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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, May 23, 2011, at 2 p.m.

Senate

TUESDAY, MAY 17, 2011

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

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

Let us pray.

Merciful God, our shelter in the time of storm, use our lawmakers to bring help to others, credit to themselves, and honor to You. Empower them to persevere through life's challenges, never forgetting that You continue to direct their destiny. Lord, guide them to be at peace with themselves, with others, and with You. May they strive to live for Your glory, knowing that though Your will may be hindered, it will ultimately prevail. Give them, and all of us who work with them, Your strength to endure and Your courage to triumph in what we attempt for the good of this land we love.

We ask this in Your righteous Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 17, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Madam President, following any leader remarks, the Senate will be in executive session to consider the nomination of Susan Carney, of Connecticut, to be United States Circuit Judge for the Second Circuit. There will be 2 hours of debate. A rollcall vote on confirmation of the Carney nomination will begin shortly after noon today. There is a celebration going on in the Rotunda, and we want to make sure it does not interfere with that. So we will hold the vote open to make sure any stragglers can vote.

Following the vote, the Senate will recess until 2:15 p.m. to allow for our weekly caucus meetings.

At 2:15 p.m., the Senate will begin consideration of the motion to proceed to S. 940, the Close Big Oil Tax Loopholes Act, with 4 hours of debate. There will be a rollcall vote at approximately 6:15 p.m. this evening on the motion to proceed to the bill with a 60-vote threshold.

Additionally, the Senate will debate the motion to proceed to the Republican alternative to the Close Big Oil Tax Loopholes Act, which is S. 953, the Offshore Production and Safety Act. That will be tomorrow. There will be a rollcall vote on the motion to proceed to that bill tomorrow afternoon. That also will have a 60-vote threshold.

MEASURE PLACED ON THE CALENDAR—H.R. 1231

Mr. REID. Madam President, I am told that H.R. 1231 is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The legislative clerk read as follows:

A bill (H.R. 1231) to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes.

Mr. REID. Madam President, I would object to any further proceedings at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the

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



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bill will be placed on the calendar under rule XIV.

BIG OIL SUBSIDIES

Mr. REID. Madam President, as we learned today from articles around the country—I will refer briefly to one in USA Today:

As gas prices hover near \$4 a gallon, nearly seven in 10 Americans say the high cost of fuel is causing financial hardship for their families, a new USA TODAY/Gallup Poll finds.

More than half say they have made major changes to compensate for the higher prices, ranging from shorter trips to cutting back on vacation travel.

For 21 percent, the impact is so dramatic they say their standard of living is jeopardized.

It goes on to indicate that the situation involving gas prices is very focused and, in the lives of some, drastic.

The other issue the American people face—and they should—is we have to do something about raising the debt ceiling. We can only do that—Democrats, Republicans, Independents agree—by doing something about bringing down the deficit, and it has to be something that is meaningful. A place to start in that regard would be to focus on these gas prices, how concerned people are and, in addition to that, the deficit.

We have a bill we will vote on this evening that says these subsidies given to oil companies, the five big oil companies, which in the last quarter made \$36 billion; that is net profit—we are saying those subsidies are no longer necessary.

We have had over the years a number of executives from these companies say they are not necessary. They are now trying to justify these: Well, if we don't do this, it is going to cause gas prices to go up.

We had a report by the Congressional Reference Service, an independent body, which said in three different places in that report that it will not affect gas prices at all. They said it in different ways, but they said it.

No. 1, of course, we have to do something about the exorbitant gas prices, and the best way to start with that is to do something about the five big oil companies getting subsidies they do not need. The other thing we have to be concerned about is the huge deficits we have had. We can accomplish both of those to some degree today by doing something this evening when we vote on taking away those huge subsidies that the oil companies no longer need.

RECOGNITION OF THE MINORITY LEADER

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

ENERGY POLICY

Mr. McCONNELL. Madam President, last week, as gas prices continued to

climb, squeezing family budgets and putting more pressure on already struggling businesses, Democrats here in Congress sprang into action. Instead of actually doing something about high gas prices, our Democratic friends staged what one of my Republican colleagues accurately described as a dog and pony show. They rounded up what they believed were a few unsympathetic villains whom they could blame for high gas prices, hoping nobody would notice they do not have a plan of their own to deal with those high gas prices.

That has been the Democratic strategy from the beginning: Blame this crisis on somebody else, and see if they can't raise taxes while they are at it. They have been so shameless about it, in fact, that they have not even pretended they are doing anything to lower gas prices, readily admitting the bill we will vote on today will not lower gas prices by a penny. As the Democratic chairman of the Finance Committee put it last week: "That's not the issue."

Well, I would submit that for most Americans, high gas prices are in fact, the issue. This week, Democrats will show once again how little they care about it when we take up an energy plan that several more of them have admitted will do absolutely nothing to lower the price of gas at the pump. One Democratic Senator, a member of their own leadership team, called the bill a "gimmick." Another Democratic Senator called it "laughable."

I would also argue that with Americans looking for real relief, symbolic votes such as this that aim to do nothing but pit people against each other will only frustrate the public even more. Americans are not interested in scapegoats. They just want to pay less to fill up their cars.

That is why this Democratic bill to tax American energy is an affront to the American people, and so is the President's announcement over the weekend that he now plans to let these same energy producers lease lands throughout the United States that his administration had previously blocked off.

The administration knows perfectly well that leasing—the act of leasing—is just the start of the development process, which is why its only hope is that the American people do not pay close attention to the details of the plan.

Permits, Madam President—permits—are what matter, and by refusing to issue permits in any meaningful way, the administration is showing its true colors in this debate. If the administration were serious about increasing domestic energy production, it would increase leases and, most importantly, it would increase permits.

In the end, the only thing Democrats will actually achieve this week is to make Republican arguments for comprehensive energy legislation seem even stronger than they already are. By pretending to want an increase in

domestic energy production, the President is not only acknowledging that the United States has vast energy resources of its own waiting to be tapped, he is also acknowledging that tapping these resources would at some point help drive down the price of gas at the pump.

That is what Republicans have been saying all along. Now the President is acknowledging that: Supply matters. And American supply matters even more.

So the only thing that seems to be standing between Republicans and Democrats at this point is the Democrats do not seem to have the political will to follow through on their conclusions. And in this, today's Democrats are no different from their predecessors. Literally for decades, Democrats from Jimmy Carter to President Obama have sought to deflect attention from their own complicity in our Nation's overdependence on foreign oil. Every time gas prices go up, they pay lip service to the need for domestic exploration while quietly supporting efforts to suppress it.

But President Obama's energy policy puts the current administration in a whole new category. Over the past 2 years, the President has mounted nothing short of a war on American energy, canceling dozens of leases, imposing a moratorium off the gulf coast, arbitrarily extending public comment periods, and increasing permit fees. On the crucial issue of permits, the administration has held them up in Alaska, the Rocky Mountain West, and particularly offshore. Every one of those decisions has had a major impact on future production—and on future jobs, since every permit the administration denies is another job creation opportunity denied.

So the truth of the matter is, the Obama administration has done just about everything it can to keep our domestic energy sector down and to stifle the jobs that come along with it.

Until now, the President has stuck to attacking Republicans for being stuck in the present without preparing for the future. But this has always been a disingenuous argument. It ignores history, since we have repeatedly supported alternative fuels and renewable energy, as well as comprehensive energy legislation that commits us to the development of cleaner technologies. It ignores science, since even if a million electric vehicles are sold here by 2015, they would still only account for less than one-half of 1 percent of the entire U.S. vehicle fleet. However much we desire it, the transition from oil will take decades, and serious energy policy must account for that.

With this latest gambit, the President may have acknowledged the wisdom of our approach. But his plan to allow a few lease sales without corresponding permits falls short. Energy producers might end up with a lot of expensive land, but the rest of us would have nothing to show for it. A better