratorium on activity in the gulf on new drilling. That moratorium lasted several months. I think that was a bad mistake, an overreaction to the disaster. I think that has been borne out in several ways, including the panel of experts that the President got together. Their report, we now know, was actually doctored and edited at the White House to make it seem like those true experts supported a full moratorium, when we know directly from them that they did not.

This moratorium went in place anyway and it created a lot of additional economic harm and hurt to a lot of gulf coast residents and workers that was unnecessary. Of course we needed to pause and get new procedures and some new safety regulations in place, of course we needed to learn the lessons of the disaster and incorporate those into practices, but we did not need an all-out moratorium for months. And we do not need a continuing slowdown that continues to this day. An analogy I have often used is when we have a horrible disaster such as an airplane crash, we do not ground every plane for months after such an incident. We allow the industry and that important travel and commercial activity to continue as we immediately learn the lessons of the disaster and incorporate it into safety proceedings.

Well, unfortunately, my point of view did not hold sway at the White House. We had this complete, formal moratorium which lasted into October 2010. But when that formal, complete moratorium was lifted, it didn't just end there. For months and months after that, we had a de facto moratorium, permits which were not happening. There was only a trickle of permits. Now, even though permitting has increased somewhat, we have a dramatic permit slowdown and a slowdown of activity in the gulf. Now more than ever, our country and our citizens cannot af-

ford that. The price at the gas pump is about \$4 a gallon. It has more than doubled during President Obama's tenure. We cannot afford this avoidable slowdown and decrease in important domestic energy activity.

Again, a lot of folks around the country don't realize it, but permitting in the gulf is still way below pre-BP levels. It is 40 percent below pre-BP levels. Now, again, we need to learn and we have learned the lessons of the BP disaster. We need to incorporate those into our regulatory policy, and we have. But we cannot afford a permit slowdown of more than 40 percent since before the BP disaster. Because of that and because of other factors, energy production is down on Federal property and all oil production was down about 14 percent in the last year. Federal offshore production is down about 17 percent. So that is some of the most lasting negative economic impact from the disaster. The Obama administration's wrongheaded reaction to it and the lingering policy on energy production is something we cannot afford as the gulf region, we cannot afford as a country, and we can afford less than ever now with the price at the pump.

Again, I hope we do learn the lessons of this disaster. I hope we continue to ensure that those safety and other lessons are built into our regulatory framework and best practices in the industry. I think that has largely been done, and that work continues. I also hope we honor the lifework of those 11 men who lost their lives, who worked hard every day in that industry producing good American energy by not only allowing that work to happen safely but allowing that work to happen and allowing American citizens to benefit from that work.

The United States is the single most energy-rich country in the world, bar none. For instance, we are far richer than any Middle Eastern country, such as Saudi Arabia. The problem is that we are the only country in the world that puts well over 90 percent of those domestic resources off limits and says: No, no, no. No you can't do this, and no you can't touch that.

We need to build a commonsense American energy policy that says: Yes. Yes, we can. Yes, we can do it safely, and, yes, we can provide American energy for American families and the American economy.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

GSA

Mr. HELLER. Madam President, I come to the floor today to highlight an issue I fight for every day; that is, jobs in Nevada. In Nevada, having a strong tourism industry means more jobs in the State. Las Vegas, Henderson, Lake Tahoe, and Reno have long been favorite destinations for millions of visitors both domestically and, more increasingly, internationally. The entire