

and respect on this sad 10-year milestone.

Madam President, so Members may join in the planting of the tree on the Capitol grounds, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

WARM IN WINTER AND COOL IN SUMMER ACT—MOTION TO PROCEED—Continued

Mr. SANDERS. Madam President, all of us recognize there are very strong differences of opinion in Congress about how to resolve the major energy crisis facing working families throughout our country. I have my views on this issue, and other Members have different points of view, and that is the way it is.

I am happy to report, however, that there is an increasing unanimity of understanding around one very important fact regarding this energy crisis; that is, if we do not dramatically increase funding for the highly successful Low-Income Home Energy Assistance Program, usually known as LIHEAP, senior citizens on fixed incomes, the disabled, and working families with children are in serious danger of either freezing to death this coming winter or perhaps dying of heat stroke this summer because they are unable to pay their home energy bills. We cannot allow that to happen.

I am happy to announce, in a bipartisan effort, that more and more Senators understand that reality and are prepared to work together to protect our citizens. S. 3186, the Warm in Winter and Cool in Summer Act, the LIHEAP legislation that I recently introduced, now has 53 cosponsors—53 cosponsors—38 Democrats, 13 Republicans, and 2 Independents. I thank all of those cosponsors for their support. I am absolutely confident that as soon as this bill gets on the Senate floor, not only do we have the 50 votes, I am quite confident we are going to have 60 votes and perhaps more.

I also thank majority leader HARRY REID for filing a cloture motion last night on the motion to proceed to this very important legislation. Senator REID understands, as I think most of us do, that it is absolutely essential for the health and well-being of millions of our citizens that this bill be passed, and passed as soon as possible. My hope is that after passage in the Senate, we can get it over to the House before the August break and see it pass in that body as well. That may be overly optimistic, but that is what I would like to see.

Let me say a few words about why this bill needs to be passed.

At a time when home energy bills are soaring, this legislation would nearly double the funding for LIHEAP in fiscal year 2008, taking it from a little more than \$2.5 billion to \$5.1 billion—a total increase of \$2.53 billion. This is, in fact, what Congress has authorized for LIHEAP.

Let me say a few words about why we need to significantly increase funding for LIHEAP.

In 2007, 5.8 million Americans—primarily senior citizens, working families with kids, and people with disabilities—utilized this program. These are the most vulnerable people in our country. Unfortunately, these 5.8 million Americans are only 16 percent—16 percent—of the people who are eligible for the program. The vast majority of the people who are eligible cannot get into the program because we lack the funds to help them. Madam President, 94 percent of the participants in the LIHEAP program were elderly, disabled, or had a child in the family under 18.

From fiscal year 2003 to fiscal year 2008, the cost of the average heating oil bill has increased by over 93 percent—almost doubled. The estimated increase in an average natural gas bill during that same period has gone up by about 50 percent. Unfortunately, LIHEAP funding has lagged far behind these outrageously high increases in energy costs. In fact, we are spending 23 percent less on LIHEAP today than we did 2 years ago, and after adjusting for inflation, we spent more on LIHEAP 20 years ago than we are spending right now.

Let's be very clear. What we are talking about now is a life-and-death situation. Many people do not understand this, but more people have died in our country from the extreme heat and extreme cold since 1998 than all natural disasters in this country combined, including floods, fires, hurricanes, and tornadoes.

According to the Centers for Disease Control, over 1,000 Americans from across the country died from hypothermia in their own homes just between 1999 and 2002. Those are the latest figures we have available. In other words, they froze to death because they could not afford to adequately heat their homes. How many of these deaths were preventable? All of them were, according to the CDC. We will probably not know for several years how many Americans died last winter because they could not afford to heat their homes, but clearly one death is too many.

I understand this country is struggling with an emergency situation in terms of flooding in the Midwest and wildfires in California, but there is another emergency which must be dealt with now while we also deal with those emergencies.

At a time when the costs of home heating fuels and electricity are soaring and when the economy is in decline, millions of Americans are find-

ing it harder and harder to stay warm in the winter or stay cool in the summer.

In my State of Vermont and throughout New England and the Northeast, people are extremely worried that they will not have enough money to afford the price of heating oil next winter. A newspaper in my State, the Stowe Reporter, recently editorialized that the lack of affordable heating oil could turn into New England's version of Hurricane Katrina next winter. We cannot allow that to happen.

I want all of my colleagues to understand that the home energy crisis that is being faced throughout the northern part of our country is something that is very imminent and is something that people are very concerned about. But this program, LIHEAP, is not just a program for cold-weather States; it is also a program for hot-weather States so that the elderly, the sick, and the frail in hot-weather States can afford to pay soaring electric bills to provide the air-conditioning they need. In other words, this program is not just a life-and-death program for the northern tier of our country; it is vitally important for the South and Southwest and for people who are struggling to pay for the skyrocketing price of electricity which has tripled in some parts of the country. What we are concerned about there is that if you are 90 years of age and you are sick and you cannot afford skyrocketing electric bills and your electricity gets turned off, you are in serious trouble.

According to the National Energy Assistance Directors' Association, a recordbreaking 15.6 million American families, or nearly 15 percent of all households, are at least 30 days overdue in paying their utility bills. This is a crisis situation and a situation in which LIHEAP can be of significant help.

To demonstrate how important LIHEAP is right now for Southern States dealing with a major heat wave, let me give you a few examples of what I am referring to. This is hard to believe, but it is true. Over the past decade, the last 10 years, more than 400 people have died of heat exposure in the State of Arizona, including 31 in July of 2005 alone. All of these deaths could have been prevented if the people affected had air-conditioning. Without increased support from the Federal Government, Arizona will be out of LIHEAP funding before the end of this month.

Let me quote from a letter I received on July 15—last week—from Phil Gordon, the mayor of Phoenix, AZ. This is what he writes:

I am writing to express my support for the Warm in Winter and Cool in Summer Act. Currently Arizona can only provide assistance to 6 percent—

Six percent—of eligible LIHEAP households. . . . To make matters worse, Phoenix continues to experience extreme heat. In the past month alone, we have had 15 days with temperatures at or

above 110 degrees. This extreme heat is especially hard on the very young, the elderly and disabled who are on fixed incomes and can no longer afford to cool their homes. . . . Arizona Public Service—

That is the electric company there—reported that there was a 36% increase in the number of households having difficulty in paying utility bills and an increase of 11,000 families being disconnected compared to a year ago.

Imagine not having electricity, and day after day the temperature is 110 degrees. And imagine if you are 90 years of age. Imagine if you are sick.

Rising energy and housing costs are placing enormous strains on low-income households across Arizona.

So writes Mayor Phil Gordon of Phoenix, AZ.

Madam President, it is not just Arizona. Due to a lack of LIHEAP funding, the State of Texas only provides air-conditioning assistance to about 4 percent of those who qualify.

Let me quote from a letter I received on July 15 from Shawnee Bayer from the Community Action Committee in Victoria, TX. She writes:

The temperatures in our area have been 100 to 110 degrees for 16 consecutive days. I fear it is going to be very tragic at the current pace we are going with so little LIHEAP funding available. . . . There are so many who need our assistance, like the elderly lady in her 80's who recently almost died due to kidney failure; now she doesn't want to use her air conditioner because she is afraid she won't be able to pay the bill. . . .

That should not be taking place here in the United States of America. This is in Victoria, TX.

I received an e-mail from DeAndra Baker from the Community Action Agency in Giddings, TX, who writes:

We have a gentleman who is 78 years old and on a fixed income of \$770.00 a month. . . . Due to the extremely high temperatures he is unable to afford to keep his home cool. His doctor provided a statement that he must have his air conditioner turned on at a minimum of 80 degrees to avoid congestive heart failure and he is not even able to afford that much. Sadly, he will not continue to run his A/C or fans and will be at serious risk unless LIHEAP funding is increased soon.

That is what is going on in the State of Texas.

Without additional support from the Federal Government, the State of Georgia will not be able to offer any LIHEAP assistance whatsoever to its residents this summer. Currently, Georgia has a waiting list of 28,000 people hoping to receive some relief from the hot weather this summer.

Let me quote from a letter I received from the executive director of the Community Action Agency in Gainesville, GA, Janice Riley. She writes:

One family that came in after we ran out of LIHEAP funds was the Jones family. . . . Mr. Jones, came to our office requesting assistance with his electric bill. He has a wife and five children. . . . They got behind with all their bills when he was injured on the job six months ago. . . . Their daughter is paralyzed from the neck down from a fall she had at six months of age. I wish we could help them. Another participant that did not receive LIHEAP funds and is now facing dis-

connection or homelessness is Ms. O'Brien, a 33 year old, single parent with 5 children between the ages of 7-16, and a newborn grandchild which she has taken in. . . . Her power was turned off last week because she was unable to pay it. . . . Her need for assistance is based on the high costs of living, not from her lack of work ethic and heroic efforts to maintain her household.

In addition, unless this legislation is signed into law soon, the State of Kentucky will not be able to keep any of its residents cool this summer through the LIHEAP program.

According to the executive director of the Community Action Agency in Kentucky, Kip Bowmar:

February of 2008 marked the first time in the program's history that all 120 Counties in Kentucky ran out of LIHEAP funds forcing us to close our doors as fuel prices were soaring and people needed help.

In Florida, Hilda Frazier, the State director of the LIHEAP program, has estimated they will serve 26,000 fewer households this year because of the reduction of available LIHEAP funding and the rising cost of energy.

Moving on to California, Joan Graham, the deputy director of the Community Action Agency in Sacramento, CA, recently wrote that:

Every day we are turning away at least 50 families who qualify for LIHEAP because we lack resources. Energy bills have increased 30 percent over last year, yet our funding has not increased. In 2006, there were 29 heat-related deaths in Sacramento County. One senior who passed away due to extreme heat was afraid to turn on his air-conditioner because he knew he would be unable to pay the electric bill. We know there are more like him out there at present.

Why is LIHEAP so important in the South in the summertime? From 1999 to 2003, over 3,400 deaths in this country were due to excessive heat. All of these deaths were preventable, and air-conditioning is the best way to prevent those deaths, according to CDC.

I relate the problems associated with high heat and lack of LIHEAP funding not because that is necessarily an issue in my State. In our State of Vermont, in the northern tier of this country, the fear obviously is that when winter comes and weather becomes 20 below zero, we are going to have many families who are going to go cold. Some may freeze, some may be forced to vacate their homes and move in with other relatives and friends. That is what our fear is. Again, this is not just a fear of northern States, this is a concern that impacts every State in this country, whether you are in the North or whether you are in the South. It is imperative that we move on this issue and it is imperative that we move as quickly as possible.

So once again, I am delighted that in the midst of all of the differences of opinion we are hearing on energy policy in general, there has been a coming together around the issue of LIHEAP. We now have 52 cosponsors, including 13 Republicans. When this bill comes to the floor—and it will come to the floor soon; we are going to pass it—I am quite confident we are going to get at

least 60 votes, if we need that, and maybe a lot more than that. My hope is that we move it on to the House to get it passed there as soon as possible and we get this desperately needed funding out into the States. This is an issue we are making some progress on and I look forward to the support of all of my colleagues.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Madam President, I wish to pick up on what the Senator from Vermont is saying because I feel very strongly that we do need to move forward with additional funding for LIHEAP, the Low-Income Energy Assistance Program. In fact, I have offered an amendment to this—or I have filed it. I haven't offered it, because no amendments have been allowed by the majority party, but I have filed an amendment to the Energy bill, which is the logical place that we should put the LIHEAP language, which would do three things. It would double the amount of funding for low-income energy assistance, increasing it by \$2.5 billion, which is the essence of the bill of the Senator from Vermont, which is exactly what we need to take care of the increased prices for energy according to the Energy Office in New Hampshire.

Secondly, it would add \$25 million to the weatherization program. I think weatherization makes a lot of sense because it takes homes which lose a lot of their energy through lack of adequate windows or adequate insulation and helps those homes, especially low-income individuals. Further, it does something else which is important. LIHEAP is directed to low-income people, but middle-income families today, with the cost of energy doubling and tripling, have a serious problem. Folks who are working for a living but are still on a fairly tight budget or a fixed income are going to get hit hard this winter when their energy bills double and triple. So this bill sets up a tax credit dealing with the first \$1,000 for an individual who is purchasing energy at fairly moderate income levels, so it doesn't benefit high-income individuals, and allows people, to the extent they buy oil to heat their home, to take that tax credit to assist them in the effort of reducing the cost of that oil.

All of this is paid for. My bill is entirely paid for. I think that is also a critical element because what we are talking about here is buying a consumable product for today—oil to heat your home—and then, unfortunately, if you don't pay for it, you are passing the bill for that oil on to our children and our grandchildren by adding to the debt of the United States, and that is not fair. Our children and our grandchildren are going to have their own tough time heating their homes; they don't need to have the debt that is included in paying for that program.

So my bill is entirely paid for by eliminating a tax—what I consider to be an inappropriate tax break for basically large, integrated oil companies known as section 199. This tax break was not directed at those companies originally when it was passed—and it should be—but it is being taken advantage of, and it is certainly not needed when oil is selling at \$120 or \$130 a barrel, and the incentives to produce oil are significant enough by the cost of the marketplace.

I feel very strongly—and I think this is an important point to make—that we need to have a comprehensive approach relative to people who are going to be impacted this winter, and it needs to be a paid-for approach, and that is why I made this suggestion.

I also feel strongly that if the majority leader calls up the bill which he filed, which is the bill from Senator SANDERS, in an attempt basically to take down the Energy bill so that we are not going to debate it any longer, that is not the right approach. Because the real way you get to the issue of energy and the cost of energy for low-income people in New Hampshire this winter—or for moderate income people in New Hampshire this winter—is to reduce the overall cost of energy, to bring the price of energy down. How do you do that? You produce more and you consume less.

We on our side of the aisle have a series of ideas as to how you should produce more. Use the oil that is in the Outer Continental Shelf, drill in the Outer Continental Shelf. Use shale oil. We have 2 trillion barrels of shale oil sitting there—more reserves than in all of Saudi Arabia and many of the Middle Eastern countries combined. Use those resources. Bring them on the market. Take away the impediments which we as a Congress—the Democratic Congress specifically—have put in the way of using Outer Continental Shelf oil.

There is language which has passed this Congress which was put in by the Democratic Congress that says you can't drill in the Outer Continental Shelf. There is language which says you can't use oil shale from Wyoming, Colorado, and Utah—this huge reserve of energy. That language should be removed so that those sources of oil can be used.

Once you show the world we are willing to bring on line as a nation additional production from our resources, that will reduce the price of energy, because these prices which we are seeing today are speculative prices based on what they expect to occur in the future, and they expect demand to go up, but supply to stay stable—to not go up. Well, if we prove we are willing to bring more supply on line, and we are willing to use other sources such as nuclear power to reduce our reliance on oil, that will cause these prices to come down. That is the most significant thing we can do. If we could bring the price of a barrel of oil down to \$100,

even, that would dramatically take pressure off of people buying home heating oil this winter in New Hampshire.

So this bill we are debating right now, this energy bill, has to be completed before we move on to Senator SANDERS' bill. In the debate of this bill, we should take up the LIHEAP amendment which will be offered, I suspect, from our side of the aisle—probably by Senator SUNUNU or myself. At the same time, we should take up these other ideas of expanding the use of our reserves as a nation on the Outer Continental Shelf, in the shale oil reserves, using nuclear power.

We should be expanding these reserves. Why? Because that will cause the price of oil to come down. In addition, the secondary benefit of this, of course, is that we won't be buying energy from people who don't like us. We won't be buying as much energy from Venezuela if we are producing American oil. We won't be buying energy from Iran if we are producing more American oil.

So clearly this is what we should do. We should produce more and we should consume less. At the same time, we should be promoting—and there will be an amendment from our side of the aisle on this bill—promoting the use of electric cars and development of electric batteries, promoting more conservation ideas, promoting more renewable ideas. These are initiatives which need to be pursued. More importantly, they need to be discussed and a genuine bill needs to come out of this Congress. A bill such as the majority leader has presented—or the Democratic side has presented—which deals only with one small sliver of the problem, which is the potential for speculation, does nothing to increase supply and it does nothing to increase conservation, the two things we need to do in order to get the price of oil down.

The simple fact is this bill should be available and open to amendment. In an attempt by the majority leader to basically sidetrack this bill, to throw it in the ditch, so we can't go forward with amendments which deal with addressing drilling on the Outer Continental Shelf, which deal with bringing on more shale oil, which deal with nuclear power, which deal with more conservation—I am not going to vote for something that tries to accomplish that. I am going to vote to try to make sure we come out of this debate with a comprehensive policy, something that drives this country toward creating more supply that is American-created while at the same time using less.

Madam President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has used 8 minutes and there is 22 minutes left.

Mr. GREGG. I believe I have 10 minutes. If the Chair would advise me when I have completed 10 minutes, I would appreciate it.

The PRESIDING OFFICER. I will do that.

HOUSING

Mr. GREGG. On another topic, we are going to take up tomorrow hopefully the housing bill. This is an extraordinarily important piece of legislation. It is a big leap for those of us who are fiscal conservatives to say the Government should step into this arena as aggressively as this bill suggests we do but, unfortunately, it is a necessary step. It accomplishes two things which are absolutely critical in the present context of our economy.

Today there are a lot of people losing their homes through foreclosure as a result of taking part in what was known as the subprime lending process and having their ARMs reset, their mortgage rates reset. This bill sets up a process where people who live in their primary residence who have the wherewithal, the ability, to pay a reasonable mortgage can restructure that mortgage so they can afford it and so they don't lose their home, and so there isn't a foreclosure. That is very important. It is important not only to those individuals, but it is important to the marketplace to start some activity in the marketplace in the area of mortgage lending and home sales.

Secondly, and equally important, this bill addresses the fundamental strength of our financial institutions. We have some financial institutions in this country which are a bit unstable—unstable. We need to make sure they are stable. Why? Because these institutions, such as Freddie Mac and Fannie Mae, are essentially at the center of the strength, whether we like it or not, of our banking industry. We need to set up a process so the marketplace knows these institutions, specifically Freddie Mac and Fannie Mae, are going to survive and are going to be stable and are going to be able to have the capital and the wherewithal to continue to lend and to continue to have the market, to turn over mortgages so you can have liquidity in the lending markets. This is critical.

Some will argue it may be expensive. My argument is if we don't take this step, we know it will be expensive. We know from the FDIC—

The PRESIDING OFFICER. The Senator has used 10 minutes.

Mr. GREGG. Insurance that we will incur—as a result of bank failures that we will be paying a massive price. So although I don't like the idea from a concept as a matter of practice, this is something we are simply going to have to do in order to assure the fiscal solvency and resilience of our credit markets.

Madam President, I appreciate the courtesy of the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Madam President, I thank Senator GREGG for his insights on housing and other matters. With regard to the potential LIHEAP legislation, I respect the fact that he desires it to be paid for and for it not to be one

more addition to the public debt. However, as a Senator who has believed for the last 12 years I have been here that this Nation needed to produce more oil and gas at home, I have been frustrated so often by my colleagues—frequently from the Northeast, I have to say—who have opposed oil production offshore, have opposed oil production in Alaska, have opposed coal to liquid, have opposed shale oil production and other avenues of production. The junior Senator from Vermont, my colleague on the Energy Committee, declared that we needed more geothermal, we needed more wind and solar, we needed renewable energy forms, which I certainly support in every way possible.

Yet it is odd to me that those very same persons now walk blithely into the Senate and want the taxpayers of America to subsidize the Northeast so they can buy more dirty fuel oil to heat their homes with—the people who objected to the production of oil and gas year after year. I have to say that. I know people in the Northeast are hurting. People all over the country are hurting. The little county where I grew up in Alabama, according to the New York Times and a national survey, found that they spend a larger percentage of their income on gasoline than any other county in America because incomes are low in the rural areas and they have to drive a long distance to work. Those were the primary factors cited. That makes sense to me. Are we going to subsidize people in Wilcox County? Who gets subsidized?

What we need, without any doubt, colleagues, is an energy policy that will bring down these prices. We need an energy policy that makes sense—not subsidizing the dirtiest oil of all, burning heating oil in individual homes. We ought to be thinking about things that could actually work, such as cleaner natural gas, making those pipelines available throughout the country, instead of blocking every attempt to expand a pipeline. Or maybe we could expand nuclear power in the Northeast and other places in the country so more of our homes could be converted to clean electricity, produced by nuclear power, which produces not one drop of global warming gases or atmospheric pollution.

I have to say I am disappointed that the majority leader has decided he did not have time—I believe those were his words—to deal with energy. Therefore, he filled the tree, using a parliamentary procedure that means we would go home a week earlier than we expected to go home and not stay in session next week and talk about energy and the things the American people care about. They care about energy and the economy. The economy is adversely affected by high energy costs. That is what we need to be doing right now.

I think this idea, that the majority leader can fill the tree and control the amendments so we are not able to enter into a debate about how to confront the energy crisis this Nation is

experiencing, is a very extraordinary departure from our classical history.

In 2005 and 2006, we had an energy debate and passed an important energy bill. The Republicans had the majority at that time. I believe there were 15 days of debate, 20 or 30 amendments were offered, and many more were accepted without a full vote.

Then, last year, the Democratic majority allowed an energy debate that improved our CAFÉ standards, and it passed overwhelmingly. I voted for that. I think it was 10 full days of debate and many votes were cast on amendments. At this time, quite a number of amendments were accepted.

Why would we not do that now when we are facing an even more severe crisis? That is my question. So I note to my colleagues that energy prices are having a very real impact on the lives of our constituents.

According to AAA, the average price of regular unleaded gasoline was \$4.03 this morning. As a result, the typical American family, with two cars, is paying approximately—we have calculated this out, according to average miles driven—paying \$1,260 more this year for the same number of gallons of gasoline they were purchasing last year. That amounts to a \$105-per-month increase in expenditures for each family. Remember, people have paid taxes, they have had Social Security withheld, they have paid their insurance, their house payment, and all their basic expenses. You only have a certain amount of money. The American people are unhappy because they are paying an extra \$105 per month for the same amount of gasoline they were purchasing before. When they realize that a big reason for that is because of a systematic action by Congress to block production of clean American energy, I think they are going to be unhappy with us. In fact, they are already unhappy with us. The popularity of Congress is at an alltime low. I think, on this energy question, we deserve the criticism. I have to say I have promoted more production for years. I have warned against this problem.

As a result of our policies, we are now importing over 60 percent of our fuel. That amounts to \$500 billion to \$700 billion in American wealth which has been transferred out of this country to foreign nations. They are using it like Venezuela is right now, with Chavez in Russia closing a \$2 billion arms deal. He is basically doing that with our money, with the high price of oil. He is off shopping to buy weapons and—hopefully, he will not—possibly use them to destabilize South America, since he sees himself as following in the steps of Fidel Castro, his hero. That is not a good thing.

I have offered legislation that would open an area in the Gulf of Mexico on Alabama's side of the Alabama-Florida line, called the stovepipe, that has large amounts of oil and gas in it. It is in shallower water, so the wells can be drilled in a fashion that they can sit on

the bottom. With the deep drilling we are doing today, you have to have a ship. The waters are so deep, they cannot anchor the ship. It has to sit in place by GPS and have propellers all around it to hold it steady, so it doesn't move, and the drilling can go on. This would be much cheaper and much quicker to bring onboard.

I have offered legislation that would require the Department of Energy to examine the subsidies and incentives we have created and to see which ones are working. This legislation would also have the Department of Energy work on a recommendation of how to utilize our subsidies, incentives, and prohibitions in a way that effectively maximizes our energy capacity in this country, making us less dependent upon foreign oil.

I believe strongly we need more efficiency. We need to use less energy. We need to have a breakthrough. I believe we will. In my home State, I believe we are going to see, within the next few months, a breakthrough on the conversion of cellulose to biodiesel or ethanol, and that could be a big help to us. It will certainly be more productive than that ethanol we are getting from corn today.

I see my colleague, the distinguished Senator from Arizona. I wish to say more, but I will conclude by saying that I believe we need to act. Our soldiers in Iraq work 7 days a week, 12- to 15-hour days. Their lives are at risk. The majority leader said we don't have time, that we need to recess a week earlier than we projected, and we cannot possibly spend more time during August—we need to be home on recess—dealing with the No. 1 issue facing the American people in this country.

I believe that is the wrong policy. I think we need to say so. I believe there are large numbers of Democratic Members of this Congress who will support more production that is safe and carefully done, that will help us deal with the crisis we are facing, but we cannot make progress, unless we are able to vote and debate. That is being denied at this time.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. KYL. Madam President, I associate myself with the remarks of my colleague from Alabama a moment ago. I will speak to the reliance of the United States on other countries around the world for too much of our petroleum and natural gas supplies and what that does to the United States to make us dependent, to cost us more money, to reduce our flexibility and actions around the world, and also the point that every time they want to rattle their sabers to create instability in the world, what that does to the markets is to reflect that instability in higher prices. So these very countries that we would like not to make so much money off their oil supplies, if they want to make more, all they have

to do is create a little trouble in the world, and it raises the price because the markets go higher for a while. I will talk about that in a moment.

I have reflected on a comment a friend of mine made some time ago. I don't mean disrespect to my friends on the other side. But he said: You know, Democrats have three approaches to every problem: Taxation, litigation, and regulation.

Sometimes we like to laugh about that because it is, unfortunately, too true. But I thought how does this apply to energy. Sure enough, it does. They, of course, tried taxation and failed, trying to raise taxes on oil companies, under the notion it would never be reflected in consumer prices we pay. But that is exactly what would happen. They tried litigation against OPEC. There is no way you can sue the OPEC countries. We ought to produce more of what we have, not tell them they have to produce more. They are pretty strained, in terms of where they are in production right now, in any event, and we are not, as the King of Saudi Arabia reminded President Bush not too long ago.

Then, the third thing has to do with regulation. It is the bill that is pending before us right now. This is the Democratic approach: Let's regulate the people who buy and sell the contracts for oil and natural gas and the like. Of course, we already have regulators—it is called the CFTC—and today we have some news that demonstrates that this body is doing its job and can do its job. To the extent that there is illegal manipulation in the market, the CFTC can stop it. They announced that, after a year of investigation, they had stopped a company that was allegedly illegally manipulating the market, and they are going to take legal action against them. The Department of Justice may be looking at it from a criminal aspect, as well.

Both Democrats and Republicans have agreed that one of the things we need to do is ensure that the CFTC has all the money it needs and the personnel it needs to continue to do the job we have given it to do, to make sure people are not abusing the process. That is the good part of regulation. The bad part would be to begin defining—as the Democratic legislation does—who good traders are and who bad traders are and not let the bad traders trade—something that was debunked yesterday in an interagency study concluded by the CFTC, which concluded that speculation wasn't the problem; that the reason for the price increases at the pump is the law of supply and demand—not enough supply for the demand that exists out there.

Today, another diversion was created. I wish to reiterate this. It involves a friend of mine, my colleague, JOHN MCCAIN. He was grossly misquoted this morning by Senator REID and others, who have tried to suggest he is not for offshore drilling. I think everybody knows JOHN MCCAIN sup-

ports more offshore drilling. As a matter of fact, on this chart, I will quote one of many things I could refer to from his Web site. I have a great deal of information in which he makes it clear he is for more offshore production.

Among other things, in June, he said this:

Opponents of domestic production cling to their position, even as the price of foreign oil has doubled, and doubled again . . . every year, we are sending hundreds of billions of dollars out of the country for oil imports, much of it from OPEC, while trillions of dollars of oil reserves in America go unused.

He has also said the current Federal moratorium on drilling on the Outer Continental Shelf stands in the way of energy exploration and production. JOHN MCCAIN believes it is time for the Federal Government to lift these restrictions and put our own reserves to use, and on and on.

He obviously supports offshore production. So why did some of my colleagues take a quotation of his, leave part of it out, and try to create the impression that he did not support it and he did not think it would do any good? He was responding to a question earlier about whether more of this offshore production would produce immediate results. All he did was to tell the truth. Here is what he said:

I don't see an immediate relief, but I do see that exploitation of existing reserves, that may exist, and that—in view of many experts—that do exist off our coasts, is also a way that we need to provide relief, even though it may take some years. The fact that we are exploiting those reserves would have a psychological impact that I think is beneficial.

I totally agree with him. My colleagues read this to suggest that he believes offshore production would have no benefit except a psychological benefit. As we can see, that is not what he said. But his point is also valid—"is also a way we need to provide relief," it will provide a psychological boost to the markets just as, in fact, President Bush's lifting of the moratorium a week or so ago on some offshore drilling caused prices to drop. Many analysts believe the drop of about \$25 per barrel was much because of the President's announcement and the fact that Congress was taking up this subject with the idea that perhaps we would actually get something done.

What the speculators are doing is simply placing a bet into the future that there is either going to be enough oil to meet demand or there is not. If there is not, then they are betting the price will go up.

What Senator MCCAIN is saying is the mere fact we would pass legislation saying we are going to produce more oil offshore would immediately have the impact on the markets to bring the prices down because they would know in the future we would have enough supply to meet our demands. JOHN MCCAIN was exactly correct on this, and I think it serves no purpose to misquote him and suggest otherwise.

I also note that in the House of Representatives today, legislation was defeated, as it was last week, by the Democratic majority there that is very similar to, if not identical to, legislation that was introduced by Democrats in the Senate.

For example, last week the House of Representatives defeated a provision that says where leases have been let to oil producers, if they do not drill on those leases after a period of time, then the leases come back to the Federal Government.

As you probably know, that is already the law. The bottom line is you get primarily 10-year leases. Some are shorter. You cannot obviously immediately go out and drill on every one of several hundred thousand acres, but what you do is try to figure out where it is most likely you are going to get oil and you start drilling there first and keep going until you drill in all the areas where you think there is potential. It is obviously not going to be on every acre. Whatever you haven't done in 10 years goes back to the Government. That bill failed because it is already law.

Today another bill failed that is to drain the Strategic Petroleum Reserve. This is our national security reserve of oil, in case of an emergency, for our military primarily. We need reserve so the tanks can drive, planes can fly, and the ships can sail. You don't want to reduce that to affect very briefly the price of gas in the country. They would reduce it by 10 percent. What would that do in terms of the oil supply in the country? It would reduce the oil supply by 3½ days—3½ days. If it drove the prices down at all, which I doubt would happen, it would be very temporary because everybody would know it is not a permanent solution. So it is no wonder that failed in the House. Again, to the extent that is part of the Democratic bill, it is obviously not a solution to the problem.

I mentioned I would talk briefly about what Senator SESSIONS was talking about, and that is the unintended consequences of not producing our own energy, even though we have it in our country, and relying on other countries to do it instead.

More than 60 percent of every dollar spent at the pump—I filled up my tank last week, and it cost me over \$70, and my tank wasn't even empty when I filled it. More than 60 cents out of every dollar I paid went to a foreign country. We could keep that money in the United States if we produced our own energy.

I conclude by saying we can do ourselves a whole lot of good to take advantage of the resources that exist right here in the United States of America, reduce the cost of gasoline at the pump, and ensure our future energy security.

I hope during the course of the next several days we will have an opportunity to do that as we debate this important legislation.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Ms. CANTWELL. Madam President, I came to the floor yesterday to talk about how our Nation must move forward on a new energy future and explain how even if we drilled off all our coastlines it would still meet only 1 percent of our future oil needs. Instead we should be moving toward a renewable energy future and new energy technologies that could actually reduce our dependence on foreign oil by over half.

But today I come to the floor to talk about the proper policing of oil markets because we are in a crisis that is literally bankrupting families and businesses and even threatening entire industries.

Now, I don't often agree with President George Bush, but I have to say in his latest economic analysis, I actually agree with him, because I think it explains part of the reason why we are in a crisis today.

That is right, the President said that "Wall Street got drunk." That is right, the President acknowledged that something was wrong with Wall Street and that "Wall Street got drunk."

Now, I don't know if the President meant to say that publically, but it got captured on the Internet. I don't know if he plans to keep saying that or all the intentions he has about trying to sober up Wall Street. But I know elaborating on the President's point, White House press secretary Dana Perino explained:

Well, you know, I actually haven't spoken to him about this, but I imagine what he meant, as I have heard him describe it before in both public and private, was that Wall Street let themselves get carried away and that they did not understand the risks that the newfangled financial instruments would pose to markets.

That is what she said.

I don't know why the Bush administration and the regulatory team that they put in place wasn't doing something about this situation. We do know the administration supported deregulation of the financial markets.

And to me, the issue is that while Wall Street was getting drunk, it's really America and the American middle class that is feeling the hangover.

Today the Federal Reserve is struggling to contain what is almost one of the most severe credit crises since the Great Depression, and American families and businesses are paying dearly for the poor decisions and inactions of this administration.

During the past decade, the financial economy seems to have repeated some of the excesses our country has gone through before. So I wonder when we are going to learn the lessons of history and make sure that we in Congress do our job and that regulatory agencies do theirs.

In many ways, today's situation is a repeat of the 1920s when too much borrowing to underwrite too many speculative bets using too much of other

people's money set up an the entire economy up for a crash.

Well, in 1999, Congress repealed key parts of the Glass-Steagall Act of 1933. It allowed banks to operate any kind of financial businesses they desired. And it set up a situation where they had multiple conflicts of interest. And several economists and analysts have cited the repeal of this Act as contributing to the 2007 subprime mortgage crisis. In fact, Robert Kuttner, co-founder and co-editor of the American Prospect magazine wrote in September 2007:

Hedge funds, private equity companies, and the subprime mortgage industries have two big things in common. First, each represents financial middlemen unproductively extracting wealth from the real economy. Second, each exploits loopholes in what remains a financial regulation.

Then, in 2000 we also deregulated a new and volatile financial derivative that is at the heart of today's housing credit crisis—credit default swaps. As White House press secretary Dana Perino would describe it, these newfangled financial instruments that posed a risk to the market actually grew into a \$62 trillion industry.

And Warren Buffett has called these credit-swaps financial weapons of mass destruction. So the proliferation of these newfangled financial instruments has resulted in huge profits and losses without any physical goods changing hands.

So now, I come to the floor asking my colleagues when are we going to learn the lessons of the past? When are we going to realize that the the 1929 stock market crash has the same root cause as the recent housing bubble? Both were financed by dangerously, highly leveraged borrowing, and after the crash many banks failed causing a ripple effect that devastated our Nation's economy. Well, after the 1929 crash, Congress stepped up and changed the banking laws to eliminate some of the abuses that had led to the crash.

That is right, only after the crisis did Congress act. What I want to know is whether we are going to learn that vital lesson and legislate consumer protections in advance, or only after a bubble bursts.

The savings and loan crisis of the 1980s and 1990s when 747 savings and loan associations went under provides a similar lesson. Like before, much of the mess can be traced back to deregulation of the savings and loans which gave them many of the capabilities of banks, but failed to bring them under the same regulations as banks. Congress eliminated regulations designed to prevent lending excesses and minimize failures.

Deregulation allowed lending in a distant loan markets on the promise of higher returns, and it also allowed associations to participate in speculative construction activities with builders and developers who had little or no financial stake in the projects.

The ultimate cost of this crisis is estimated to have totaled around \$160

billion, with U.S. taxpayers bailing out the institutions to the tune of \$125 billion. This, of course, added to our deficit of the early 1990s.

So I ask my colleagues: When are we going to learn this lesson?

As George Soros wrote in his book documenting the credit crisis:

At the end of World War II, the financial industry—banks, brokers, other financial institutions—played a very different role in the economy than they do today. Banks and markets were strictly regulated . . .

Unfortunately, today's banking and credit crisis teaches us we have failed again to learn the hard lessons. We have failed to see that oversight and transparency are always critical, and when Congress makes reforms, they cannot disregard these important fundamentals.

The only encouraging news I have seen lately is that Treasury Secretary Paulson is now working to increase regulation over investment banks, hedge funds, and other financial institutions.

I could go on and on for my colleagues on my own personal experience with the western energy crisis that happened in electricity in 2000 and 2001. We saw that during the electricity deregulation experience which started in the mid 1990s, people argued that electricity was just another commodity. But it is really a very vital element to our economy. Many experts cautioned that electricity was too vital a part of our economy and way of life to let these markets go without the transparency and oversight that is essential.

We all know the rest of the story. We saw that deregulation set the table for some of Enron's spectacular manipulation schemes of 2000 and 2001 among other bad actors, which all told caused more than \$35 billion in economic loss and over 589,000 jobs were lost because of this crisis.

Again, only after the crisis was over, Congress stepped in and gave the Federal Energy Regulatory Commission and now the FTC more regulatory authority on energy markets. But again, Congress is doing its job after the fact.

So I ask my colleagues: When are we going to learn? When are we going to quit deregulating these critical markets without much thought to the transparency and oversight that is critical for markets to operate and function correctly? When are we going to learn that when we give Wall Street an inch, as the President says, Wall Street gets drunk?

We are here today. We are here today to talk about the oil futures market and hopefully enact some meaningful legislation. But the real reason we are here is that we deregulated the energy futures market in 2000, which helped spark today's price bubble that is driving our markets to no longer be based on supply-and-demand fundamentals. In one fell swoop, this deregulation did a number of things that enabled today's perfect storm to brew.

We let newfangled financial instruments—called credit default swaps—go

unregulated and made it too easy to use bad debt to finance home mortgages. We also let newfangled crude oil trading—called energy swaps—go unregulated and essentially allow Wall Street to trade without any transparency. And we allowed electronic trading of energy commodities to emerge as a new form of trading. In a nutshell, we let Wall Street rewrite the rule book for all the traditional exchanges, like as NYMEX and the Chicago Merc, which were previously subject to considerable CFTC oversight.

The consequences of allowing these energy speculators to move into this market, as my colleagues on the floor have said, in spades, shows it is similar to a casino game, instead of playing in the legitimate trading market. And the consequences are the American people paying hand over fist for our lack of regulatory oversight.

Why are we talking about the futures market? Because it should be a key price discovery method to establish the true price based on supply and demand. As the Government Accountability Office has said:

The prices for energy commodities in the futures and in the spot or physical markets are closely linked because they are influenced by the same market fundamentals in the long run.

That is right, the prices for the energy commodities in the futures and in the spot or physical markets are closely linked because they are influenced by the same market fundamentals in the long run. So why is that so important? Well, it is important because the facts are clear: Speculation, and excessive speculation, have driven up oil prices over 100 percent in a year, and energy market experts are telling us the price should be more like \$60 a barrel.

So people are questioning why the futures market is so high, driving the price people pay at the pump today. Well, as Ed Wallace, with the Dallas Star Telegram, said:

Record high prices without record low oil inventories, analysts saying that so much money flows into the oil commodities that it gives the impression of shortages, when in fact no shortage exists.

So that is to say that when you have record-high prices without the record-low inventories, and I note we haven't had a supply disruption, so much money flows into the oil commodities it gives the impression of a shortage when, in fact, a shortage doesn't actually exist.

Now, I learned this phenomenon the hard way because that's how Enron manipulated the electricity markets coming up with various names for these various schemes—Darth Vader, Get Shorty—where Enron created the perception in the futures market that there was somehow not enough supply and then went in the physical market and signed people up for contracts at exorbitant rates. Thank God, through the hard work of people in my office, a little utility in Washington state actu-

ally recovered a tape of a trader talking to one of the individuals from Enron doing a contract and actually saying on the phone: No, this isn't true about the future price, but go ahead and tell your buyer it is so they will sign this contract.

So now we are seeing the same thing happening again. To quote again from the Dallas Star Telegram, in an article called "ICE ICE BABY":

Investors know that if they invest huge amounts in the commodities futures, they can create a shortage on paper, driving prices up just like an actual shortage.

That is right, investors know they can invest huge amounts in commodities futures and they can create a shortage on paper and drive up the price just like an actual shortage. So, yes, we are concerned.

In fact, that article goes on further, speaking about the Intercontinental Exchange, better known as ICE—that this ICE platform has been a big problem because we have allowed it to operate in the dark without the same regulator oversight as other exchanges. Ed Wallace is also quoted in that article as saying:

What kept traders from cornering the market in the past where the government's anti-manipulation rules.

He is talking about what kept bad actors in check in the past, but once we deregulated in 2000, they didn't have the same tools in place to keep the manipulation from happening. So we are here today, on the floor now, talking about whether we are going to move ahead on a speculation bill to deal with this problem.

Compounding this problem is that we have a CFTC and an administration that is watching out more for Wall Street than for Main Street. It is up to us to make sure we are going to pass legislation that puts transparency and tough rules in place to make sure the markets work for consumers and that both the future price and physical price of oil today are truly based on supply and demand.

Americans may be surprised to learn that our oil futures markets were further deregulated—besides this 2000 Act. I am talking about a CFTC decision made by staff behind closed doors who decided to take no action against a London-based trading exchange that actually trades U.S. oil products. As my colleague from Maryland likes to call it, the London loophole. It is like driving on a U.S. highway but only applying the same speed limits as the German Autobahn.

It is abundantly clear to me that the CFTC is doing everything it can to continue to operate this way without thinking about its job, which is to protect the American consumers from oil price manipulation. So that's why I am making no secret of the fact that I am holding up the renomination of CFTC commissioners. And I am holding up new appointments to the CFTC until Congress gets to the bottom of this and we can get Commissioners who are going to enforce the law on the books.

Hardworking Americans are counting on us and are suffering in this crisis. Congress is their last resort as an oversight agency to make sure there are functioning markets and not the manipulation of supply based on the fact that we have created dark markets without proper oversight. But don't just listen to me on this subject about the CFTC. Listen to what other people have said about our CFTC, our Commodity Futures Trading Commission. Others have been critical as well. In fact, William Engdahl, who is an expert and an author on oil markets, wrote in May of this year:

The CFTC seems to have deliberately walked away from their mandated oversight responsibilities in the world's most important traded commodity—oil.

So there is one expert who doesn't think the CFTC is doing its job. Another expert, Steven Briese, who is a futures market analyst and author of the "Commitments of Traders Bible," which is a futures market trade publication, wrote in May of this year as well:

Congress has provided the CFTC the power to control this unlimited speculation—the law is very specific about establishing position limits. The problem is they have abdicated this role.

He is talking about the "behind the closed door" situation where the CFTC said: We are not going to enforce the laws we have on the books.

We have heard from other people, Mark Cooper, of the Consumer Federation of America, recently testifying before Congress, because the Consumer Federation of America focuses on protecting consumers. He had something to say about the CFTC's poor performance. In fact, he said the CFTC's poor performance is "the regulatory equivalent to FEMA's response to Hurricane Katrina."

What he is basically saying is they dropped the ball, at least at the beginning of this crisis, and have not responded.

So there are other people who have said things, like the trucking industry. They have a big stake in making sure the markets function properly. They say: "There's oversight that's lacking or not taking place—so the private market is taking advantage of that."

So, Madam President, I am not the only person. I know The Washington Post has also talked about this. They said, in an article: "The CFTC has exempted these firms from rules that limit speculative buying, a prerogative traditionally reserved for airlines and trucking companies that needed to lock in future fuel costs."

So it is clear the CFTC has abdicated its authority and responsibility. It has abdicated its authority and responsibility, and we have been trying to clean this up and to push forward on important efforts in this regard.

Madam President, I would like at this time to reference for the record a document prepared by Professor Michael Greenberger that responds to information from the Senate Permanent

Subcommittee on Investigations. I know the SPI staff analysis of Professor Greenberger's recent testimony before Congress on this topic has been discussed on the floor, and I would like to make my colleagues aware of his rebuttal to that PSI staff report.

Now, I am sure many of my colleagues probably didn't realize I was going to come and talk so much about the history of Congress deregulating markets, the crises that have ensued—billions of dollars paid by taxpayers—and Congress finally coming in and doing its job and making sure oversight agencies are performing their proper role and responsibility. But I thought it was important context so that we do not repeat the same mistakes.

Some of my colleagues today talked about the CFTC's recent investigation that uncovered oil market manipulation, which underscores the point. The CFTC could only take action against traders that are using exchanges regulated under their purview. What we need to ask is: what are we going to do about the dark markets, the markets that operate within the United States with U.S.-traded products that have been given an exemption and loophole in oil futures that we are not regulating and are probably also causing the problem? We want to know what they are doing about that.

So what is the American consumer saying about this? I know my colleagues have been saying a lot about Americans and what their preferences are. But it is clear to me that the American public wants us to act. In fact, 80 percent of the American public believes that oil commodities speculation and manipulation of the oil markets are taking place. That is right. They want Congress to act. Eighty percent of Americans polled said they believe oil commodities speculators are manipulating the price of oil. So Americans are very concerned.

Two-thirds of Americans believe we should pass legislation that creates new regulations governing all oil speculators. They want us to put back in place the rules we had before we threw them out in 2000. So two-thirds of Americans polled believe we should pass legislation that creates the necessary regulations, and that is what we need to be doing today.

I wish to make sure I am clear to my colleagues. We have done a great service by having an open debate on these issues. And just this week, experts said the Senate action is one of the reasons prices have fallen \$20 below where they were, because we have had this discussion what a more regulated marketplace should look like. But I want to make sure my colleagues are clear that we need to pass legislation that really will crack down on excessive speculation. We cannot have a study bill, we cannot punt this to the future. We have to pass a bill that really addresses all areas of potential for excessive speculation. We need a bill that has aggre-

gate speculation limits across all exchanges. It has to be transparent, and it has to be enforced on all markets.

We cannot have a bill on the Senate floor that has all the right words in it but none of the important words in the proper places. That is what I am going to continue to fight for. I am going to continue to fight to make sure we put real teeth back into the law, to make sure the American consumer is protected from the manipulation of oil markets in the future.

We can give the CFTC the tools it needs, and we must insist that it use them, but we will have to do our job here and pass this important legislation. Wall Street may be drunk, but it is America that is suffering the hangover, and we must help them recover. We need a new, tough law on the books, and it is imperative that we learn from the past mistakes of Congress in their attempt to lighten the load on some of these financial institutions with tools, only to find it wreaking havoc with housing oil speculation bubbles that is causing our country great distress. I hope we get this right in the next couple of days, and I am going to continue to fight until we do.

I yield the floor.

The PRESIDING OFFICER. (Mr. WHITEHOUSE). The Senator from Iowa is recognized.

FISCAL POLICY

Mr. GRASSLEY. Mr. President, in a little over 3 months, Americans will make a very important choice on the future direction of the country. We will go to the polls, we will select a new President. Americans will also vote on roughly one-third of the Senate and all the Members of the House of Representatives.

According to public opinion polls, economic issues will be among the most important matters voters will consider when they go to the voting booth in November.

Everybody knows that the Federal Government affects economic issues, and we do it through Federal fiscal policy. How we deal with Federal fiscal policy can be viewed as two sides of a ledger: On one side is tax policy, and on the other side is spending policy. The choices about how we as a nation want to balance each side of the ledger will have very important consequences and implications on our economic future.

Most economists agree that high taxes dampen economic growth. Too much spending, just like too much taxation, can also dampen economic growth. As elected representatives of the American people, we have an obligation, as the Constitution directs us, to spend those tax dollars for the common defense and also for the general welfare of the Nation. We all have a stake in a growing economy, and we will all suffer from a shrinking economy.

As ranking Republican on the tax-writing Senate Finance Committee, I believe it is my obligation to explain the choices and the consequences of

those fiscal policy choices; therefore, I wish to focus on tax policy as it relates to the choices Americans will face this fall.

In all of the discussion about vague notions of change and vague notions of hope, there are some substantive issues Americans will be facing in the fall. The big question will be how much is the Federal Government going to take out of the American taxpayers' pocketbooks. We will need to evaluate before the election what we are being told on the campaign trail—not just what we are told, compare it with what is likely to occur starting at high noon, January 20, 2009.

I think from history we have some pretty good indicators that tell us what will happen based upon the choices of the American people in the next election. To do that, we must look at our current tax burden. Then we need to take a look at what Senators MCCAIN and OBAMA are telling us about how they will change the tax burden. Finally, we have to consider the ability of each candidate to deliver on promises. Each taxpayer is going to have to make choices, choices about what these candidates will do on tax issues once they get into that position of power. Every American taxpayer and every American family budget will be impacted by the new President and the agenda of the Congress. Elections have consequences.

Today, I wish to consider future tax policy and do it in the context of the CONGRESSIONAL RECORD over the last 3 decades.

First, I want to compare the actions of Congress on tax hikes and tax cuts in relation to each party's hold on the White House and do it from the congressional as well as the White House basis. As a baseline, I will show a scorecard of tax hikes and tax cuts for each 4-year Presidential term since 1981.

I have a chart here. The chart shows three things. They start, as I said, with the year 1981. As you will note, the years are divided into Presidential terms, so we start with President Reagan's first term and work our way through to the present, which is the last year of President George W. Bush's second term. You see the bottom lines across there, the ones that have red and blue, and the years there for the Presidential terms.

Right above the line for the Presidential terms, we have a thick line. It is a three-part line. The line shows relative power of Democrats and Republicans. The top third of the line, if red, shows Republicans holding the White House. The middle third of the line shows who held the Senate majority for a certain period. If red, then Republicans held the Senate; if blue, the Democrats held the Senate. Then the bottom line, that is in regard to the House majority. Like the other two lines, if red, it means the Republicans held the majority; if blue, it means Democrats were in charge of the other body.

If you move up the chart, there is a running total of how much on a yearly average that particular Congress and President agreed to raise or reduce taxes. The lines going up or down are in regard to the tax raises or tax decreases. This data is not mine; it was drawn from the Treasury Office of Tax Analysis report that was released—the most recent one in 2006. The amounts are derived from the nonpartisan Joint Committee on Taxation revenue estimates of each of the enacted bills Congress passed during that 26-year period of time.

Let's take a further look at the chart so you get some specifics.

President Reagan made tax relief a cornerstone of his successful 1980 campaign. His election helped Republicans attain a narrow majority for the first time in over a generation. The House, of course, remained in Democratic hands.

In 1981, President Reagan proposed and Congress agreed to a large tax cut. So you have it. The first green line goes there. On average, if fully implemented, it meant that you would have a tax cut of almost \$111 billion per year. Over time, the Democratic House pushed for and President Reagan reluctantly agreed to some smaller tax increases, and they are the second line where the tax increases come down toward the zero line there.

For the 1984 campaign, President Reagan made revenue-neutral tax reform a central part of his campaign for reelection. Republicans held a majority in the Senate for that election, and President Reagan had built a case for reform. Republicans in the Senate and Democrats in the House agreed, and the chart reveals tax reform for 1986 of a small amount, as you can see there, but still tax reform. It is significant, I would say.

But in 1986, Republicans lost control of the Senate. I happen to remember that because I was on the Finance Committee for my first 6 years in the Senate. We didn't have enough Republican seats after that, I didn't have enough seniority, and so I lost my seat on the Finance Committee.

Congressional Democrats insisted on and obtained, after their success in that election, a tax increase in 1987. You can see that tax increase there for 1987.

In 1988, as you recall, President Bush's father, George H.W. Bush campaigned, in 1988, and included a pledge not to raise taxes. President George H.W. Bush won that election, but congressional Democrats solidified their majorities, and, as a part of a deficit-reduction package, President George H.W. Bush forgot about his campaign promise and agreed to a tax increase. And here it is. You can see the big tax increase—in 1989–1990, it was. Shortly after that tax increase went into effect—there are consequences of policy made here in Congress—the American economy went into recession that year.

Then you get to the 1992 campaign. Bill Clinton, in response to the recession,

campaigning on a middle-income tax cut and tax increases on higher income taxpayers. President Clinton was elected, and Congress Democrats retained a very comfortable majority in the House and Senate, as you can see by the blue lines there, during those years.

In 1993, less than a year later, on the force of the Democratic votes alone, the largest tax increase of modern era was enacted. There you can see it very definitely, a big tax increase at that period of time. You will note it is at the highest point on the tax increase part of the chart.

Republicans claimed majorities in the House and Senate in the 1994 election.

President Clinton agreed to a revenue-neutral small business tax relief package in 1996. During that campaign, President Clinton campaigned once again on middle-income tax relief. President Clinton was reelected, Republicans increased their majority in the Senate, and we retained a majority in the House.

In 1997, congressional Republicans and President Clinton agreed to a significant tax relief package. It was the first tax relief law since the President Reagan administration, and it averaged about \$13 billion a year. There you can see it in the year of 1997.

George W. Bush campaigned on a broad-based tax relief plan for 2000, or in the 2000 campaign. He was elected then, obviously. The parties split the Senate 50–50, with Republicans in control because of Vice President CHENEY's tie-breaking vote for organization. Republicans held their House majority.

In 2001, President Bush and Congress agreed on the largest comprehensive tax relief package since President Reagan. Here it is, as you can see, the big tax reduction of 2001, averaging about \$82 billion per year.

As things happen around here, I was chairman of that committee for only about 5 months because Senator Jeffords switched from being a Republican to a Democrat, and in the wake of 9/11, corporate scandals, and other events, President Bush, a Republican House, and a Democratic Senate agreed on an economic stimulus package that averaged about \$12 billion a year.

Republicans regained the Senate majority in 2002. So in 2003, President Bush and the Republican Congress continued to significantly reduce the overall tax burden.

So here you can see in the 2003 and 2004 tax bills a combined about another \$82 billion a year reduction in taxes. If you look at President George W. Bush's first term, enacted legislation totaled roughly \$174 billion per year, on average. Republicans held the House for all of that term. Republicans held the Senate for most but not all of that term.

In 2004, President Bush campaigned for reelection by emphasizing the permanence of the lower tax burdens secured during his first term. Repub-

licans increased their House and Senate majorities.

So in 2006, President Bush and the Republican Congress extended the tax relief in the first term through the year 2010. It is shown here. It averages about \$22 billion per year. In 2006, the situation now, as a result of that election, Democrats gained majorities in both the House and Senate.

Despite the opposition of the Democratic leadership in the House and Senate, Congress passed and President Bush signed an "unoffset" alternative minimum tax. That legislation averaged \$13 billion in tax relief.

This year Congress and the President agreed to \$34 billion in temporary economic stimulus. At present, the Democratic Congress and President Bush are in a stalemate on an AMT patch extension and other expiring tax relief matters. The reason for the stalemate is the House and Senate Democratic leadership's opposition to passing these bills "unoffset."

I want to use one chart to sum up today's discussion. This chart shows a tax thermometer. We have got it up there. The heat side is the tax increase side. This chart shows the relationship between party control of Congress, Presidency, and tax hikes or tax relief.

If Republicans control the Presidency and Congress, then lowering the tax burden, which is a tentative Republican philosophy, is virtually certain to be put in place. So you can point to that point in the chart there that demonstrates having both a Republican President and a Republican Congress is a certainty to have a lower tax burden for the American people.

If Democrats control both the Presidency and the Congress, then an increase in the tax burden is certain to occur. That is what history of the last 25 years shows. So it is a virtual certainty, regardless of campaign rhetoric to the contrary.

If the parties split control of the Presidency and the Congress, the record is, as you might expect, mixed, though generally against tax relief.

So if you look at the median picture there, you see that we have about three decades of history backing this up. I would encourage everyone to take a look at this thermometer chart. When folks go to the voting booth on November 4, they will need to consider the probability of a change in fiscal policy. They will need to consider the potential change to their family budget, from higher or lower taxes, because elections have consequences. They will have to also think about the broader economic effects of higher or lower tax burdens on business or investment, because tax policies by the Congress of the United States do have consequences, some ways good, some ways bad. My view is, higher taxes are bad for the economy.

That change could be dramatic if the vote is for one party to control the House, the Senate, and the Presidency. There would be consequences then,

lower taxes if that is House and Senate Republicans, Republican President; House and Senate Democratic, Democratic President, higher taxes.

In my next discussion, which will not be today, I will follow up this one with a detailed examination of what happens in the last bit of history most like the present. I am referring to the 1992 campaign and the legislative record that followed in 1993.

The reason I do that is I think I see the same thing evolving in this campaign. We ought to learn from history, and the voters need to take that into consideration before November 4.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. DEMINT. Mr. President, I ask unanimous consent to speak for 15 minutes as in morning business.

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

Mr. DEMINT. Mr. President, I commend Senator GRASSLEY for focusing again on the importance of lower taxes and promoting a better economy and higher standard of living in America.

It is disturbing, as we talk about energy and high gas prices, to hear from our Democratic colleagues in the House that they are actually considering raising taxes on gasoline 10 cents or more per gallon at a time when it is already a crushing cost to Americans on energy.

The energy debate has been very helpful. I think for years Americans have known, at least many Americans, that the Democratic Party has blocked the development of energy supplies, America's own energy supplies, from the time of Jimmy Carter stopping nuclear generation to President Clinton vetoing the legislation that would have opened some oil reserves in Alaska, to constant votes by our Democratic colleagues to stop the opening of oil and natural gas which is plentiful in America.

Americans do not trust Congress to fix this because they know it is the inaction by Congress that has caused the gas prices, and we see that the Democratic leadership is going to do everything they can to keep amendments and an open and honest debate about real energy development in America from happening.

HOUSING

The same thing has happened on another bill that is going to be interjected into this energy debate, this massive housing bill, this massive mortgage bailout that is going to come back to the Senate floor for a vote. This is another situation where the American people know that the mortgage crisis, the foreclosure crisis, the problems with Freddie Mac and Fannie Mae are caused by incompetence and gross negligence by this Congress and past administrations.

We suspect, and there is every evidence, that part of that negligence has come from the ability of Fannie Mae and Freddie Mac to spend hundreds of millions of dollars to lobby Members of Congress and other watchdog groups to

keep them from focusing on the reforms that were needed.

When this housing bill comes back, I have proposed one amendment. I asked for one amendment in this process, that if the American taxpayers put their money on the line to back these private companies, that these private companies should no longer be able to spend millions of dollars lobbying Members of Congress to keep them from implementing the reforms that are so important.

Last night I made an offer to the majority leader. I suggested we could have one vote under a time agreement to allow my amendment to prohibit lobbying and political donations from Fannie Mae and Freddie Mac. We could have been done with the bill last night. If the majority leader tabled the amendment, the bill would have been passed and sent to the President last night. But I do not think he wanted his Members to have to vote on that.

If the amendment had been adopted, the bill would have been immediately sent to the House, passed and sent to the President, probably today. The only thing that prevented this from happening was the objection of the majority leader last night, because the majority leader was intent on blocking this amendment to prohibit Fannie Mae and Freddie Mac from lobbying.

The bill will likely pass the Senate on Saturday and will not reach the President until next week. So the argument that my one amendment is slowing this down is not true. Let me state again one more time, to be clear. This Senator was prepared to vote on the housing bill last night. I do not support the bill. I do not think it should become law. I simply wanted one amendment.

My constituents sent me here to Washington to clean up this place. Fannie Mae and Freddie Mac have spent hundreds of millions of dollars over the past decade to block common-sense reform, which could have been prevented. We could have prevented the debacle that we are faced with now if Congress had not been blind to the problem. But because the leader was intent on filibustering my amendment, blocking me from doing what my constituents sent me here to do, the housing bill will be delayed until next week. This is fine with me, because there is a lot wrong with the bill. But the decision to delay the bill was made by the majority leader and him alone.

I wish to offer one more opportunity here for the majority to expedite the housing bill and to give me the one vote on this amendment and then we can proceed to a final vote.

UNANIMOUS CONSENT REQUEST—H.R. 3221

Mr. President, I ask unanimous consent that when the Senate resumes the consideration of the housing bill, the pending Reid amendment be withdrawn and the only amendment in order be a DeMint amendment which I will send to the desk. This is a measure to address lobbying by Fannie Mae and Freddie Mac.

The PRESIDING OFFICER. Is there objection?

Ms. STABENOW. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DEMINT. Mr. President, the majority clearly will not permit this or any other amendment on the bill. He says he does not want anything to delay it. As I have already pointed out, however, I think his own obstruction is delaying the bill.

I wish to make one more proposal. I will explain it, and if the majority is willing, then I will read the technical language. But I am very willing to offer a unanimous consent request to move immediately to a final vote on the housing bill, and then once the energy debate is completed, that my amendment, then in bill form, be allowed a straight-up vote in the Senate.

This may be several weeks from now. But if the concern by the majority is that my amendment would slow the bill down, they should certainly agree that if we can move to housing and pass it straight up, and finish the energy debate, whatever time that is finished, then we could have a simple vote at the scheduling of the majority leader to vote on this lobbying amendment.

I would be glad to put this in unanimous consent form if the majority is interested in entertaining this. If I could get some indication from the speaker or the leader over there. Would you be interested in that unanimous consent request?

Ms. STABENOW. Mr. President, in response to my colleague, I would indicate that on behalf of the majority, if that were offered I would object.

Mr. DEMINT. I thank the Senator. Clearly there is no need to continue to try to get this housing bill expedited. It is clear my Democratic colleagues do not support this reform, and apparently they are going to do everything they can to protect their relationship with these Government entities.

The majority leader suggested yesterday that he would be happy to join me in sending a letter to these two entities, Freddie Mac and Fannie Mae, to request that they be more transparent in their lobbying. Well, I am not interested in sending a letter to the management of Fannie Mae and Freddie Mac. That would be as effective as sending a letter, which has been suggested by my Democratic colleague, to Saudi Arabia demanding lower gas prices. I am not interested in transparency in their lobbying or political donations. The lobbying contracts need to be terminated and their PACs should be disbanded.

The majority leader disagrees. In fact, his staff sent out a blast e-mail to their lobbyist friends asking for help in defeating my amendment.

I want to protect taxpayers and end the culture of corruption in Washington, but I am afraid in this case, the majority clearly does not want to join me.

All I am requesting is one amendment on a 694-page bill that spends

anywhere from \$25 billion to hundreds of billions of dollars of taxpayer money to bail out two companies, Fannie Mae and Freddie Mac.

I believe my amendment is essential to considering the way Fannie Mae and Freddie Mac have spread their wealth around Washington for years to buy Government influence and to cover up their problems. The housing legislation that will be before us authorizes the Secretary of the Treasury to use taxpayer money to rescue Fannie Mae and Freddie Mac, but it does not include an immediate end to their lobbying and political activities.

If American taxpayers are forced to bail out or buy out Fannie Mae and Freddie Mac, their lobbying and political activities should stop. Our Nation has a longstanding tradition of preventing American tax dollars from being used for lobbying and for soliciting and making campaign contributions. There is no doubt that this housing legislation crosses that line. Under current law, the Department of Treasury cannot retain high-powered lobbyists or make political contributions to candidates. This rule should apply to Fannie and Freddie. There may have been some doubt as to whether a government guarantee existed for Fannie and Freddie before, but now with this legislation, that guarantee is made very explicit. They are, in effect, government entities and should be treated as such.

The Politico newspaper recently reported on how Senators and Congressmen are benefiting politically from propping up these two mortgage giants. The article said:

If you want to know how Fannie Mae and Freddie Mac have survived scandal and crisis, consider this: Over the past decade, they have spent nearly \$200 million on lobbying and campaign contributions. But the political tentacles of the mortgage giants extend far beyond their checkbooks. The two government-chartered companies run a highly sophisticated lobbying operation with deep-pocketed lobbyists in Washington and scores of local Fannie- and Freddie-sponsored homeowner groups ready to pressure lawmakers back home.

One thing that should get our colleagues' attention, this chart is a copy of an invitation by Freddie Mac and Fannie Mae and other groups for a big party at the Democratic National Convention. There is one very similar to this for the Republicans. They will continue to lavish entertainment on those of us in Congress until we stop it.

National Public Radio reported that in the first 3 months of the year alone, Fannie Mae and Freddie Mac spent a combined total of \$3.5 million on lobbying and hired 42 outside firms.

According to the Center for Responsive Politics, Fannie Mae and Freddie Mac have been such prolific donors to political parties, candidates, and PACs that they are the No. 1 and No. 3 top contributors in the mortgage industry and rank in the top 100 political donors of all time.

May I inquire as to how much time I have remaining?

The PRESIDING OFFICER. The Senator has about 3 minutes remaining.

Mr. DEMINT. I thank the Chair. I can see I have more to say than I have time to say it.

Let me close by encouraging my colleagues. There is no need for this issue to be partisan. Clearly, if we are going to put hard-working taxpayer dollars behind our bailout of Fannie Mae and Freddie Mac, we should not allow them to continue to throw millions of dollars around for political activities. It just makes good common sense.

On a bill that is this large and this important and that probably not one Senator has read even half of, the opportunity to have at least one amendment and a limited time for debate seems to be a small request. Unfortunately, the majority is not going to give us any amendments, and apparently they are going to turn a blind eye to this obvious problem on which the Wall Street Journal and news media all over the country have been focusing. The American people know about it. I think they would trust the Senate much more to make the proper reforms for housing and mortgages and Fannie and Freddie Mac if they could see that we were eliminating a conflict of interest that has clearly existed for a number of years.

I thank the Presiding Officer and encourage my colleagues to ask the majority leader to reconsider and give us the opportunity to have a vote on this one amendment, and then we could speed the housing bill through.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, let me indicate my strong support for the Low-Income Home Energy Assistance Program and the motion to proceed under which we are currently working. I hope we will have a strong vote. We know regardless of the debate we are having on solutions or causes for how we got here, seniors, families, those we represent are being affected by this every single day.

Making sure that LIHEAP is increased and that we have support for families in paying their heating bills is absolutely critical. I very much appreciate our majority leader making this a top priority and Senator SANDERS for his advocacy. I look forward to what I hope will be a strong bipartisan vote in support of improving and strengthening LIHEAP.

I want to speak further today about the reality of what is happening for families, businesses all across America, certainly in my great home State of Michigan. Since President Bush and Vice President CHENEY, two oilmen, two people from the oil industry, took office, gas prices have nearly tripled. Oil prices have gone up four times higher than before the current administration came into office. The average family is spending a record 6 percent of their income, and counting, paying for gas to get to work, to get the kids to

childcare, to try and maybe take a little vacation up north in beautiful northern Michigan or Rhode Island. I can't leave out beautiful Rhode Island, the State of our Presiding Officer.

But the reality is, families are making incredibly tough choices. At the same time, energy prices certainly are taking a toll on the economy. We are seeing the level of unemployment going up. People are losing their jobs or are underemployed or are working three jobs, trying to get to work, paying more for gas. It is outrageous. I go home every weekend, and it is amazing. It makes you want to scream as you stand at the pump and the price goes \$50, \$60, \$70, \$80, to fill up a gas tank. It is unbelievable. Families are trying to figure out what to do about it.

Unemployment rises, and we have now 12 States with unemployment rates over 6 percent. My State has an unemployment rate of 8.5 percent, 45 out of 50 States have seen job loss and unemployment numbers going up.

One of the challenges, if we are going to talk about what to do about this, is we need to be talking about how we got here. How did we get here? We have had 8 years and two oilmen leading us in the White House, and it is not, unfortunately, a surprise, based on their agenda, that we have ended up with \$4 and higher per gallon of gasoline. That is the shorthand way of talking about what has been happening.

For the folks they represent, for the folks who met with the Vice President to put together his energy policy, what has been happening for them, while families are seeing their wages go down, if they have a job at all, every cost they have going up—what has been happening to them? The total combined net profits of the big five oil companies since this President took office are upwards of \$556 billion. That is net profits. ExxonMobil alone has had, since this President took office, \$185 billion in profits.

One could say, well, businesses want to be profitable. I want them to be profitable, and I am working hard to make sure our manufacturers who, by the way, pay a lot of these costs and are impacted by gas prices when it comes to what is happening in the economy, I want them to be profitable as well. This is not about whether companies should be profitable. This is about the fact that we have had an energy policy put forward by two oilmen in the White House that has focused on supporting an industry and their backers, their supporters, that has now created a crisis in America, a crisis in the economy.

To add insult to injury, it is one thing if there are profits and they are put back into creating more oil and gas exploration, alternative energy exploration, if this was reinvested to strengthen America, the folks who are helping to subsidize this, taxpayer money. The folks I represent who have lost their jobs, they are subsidizing this right now because of tax policy.

To add insult to injury, are they putting this back into the economy to make us energy independent? No. The oil companies have spent \$188 billion in stock buybacks over the last 5 years, instead of investing in increasing supply at home or in supporting a man who has now become very well known to everyone, T. Boone Pickens, an oilman his whole life, who is now investing in alternative energy. Instead of going in that direction because they care about America, the American people, American businesses, American economy—no, that is not what is happening. That is what adds such insult to injury about what is happening to the people of Michigan and around the country. It is the fact that people are taking this and having stock buybacks or adding another corporate jet or putting it into their pockets as opposed to investing in America and the ability for us to have energy independence.

Then, on top of that, with what is being drilled for—and we know we are in a global market. We understand that. We are in a global economy where commodities move around the world. But it is important to know that when our colleagues put forward the oil agenda of drill, drill, drill, let's keep doing what we have always done and hope maybe something will change, maybe we will get out of the hole we are in if we just keep digging—when they talk about that, they are not acknowledging the fact that a record 1.6 million barrels a day from U.S. refineries, 1.6 million barrels a day in refined petroleum products were exported in the first 4 months of this year, up 33 percent.

So we are paying more. We are being told the problem is we are not drilling more, and then 33 percent more of the oil drilled in America leaves America. Why? We are in a global marketplace. It goes to the highest bidder. We understand that. We understand the fact that China is using more, the fact that the weak dollar impacts that and oil speculation, the whole question of energy speculation which, again, I appreciate Senator REID and all the leadership of my colleagues—Senator DURBIN, Senator DORGAN, so many people—who have been focused on this as a piece of the problem, but we are being told: Use the old solution over and over and over, knowing that we don't even know if that oil is going to stay here.

I have supported drilling in the gulf. I have supported efforts to add to our domestic supply. But this is not the way we are going to create energy independence by only focusing on that. According to the Department of Energy, shipments this February topped 1.8 million barrels a day, shipments outside the country, the highest for the first time in any given month.

We are being told that we should do the same old thing, add to it, but do the same old strategy, and somehow we will get a different result. I suggest that the same old strategy, first of all, has achieved great results for friends of

the administration, for friends of my colleagues, the Republican leadership that has been fighting for the oil agenda of this country. It has achieved a goal but not a goal for the American people. This is a question of who you are fighting for, whose side you are on.

These folks are doing well. We know whose side the current administration and those who support the administration are on. Unfortunately, it is not the side of the folks in Michigan who are worrying about whether they can buy enough gas to get to work.

We have, in fact, a formula the Presiding Officer is very well aware of: 8 years divided by 2 oilmen in the White House has gotten us this result: \$4 and counting.

So what has been the energy plan of the administration that has gotten us to this situation? Well, for one thing, we have seen a free ride for the oil companies. In January 2006, the New York Times reported that the Bush administration was allowing oil and gas companies to forego royalty payments—so they were not having to pay their royalty payments they should be paying—on oil and gas leases in Federal waters in the Gulf of Mexico. This decision by the Department of Interior could cost American taxpayers more than \$60 billion.

So to go back again to another chart—they are not paying oil and gas leases, which costs American taxpayers up to \$60 billion. I wonder how much of these profits came from that decision. I wonder how much.

We all know that the administration and, unfortunately, those who support the administration's policy, Republican colleagues, have joined in supporting an effort to block the elimination of taxpayer subsidies to the oil industry so we can take those precious dollars, hard-earned dollars of people working every single day, money that has been going to subsidize the oil companies—we wanted to move that over to real energy independence, to focus on the priorities of the American people, American families, American businesses that are having to pay for all this. We tried to move over \$12.5 billion that would be used for real energy independence, for incentives for solar and wind and, yes, our new hybrid and plug-in vehicles that are coming in the next couple years that, frankly, provide a much quicker opportunity for us to be able to get to energy independence than what we are talking about here in terms of a long-term drilling strategy.

We have an opportunity to take precious taxpayer money and move it over to invest in the future, to invest in the American people and in the future, rather than in the past and the oil companies. We lost that by one vote, not because we did not have enough to pass it, not that we did not have 51 votes, but unfortunately the Bush administration and the Senate Republican leadership blocked it, filibustered it: Let's filibuster. Let's make sure

nothing happens to this. So there was a filibuster that then we were not able to overcome because we were missing one vote.

So the solution that has come forward by this administration, the solution that has come over the last 8 years of the leadership in the White House—the two oilmen in the White House—has been simply to have one solution, which is to continue drilling even if, in fact, that oil does not stay in the United States. So between 2001 and 2007, the Bush administration issued leases on over 26 million acres of onshore public lands. There are already 44 million acres, as we know, of onshore Federal lands under lease, but 31 million acres of those are currently not being drilled upon. There are 2,200 producing leases on the Outer Continental Shelf and 6,300 nonproducing leases at this time.

So that has been the strategy. That has been the strategy that has gotten us to this—okaying more and more land and not even using it. And in the first 4 months of this year, when we were drilling for domestic production—because we are in a global economy—33 percent more of that went out into the global marketplace.

Let me say there is a better way. In addition to supporting the energy speculation bill that is in front of us and in addition to supporting efforts, as I have done before, to have a responsible drilling policy in this country, there is a quicker way to get to where we want to go, and it is one that creates jobs, jobs right now.

I am so appreciative of the fact that, through our budget resolution in the Senate, our Democratic majority put jobs as No. 1 and green-collar jobs in support of manufacturing and retooling our auto industry at the top of the list. I am grateful for our leader's support, Senator REID, and Senator DORGAN, who has been such a leader on these issues, chairing the Energy and Water Subcommittee in Appropriations. I am very grateful for his support. But here is what we could be doing.

Oil exploration and drilling will take 7 to 10 years to bring new supplies to market. Some people say longer. But there are technologies we can bring to market in the next 2 years—in the next 2 years—for advanced technology vehicles. The more we invest in technologies such as advanced battery technologies, the quicker we are going to find relief at the pump. That is the way we are going to do it, not by rewarding the oil companies more but by investing in our own energy independence, with innovation, American ingenuity, hard work that allows us to not only create jobs but create a future for us here in terms of energy independence and lowering costs.

The facts are simple. Advanced vehicles that run with new batteries are much cheaper to drive than conventional automobiles, and we need to be moving to them as quickly as possible. Currently, the average cost to run a vehicle is 16 cents per mile—16 cents per

mile—on the roads. But the cost to run a plug-in hybrid car with advanced lithium-ion batteries is only 3 or 4 cents a mile—a 75-percent reduction. Not only does this save energy, but, as I said before, it creates jobs. This technology is right around the corner.

Frankly, there is a huge competition going on in the world today to see who is going to get to that plug-in battery, that lithium-ion battery that is lightweight enough, small enough, with the technologies that will allow it to be mass-produced on the assembly lines so thousands can be produced a day. The prototypes are there. We have probably all driven them. We have prototypes for a variety of different vehicles. The question is not the prototype; the question is being able to get something mass-produced so it is in the realm of price where consumers can afford to buy it and it can be produced in the volumes we need. We are really in a race right now to do that.

I am grateful there is support from our Senate Democratic leadership to invest in advanced battery research, R&D, the next generation, to provide low-interest credit to retool our plants, to keep the jobs here in America, and to provide consumer tax credits for plug-ins and hybrids to make sure the price is affordable. All of those things are in legislation right now. They are before us in the tax package. They are before us in Senator BINGAMAN's amendment, if he has the opportunity to offer it, as it relates to the Energy bills. They are in our appropriations. They are right now in front of us, and we have the ability to act on this and quickly be able to move us to the next generation of vehicles that go from a cost of 16 cents per mile on the road down to 3 or 4 cents—much faster than what is being talked about in terms of drilling.

Germany has announced the Great Battery Alliance, which will invest over \$650 million in advanced lithium-ion batteries for German vehicles. The German automobile companies are receiving the support of the German Government to be able to be the first ones that are able to get to where we need to be in terms of the new battery technology.

South Korea, by 2010, will have spent \$700 million on advanced batteries and developing hybrid vehicles.

China has invested over \$100 million in battery research and development.

Over the next 5 years, Japan will spend \$230 million on advanced battery research. It is spending \$278 million a year on hydrogen research for zero-emission fuel-cell vehicles.

We are in a race. We are in a race as it relates to technology. We have the engineers. We have the scientists. We have the skilled workforce here in America to do this. We have not had an administration or a willingness by our Republican colleagues to join with us to be able to partner in the investments that need to be made in the automotive industry of the future.

That is just a reality. I believe it was last year when I looked at the President's budget and it was something like \$22 million he was suggesting for advanced battery technology research. Unfortunately, they just don't get it about what is going on around us.

If we want to see prices go down and have energy independence and be able to move to the future for our country, frankly, that is the fastest way to do it. I am very proud our Democratic majority understands that.

We know there is no silver bullet on any of this. But I can tell you what I also know: a game show approach to battery technology research is not the answer. Frankly, both the Republican alternative as well as the candidate who we understand will be the Republican nominee for President have put forward the idea of a prize at the end of the line, a prize for whoever can create the new advanced battery technology research.

Well, Mr. President, we do not need a prize. We do not need motivation. We do not need the motivation to get there. We need the capital to get there. We need the investment. We need the partnering. We need the priority of investing in this innovation to get there. The prize is going to be real easy. Whoever gets there first, they are going to get a big enough prize without us in terms of the marketplace.

The question is, How do we invest up front? What is it that Germany knows, Japan knows, South Korea knows, China knows that we do not know about this, when they are all racing to put hundreds of millions of dollars into this technology? It is very unfortunate that the approach that has been taken—primarily in the Republican alternative; not completely but primarily; and certainly by the Republican nominee—is to treat our economy and certainly the industry that I care deeply about somehow as a game show, and I find that really appalling.

As I conclude, as indicated before, there is no silver bullet to stop the outrageous price increases at the pump. We know that. We have to pass our legislation dealing with energy speculation. I hope we will be able to proceed to do that. We all understand that a responsible drilling policy is part of this. We have, frankly, supported that and made those acres available. But we also know—we also know—if we want America to be energy independent, we have to invest in the future.

We have seen this chart before, but I am going to show it again because we have a lifelong oilman now running ads on television who is so concerned about what is happening in our country and this constant policy that has not been working that he has been presenting, through commercials, a message that we should be paying attention to:

I've been an oilman all my life, but this is one emergency we can't drill our way out of.

“We can't drill our way out of.”

... But if we create a new RENEWABLE energy network, we can break our addiction to foreign oil.

There are some folks who are making a lot of money by ignoring this strategy, there is no question about it. There has been an energy strategy in place that has worked for the oil companies. I understand that when somebody comes out of a particular industry, their focus is on that industry. I understand that. But the reality is, we have gone too long—too long—with a strategy: 8 years of a Republican strategy, with two oilmen at the head of this, creating \$4-per-gallon gasoline. That is the simple explanation for how we got where we are. We have to stop digging. We have to stop doing more and more of the same and hoping somehow we are going to get a different result. We need a new strategy: Energy independence, investing in American ingenuity, investing in a strategy for the future, and, most importantly, what we need is to put the American people first. That has not happened for the last 8 years. It is time to make it happen. That is what our energy proposals are all about. That is what we are fighting for, and we are going to continue to fight for that until we make it happen.

The American people have had enough, and I don't blame them. I have had enough too. It is time for a change, and we are going to work very hard to get that change.

Mr. President, I ask unanimous consent that Senator MENENDEZ be the next speaker following the remarks of Senator SNOWE.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Maine is recognized.

Ms. SNOWE. Mr. President, today I rise in strong support of the Warm In Winter and Cool In Summer Act as the lead Republican cosponsor, along with 52 of my colleagues on both sides of the political aisle.

I first thank the Senator from Vermont, Senator SANDERS, for his tireless leadership on this vital issue of heating and cooling assistance and for his steadfast vigilance throughout the last few months in pressing for this debate on energy assistance when there is not a moment to waste in preparing for what could be the worst winter in a generation, given the historic cost of energy today. At a time when skyrocketing energy prices are at the forefront of our national agenda—when heating oil prices have increased from about \$2.77 per gallon a year ago in my home State of Maine to a staggering \$4.81 cents a gallon today, and when electricity has risen 3.6 percent in the last 12 months, and gas prices have jumped from \$3.05 a gallon to \$4.05 in the last year—as we know, it should come as no surprise that countless American families are faced with choices that, frankly, no family should have to make. Indeed, as a direct result

of spiraling energy costs, 70 percent of low-income Americans are buying less at the grocery store, 31 percent are purchasing less medicine, and 19 percent say they have changed plans for the education of their children. Even now, in the midst of July, in truth, Americans—and certainly Mainers across my home State—are wondering how exactly they will pay for the fundamental necessity of heating their homes this coming winter, just as many others cannot afford the costs for critical cooling during these dangerously hot summer months in so many States. In fact, in South Carolina, electricity services have been suspended to 39,000 homes that are falling behind on their bills, leaving these individuals with no assistance to alleviate the stifling heat. In Arizona there has been a 40-percent spike in shutoffs for residential electricity users. The bottom line is this issue knows no boundaries regionally or politically.

The reality is the stunning effects of these astronomical energy costs are not a regional problem, they are a national problem requiring national attention and a national solution. In fact, as I think about it, with the Low-Income Heating Assistance Program pending before the Senate—at least the motion to proceed; and I hope we will proceed, Mr. President and Members of this body, because I think we ought to be translating words into action—I think there is no better place to start than on this very crucial and vital program. In fact, if I recall, it was back in 1979 and 1980 when we first had the debate on whether to create this program called the Low-Income Fuel Assistance Program, and it was my first term in the House of Representatives. I, along with the late Speaker O'Neill, testified before the then House Appropriations Committee to create such a program. It was born out of the energy crisis that was engulfing our Nation at that time when we had gas lines here in the District of Columbia and across this country.

It was interesting to think that at that time, in the midst of an energy crisis, that previously—6 years previously or 7 years previously—we had another energy crisis and, unfortunately, didn't learn from that event. Out of that crisis in 1979 and 1980, we created the Low-Income Fuel Assistance Program in order to give low-income families the ability to heat their homes and to cool their homes in other parts of the country. That is how this program was created. So I think this program was created as a result of a crisis—as a result of the failure of this country to create and enact a comprehensive energy plan. I think too today, 30 years later, we are in the same circumstance, regrettably and tragically, and the people who rely on this program should not be the victims of our inability, or our unwillingness, to address the energy problem. That is what we should come to terms with here in the Senate, that we should pro-

ceed to consider this legislation and have it become law. I think absolutely it is our responsibility and obligation to give peace of mind to our constituency as they are despairing about the oncoming winter and how they are going to meet the costs of home heating oil that is now close to \$5 per gallon.

I think we do have an obligation to continue to support this social safety net that is so essential. It is a matter of life and death, and I don't think they should be the victims of our political failure or our failure to address a comprehensive energy policy. That should happen. No doubt it should. Frankly, I hope we can reconcile our rhetoric here on the floor of the Senate with legislative action that becomes law that has an actual, direct impact on people's daily lives. They deserve that. They deserve for us to take action. Irrespective of the time or place we are in, in the Senate—whether or not it is a political year—we ought to reconcile our differences to do what is right for America on this mighty challenge that is facing so many across this country, including my constituency.

Here we are in the third energy crisis of recent times, and we see that the program was at least designed to minimize the burden for the least fortunate for years and has provided a level of funding. However, as you can see, with the historically high home heating oil prices you see over time, and yet, even though we have provided funding for low-income fuel assistance basically on a consistent basis, it never addressed the gap between the level of funding and the costs for home heating oil. So we are seeing, as you can see in the recent times, in the recent months, what has happened to the cost of home heating oil. Yet at the same time the level of funding for low-income fuel assistance has leveled off.

That is why we need the legislation that is pending before the Senate. My colleague Senator SANDERS is absolutely right, we need to double this funding. I thank the chairman of the Budget Committee as well for doubling the authorization. I appreciate his leadership on this question because we are in very different times, and that is the reason why we need to increase the level of support for this valuable program.

This program is for the most vulnerable. We are talking about income limits of \$17,680 for an individual, and the average individual recipient earns around \$13,000 per year. Think about it. The assistance we are providing is for those who have income eligibility of somewhere between \$17,000 and \$13,000 on an individual basis. That is who we are talking about when it comes to the income eligibility standards for low-income fuel assistance—\$13,000 for an individual and as high as \$17,000, and for a family of four the limit is \$36,000. In Maine, in terms of the projected costs for paying for a household for home heating oil during the course of a win-

ter, based on today's prices, is close to \$5,000, just to keep warm this winter—\$5,000. So if the eligibility standards are \$33,000—\$36,000 for a family of four, and for an individual it is anywhere from \$13,000 to \$17,000, it costs \$5,000 to heat one's home or residence for a winter. These are hard-working individuals and families who, quite frankly, were in desperate need of assistance back in 2006 when we witnessed the first major increase in home heating oil. So we were able to provide additional funding at that time of \$1 billion for a total of \$3.1 billion. At that point, again, it was a crisis that, given the sharp hike, New Englanders were paying about \$2.39 per gallon. Well, fast forward 2 years to today and you will see, based on our charts we have provided, that oil costs \$4.81. That is a 75-percent increase in only 2 years—75 percent.

So we augmented the funding back in 2006 up to \$3.1 billion when home heating oil was \$2.39. Today, it is at \$4.81, and of course we are in July, so we have no idea in terms of what we can anticipate or expect for home heating oil costs when it comes to winter. So a 75-percent increase as we know it today. So when winter actually arrives, New England could spend, under today's prices, more than \$19 billion on home heating oil—\$19 billion on home heating oil alone. That is a staggering price increase compared to back in 2006 when it was approximately \$9 billion. That gives us a dimension of the escalation of the problem as we face it today and still not knowing what we can expect when winter approaches.

As we see on this other chart I have presented, here is the cost of home heating oil, and as we have seen, it has increased 147 percent since 2004. So basically, in the last 3½ years, we have seen an increase in home heating oil of 147 percent. Yet when you look at the wage increase, it has only been 17.1 percent. So you see that the cost of home heating oil in Maine has outpaced wages by 174 percent. Prices are now well ensconced in the stratosphere, with the legitimate fears that the sky may not, in fact, be the limit. It is a huge disparity when you see how little wages have grown over the last 3½ years and what has happened with a basic commodity such as home heating oil having increased 147 percent.

Yet given all of these alarming numbers, what has happened to the level of low-income fuel assistance? It has actually dropped. It has actually declined to \$2.5 billion from the \$3.1 billion that we provided and that I sought, very actively, back in 2006, when the prices had spiked. So we were able to augment, as I said, that funding by an additional billion dollars to reach \$3.1 billion, but unfortunately, the funding for low-income fuel assistance fell back to \$2.5 billion. So it obviously doesn't make sense. We are actually regressing in terms of a level of funding at a time when home heating oil is actually skyrocketing and we don't know where the boundaries are, we don't know where

the limitations are. As I said, the sky could be the limit, given what the unknown presents for the future with respect to home heating oil.

In testimony before the Senate Committee on Small Business that Senator KERRY and I convened last month to discuss the dimensions involving small businesses and home heating oil and what the impact would be in our region, I had an individual from my State—her name is Jennifer Brooks—who is the community relations manager at Penquis Community Action Program. They are on the front lines of providing critical services to Maine in multiple counties during these difficult times.

Last year, the community action program provided fuel assistance to more than 9,000 Maine households. The average benefit received by each household was \$736. In order to qualify for low-income fuel assistance this upcoming heating season, a family of four must earn less than \$31,800. So under the best case scenario, if a household does qualify for LIHEAP and benefits remain constant, a household on average can expect to receive 158 gallons of oil for the season, which isn't even enough to fill a 250-gallon tank one time.

We know it takes, on average, to get through a Maine winter, 850 gallons of heating oil—850 to 1,000 gallons—and it costs \$4.81, which we know is the price today. When you look at what is available in the low-income fuel assistance program, if we fail to take action and increase funding, as this legislation would prescribe, to \$5.1 billion, our lowest income families will receive a mere 19 percent of their home heating oil costs through this program—the lowest in the program's history.

Now, it is unbelievable to think people can anticipate this winter facing, at the minimum, spending close to \$5,000 for home heating oil. Yet given the dimensions of this program, we will only be able to provide support for 19 percent of the entire cost for the entire winter. As you can see from the previous support of this program, the percentages have declined over the years. Over the last 25 years, the average Maine low-income fuel assistance recipient received assistance that provided 41 percent of their heating oil costs. Last year, that started eroding, and it declined from \$3.1 billion to \$2.5 billion. For the nearly 50,000 Maine households that received benefits, they were only provided 35 percent of the entire cost for the season.

At today's prices, if we fail to increase or double the funding of the low-income fuel assistance program to \$5.1 billion, then we can only provide 19 percent of the entire cost of winter for home heating oil. Obviously, I think that speaks volumes, in terms of the dimension of the problem we are facing and what families are facing in my State, in New England, and across the country. Whether you are living in a cold- or hot-weather region, you de-

pend on this program either for air-conditioning or heating during the winter. It is a basic social safety net program.

I think it is absolutely incumbent upon us to do everything we can to double funding for this program and to do it now and provide the assurances, instead of the rhetoric about what we will do sometime down the road. I think we do have a responsibility, individually and collectively, to make the process work in the Senate and in the Congress, with the President, to do what is right for this country, for these families who are agonizing over the anticipation of what next winter will bring in terms of costs. Here, with this program, we are talking about the lowest of incomes. When it comes to \$13,000, \$17,000 for a family of four, or even \$31,000 or \$33,000, we need to help these families and these individuals, without question.

As my constituent Jennifer Brooks said in her testimony before the Small Business Committee:

If the average person on fuel assistance makes about \$14,000 a year and the benefit only pays for 158 gallons of oil, I don't know how they come up with any more money . . . they can't, with the cost of food and the cost of gas and everything else. There is no money left over to pay even in the summer months . . . there is talk [of having] "warming places" so people can shut their furnaces down real low during the day and go to libraries and stay warm during the day . . . we are in a crisis.

Last year, I heard many stories. After we were expecting \$2.50 to \$2.70 a gallon for home heating oil, I heard stories of desperation then. One TV station, channel 13, in Portland, ME, decided they would initiate a program where they would provide a few hundred gallons of heating oil to four families requiring assistance. They were asked to submit e-mails or letters if they believe they qualified for this assistance. They received an astounding response, with more than 2,000 requests.

Again, there is no doubt as to the magnitude of the problem. That was for last winter. One hesitates to think about what we can expect for this winter, when prices have increased by more than \$2 since last winter. Here we are in July. So we must step up to our responsibilities in this crisis and fully fund the low-income fuel assistance program at the \$5.1 billion. That is the least we can do. It is not that it will address all the problems or fulfill the needs for all those individuals who rely on this program, but certainly it will be a very important step forward. We must do it now. We should be proactive and preemptive and prescriptive in our measures, not reactive, and not wait until after the August recess and continue to dither and talk but fail to take action.

We have a responsibility to provide assurances to those people we represent in this country, to take the strong measures, and to take those actions that are so vital and instru-

mental to providing peace of mind during these very difficult times when people are facing these mighty challenges.

There are many ways to debate this energy problem. Certainly, we should have a comprehensive energy solution, no doubt. I don't think we should place the burden on those individuals who rely on this program, who are concerned—deeply concerned—and anguishing about the future because of our failure to reconcile our differences to reach out across the political aisle. I question as to why we cannot do it. I don't think we should live in an all-or-nothing world because that is not the world our constituents live in. These issues are not mutually exclusive. It is not that we cannot do one because we were haven't done the other. How about starting someplace? We can start with this program, which was born because of an energy crisis 30 years ago. We are in a similar circumstance today.

These people should not bear the brunt of our political failures or unwillingness or inability to resolve these differences.

I think the Senate should not be a roadblock to results but a pathway to hope. What I see here today, regretfully, is, again, my way or the highway. Here, at a time when we are dealing with monumental challenges confronting this Nation—and they are affecting our country simultaneously. Look at our economy and the job picture, the housing, energy, and we are in a war in Iraq and in Afghanistan and we continue to dither, to remain intractable, intransigent about achieving results. Truly, it is not in keeping with the legacy of this institution, which has done so much throughout our history.

That is why Senator NELSON, from Nebraska, and I sent a letter to the President, along with 14 other colleagues, asking the President for a bipartisan summit. After all, we think these times demand it. The President should convene a national energy summit, bringing together the congressional leadership, on a bipartisan basis, and other Members of the House and Senate from the committees of jurisdiction, environmental leaders, industry leaders and scientists, to sit around a table to see what we can do for the good of this country now.

It is immaterial that we are in an election year, that we are 7 months away from the election. The American people deserve to have us honor our obligations as elected officials. After all, there was an election in 2006, as I recall. We promised our constituents we would work on the problems facing this country. Here we are today with an abysmal 14 percent approval rating. I don't know, that may be the lowest approval rating in the history of Gallup Polls.

We all bear a responsibility, individually and collectively. We should care how Americans feel about this institution and what can we do every day to

make it better. Some days, I wonder if we wake up and say: Well, this is going to be another “can’t do” day. We are not going to achieve anything for the people. We are going to see if we can continue to be a roadblock to results and action. We are going to do everything we can to be a barrier to solutions. We will wait for the next election or next year or maybe some other time.

Yet people are suffering. They are losing their jobs. They are wondering how to heat their homes next winter. They are losing their homes. This is a time for us to step up to the plate and demonstrate to the American people that we can do it. Frankly, we are experiencing a crisis in confidence in America, in a variety of institutions, not the least of which is Congress. People are not only despairing about their individual situations, they are also despairing about the inability of elected officials in our political institutions to address these problems. It is not so much that America has these problems, it is the question of our inability to address them and to reach across the political aisle.

I hope we can find a way to extricate ourselves from this confrontational morass and not constantly engage in all-or-nothing politics and scoring political points, making it all about the election, and not live up to the expectations the people rightfully have of their elected officials and political institutions to address the mighty challenges confronting this Nation.

Without question, we can and we must have answers to this national emergency. That is why I thought it would be an important step forward if the President convened an emergency energy summit. There are short-term and long-term solutions. There are many pieces to the energy pie. The low-income energy assistance program is a critical aspect of that in terms of mitigating the impact on the most vulnerable in our society. We have an obligation, at a very minimum, to address that for these individuals. It is not their burden and it should not be; they should not have the responsibility of our failure to address the energy problem. That is why we need to double the funding for this critical program.

Yes, we should pass legislation with respect to speculation. It is something most of us agree on. Why can’t we do it? There are other aspects to energy policy we have failed to address. Everybody is agreeing we should extend the tax credit for renewables. So why haven’t we done that? It should have been part of the stimulus package—and it was, to a point. But, regrettably, again, there were those who opposed it. Yet it could have very well been stimulative to this economy. It would have created up to 100,000 jobs. In Maine, we get \$1.5 billion for wind projects, but we didn’t extend the tax credits for renewables beyond this year. Why couldn’t we do it? Everybody talks about it. Yet we failed to address that

problem. We keep postponing, deferring, delaying, and denying that the problem exists. Yet this is something that could be readily accomplished.

My constituents are looking into alternatives; for example, wood pellet stoves or other energy-efficient means of heating our homes. Yet the tax credits for those have expired. They expired at the end of last year. So they cannot even resort to that as an alternative because, regrettably, we have not extended that tax credit.

The question is, Why? Why are we at an impasse on those issues upon which we agree? I think that is the most startling dimension to the problems facing this country—that in the Senate, where we should be taking and adopting the can-do approach, why can’t we do the right thing and address this energy crisis? We all agree extending tax credits for renewables is something we should do. So why aren’t we doing it? Because individuals or companies or entities aren’t going to make investments in renewables if they don’t have the assurance of tax credits. That is abundantly clear. They have no way of knowing how long or whether they are going to be extended. They are not going to put themselves on the line financially without the certainty of knowing they will be extended.

Why are we not doing that? It will create jobs and, certainly, we need job creation in America, at a time when unemployment is rising at high levels.

We should be concerned about creating jobs, and that is one dimension. We should be concerned about creating alternatives, creating incentives, inspiring innovation, entrepreneurial spirit. We should do all of that and more, and we hesitate and fail to take action on issues on which we agree, which is truly dismaying and disconcerting, most certainly to the American people who depend on us to take those measures and those steps that can begin to resolve effectively the problems that are at hand.

We can do all of these things. We are certainly capable of doing them, unless we are stuck in the status quo and the gridlock that constantly is where we try to score the political points time and time again to no avail.

I hope we can proceed and take action on this very basic social safety net program for the most vulnerable in our society and demonstrate that we do have the opportunity, these rare moments, to reach across the political aisle and proceed to double the funding for this program at this moment in time because, certainly, it is one program that is of immense value to the people of my State and throughout this country, and it is certainly at the very least, at the minimal, what we should be able to accomplish.

I hope we can do more. I hope we can find the political wherewithal to search within ourselves to reach across the political aisle so the monkey wrenches don’t continue to grind down the deliberative process with polarization and

partisanship that yields no achievements, no accomplishments, no opportunity, and provides no hope for the people we represent.

The American people deserve more than what they are receiving today. Frankly, I cannot believe that we would adjourn for the August recess without addressing the energy crisis—this program, speculation, and much more. The American people do deserve to have a comprehensive approach. They do deserve to have their elected officials stay here as long as it takes, as much time as it requires for bold action that will be so essential and can measure it with the problems we are facing in this country today.

I yield the floor.

THE PRESIDING OFFICER. The Senator from New Jersey.

MR. MENENDEZ. Mr. President, I wish to start off by saying how much I agree with my distinguished colleague from Maine. I think the LIHEAP program is one that is essential. There is a real possibility if we do not deal with the LIHEAP program, fellow Americans across the landscape of this country will find themselves in the cold, literally and figuratively, and they will be in such a situation where they will have to make desperate choices in their lives.

So this is something, among other things, on which we should be reaching across the aisle. As one Democratic Senator, I want the Senator from Maine to know that we are absolutely in agreement with her, and we believe this is essential to move forward.

I appreciate her comments about coming to common ground and common cause on those things on which, in fact, we can agree. There is much, at least from listening to the speeches on the Senate floor, that, in fact, we supposedly can agree on. We see there are elements of the Republican package that deal with market speculation. That is the essence of the underlying bill we are debating. Let’s come together on that. Let’s come together on the renewable energy tax credit extenders, something that we began, that existed, and we need to extend if we want to get the marketplace not depending on oil, whether it be foreign or domestic. Let’s agree on that. That is apparently something we can agree on from speeches I heard. We should come together in that respect.

I heard conversation about using less. We agree on that issue. Let’s come together on that. I agree with the Senator from Maine that while there may be differences, there are a lot of elements together that we do agree on, and if we can begin to move on those elements, maybe we could come to a point in which we could move forward on other items as well.

But why not allow those things that ultimately can make a difference in the short term and in the long term for our collective constituents? When you are cold, it doesn’t have a Republican or Democratic label to it. When you

have to make a choice between a gallon of gas or putting a gallon of milk on the table, it doesn't have a Democratic or Republican label on it.

I agree with the Senator from Maine. I am glad to have been on the floor to listen to her. She is a voice of reason, and I appreciate where she stands on these issues, and I agree with her. Hopefully, we can move in that direction.

COASTAL DRILLING

Mr. President, I have come to the floor various times over the last couple of weeks to discuss opening our coastline to drilling. This is part of one of the marvelous beaches in New Jersey. You have to get off the New Jersey Turnpike to understand.

I had some colleagues say: Why are you so fixated on this drilling issue? Isn't your State one big refining place? They obviously never got off the New Jersey Turnpike.

If you get off the New Jersey Turnpike, you will see one of the most incredible parts of the United States coastline where not only millions of New Jerseyans go, which they consider a birthright, but people from throughout the region. Canadians come down and contribute to our economy because they want to go to the New Jersey shore.

The Presiding Officer, the distinguished senior Senator from Florida, understands what that Florida coastline means to his State and his economy. That is why he has been such a vigorous voice on the floor of the Senate.

Ever since I have been having to come down to the floor, ever since we have had these two oilmen in the White House, the Presidential candidate they support, and many on the other side of the aisle—not all but many on the other side of the aisle—have begun a very hard sell to the American people over an absurd notion that opening our coastlines to drilling will ever lower gas prices. They have grabbed on to a source of fear and frustration among American families, and there is no question that there is frustration and pain for our American families. But they are using that frustration and pain to pull a fast one on the American people.

Exploitation of pain at the pump to grab more land to build up stock prices, that is what this is all about. They are using it to sell a plan that in reality will bring absolutely zero relief to Americans but instead represents one last great big handout to oil companies that are already making astronomically staggering profits.

We just saw the beginning of that parade with ConocoPhillips, an incredible increase in profits. On one hand, you have American families who are getting absolutely slammed by high gas prices. On the other hand, you have oil companies counting their money, sitting on 68 million acres of public land that are not being put to use and focusing way more on taking that money

and using it on stock buybacks that ultimately drive up the value of their shares than exploration or innovation.

It is not because I say that. Listen to what the President of the American Petroleum Institute said when he was asked: Why can't you create more production?

He said: We don't have the infrastructure and the rigs and the drills and all the pipeline and everything that is necessary to create more production. He didn't say why. One of the reasons is they haven't been investing the money to do that.

So all the suggestions to lift the moratoria and tomorrow out sprouts oil and, therefore, gasoline and prices plunge is simply not true. They cannot even pursue the 68 million acres, the extra area in the gulf, the extra area off the Outer Continental Shelf in Alaska that is not subject to any moratoria right now. They cannot even do that and haven't done it. What an incredible falsehood perpetuated on the American people. But I believe the American people know better.

If we listen to these proposals, you would think—I have seen some of my colleagues shake the legislation and say: There is no oil in here. Guess what. There is no oil in their proposals either. That is really laughable.

Who do our colleagues on the other side of the aisle choose to help? The oil companies have more money than the eye can see, and you don't even hear them talk about the oil companies. They never invoke their name unless it is to say: Oh, we need to give them more. We need to do more for them. We need to do everything for them. The average American wishes they were in the role of the oil companies—record profits, huge amounts of money. Let's give them more. Let's give them more.

We never hear from our Republican friends talking about the oil companies having any responsibility—I am not saying the responsibility, any responsibility—for some of our lack of production. I have just heard one too many speeches that are apologies for the oil companies. Multibillion profits—I am not going to be an apologist for the oil companies.

As we try to pass legislation to crack down on greedy oil speculation which could lower gas prices quicker than anything, they just say no, even though they include it as part of their proposals.

Back at home, people who are hearing these debates say: They keep talking about speculation. I know what speculation generally means.

What does it mean in the context to the average person? What it means is traders buy huge quantities of oil online, many times intentionally inflating prices. They then turn around and sell those very orders to other traders at even higher prices. These traders never intend to use the oil. This is not a purchase of oil because they are going to ultimately use it in distribution in the country and make sure peo-

ple have, for example, home heating oil or they are going to refine it and have gasoline. No, they use these constant trades bidding up the price so they can ultimately cash in.

But who gets stuck with the bill every time we have to pay to fill our tanks and heat our homes? It is the American consumer.

We Democrats want to do something about it. For those who keep saying—even though it is part of their plan—oh, no, this is really not a problem, let me read to you from an article that appeared today, July 25, in the *New York Times*:

Firm said to manipulate oil market. Commodity regulators in Washington have accused a Dutch trading company of making roughly a million dollars in illegal profits by manipulating the prices of crude oil, heating oil—

What we are going to be using this winter—
and gasoline—

Over what period of time?
over an 11 day period of time.

One million dollars in 11 days in illegal profits. Oh, it is not a problem; speculation is not a problem.

In audio tapes uncovered in their investigation, regulators said one defendant described the scheme as an effort to "bully the market"—

Bully the market—

by making a large number of trades at or near the end of the trading day to move closing prices.

But this is a marketplace that cannot be bullied. Therefore, we don't need to do anything about the speculative nature and unbridled speculation. Well, guess what. One million dollars in 11 days, with their own voices saying that this is an effort to "bully the market." Moreover, unlike many manipulation cases, this one accuses the defendants of actually succeeding in moving prices that were used as benchmarks for consumer markets—actually moving the benchmarks that are used for consumer markets, in essence, saying not only is it our intention to bully the market, but the regulators are saying yes, and they did bully the markets. They did bully the markets.

Now, the complaint that was filed in the Federal District Court in Manhattan says at least two of those attempts resulted in, guess what, higher prices for gasoline and crude oil. But our Republican friends say: Oh, no, market manipulation and speculation isn't a problem. But here is only one example, and this has been a reluctant regulator to pursue this. When they have heard the speeches on the floor and they have heard this going on for some time now, all of a sudden we grab one of these companies, 11 days, \$1 million, bullying the market and doing it successfully.

That is why we need the legislation Senator REID and the Democratic majority brought to the floor and that others only talk about, saying it is part of our package. Well, join us. Join us before more market speculation takes place.

What are Democrats trying to do about it? We are trying to add 100 new cops on the beat to the commission that oversees these traders. We are trying to create greater transparency, for the first time requiring—for the first time—detailed reporting of previously undisclosed trades. And oversight—stopping speculators from inflating oil prices by playing domestic and foreign markets off of each other.

We had testimony before the Congress, sworn testimony, as a matter of fact—and it is not often we have sworn testimony—from oil company executives. They were challenged as to why we are having these high prices. You tell us, in fact, it is the demand and the supply side. We said we have heard a lot of talk about supply and demand, and that largely over the last 2 years they have traced each other pretty closely together. Well then, what is the issue? And what is their response, these very oil company executives? Their response is: market speculation. But no, we don't have to go after that. It is not one of the most important issues, something that can be done now. So they say no.

I have to hand it to my colleagues for their political talent, to take an issue so vital to the daily lives of Americans and convince them they want to do something about it with a proposal that is more about oil company stock prices than gas prices. That is quite a feat, if you can pull it off. That is talent. But here is the problem. The facts always come out, and the facts ultimately always win.

It has been tremendously important to me, as a Senator from New Jersey, to come down here and give the facts about coastline drilling. It is not just the facts about drilling and gas prices, although that is how they initially make their plan popular, it is also the facts about oil spills, which they say are virtually impossible with today's drilling technology, virtually impossible.

That is exactly what they told us about the tanker industry that carries the oil. We don't have any rigs that I know of in the country, along the coastal waters of the United States, where there is drilling, that either don't have a pipeline system or don't ultimately have a vessel. And we were told: Don't worry about our tanker system. In fact, it is impossible to have any spills.

This is what happened with that impossibility. Workers there are cleaning up after the Exxon Valdez oil spill in Prince William Sound—a lot of oil there, obviously, a huge disaster. So if we could say that, and if it were true, that would surely be nice for the eastern and western coastlines of the United States. If it were true, in fact, that it is virtually impossible to have no spills, that surely would be nice for the \$200 billion that our coasts generate each and every year in fishing and tourism revenues—\$200 billion. And it surely would be nice if it were true

for my home State of New Jersey and the millions of people who end up on the Jersey shore each summer and the half a million jobs in the State of New Jersey supported by the economy there between recreation, tourism, and the commercial and recreational fishermen.

It surely would be nice if an oil spill off the coast of Virginia didn't have the potential to affect the coastline from South Carolina up to New York. That surely would be nice, if it were true. But the facts always come out, and at the end of the day, the facts always win.

Earlier this month, the distinguished minority leader made this statement, echoed by several of his colleagues as part of their hard sell to the American people: "Not a drop of oil was spilled during Katrina." Not a drop of oil. Well, that surely would be nice, if it were true. But the fact is, we can see here from this U.S. Coast Guard photo that was published in the Washington Post on July 14 of 2008 what was happening with this spill and how they were trying to burn the spill up in order to try to deal with the disaster. Oh, but not a drop of oil was spilled during Katrina. I guess this picture must be a fabrication of the Coast Guard.

Last month Senator McCain said: "Not even Hurricanes Katrina and Rita could cause significant spillage." Well, the same picture from the U.S. Coast Guard. That surely would be nice, if it were true. Last time I checked, 7.7 million gallons of oil is pretty significant, pretty significant.

And then in the last 24 hours, there was a stroke of poetic justice. Senator McCain was ready to fly out to an oil platform in the Gulf of Mexico to stage a photo opportunity. He was ready to show how safe it is to drill for and transport oil these days. Nothing to worry about. Unfortunately, he should have known better, because the facts always come out, and the facts always win. Just as he was set to do this yesterday, there was an accident on the Mississippi near New Orleans in which a freighter rammed a barge and spilled 419,000 gallons of fuel oil. Next thing you know, the McCain photo-op was postponed. It seems they realized it is hard to make the case that oil drilling and oil transportation is completely safe when there are 419,000 gallons of oil floating around and washing up on the shore nearby.

Of course, now his representatives are saying it was postponed because of the hurricane that hit the southern tip of Texas yesterday that this event was cancelled. I thought: Well, that might be a legitimate reason. But then I checked the National Weather Service forecast. And what did the National Weather Service's detailed forecast say, which I have right here—satellite images?

The National Weather Service made the following forecast today for the Louisiana gulf coast: Partly cloudy.

Scattered thunderstorms, mainly in the afternoon. Highs in the lower 90s. Southeast winds 5 to 10 miles per hour. Chance of thunderstorms, 30 percent.

I think the Presiding Officer has a pretty good sense that this is pretty tame weather conditions for this time of the year—certainly not hurricane weather.

So if you look up "irony" in the dictionary, I think you will find possibly that it might describe cancelling an oil drilling photo-op because a massive nearby oil spill took place. Having to cancel your big oil drilling photo-op because of a massive oil spill is like cancelling a crime safety photo-op because the house next door got robbed. In selling this absurd coastline drilling plan to the American people, Senator McCain and others have time and time again pointed to advanced technology that would supposedly eliminate the threat of massive oil spills. Well, this is the oil fire after Katrina. As he can now personally attest to, even with the most modern technology, we can't prevent massive oil spills such as the one currently devastating the Mississippi, just as we couldn't prevent a 7.7 million gallon oil spill after Hurricanes Katrina and Rita. And that is the type of straight talk we need about oil drilling and the type of talk the American people need to hear and that they deserve.

As to the claim that coastline drilling will lower gas prices, we know it simply won't. That is clear when we realize there are millions of acres already subject to oil exploration that aren't being pursued. In fact, the American Petroleum Institute president says: Well, we don't have the infrastructure and the rigs and the drills to pursue it. We can't do that overnight.

We know we have reduced 800,000 barrels a day in demand because of high gas prices. The Saudis have produced 500,000 barrels a day in extra production—a 1.3 million barrel a day shift in barrels of oil—and yet gas prices have done what? They have gone up. We opened the gulf—181—and gas prices have gone up.

So if 1.3 million barrels in either reduced demand or increased production haven't done anything about gas prices, imagine the very large sum of 200,000 barrels in the year 2030 at this risk. If 1.3 million barrels can't do it, how does 200,000 do it, and yet accept this risk? Accept this risk to this environment and to the \$200 billion that is generated by the coasts of the east and west.

And, by the way, that 200,000 would mean that every State would have to agree, assuming we would give States an option, and we have already heard the Governor of California say: No way. They are one of the biggest parts of the coastline. I doubt you will get Oregon and Washington in that respect. We have heard some of their distinguished colleagues say that is not going to happen. New Jersey won't do it. So by the

time you are finished, you are nowhere near even the 200,000.

Now, what is it we can do? Well, I agree with the comments of the distinguished Senator from Maine, who said: Let's do what is possible and what we agree to. And what is possible and what we agree to is very significant.

The Republicans say they are for a renewable energy source, and are providing the tax credits that existed and expired and should be brought back to life. They say they are for that. Well, they have said "no" twice, though. Twice we have brought that forward, and twice they have said "no."

The fact is that passing the tax credit extenders would create the incentives that are necessary to move us in a direction in which oil is not the issue, and risking the coastlines and the \$200 billion economy is not the issue, and where we could do things in a tighter timeframe and better timeframe than the year 2030. That would move us toward renewable energy sources, such as wind, solar, biomass, and cellulosic ethanol, plug-in hybrids, which are critical. All of these things would move us in a direction long before 2030, which is when all of this production would take place, if it takes place.

We supposedly agree on moving forward on that, but our Republican friends have said "no" twice. Republicans say that speculation is part of their package. I talked about that earlier. We saw already one company being pursued—\$1 million, 11 days, bullying the market and succeeding in doing it. Well, it is time to move on speculation. Yet that is the very essence of the underlying bill. We can't seem to get them to agree on that. Most of the speeches I have been hearing is that they pooh-pooh speculation. When it made a difference in oil and gas prices, as that case suggests, I would simply say that is certainly not anything to be pooh-poohed. It is real and it is consequential, and even the testimony of the oil company executives says it could produce anywhere up to \$50 per barrel more.

Republicans say that conservation is part of their package. We agree. So why not join us in that respect as well, with the conservation proposals we have put forward?

There are three very significant areas: renewable energy tax credits, speculation, conservation. Let's move forward. But instead, what we have is a series of noes. Then we have 18 amendments filed by Republicans, all to do what? To open the coastline of our country, which, as I have already discussed, will not achieve anything. But do you need 18 different amendments even to pursue what you think is an appropriate energy policy to open the coastline to drilling, to risk the consequences of this? OK, the majority leader said: Go ahead, we will give you an amendment. But you cannot take yes for an answer. We have to have 18 different amendments to do virtually the same thing.

You can repeat a big lie over and over. We have seen that in the history of the world, that you can take something that is not quite true, repeat it over and over, and try to give it the life it otherwise does not deserve—try to make it true. But saying it over and over doesn't make it true, saying over and over that drilling is the panacea, the solution to bring down gas prices.

The way I hear it, I hear: Pass the legislation, have the President sign it, tomorrow oil sprouts up, gas gets made, prices go down. I give a lot more credit to the American people than that.

The truth, crushed down to the floor, springs back up. The truth is that, in fact, we have the wherewithal to move our country in a much different direction. It is the can-do spirit of America. It is the pioneer spirit of America. It is the spirit that gets going—the tough get going when the going gets tough. That is the spirit we have. That is the spirit we should pursue. That is the renewable energy from tax credits. That is the conservation. That is stopping the speculation in the marketplace. That is ensuring that, in fact, we move to necessary renewable energy sources. That makes for a great America, a new economy—and do something about global warming all at the same time that we deal with the challenges of gas prices in the short term and liberate ourselves in the long term. That is what the debate is all about.

Mr. NELSON of Florida. Will the Senator yield for a question?

Mr. MENENDEZ. I will be happy to yield.

Mr. NELSON of Florida. The Senator has given an excellent exposition and debunking of a number of these myths. As to his recitation debunking the statements made by a number of Senators on this floor that there was no oilspill in the Gulf of Mexico after Hurricane Katrina and Hurricane Rita, I want to ask the Senator whether he had seen this particular report from the White House, "The Federal Response to Hurricane Katrina, Lessons Learned," February of 2006, after Katrina, in August of 2005.

I want to find out whether the Senator had seen this report:

In fact, Hurricane Katrina caused at least 10 oil spills releasing the same quantity of oil as some of the worst oil spills in U.S. history. Louisiana reported at least six major spills of over 100,000 gallons and four medium spills of over 10,000 gallons. All told, more than 7.4 million gallons poured into the Gulf Coast region's waterways, over two-thirds of the amount that spilled out during America's worst oil disaster, the rupturing of the Exxon Valdez tanker off the Alaskan coast in 1989.

That is the end of the quote from the very report on Katrina from the White House. Has the Senator seen that report?

Mr. MENENDEZ. I have. I appreciate the distinguished Senator from Florida pointing it out. The words are powerful because there it is not a Member of the Senate saying this, not a Democrat

saying this. This is the official report. I have used the pictures because a picture speaks better than a thousand words, and you cannot deny it as you cannot deny the report. The fact is that we had massive oilspills after Katrina and Rita.

This is a Coast Guard picture. That is the reality. The fact is, we were told we have the most highly technologically advanced—it is impossible to have any spills as a result of tankers.

The Exxon Valdez.

It simply is not true to suggest that there was not. How is it that it has been quoted here—

Not even Hurricanes Katrina and Rita could cause significant spillage . . .

At least that says "significant spillage."

Not a drop of oil was spilled during Katrina . . .

It is pretty tough to say that not a drop of oil was spilled during Katrina. This is why we have to be so cautious about risking the coastlines, the economy, the environment, when it will not produce a drop of oil for over a decade, it will not do anything about gas prices now or in the future, but can create an enormous consequence.

We need to be honest with the American people, and I hope this opportunity to get to the floor and talk about some of the facts and show some of the photos from the Coast Guard will make it very clear.

I yield the floor.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, this is an unusual day in the Senate. I have been in this body for a while. I have never seen the floor so crowded. I have sought, since early morning, to find a little floor time and have waited more than an hour at the present time, past the time I was scheduled to speak. I am glad to listen.

I am beginning, on my consideration of the pending legislation, the energy speculation bill, to note what is happening on the Senate floor. There has been a lot of talk, a lot of talk in the Senate for the last 4 days, and really no action—only one vote on Tuesday morning on a procedural matter to invoke cloture to proceed to the consideration of the bill. What has happened? We have been talking a great deal but not considering anything which would advance an energy policy for the United States.

We are engaged in a process which is a little difficult to understand, but I think it is important for the American people to know what is happening. A procedure has been utilized recently—the past couple of decades—where the majority leader exercises his rights as leader to take a procedural step which precludes anybody from offering amendments to the bill.

This is an opportunity. The Senate Chamber is empty, which it is frequently, certainly past 7 o'clock on a Thursday evening, but it is very hard

to convey this information so that people would understand why no action is being taken in the Senate. There is no doubt that it is a do-nothing Senate and has been for some time as a result of political gridlock. That is why the ratings of the Senate have plummeted.

We have a situation which really started to percolate back in 1992, and it has been a practice of both Democrats and Republicans. Customarily—really invariably—when there is political blame in this body, it is attributable to both political parties. You can divide it right down the center aisle, and it is evenly split. But this procedure to preclude amendments is of fairly recent origin.

In the 101st Congress of 1989 to 1990, where Senator Mitchell was the leader, he did not use this procedure on any occasion. But by the 103rd Congress, 1993 to 1994, Senator Mitchell employed it on nine occasions. Then it was picked up in the Republican tenure of Senator Lott in the 106th Congress, in 1999 to 2000, when Senator Lott used it nine times. Then, in the 109th Congress, 2005 to 2006, Senator Frist, the majority leader, used it nine times. In this Congress, the 110th, 2007 and partly through 2008, Senator REID has used it 13 times.

What does this mean so that it can be understood by the American people who have such a vital interest in having the Senate function? Let me illustrate it with a bill on climate change which was called up in June of this year.

As soon as the bill was called up, Senator REID exercised his rights as leader to get first recognition. In the Senate, Senators are recognized in terms of who first seeks recognition, but in case of a tie it goes to the leader. He then offers an amendment and then another amendment so that procedurally no other of the 99 Senators can offer any amendment.

The global warming bill was a very important bill. There has been a demand to deal with this issue which poses great threats to our environment. There was legislation pending, legislation which Senator BINGAMAN and I had introduced, the Bingaman-Specter bill, legislation introduced by Senator LIEBERMAN and Senator WARNER on a very complex subject.

Early in the week of June 2, I came to the floor and spoke about some amendments which I wanted to offer. I wanted to offer an amendment on emission caps. I wanted to offer another amendment on cost-containment safety valve—a price cap. I wanted to offer a third amendment on energy-intensive manufacturing competitiveness and a fourth amendment on steel process gas emissions. Of course, that was only one Senator, at the beginning of what I wanted to have considered. But I was foreclosed from offering any of those amendments by the procedure which Senator REID used to fill the tree.

Then Senator REID moved for what is called cloture; that means to cut off

debate in order to proceed to final passage of the bill.

I wanted to consider the global warming issue, but I certainly was not about to agree to cutting off debate and proceeding to final passage before I or others had had an opportunity to offer amendments.

Now, what happens as a result? The result is that Republicans complain about what Senator REID has done on precluding amendments, and Senator REID complains about it being another Republican filibuster in response to the Republican's inability to offer amendments.

So there is finger-pointing. That is what we are really good at these days. And the American people do not understand anything except that nothing is being done. Now, we have had consideration this week on a bill called the energy speculation bill. We all wonder why the cost of oil has gone through the roof, causing gasoline prices of more than \$4 a gallon.

There is no doubt about the anguish and difficulties that the American people are suffering as a result of these costs, of these prices. And there is concern about the speculators who may be involved. Maybe they are. There are some indicators that part of the problem is caused by speculation.

Well, we haven't dealt with the issue in a logical, factual way; that is, for Senators to come to the floor and address the substance of the bill which is pending or offer amendments to modify the bill which is pending.

Now, Senator REID, the majority leader, has followed the same course of action. He has filed cloture. We are going to have a cloture vote tomorrow. It takes 60 votes for cloture to cut off debate. It will not happen. When the motion for cloture fails, Senator REID is going to go to his podium over there, and he is going to blast the Republicans for shutting down the bill at a time when the American people need relief, at a time when the American people need a decision as to what the speculators are doing.

I want to offer an amendment on bringing OPEC within our antitrust laws; something that I have been pushing for years. Right now, the OPEC combine has an exemption under our antitrust laws. The OPEC nations get into a room, they decide how much the production is going to be, they limit supply, and the price of oil goes up.

They have what is called sovereign immunity. Well, they ought not to have it. The Congress of the United States has the authority to change that. We can bring them within our antitrust laws so that the Attorney General can take action against them.

They are subject to jurisdiction in the United States because they do business here, and they have a lot of assets here. If we brought OPEC within our antitrust laws, you would see a change in their policy. They have argued for a long time—Saudi Arabia—that they cannot have any greater production.

But about a month ago, when there were some signs of change in our consumption of oil, some fear that their preeminent position in their monopoly was in some jeopardy, somehow they increased their production.

If they increase their production, if the supply goes up, prices will come down—the inexorable law of supply and demand, one of the few laws that works.

So here we are, with an enormously serious problem with what is happening with the issue of oil prices and gasoline prices, and here we have a bill on the floor which addresses an issue of grave concern to the American people, and my hands are tied. My hands are tied with 99 other Senators because procedurally we are blocked.

Then the next move is going to be to invoke cloture. It is not going to be invoked. Debate is not going to be cut off; 60 votes will not be received. Then the majority leader will remove the bill from the floor, and he is going to blame Republicans for obstructing, and the American people are not going to have any opportunity to understand what went on, except for the few who were watching on C-SPAN.

I made this speech during the consideration of the global warming bill. There was not a word in the newspapers about it. Why? Well, it is too complicated. It is too arcane. It is too "inside the beltway." But until the American people understand it and send a message to Washington that they are not going to tolerate it, we are going to have to continue to have this gridlock.

When the shoe was on the other foot and Republicans controlled the Senate, during the time when Senator Frist was the majority leader, he invoked this procedure on nine occasions. Senator REID and the Democrats were very unhappy about it, as well as Senator DURBIN and Senator DODD.

This is what Senator DODD had to say about it:

This chamber historically is the place where debate occurs.

And what Senator DODD is referring to is that the Senate, unlike the House of Representatives, Senators have been able to offer any amendment on any subject at any time. And that is one of the great beauties about the Senate because any one of us can bring up an issue and call the attention of the American people to it, and with sufficient public backing, sufficient newspaper coverage, radio, TV, a little broader than C-SPAN2, there can be some action. But that has been foreclosed.

Senator DODD was very emphatic about it back on May 11, 2006, when the Republican leader, Senator Frist, had filled the tree. Senator DODD had this to say:

To basically lock out any amendments that might be offered to this proposal runs contrary to the very essence of this body. When the amendment tree has been entirely filled—

He called it filling the tree when the procedure is used—

when the amendment tree has been entirely filled, obviously we are dealing with a process that ought not to be. The Senate ought to be a place where we can offer amendments, have healthy debate over a reasonable time, and then come to closure on the subject matter.

Well, what did Senator REID have to say about this subject on March 2, 2006, when we were debating the PATRIOT Act? Senator REID said:

Do not fill the tree. That is a bad way, in my opinion, to run this Senate.

What did Senator REID have to say about the subject on February 28, 2006, on the PATRIOT Act reauthorization, speaking about filling the tree.

This is a very bad practice. It runs against the basic nature of the Senate. The hallmark of the Senate is free speech and open debate.

What did Senator DURBIN have to say about it, the assistant majority leader for the Democrats, on May 11, 2006, when the Republican majority leader had filled the tree and precluded amendments?

The Republican majority brings a bill to the Senate, fills the tree so no amendments can be offered, and then files cloture which stops debate; we cannot offer amendments.

So Senator DURBIN outlines it as I did: The Republican majority leader fills the tree and then files cloture. Well, cloture was not adopted, and then these important issues are not considered and the American people wonder what is going on.

Well, I have taken a little longer to explain the subject, but it is very hard to get it across. I am going to keep trying. I have acted within the Senate to try to get the rule changed. A year and a half ago, I filed a rule amendment to try to get the rule changed. On February 15, 2007, I introduced S. Res. 83, and so far, I have not been able to get an answer from the chairman of the Rules Committee about what action she intends to take.

I might say to my colleague from Washington that I have been waiting an hour. I have limited time. But I am always a little wary when I see a colleague waiting. But there are some other subjects I want to talk about, so I want to give you some advance notice.

May the record show that Senator MURRAY has graciously given me a hand signal, sort of like the Patriots used in the Jets game, a hand signal, understanding that I am going to talk a little more. I will try to be brief, but there are some subjects I do want to address.

IRAN

I am very encouraged by what the administration has done as noted in the Washington Post within the past few days. The President has sent his first high-level emissary to sit down with Iran and has agreed for the first time to set a time horizon for withdrawing troops from Iraq and has authorized the Secretary of State, Condoleezza Rice, to join the North Korean dip-

lomats at the Six Party talks about ending that country's nuclear weapons program.

I would urge the President, in the course of these talks, to exercise flexibility in the dealings with Iran. There is no doubt that on the international scene the possibility of Iran developing a nuclear weapon is the most serious international threat there is in the world today. No doubt about that. It is intolerable for Iran to have a nuclear weapon when its President talks about wiping Israel off the face of the Earth. And when Iran flouts international law by supporting international terrorists, no doubt about the threat that would pose.

It has been my urging of the administration that the United States not impose a precondition on the talks. The object of the talks is to stop Iran from continuing to process nuclear weapons and to abandon their effort to get nuclear weapons. They should stop their activities on processing uranium.

It seems to me where the object of the talks is to stop Iran from processing nuclear materials, that ought not to be a precondition of the talks. It is very difficult to go to a sovereign nation, it seems to me, and say: Before we begin the talks, we want you to have a freeze on processing nuclear materials, which is the object of our talks.

We have to approach anybody in any situation with a certain amount of dignity, with a certain amount of understanding about the other person's position, if we are to find some way to solve the problem. The administration talks about a freeze for freeze, but the freezes are very different. The freeze demanded by Iran is for them to stop a process which they have been engaged in, which they have asserted they have a right to as a sovereign nation. We don't like what they are doing. If they become a sufficient threat under the U.N. charter, article 51, there are circumstances where the threat is sufficiently imminent to take preemptive action. We all hope we never get to that stage. But until you have that situation, they are a sovereign nation, and they are engaging in activities which sovereign nations do.

The freeze we are offering is a freeze to not impose sanctions to take negative action against Iran. It is the projection of the six powers, led by the United States, that we have suggestions to make to Iran on a package of economic, political, a variety of incentives to stop Iran from processing nuclear material. It seems to me the best way to get on with it is to start to discuss with Iran what we have to offer specifically, to see if what we have to offer will be sufficient on the talks or to engage in the discussions and in the negotiations. We do know that notwithstanding the grave difficulties in dealing with North Korea, that when the United States was willing to engage in bilateral talks with North Korea, we made some progress. We thought the North Korean leadership

was impossible, but we were able to work through it.

Similarly, in dealing with Libya and Qadhafi, we were able to work out an arrangement where Libya, Qadhafi, stopped the development of nuclear weapons. Qadhafi is the greatest terrorist in the history of the world; with very heavy competition, the greatest terrorist in the history of the world. He blew up Pan Am 103. It was proved that he did it. He made reparations to the passengers. He blew up a discotheque in Germany, killed American soldiers. Yet through discussions, through talks, he has been brought back into the so-called family of nations. Libya has a seat on the Security Council. It is hard for me, frankly, to understand how we have gone that far with Libya, but that goes to show how far we can go.

As these talks proceed, it would be my hope the United States would show flexibility. When the Secretary of State talks about their having 2 weeks to respond, I don't think that is the way negotiators deal in putting on time limits. Iran responded, apparently, according to the media reports, with a long written statement which was not understandable. But they have quite a number of points which they want to make. I have had the opportunity, and have discussed this on the Senate floor at some length, of having a number of discussions with the current Iranian Ambassador to the U.N. and the previous two Ambassadors. There are people from Iran whom you can talk to in a sensible way. But a demand on a precondition that they stop processing nuclear material, which is the object of the talks, seems to me to be totally counterproductive.

I have raised these issues at some considerable length over the course of the past year and a half, going back to an appropriations hearing on February 27, 2007, when Secretary of State Rice was before the committee, posing the issue with her as to why the precondition. I had an extensive discussion with her, similarly, with Secretary of Defense Gates, in hearings before the Department of Defense Appropriations Subcommittee. It is worth noting that when Secretary of Defense Gates was on the Commission evaluating United States-Iranian relations, he was a party to recommending discussions with Iran. These discussions, these lines of questioning and responses are lengthy.

I ask unanimous consent that the full text of the statement be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR ARLEN SPECTER, U.S.—IRANIAN RELATIONS

Mr. President. I have sought recognition to compliment President Bush and Secretary Rice on their initiative to dispatch Undersecretary of State for Political Affairs William Burns to meet directly with Iranian officials this past weekend in Geneva, Switzerland.

On Saturday, July 19, Secretary Burns joined representatives of Russia, China, the

United Kingdom, France, Germany and the European Union in negotiations with Iran's chief negotiator, Saeed Jalili, over Iran's nuclear program. This was one of the highest level meetings between a representative of the U.S. and Iran since the American Embassy was seized in Tehran in 1979, and represents the highest level of American engagement with Tehran during the Bush administration's tenure.

The meeting followed a June 12, 2008 letter from Secretary Rice, European Union foreign minister Javier Solana, and the foreign ministers of China, France, Germany, Russia, and the United Kingdom to Iranian Foreign Minister Manuchehr Mottaki outlining a new set of incentives to encourage Iran to stop enriching uranium. The letter proposed that the six world powers "will refrain from any new action in the Security Council," while Iran "will refrain from any new nuclear activity, including the installation of any new centrifuges." The formula was called "freeze-for-freeze." The letter and accompanying proposal was notable in that it concentrated on incentives rather than proposing new punitive measures.

I spoke with Secretary Burns this week who briefed me on the meeting. While I will not detail our conversation, I commended Secretary Burns for his efforts.

The Administration has long held they would not sit down with the Iranians prior to them agreeing to suspend their nuclear activities. The meeting this weekend at Geneva's City Hall represents a welcomed flexibility in that policy—a flexibility I strongly support and hope will continue.

I have consistently, both publically and privately, urged President Bush, Secretary Rice and Secretary Gates, for the U.S. to have direct talks with the Iranians without preconditions.

During the May 20, 2008 hearing before the Defense Appropriations Subcommittee, I made the following statement: "I would like to focus on the future and most specifically on Iran and on the critical issue of talks with Iran and whether talking with Iran is really feasible. We have seen our talks with North Korea bear fruition. We have seen the talks with Libya—Qadhafi—bear fruition. Qadhafi, arguably the worst terrorist in the history of the world in a very tough competition with Pan Am 103 and the bombing of the Berlin discotheque, and yet he has given up his nuclear weapons." I further stated, "We have seen the president's comment about appeasement of terrorists, but if we do not have dialogue with Iran, at least in one man's opinion, we're missing a great opportunity to avoid a future conflict."

This hearing afforded me the opportunity to engage Secretary Gates on the matter. It is important to note that Secretary Gates, prior to his tenure at the Department of Defense, co-chaired a Council on Foreign Relations task force which concluded, "it is in the interests of the United States to engage selectively with Iran to promote regional stability, dissuade Iran from pursuing nuclear weapons, preserve reliable energy supplies, reduce the threat of terror, and address the 'democracy deficit' that pervades the Middle East as a whole." When asked about dialogue and Iran in a questionnaire submitted by members of the Armed Services Committee, Secretary Gates responded that, "no option that could potentially benefit U.S. policy should be off the table" and noted that "in the worst days of the cold war the U.S. maintained a dialogue with the Soviet Union and China."

Picking up on Secretary Gates' comments about the Soviet Union, I discussed the applicability to Iran:

"Secretary Gates, we have seen that President Reagan identified the Soviet Union as

the 'evil empire' and shortly thereafter engaged in direct bilateral negotiations and very, very successfully. As noted before, we have seen President Bush authorize bilateral talks with North Korea, as well as multilateral talks, which produced results. As noted with Libya, on Gadhafi, the talks have produced very positive results. I note that there have been three rounds of bilateral talks where United States Ambassador Crocker has had direct contact with Iranian Ambassador Qomi. So we are not really saying, in practice, that we will not talk to them. The question is to what extent will we talk? I'm very much encouraged, Mr. Secretary, by the statement you made on May 14th of this year that, "We need to figure out a way to develop some leverage and then sit down and talk with them. If there is to be a discussion then they need something too. We can't go to a discussion and be completely the demander with them not feeling that they need anything from us."

Continuing with Secretary Gates, I said, "Now the position taken by the Secretary of State has been 'we won't talk to Iran unless, as a precondition, they stop enriching Uranium.' It seems to me that it is unrealistic to try to have discussions but to say to the opposite party, 'as a precondition to discussions we want the principal concession that we're after.' Do you think it made sense to insist on a concession like stopping enriching Uranium, which is what our ultimate objective is, before we even sit down and talk to them on a broader range of issues?"

I further questioned, "Isn't it sensible to engage in discussion with somebody to try to find out what it is they are after? We sit apart from them and we speculate. We have all of these learned op-ed pieces and speeches made and we're searching for leverage. But wouldn't it make sense to talk to the Iranians and try to find out what they need as at least one step on the process? We only have one government to deal with. Let me put it to you very bluntly, Mr. Secretary: is President Bush correct when he says that it is appeasement to talk to Iran?"

Secretary Gates responded, "Well, I don't know—I don't know exactly what the president said. I believe he said it was appeasement to talk to terrorists, to negotiate with terrorists . . ."

I interjected, "He said in his May 15 address to the members of the Knesset he said, 'some seem to believe that we should negotiate with terrorists and radicals.' He does not say specifically Iran, but I think the inference is unmistakable in light of the entire policy of the administration."

I concluded by telling Secretary Gates, "I've had an opportunity to talk to the President about it directly, and I believe he needs to hear more from people like you than people like me, but from both of us and that it's not appeasement and that the analogy to Neville Chamberlain is wrong. We've only got one government to deal with there, and they were receptive in 2003. I've had a chance to talk to the last three Iranian ambassadors to the U.N. and I think there is an opportunity for dialogue. I think we have to be a little courageous about it and take a chance because the alternatives are very, very, very bleak."

A month prior to my engagement with Secretary Gates, I posed a similar question to Secretary Rice during the April 9, 2008 Foreign Operations Subcommittee hearing:

I told Secretary Rice, "I want to visit with you a couple of subjects that you and I have talked about extensively both on and off the record, and that is the Iranian issue and later the Syrian issue. We have talked about the initiative of 2003, which has been confirmed by a number of people in the administration, on Iran's effort to initiate bilateral

talks with the United States. And I have discussed this with you urging you to do so. We all know that among the many pressing problems the United States faces, none is more important than our relation with Iran and the threat of Iran getting a nuclear weapon. And the multilateral talks and the sanctions in the United Nations are very, very important. But I would again take up and urge the bilateral talks. You were successful on the bilateral talks with North Korea in structuring an agreement. There had to be multilateral talks with China involved and Japan and South Korea and other nations. But Madam Secretary, in the waning days of the administration, in light of the intensity of the problems, why not use the approach taken in North Korea and engage Iran in bilateral talks to try to find some way of coming together with them on the critical issue of their building a nuclear weapon?"

Secretary Rice responded, "Senator, I think we've made clear that we don't have a problem with the idea of talking to the Iranians. I said at one point in a recent speech that we don't have any permanent enemies, so we don't—"

I told Secretary Rice I was referring to dialogue, "but without preconditions."

Secretary Rice replied, "But I think the problem of doing this, and we do talk with North Korea bilaterally but, of course, in the context of a six-party framework, and we have a six-party framework really for Iran. The reason that the precondition is there—and it's not just an American precondition, it is one that the Europeans set well before we entered this six-party arrangement some two years ago—it's to not allow the Iranians to continue to improve their capabilities while using negotiations as a cover. They have only one thing to do, which is to suspend their enrichment and reprocessing efforts, and then everybody will talk to them. And I've been clear that we're prepared to talk to them about anything, not just about their nuclear."

I followed up with Secretary Rice, "They don't need talks to have a cover to proceed with whatever it is they're doing. They're proceeding with that now. I've had some experience. I haven't been secretary of State and I haven't been in the State Department, but I've been on this committee—subcommittee for 28 years and chaired the Intelligence Committee, talked to many foreign leaders, and frankly, I think it's insulting to go to another person or another country and say we're not going to talk to you unless you agree to something in advance. What we want them to do is stop enriching uranium. That's the object of the talks. How can we insist on their agreeing to the object that we want as a precondition to having the talks?"

Secretary Rice replied, "Well, Senator, we've not told them that we—the talks would be in fact about how to get Iran civil nuclear energy and a whole host of other trade and political benefits, by the way, because the package that the six parties have put forward is actually very favorable to Iran. But they do need to stop—suspend until those talks can begin and those talks can have some substance. They need to stop doing what they're doing, because to allow them to just continue to do it, to say well, we're in negotiations while they continue to do it, I think sends the wrong signal to them and frankly would erode our ability to continue the kind of efforts at sanctions that we're also engaged in."

On February 27, 2007, I questioned Secretary Rice when she appeared before the Appropriations Committee. I stated that, "It would be my hope, as you know from our correspondence in the past and our discussion, that there would be more intense one

on one negotiations with the Iranians. . . . And the most famous illustration is President Nixon going to China—used really as an example. If that can be done, that's the way to do it." While Undersecretary Burns' recent meeting is not of the same magnitude, it still represents a step in the right direction and perhaps is the initial building block or stepping stone to enhanced bilateral discussions.

Perhaps one of the best opportunities to engage in serious dialogue with Iran came during 2003. Press reports have suggested the existence a document that was passed to the United States through the Swiss Ambassador to Iran and later rejected by the Administration. The document laid out issues for the U.S. and Iran to discuss and parameters for dialogue.

Knowledge of the memorandum existed in the State Department and the National Security Council. However, according to Michael Hirsh of the Washington Post, the memorandum "was ignored."

During my May 20, 2008 questioning of Secretary Gates, he appeared to allude to the fact that the U.S. may have missed an opportunity following the 2003 memorandum. I asked Secretary Gates, "Mr. Secretary, we had leverage in 2003 when we were successful in Afghanistan and Iraq, and the record is pretty clear that we wasted an opportunity to respond to their initiatives." Secretary Gates stated, "I think it was one of the things [Khatami's tenure as President] that created perhaps an opportunity that may or may not have been lost in 2003 and 2004."

While I believe it is clear that an opportunity to engage Iran was lost in 2003, I agree with Secretary Gates that we need to find ways to generate leverage in dealing with Iran and need to continue to work on a resolution. One proposal which I find promising is the Russian proposal to enrich uranium for Iran's civil nuclear program. It would provide Tehran with the nuclear power it claims is the sole intention of its nuclear program, but would prevent Iran from turning the lowly enriched uranium needed for civil nuclear reactors to the highly enriched uranium needed for nuclear weapons.

During the April 9, 2008 Foreign Operations Subcommittee hearing I raised this issue with Secretary Rice, "Let me move to another subject, and that is President Putin's proposal to have the Russians enrich their uranium. . . . To what extent has the Putin proposal been pressed? In a sense, if we join with Putin and they refuse what is really a good offer to have somebody else enrich their uranium so they have it for peaceful purposes, but there is a check on using it for military purposes—why hasn't that worked?"

Secretary Rice responded, "Well, we are fully supportive of it, and the president just told President Putin that again at Shchuchye, that he is fully supportive of the Russian proposal. And in fact, not only did President Putin himself put that proposal to the Iranians when he was in Tehran, his foreign minister went back within a few days and put the same proposition to the Iranians, which makes people suspicious, Senator, that this is not about civil nuclear power but rather about the development of the capabilities for a nuclear weapon. . . . Not only did we support the Russians in making their offer, but when the Russians decided to go ahead and shift the fuel for Bushehr saying to the Iranians now that we've shipped the fuel, you certainly have no reason to enrich, we supported that effort too. So I think this really speaks to the intentions of the Iranians."

I concurred with Secretary Rice, but urged her to press this idea at the highest levels: "My suggestion would be to try to elevate it.

It's been in the media and the press a little, but not very much. So if we could elevate that, I think you'd really put Iran on the spot that they deserve to be on." Secretary Rice responded favorably to the suggestion: "It's a very good idea, Senator. We'll try to do that."

I have engaged senior Administration officials in meetings, phone conversations and via letters on the Iranian issue. On January 14, 2007, I met Secretary Rice in her office and urged her to undertake an aggressive diplomatic initiative in the Middle East and to engage all regional actors including Iran. One month later during her February 27, 2007 testimony before the Senate Appropriations Committee, she announced an initiative to enhance regional engagement. When I spoke to Secretary Rice via phone on August 14, 2007, she indicated there had been no significant movement on this front. After learning of the lackluster progress, I wrote to Secretary Rice that, "The U.S. should be willing to engage in dialogue with those whom we consider to be our enemies in order to advance our goals of peace and security. As I have expressed to you in the past, I believe that talks with people—even our most ardent adversaries—hold the potential to yield positive results."

On September 10, 2007, I wrote a six page letter to Secretary Rice in which I noted, "Terrorism, military nuclear capabilities, energy security, and the Israeli-Palestinian dilemma are all major issues confronting the U.S. and indeed the world. These challenges cannot be confronted without engaging Iran . . ."

In a March 28, 2007 letter to Secretary Rice, I wrote "In my view, a renewed focus on dialogue with North Korea and recent participation of the U.S. in an international conference attended by Iran and Syria, hold open the possibility of easing the tensions that exist in our relationship with those countries through diplomacy. . . . On a carefully selective basis, I believe dialogue should be pursued with our adversaries."

On August 1, 2007, I stated on the Senate floor, "While we can't be sure that dialogue will succeed, we can be sure that without dialogue there will be failure."

As the clock runs out on this administration, I urge it to push for resolution of this matter through direct, bilateral, unconditional negotiations with Tehran. The recent talks in Geneva were significant, but I continue to believe that bilateral negotiations may aid in resolving this issue of tremendous importance.

I yield the floor.

SYRIA-ISRAELI NEGOTIATIONS

Mr. SPECTER. Mr. President, there is one further subject I wish to discuss. This will be not relatively brief, but brief. That is a discussion which is pending between Syria and Israel with Turkey acting as an intermediary. It would be my hope and suggestion to the President that he extend the flexibility which he is now showing as to Iran and North Korea and Iraq to assist in the Israeli-Syrian negotiations. The United States was instrumental in negotiations back in 1995, when Prime Minister Rabin almost came to terms with Syria on the Golan Heights. It is a very difficult subject that I don't believe anybody should tell Israel or suggest to Israel or in any way pressure Israel as to what to do about the Golan Heights. It is a decision Israel has to make for itself on their security. But it is a different world than it was in 1967, when Israel took the Golan Heights.

Now we have a world of rockets, and security matters are entirely different.

Again, the United States participated extensively in the Syrian-Israeli talks in the year 2000. I have made many trips to Syria since 1984. I got to know President Hafez al-Asad and traveled to the Middle East extensively and recommended to a number of Israeli Prime Ministers the desirability of my view—at least in one man's opinion—to have the negotiations. Right now there is a unique opportunity which could impact on Lebanon. Syria is opening an embassy in Lebanon, treating Lebanon as a sovereign nation which is quite a shift. Syria has enormous influence on Hezbollah. It is a very complex subject in Lebanon, with Hezbollah having significant power in the government, a veto in their Parliament. Syria has considerable influence with Hamas. If the circumstances were right, there is a great opportunity to separate Syria from Iran, a great opportunity to get some assistance with Syria on some major problems. It is unknowable whether that can happen. But I do believe dialog is the way. It would be my hope the President would show he still has muscle. He is going to be in the White House for 6 months. What he has done with respect to North Korea and Iran and Iraq shows he is not taking his last 6 months with a view that there are things he can accomplish. I refer to an extensive article I have written on this subject which summarizes a good many of my activities and views in the Washington Quarterly for 2006–2007.

I thank my colleague from Washington for her patience, if, in fact, she has been patient. It is always difficult with Senators having the right to speak. But it took me more than an hour to get the floor after waiting most of the day. As usual, Senator MURRAY is gracious and nodding in the affirmative. I thank her and the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I assure my colleague from Pennsylvania, I was listening carefully to his comments. He has traveled worldwide, and I am certainly interested in his viewpoints. I hope I didn't make him feel rushed at all, and I appreciate what he had to say.

HOUSING

Mr. President, this week, tens of thousands of homeowners traveled here to the Nation's Capital, and lined up for hours—and even days—in hopes of taking advantage of a mortgage counseling workshop through the Neighborhood Assistance Corporation of America.

These homeowners came from as far away as Boston or Miami—all because they are struggling to hold onto their homes, and they need help with their mortgages. Many others are now steps away from foreclosure because they have seen their mortgage rates rise out of control, or because their mortgage now exceeds the value of their home

because property values have plummeted.

Now, while many of the homeowners who came to DC this week were able to get help, there are millions more across this country in the same position who are still in need of assistance. Nearly 8,500 families file for foreclosure each day. And as many as 2 million homeowners could lose their homes this year. Fortunately, we will have a bill before us soon that will enable the Federal Government to lend a helping hand to many of those families.

The housing package that passed the House on Wednesday includes a variety of provisions that would restore stability to the housing market, provide assistance to communities hurt by this crisis, and help prevent thousands of foreclosures. We have considered much of this package before, but it has been blocked by Republicans who have preferred to drag their feet than to address this crisis. We now have another chance, and I have come to the floor today to urge my colleagues to support this legislation and get help into the hands of the homeowners and communities that need it.

Those of us who go home each weekend to talk to their constituents know how worried our families are about the economy—and about whether something will happen to threaten their ability to keep their homes.

It is hard to overstate how serious the housing crisis has become. There are communities across this country where people are literally abandoning their homes because they can't afford their mortgages, and they can't find a willing buyer. As I said, as many as 2 million families could lose their homes to foreclosure this year. And reports estimate the number of families facing foreclosure is higher than at any time since the Great Depression.

At the beginning of this crisis, many of those people were subprime borrowers who received adjustable-rate loans or who were the victims of loan scams. But as home values have dropped across the country, the problem has spread. Families with strong credit, who received fixed-rate mortgages, have seen their homes drop in value by tens or hundreds of thousands of dollars over the past couple of years. Their mortgages are now under water, and thousands of them are at risk for foreclosure too.

This is a problem even in regions that have been relatively healthy, like my home state of Washington—where more and more people tell me they are worried that they will be stuck with homes they can't afford.

The housing legislation that we will consider soon may be one of the most important steps we take this year to help our faltering economy because it addresses the root of the problem—the housing crisis. So I want to take the next couple of moments to talk about three of the main provisions of this bill to explain why we must act now.

First, the bill provides \$180 million to give counseling agencies the resources

to reach out and help struggling homeowners. Counseling is one of the most cost-effective tools we have to help families who are on the verge of foreclosure. Counselors can help families negotiate with their lenders, readjust their payments, or learn how to budget their expenses better.

And it is incredibly important that we provide the resources now so that we can help families before they reach the crisis point.

Earlier this year, I had the opportunity to meet a single mother from Ohio who had fallen on hard times, which in turn led her to fall behind on her mortgage. Luckily she was able to talk to a counselor, and she and her children were able to stay in their home. She explained that when she got behind, she was overwhelmed. She told me she didn't know what to do. She said, "This isn't something they teach you in school."

This bill would help more families like hers get help. Despite the numbers who traveled to Washington, DC for help this week, far too many homeowners still don't know they have options when they get behind on their mortgages.

I fought alongside Senators MIKULSKI, SCHUMER, and BROWN to include this counseling funding back when this bill was first debated in April. It comes on top of a \$180 million initiative that my ranking member, Senator BOND, and I included in the 2008 Transportation-Housing Appropriations Act. And I want to thank Chairman DODD and Ranking Member SHELBY for helping to protect the funding in the most recent package.

Next, the bill makes some important changes to help modernize the Federal Housing Administration and enable it to help more homeowners refinance their mortgages. First, it raises the loan limit to take into account the increase in home prices over the last several years. This is very important because in many communities, home prices are higher than the current loan limits, meaning FHA mortgages aren't an option.

It also provides \$300 billion to enable the FHA to back loans and help as many as 400,000 homeowners at risk of foreclosure get more affordable—and less risky—mortgages. These changes will help stabilize the housing market and encourage more mortgage holders to give borrowers a more affordable loan that will enable them to keep their homes.

Now, while I support these measures, I want to add—as chairman of the Transportation and Housing Appropriations Subcommittee—that this bill is also putting a lot of new responsibility into the hands of the FHA. That agency currently has close to 300 vacancies and it has the money to fill them. Unfortunately, it has been burdened by the painfully slow hiring processes at HUD.

It is my understanding that FHA Commissioner Montgomery, and our

new HUD Secretary, Steve Preston, are determined to reverse this hiring record and get more people on board soon. I certainly hope they succeed. But I also recognize that as we head into the new fiscal year, we may need to take measures to boost the salary and expense funds provided to the FHA as well as get money to the agency to improve its computing capabilities. I intend to address those needs when the Appropriations Committee marks up the next Supplemental Appropriations bill in September.

Finally, I want to caution my colleagues on the Banking Committee that we will all need to continually monitor the lending activity and the funding balance of the FHA's existing mutual mortgage insurance account as well as the new homeownership preservation entity fund established in this bill. None of us wants to saddle taxpayers with unnecessary risk as we try to help homeowners. This bill establishes a new board that will face the daunting challenge of deciding which homeowners can and can't be helped under this new program.

But Congress will also need to do its part to monitor the fiscal health of both the new and old FHA accounts to ensure that the taxpayer isn't guaranteeing loans that have no hope of being repaid. The whole hope of this legislation is about calming the housing markets and using the FHA guarantee to entice mortgage holders to give borrowers a better break—an affordable loan that will keep them in their home. But we must ensure that taxpayers don't end up holding the bill for unsalvageable loans.

Finally, the bill would take important steps to strengthen Fannie Mae and Freddie Mac by establishing a new regulator. It also provides temporary authority to allow the Treasury Department to take action when needed to keep them stable. Fannie Mae and Freddie Mac are the foundation of our system to finance homeownership in the U.S., and it is absolutely critical that we take decisive action to help quickly restore confidence in them.

We started work on this bill in February because Democrats wanted to get help into the hands of homeowners who need it. But despite the desperation people feel in communities across this country, some Republicans have preferred up to this point to stall and block this bill. Now, I was very happy to see President Bush finally drop his opposition this week. And I hope my Republican colleagues will help us get this bill to his desk as quickly as possible.

Especially when it comes to helping people keep their homes, timing is everything. A family that gets access to housing counseling before they start missing mortgage payments can still save their home. And I hope we will finally be able to make that possible for thousands more families in need.

I hope when we finally get this bill out of here, we will be able to make it

possible for more families to feel secure in this country again.

Mr. President, I thank the Presiding Officer and look forward to the vote tomorrow morning.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. 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

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

TRIBUTE TO JEROME HOLTZMAN

Mr. DURBIN. Mr. President, I rise today to pay tribute to a remarkable and legendary Illinoisan, Jerome Holtzman. Mr. Holtzman was a pioneer of baseball writing and renowned for his numerous accomplishments. He passed away on July 19 at the age of 81.

The first official historian of Major League Baseball, Holtzman wrote about the game, but truly he cared about the people. He was known for spending time with umpires before games and was able to bring generations of fans together through his columns.

Jerome Holtzman was a true American success story. In 1943, at the youthful age of 17, he started his newspaper career as a copy boy for the Chicago Times. After 2 years in the U.S. Marine Corps during World War II, he covered high school sports at the Times and Sun-Times.

He started at the bottom, but he impressed many along the way. Holtzman stayed on as a baseball beat writer and columnist at the Chicago Sun-Times for 30 years. It was at the Sun-Times where Holtzman met his wife Marilyn Ryan. With their five children, they lived in Evanston—in a home frequented by baseball fans and Jerome Holtzman fans. He spent the last 10 years of his career writing for the Chicago Tribune.

One of the most distinguished honors Holtzman achieved over his remarkable career was the induction into the writers' wing of the Baseball Hall of Fame in 1989. His colleagues knew him as "the Dean," a nickname given to him by fellow Hall of Famer Billy Williams. The nickname reflects his stature as a baseball-writing "lifer" and his loyal dedication to the game.

Among his accomplishments was the creation of the save. Holtzman's save rule became an official Major League Baseball statistic that acknowledges effective relief pitching. Acknowl-

edging his profound influence, former Sun-Times columnist Bill Gleason stated, "The reality is, he revolutionized baseball."

In addition to his columns, Holtzman was the author of six books, including a classic titled "No Cheering in the Press Box." Many columnists considered his book required reading and a foundation to baseball writing. Cubs Chairman Crane Kenney remembered Holtzman as "an accomplished writer who earned respect from both his readers and from those whom he covered."

Jerome Holtzman will be remembered as a great friend and mentor. Chicago and baseball fans across the Nation have lost a celebrated sportswriter and icon, but future generations will continue to remember his great legacy and influential contributions to the game.

CAPTURE OF RADOVAN KARADZIC

Mr. SPECTER. Mr. President, I have sought recognition today to commend Serbian authorities for apprehending former Republika Srpska president Radovan Karadzic. Earlier this month we marked the 13th anniversary of the genocide at Srebrenica. The arrest this week of Radovan Karadzic, in connection with that crime, shows that it is never too late to seek justice for the terrible crimes committed during the 1992-95 war in Bosnia. Over a decade after being indicted for genocide, crimes against humanity, and war crimes by the International Criminal Tribunal for the former Yugoslavia, ICTY, at The Hague, Radovan Karadzic was arrested on Monday, July 21, outside Belgrade.

Radovan Karadzic's arrest represents a significant breakthrough for international jurisprudence. Serge Brammertz, prosecutor of the war crimes tribunal in The Hague, said, "This is a very important day for the victims who have waited for this arrest for over a decade." "It is also an important day for international justice because it clearly demonstrates that nobody is beyond the reach of the law and that sooner or later all fugitives will be brought to justice."

Richard Holbrooke, who brokered the Dayton Accords in 1995 which ended the war in Bosnia, said, "This is a historic event." "Of the three most evil men of the Balkans, Milosevic, Karadzic and Mladic, I thought Karadzic was the worst. The reason was that Karadzic was a real racist believer. Karadzic really enjoyed ordering the killing of Muslims. . . ."

Richard Dicker, director of Human Rights Watch's International Justice Program, said, "Radovan Karadzic personified impunity for more than a decade, but his efforts to run the clock on justice have failed." "This arrest offers hope to the victims of the horrific crimes that occurred here. We welcome this long-overdue arrest and look forward to his fair trial in The Hague."

I commend the Serbian Government for the resolve it has demonstrated in

arresting Mr. Karadzic. I think it is vital that Mr. Karadzic be transferred to The Hague in due course, and that the search for Republika Srpska military commander General Ratko Mladic continue. It is vital that the international community, including the United States, continue to support efforts to bring justice for these crimes, not just in The Hague, but also at the local level in Bosnia, where lack of resources and other obstacles mean that many victims continue to wait for justice for the crimes committed against them. To that end, local war crimes trials for thousands of other suspected perpetrators from the Bosnia atrocities must receive support to overcome the challenges they face in order to seal any remaining impunity gaps in Bosnia.

To echo a statement I made on the Senate floor on February 11, 1998, it is my sense that if the war crimes tribunal at The Hague is successful, if we can bring the rule of law into the international arena, we may have the most important institutional change in international relations of the past century.

ADVANCING AMERICA'S PRIORITIES ACT

Mr. LEAHY. Mr. President, earlier this week, I joined the majority leader in the introduction of S. 3297, the Advancing America's Priorities Act. The majority leader selected 35 legislative items from the jurisdiction of seven Senate committees, including eight bills from that of the Senate Judiciary Committee, for this effort. These are all measures with bipartisan support and, we believe, the support of a strong bipartisan majority of the Senate. I have moved several through the Judiciary Committee, and several have already passed the House. All have the support of all Democratic Senators, and all were cleared for unanimous Senate passage, but each has been stalled on the Senate floor by Republican objection.

One key bill included in this package is the Emmett Till Unsolved Civil Rights Crime Act. I thank Senator DODD and Congressman LEWIS for their tireless work on this bill over the last 4 years. It will strengthen the ability of the Federal Government to investigate and prosecute unsolved murders from the civil rights era. It would create new cold case units in the Justice Department and FBI dedicated to investigating and prosecuting unsolved cases involving violations of criminal civil rights statutes which resulted in death and occurred before January 1, 1970. The Senate legislation was introduced on February 8, 2007. I was proud to cosponsor Senator DODD's bill. The Judiciary Committee reported it by unanimous consent as amended on June 20, 2007, more than a year ago. The House legislation passed the House on June 20, 2007, more than a year ago, by a vote of 422 to 2. Its Republican cosponsors include Senator COCHRAN,