Ala told me in tears that her son's arrest led to no contact between him and his family for weeks, and they denied him a lawyer. After he was sentenced to 5 years in prison, she told Radio Liberty that she was proud of her son and that ''he suffered so much for the sake of Belarus . . . The judicial system has steamrolled our family.''

Lyutsina is the grandmother of the candidate's 3-year-old son Danil. I wanted to put this photo up because Lukashenko decided it was not enough to throw this boy's father into prison; he basically said he was going to remove this boy from the family as part of the punishment they were going to impose on him for running for President in that country. You see, not only did they arrest Sannikov, but they arrested his wife too. She was a journalist—automatically suspect in Belarus. Even more despicable, they tried to take custody of this little boy, who was staying with his grandmother. What kind of cruel mind is so afraid of the free expression of ideas that they would go after this little boy to further punish the parents—the father who had the nerve to run for President and the mother who had the nerve to publish in some underground publication an article critical of Lukashenko.

President Lukashenko's repression and totalitarian regime have been condemned around the world. Asset freezes and travel bans have been placed on his enablers and police state enforcers. This Senate and the European Parliament both have passed sweeping resolutions condemning the regime and calling for new legitimate elections and the release of all political prisoners. The families of the detained, the Senate, the European Parliament, and National Hockey League Hall of Famer Peter Stastny have called on the International Ice Hockey Federation to suspend its Belarus-hosted 2014 Ice Hockey Championship until all political prisoners are unconditionally released. A dictator such as Lukashenko should not be awarded the international prestige of an event while prisoners languish in prison for simply exercising their human rights. I think it is time for the International Criminal Court prosecutor to look into Lukashenko's regime, most notably for the allegations of torture.

I conclude by simply saying that I want Mr. Sannikov and his many brave colleagues in Belarus and their families to know that the United States will stand by them in their effort to bring a peaceful democracy to this great nation of Belarus. We commend their bravery and let them know they are not forgotten.

Madam President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

OFFSHORE PRODUCTION AND SAFETY ACT OF 2011—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 953, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to the bill (S. 953) to authorize the conduct of certain lease sales in the Outer Continental Shelf, to amend the Outer Continental Shelf Lands Act to modify the requirements for exploration, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 4 hours of debate equally divided and controlled between the two leaders or their designees.

The Senator from Tennessee.

Mr. ALEXANDER. Madam President, we have been debating tax subsidies to the big oil companies. The bill proposed by the Senator from New Jersey would have limited it to just the big five oil companies even though many of the tax breaks or tax credits or deductions they receive are the same tax credits that every other company may take—Starbucks, Microsoft, Caterpillar, Google, and Hollywood film producers for example. Many of the other credits look a lot like the R&D tax credit or other tax credits all American businesses may receive. Well, I am one Senator who is very intrigued with the idea of looking at all of the tax breaks in the Tax Code. There are currently about $1.2 trillion a year in what we call tax expenditures, and those are intended to be for tax breaks we think are desirable. I am ready to look at all of them and use the money to reduce the tax rate and/or reduce the Federal debt. But if we are going to talk about energy subsidies—tax subsidies—we ought to talk about all energy subsidies. Senator JOHN CORNYN of Texas has asked the Congressional Research Service to do just this. It is an excellent study, and I commend Senator CORNYN for asking for it. This is some of what it finds.

According to the report, fossil fuels contributed about 78 percent of our energy production in 2009 and received about 13 percent of the Federal tax support for energy. However, during that same time 10.6 percent of our energy production was from renewables and 77.4 percent of our energy tax subsidies went to renewables. So if we are to compare the subsidy per unit of energy, the estimated Federal support per million Btu's of fossil fuels was 4 cents, while support for renewables was $1.97 per million Btu's.

So Federal subsidies for renewables are almost 50 times as great per unit of energy as Federal subsidies for fossil fuels. This would be distorted because included within renewables is hydroelectric power. Most people think of renewables as ethanol, solar, or wind and those are the renewables that actually get the subsidies while hydroelectric does not.

So at least 50 times as great per unit of energy is the Federal taxpayer support for renewable energy compared with fossil fuel energy. So why aren't we including in our debate subsidies for all renewables? Specifically, if we are talking about Big Oil, why don't we talk about Big Wind? The Senate seems an appropriate place to talk about Big Wind.

The Energy Policy Act of 1992 created what is called the production tax credit for energy produced using renewable resources. Most of this money has gone to subsidize Big Wind. It is a policy that was supposed to last a few years. It has lasted two decades.

Today, the production tax credit for wind gives 2.1 cents for every kilowatt hour of wind electricity produced by a wind turbine during the first 10 years of operation. Let's put this into a context that is current. The new Shepherd's Flat Wind Farm in Oregon will have 338 of these huge wind turbines, producing enough power to run approximately 250,000 homes and will cost the American taxpayer about $57 million a year in subsidies for that electricity produced. If we allocated the tax credit per home, taxpayers will be paying $2,300 over the next 10 years for each of the homes served by the Shepherd's Flat Wind Farm in Oregon.

This doesn't even take into account the fact that $1.3 billion in Federal loan guarantees to this project means Big Wind will have its risk of default also financed by the taxpayer. Fossil fuel companies don't have that advantage. Nuclear power companies don't have that advantage, even though their electricity is completely clean—no sulfur, no nitrogen, no mercury, no carbon. If, like nuclear or fossil loan guarantees do, the wind farm in Oregon had to pay the risk of default up front as a fee, it would cost another $130 million. That is money out of the pockets of taxpayers.

The total cost of the wind production tax credit over the next 10 years will cost the American taxpayers more than $26 billion. Let me say that again. American taxpayers are subsidizing big wind over the next 10 years by more than $26 billion with one tax credit. In fact, the tax breaks for the five big oil companies we have been debating on the Senate floor this week actually cost less than all of the money we give to big wind. The tax breaks for the five big oil companies amount to about $21 billion over 10 years.

According to the Energy Information Administration in 2007, big wind received an $18.82 subsidy per megawatt hour—25 times as much per megawatt hour as subsidies for all other forms of electricity combined. But wind is about the least efficient means of energy production we have. It accounts for just about 2 percent of our electricity. It is available only when the wind blows, which is about one-third of the time. The Tennessee Valley Authority says it is reliable even less than that, meaning we can have it when we need it only about 12–15 percent of the time.

Wind farms take up a huge amount of space. Turbines are 50 stories high. Their flashing lights can be seen for 20 miles. An unbroken line of turbines along the 2,178-mile Appalachian Trail would produce no more electricity than four nuclear reactors on 4 square miles of land.

Wind is generally the strongest and land is available where the electricity isn't actually needed. So we have thousands of miles of new transmission lines proposed to get the energy from where it is produced to where it needs to go. Those often go through conservation areas, and according to the National Academy of Sciences wind power is more expensive than other forms of electricity, such as coal, nuclear, biomass, geothermal, and natural gas.

We haven't even talked about the fact these wind turbines only last about 25 years. The question is, Who is going to take them down? Wind farms also kill as many as 275,000 birds each year, according to the American Bird Conservancy. They can interfere with radar systems, and many who live near them say they are very noisy.

So I ask the question: If wind has all these drawbacks, is a mature technology, and receives subsidies greater than any other form of energy per unit of actual energy produced, why are we subsidizing it with billions of dollars and not including it in this debate? Why are we talking about Big Oil and not talking about Big Wind?

I believe there are appropriate uses of temporary incentives and subsidies to help jump-start innovation and the development of new technology—such as jump-starting electric cars or natural gas fleets of trucks or loan guarantees for nuclear powerplants and other forms of clean energy—as long as these are short term. I believe research and development is an appropriate role for the Federal Government whether it is in recycling used nuclear fuel or finding alternative biofuels made from crops we don't eat. I believe it is entirely appropriate for there to be research for offshore wind farms, which we don't know as much about and which might actually prove to be a useful supplement in the Northeast. But my point is, if we are going to debate subsidies to Big Oil, we ought to be debating all the energy subsidies including those to Big Wind.

There is a difference between the Republican plan and the Democratic plan for $4 gasoline and high energy prices. The Democratic cure for high prices is basically to raise the price. They want to tax energy more, but that makes energy cost more. Republicans want to find more American energy and use less energy. We might sum it up this way: Republicans want to find more and use less; Democrats want to find less and tax more.

The Democratic plan, according to Senator SCHUMER of New York, was never intended to talk about lowering gas prices. Senator REID agreed, Senator BAUCUS agreed, Senator LANDRIEU agreed, and Senator BEGICH agreed, but why aren't we talking about trying to find a way to lower gasoline prices when it is $4 a gallon and going up?

The Republican plan is very specific: Find more American oil and more American natural gas. We can find that offshore where 30 percent of our domestic oil and 25 percent of our natural gas is produced. We can find it on Federal lands, and we can find it in Alaska.

The other part of our equation is to use less. We have some agreement with the Obama administration on some of these ideas. There are a number of them: jump-start electric cars. Senator MERKLEY and I have a bill that is before the Energy Committee tomorrow to do just that. I believe electrifying our cars and trucks is the single best way to reduce our dependence on foreign oil. There is legislation to jump-start natural gas for trucks, biofuels from crops we don't eat, and fuel efficiency. All these are various ways to use less.

Senators THUNE and BARRASSO have performed a service by setting the record straight to show that the United States produces a lot of oil. We are actually the third largest oil producer in the world. So I ask this question: If less Libyan oil can raise gasoline prices—which it did—then more American oil should help lower gasoline prices. At least for every dollar of American oil we produce, it is one less dollar we have to send overseas for foreign oil.

So, Madam President, the Republican plan is to find more American oil and natural gas and to use less. My suggestion is, if we are going to be talking about tax subsidies for Big Oil, let's talk about tax subsidies for all energy. The Senate floor seems an especially appropriate place, if we are going to talk about Big Oil, to also talk about tax subsidies for Big Wind.

Madam President, I commend to my colleagues a report of the Congressional Research Service sent to Senator JOHN CORNYN of Texas dated May 16 entitled ''Energy Production by Source and Energy Tax Incentives'' from Molly Sherlock.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. ALEXANDER. Madam President, I see the Senator from Kansas is here, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. ROBERTS. Madam President, I rise today to speak in favor of the legislation that has been introduced by my friend and our Republican leader, Senator MCCONNELL, that would take our country in the direction of greater domestic energy production, and certainly robust job creation, as opposed to taxing—or trying to—the very people who provide our energy.

Madam President, as every American knows, few issues today are more critical to the American taxpayer than the price of energy. Whether it is powering our homes or fueling farm equipment or filling up our cars at the pump, the price of energy directly impacts the cost of goods and operating expenses for our American producers.

Now, while there is a multitude of variables that impact the cost of gasoline, it is important we don't overlook the main factor in impacting prices at the pump—and one more time, for my colleagues across the aisle, that is the global supply and demand of crude.

With roughly 70 percent of the price of gasoline and diesel contingent on the price of crude, it should be easy to understand that any fluctuations in global supply and demand is the most important factor determining what consumers pay at the pump. Considering in my State alone the oil and gas industry supports over 119,000 jobs and annually contributes $14 billion to the Kansas economy, it is not hard to understand that much of our concerns regarding the U.S. economy and rising unemployment could be addressed—could be addressed—if we stopped hindering the ability of American energy businesses to grow and to produce.

I am sure most Americans wonder why Washington is even considering a policy that is counter to an industry solely capable—solely capable—and responsible for this type of job creation. Sadly, this is exactly the proposal floated by some of my colleagues and friends in Congress and by the President.

In the President's 2012 budget proposal, he proposed almost $90 billion worth of tax increases on the oil and gas industry—taxes the nonpartisan Congressional Research Service has stated could make oil and natural gas more expensive for U.S. consumers and likely increase foreign dependence. Well, that didn't work in regards to the budget, so they are back. Complementing the President's troublesome budget proposal last week, a number of my colleagues introduced legislation singling out U.S.-owned integrated oil and gas companies by removing tax expenditures these companies rely on to hire more American workers, developing greater amounts of needed energy, and—hello—to support the millions of American investors whose IRAs and pension funds invest significantly in energy stocks.

What is even worse, at least six of my colleagues across the aisle are on record admitting this legislation will do nothing to reduce prices at the pump. It is sort of a ''gotcha'' piece of legislation. So to address American concerns about rising gas prices, my friends across the aisle have introduced

legislation they readily know will not ease the price at the pump. This doesn't make any sense. In addition to the fact the Democratic energy bill will not help reduce gas prices, I want to further highlight the negative impacts it would have on American investors. This is important.

Probably the biggest distortion repeated in the media and by some of my friends here on Capitol Hill is the notion that a few select corporate executives are the sole benefactors of record high profits enjoyed by these energy companies. It makes good politics today to beat up on these people and that is what happened in regard to the Finance Committee—a lot of press there—when in reality it is the millions of middle-class American investors whose retirement plans benefit greatly from healthy profits. Because these companies are publicly traded, they are owned largely by individuals and institutional investors responsible for managing the mutual funds and IRA and pension plans for millions of Americans whose future economic security depends on the success of these companies.

For example, in Kansas alone there are over 18,000 shareholders of ExxonMobil—that is 18,000 of my constituents—who will be hurt, angry, frustrated when they find out that legislation that targets citizens, investors who actually own these companies, could be passed.

Beyond individual shareholders, many teachers, State government employees, rely on strong returns on their investments in these companies. One example is the New Jersey Public Employee Pension Fund. Its holdings of U.S.-based integrated oil and gas companies make over 4 percent of its total portfolio.

Realizing the likelihood of a strong return on their investment, it is no wonder why so many public employee pension funds throughout the country invest heavily in energy companies. The good news is that the energy tax increase proposal was defeated last night, as its passage would have done absolutely nothing toward reducing energy prices or helping the economic security of millions of middle-class American investors. Unfortunately, the problems facing true economic growth and energy security do not end with misguided tax policy. In addition to making it more costly to produce domestic energy, the administration is working to close off some of our Nation's most abundant sources.

For example, under the current administration, the Department of the Interior canceled seven oil development leases in Utah that were located within the larger formation covering three States that the Bureau of Land Management has estimated contains around 800 billion barrels of oil—more than three times the proven reserves in Saudi Arabia. This of course is in addition to the Gulf of Mexico deep water drilling moratorium imposed last summer which has had a lasting negative effect on gulf coast economies. I know the President said we are going to permit these and they can drill, but somehow or other you never get the permit finalized.

In closing, I want to reiterate my point about the underlying economic factors which, like it or not, despite the politics, are not the driving forces behind the price of gas at the pump. As global demand rises, prices will also rise. As global demand is potentially disrupted, as we see in the Middle East today, then market instability follows. If we can allow greater access to our own domestic resources and provide industry the necessary tools to expand—which is exactly what Leader MCCONNELL's energy bill would do—then we will be able to put more Americans back to work and add to the global supply of crude which, over time, undoubtedly will help stabilize prices.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. HATCH. Madam President, I rise today as a cosponsor of the Republican leader's Offshore Production and Safety Act, S. 953. I have to say it is a breath of fresh air to be discussing a substantive energy policy proposal.

Last week in the Senate Finance Committee and yesterday on the Senate floor, we witnessed a cynical charade as some of my colleagues attempted to exploit high gas prices as an excuse to, once again, raise taxes. It is no secret the liberals in Congress have an answer to every problem but unfortunately it has been the same answer for every problem. Whether the problem is health care costs, out-of-control spending, unemployment, or high gas prices, their answer in every case is to raise taxes. The American people have caught on to the uninspired monotony of that particular message.

In the last election they sent us their own message: enough with the spending and enough with the taxing. Apparently, though, that message was not loud enough or clear enough because the worn-out big government approach remains the only option being offered by my friends on the other side. Americans are fed up with lame excuses to expand the size of government. What Americans want, need, and deserve is real solutions to real problems. Those problems are real. High gas prices are an indicator of a much deeper problem facing our Nation's energy security. It is a problem that runs deep but it is not too difficult to understand.

Our problem is a President who would rather buy foreign oil than produce it here in America. In fact, he not only wants to buy foreign oil, he is willing to subsidize it. These are Brazilian workers, Brazilian oil workers. I hope Americans were watching the news as President Obama handed over more than $2 billion to Brazil's government-owned oil company to produce Brazilian oil. It was a nice gesture, I am sure. But why aren't we spending it here at home? And why aren't we able to drill here at home? Why aren't we, the third largest oil producer in the world, able to go after our own oil to bring these prices down.

Liberals spent this last week calling basic tax deductions for American companies ''subsidies.'' Funny thing, because those same liberals appear to have no problem with this gigantic handout of taxpayer dollars to a foreign competitor.

I like Brazil, and I am happy they are doing as well as they are, so this is not a knock at Brazil. It is basically a criticism of our President for giving $2 billion to help them with their oil exploration when they seem to be doing just fine by themselves. At least I am assuming the liberals have no problem with it because they have been deathly silent on this subject during this entire debate.

I hope Americans were watching because that was their money our President was sending out of our country, out of our economy, and out of the reach of tens of thousands of unemployed American energy workers whom this administration has helped to put out of work.

Let me put up another chart. These are our workers. These guys are out of work. These men and women who can develop our own oil are out of work because of this administration.

We all know about the President's artificially broad moratorium on drilling in the gulf and how it has devastated that already crippled region. But the President's anti-Midas touch has reached out to kill oil production in other regions of the country as well.

Since taking office, President Obama has cut Federal energy lease offerings by 67 percent in the Rockies alone and a whopping 87 percent in my home State of Utah. Is it any wonder we are becoming more dependent on foreign oil? Is it any wonder our jobless rate remains at historic levels? Is it any wonder government revenues are down? Let's not forget that this is the same President using our tax dollars to subsidize Brazilian oil production to the tune of $2 billion.

After taking office, one of President Obama's earliest actions was to withdraw 77 energy leases in Utah. These leases had been through almost a decade of environmental studies. They had jumped through every environmental hoop there was and had already been auctioned off and paid for by goodstanding energy companies. We know we are dealing with a very aggressive anti-energy agenda when we see leases pulled back that have already been

paid for. The energy companies are not blind; they see it too.

A recent survey of the energy industry in the Rockies tells us the tragic and unnecessary story. Due to the hostile atmosphere created by the Obama administration, $1.1 billion of capital investment was shifted from the Rockies to other areas, including overseas. If it were not for the anti-energy efforts of this administration, the companies surveyed stated they would invest an additional $2.8 billion in the region in the future. Eighty-nine of the energy companies surveyed said they would continue to divert investment from the Rockies until the current policies become less hostile, and 71 percent of the industry respondents stated that dissatisfaction with the Federal permitting process is the general variable driving investment right out of our Nation.

When are we going to wake up? When is this administration going to wake up?

Some of my friends on the other side have an extremely difficult time understanding this, but when we deter energy companies, we kill real jobs and we kill domestic energy production, and we make America weaker. These aren't just jobs, these are highly paid jobs. Yet we are willing to subsidize the Brazilian oil workers. I like those workers. I think they are finding oil for their country. I think their country is energy efficient because of their work offshore. Some of those rigs used to be in the gulf but no longer can be there because of the stupid anti-energy policies of this administration.

Here we have American companies willing to spend more than $2 billion of their own money to create American jobs and American oil, but President Obama says no—or at least the people around him who advise him tell him to say no. Yet our President does not hesitate to give more than $2 billion in taxpayer funds to Brazil to create foreign jobs. Just wait, because this story actually gets worse. The President then hopes taxpayers will send even more money overseas as we buy Brazil's oil—oil we already have subsidized in the first place.

But the President saved the best for last. He now proposes raising taxes on American energy production.

This deserves repeating. The President says no to American energy companies wanting to use their own profits to make more American jobs and more American oil, but he then gives away taxpayer money to subsidize foreign jobs and create more dependency on foreign oil. While he is at it, he may as well tax American energy production for good measure. That is what they want to do to us. It doesn't make sense.

Look, I like the President. I personally am a friend of the President. I can't believe he is doing this on his own. He has to have these dumbbells down there at the White House feeding him this stuff. But he is bright enough to look through it and see it doesn't work or is it just that their supporters are demanding—the Democratic supporters are demanding—this type of harm to our country and to our people?

Well, I said it twice, and it makes less sense the more I think about it. He may as well tax American energy production for good measure.

The whole farce would be comical if it weren't so incredibly harmful to our Nation, our economy, and to our American families who have dedicated their lives to providing the United States with the domestic oil and gas we so desperately need.

I wish to read an excerpt from a letter I received from Cindy and Bruce of Uintah County, UT, an oil-rich county, if we were allowed to get the permit and go out and find it.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. HATCH. I ask unanimous consent to be permitted to continue my statement.

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

Mr. HATCH. Cindy and Bruce write:

> Our family returned to the Vernal, Utah, area . . . after being absent for 10 years. We realized we loved the area and wanted to be back with our families. . . . At that point we decided we wanted to do more than just get by in life working for someone else. . . . Since things looked very promising for the oilfield industry, we started a small oilfield trucking company. We struggled to make all this work and to establish a reputable and trusted company with a good customer base. In February of 2009, as the new presidential administration and new head of the Department of the Interior took over, the oil and gas production companies slowed their drilling and production programs drastically. The RAPID economic change was shocking. Overnight, we went from being a prospering business to a business that is just hoping we can pay our bills. . . . Our story is not unique. It is the same story for many of our friends, neighbors and family members. Our lives and the economy here are in shambles. It is not because we did not work hard, spend wisely, follow all the government rules, or that we made irresponsible decisions. It is because of sudden changes in our government.

This was no naturally occurring economic downturn that killed Bruce and Cindy's business. It was hostile government policies intent on slowing domestic energy production on Federal lands.

This point is made again and again to me in letters from Utahans from this region. One letter states:

> As I talk with many people each day at work, there is one common thread: The policies of the current administration have made it a very risky business for companies trying to produce oil in this area. Leases have been canceled, then resold, and then suspended. The confidence of the oil producers has been undermined by these actions. They have lost a lot of money on the bids for these leases.

These experiences are duplicated wherever Federal energy leases are offered. I can say I have never seen a more anti-energy administration than the current one, and all Americans are feeling the pain of President Obama's suicidal energy policies.

Today, we are talking about a real solid energy proposal. It is a proposal that will create American jobs in the gulf and throughout America's energy industry. The Offshore Production and Safety Act is a proposal that will strengthen our Nation, not weaken it. It will get us producing American oil again in the gulf, and that is a critically important goal.

If I had my choice, we would be discussing a more comprehensive energy bill that would also be reopening oil production on onshore and offshore leases. I am an original cosponsor of a bill with my colleague, Senator DAVID VITTER, called the 3–D Bill. The Ds stand for domestic jobs, domestic energy, and deficit reduction. This bill deserves full consideration. It is a bill that would increase jobs, reduce energy costs, and generate significant revenue to State and Federal Governments. In short, the bill would reverse the Obama administration's onerous new constraints on domestic oil and gas production. The 3–D bill would reverse bans of some offshore Federal leases in each Outer Continental Shelf planning area, it would open ANWR to oil production, directing some of the resulting revenues toward renewable energy production, and it would reverse President Obama's recent moves against commercial oil shale production.

Unfortunately, we are not discussing that bill today and here is why. Republicans have had to force the Democrats' hand to allow a debate on even a limited proposal such as the one introduced by our Republican leader—and well done. But this issue is not going away, and I will continue to push the issue of onshore and offshore Federal leases and advocate for the 3–D bill.

The bill we voted on yesterday had nothing to do with gas prices or energy policy or getting more energy. As we heard from Member after Member on the other side, that bill was about raising taxes for more government spending. The bill we are voting on today is a serious energy proposal. It is a smart proposal that, if passed, would create real jobs, produce real domestic oil and gas, and leave the deficit-busting revenues for the government. As such, I strongly support it. I urge my colleagues to do the same.

I hope our friends on the other side will see this. It is time we stand and start changing this, regardless of what this administration is doing to America.

Thank you. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. JOHANNS. Madam President, I rise to discuss our Nation's energy policy. I was very disappointed by last night's vote. Actually, as one of my colleagues pointed out, it was more political theater instead of a serious attempt at addressing this Nation's energy needs.

Instead of investing time on votes that will not bring gas prices down, we need to do what Americans expect us

to do; that is, adopt a careful, all-inclusive, comprehensive approach. Put simply, we need to consider our assets and we need to develop those assets in a responsible way. That sounds very simple to the average person but, unfortunately, it seems to allude us here.

Last night's vote on a narrow tax issue, that in a very bipartisan way was recognized not to reduce the price of gas, doesn't get us headed in the right direction. If anything, it was a step backward. So I wish to take a more serious look at the energy resources we have in the United States to lay the foundation for the argument that we need to develop these resources—energy that could help address our Nation's security as well as our economic security.

Unfortunately, we are a victim of misperception that somehow the United States is running out of energy and that our own resources are not sufficient. But that is not true. In fact, the data tells us that the United States can be a dominant energy power. Let me say that again. The United States can be a dominant energy player—a power—in the global marketplace. With the proper Federal policies in place, the United States can step into a dominating position.

This isn't something I dreamed up last night. This is not something MIKE JOHANNS just invented. This comes directly from the Congressional Research Service, the nonpartisan research arm of Congress.

So let's go through what the CRS said to us in a recent report. They say the United States is No. 3 in global oil production. In 2009, the United States produced about 9.1 million barrels per day. By comparison, Saudi Arabia produced about 500,000 more than the United States per day at 9.8 million, and Russia leads all countries at 9.9 million barrels per day. So today we are No. 3 in global production of oil, behind Saudi Arabia and Russia.

For an additional perspective, consider this: The United States produces more than double what Iran produces and produces more than Iran and China combined.

Looking beyond oil production, let's consider our existing assets. According to the CRS, the United States has 163 billion barrels of oil that is technically recoverable. That is a lot, and that is more than six times what the administration suggests in its favorite talking points.

Let's compare our oil assets to what we import from Saudi Arabia, a major U.S. supplier. In 2009, we imported about 1 million barrels per day from Saudi Arabia, for a total of 365 million barrels per year. So every 3 years, at 2009 import rates, we will import just over 1 billion barrels of oil from Saudi Arabia. So the United States has enough oil to entirely replace imports from Saudi Arabia for a long time—more than 400 years.

If we shift the focus to natural gas, the United States has enough natural gas reserves to meet U.S. demand for 90 years.

Let's turn to coal. Again, based on CRS analysis, our domestic coal resources are huge. In fact, the United States is No. 1 in world coal resources. The United States has 28 percent of the world's coal. American recoverable coal reserves are 262 billion tons of coal.

To put that in perspective, the United States consumes about 1.2 billion short tons per year—simply extraordinary. What I am saying is, that is over 200 years' worth.

Then, CRS did something else interesting. They consolidated the energy resources, and then ranked the United States against the rest of the world. The United States came in at No. 1. This does not include oil shale or methane hydrates.

CRS concluded that total fossil fuels within the United States, in barrels of oil equivalent, are 972.6 billion.

So considering the United States leads the world in total energy resources, we need to evaluate any energy policy on whether it makes strides to use those resources in a responsible way or whether it keeps those resources on the sidelines.

The Congressional Research Service has debunked the myth that we are energy poor, that we have somehow consumed our resources. In fact, our Nation is No. 1. We are rich with resources: oil, natural gas, coal, and other resources—and lots of it.

Yet the President, for whatever reason, keeps using a dramatically different talking point, and it creates the wrong impression. Just recently, on May 6, 2011, he said:

> The challenge is we've got about two to three percent of the world's oil reserves and we use 25 percent of the world's oil.

The impression I think he is trying to create is that we have virtually no reserves. Yet we are trying to grab all the resources. This statement seriously, if not intentionally, underestimates America's energy resources because it only relies upon proven reserves. That would be like a millionaire complaining he cannot afford a $10 dinner because he has only $5 in his pocket.

Here is what CRS says about proven reserves:

> Proved reserves are oil, natural gas, or coal that have been discovered and defined, typically by drilling wells or other exploratory measures.

In other words, unless you drill or otherwise explore, proven reserves never expand and our country stays neutral.

So the President's talking point completely ignores what they call undiscovered technically recoverable—the estimated American resources in those areas where exploration has not yet occurred. Thus, it is no surprise what happens when we do not issue permits to explore and drill. Proven reserves would never expand if you did not issue the permits.

That is the problem with this administration's approach to energy policy. They have gone out of their way to oppose utilization of American energy sources and then they claim that somehow we have used them up.

Most famously, the administration supported a national energy tax called cap and trade—a bill that was intentionally designed to increase costs for consumers on everything from oil to gasoline we put in our cars, to coal, to the electricity we use. In fact, the President even admitted his policy was designed to make the prices for American consumers ''necessarily sky-rocket.'' Unfortunately, if not remarkably, if not completely unbelievably, that is a direct quote.

The ACTING PRESIDENT pro tempore. The Senator has consumed 10 minutes.

Mr. JOHANNS. I ask unanimous consent that I may have an additional 3 minutes.

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

Mr. JOHANNS. Today, even after this policy has been repudiated on a bipartisan basis by Congress, the administration continues to march ahead with similar proposals at the administrative level.

The administration has canceled leases across the Rocky Mountain West. They have blocked permits in the Gulf of Mexico. They have blocked permits in Alaska.

While the President's announcement this weekend would appear to be a welcome recognition that oil and gas leasing matters, it disregards the virtual lack of permits to explore. No doubt, leasing is necessary, but if you do not have the permits, leasing means nothing. Supply stays the same, world demand continues to increase, and no one should be surprised by the economics.

No one should be surprised that this administration's policy has a direct correlation to the price of gasoline you pump into your vehicle. That is why today we are debating legislation that is enormously important. This bill requires the issuance of permits. It emphasizes safety and environmental responsibility. It does require spill response and containment plans, and it requires we do everything we can to try to improve supply. It says we can develop our natural resources expeditiously but in a responsible and prudent way. It is a responsible step in the right direction.

Let me put this another way: We, the United States, do not need to beg the rest of the world for energy resources. We do not have to go with cup in hand. Energy is too important to our growth, to job creation. It is too big an issue to outsource to another country, especially to countries that do not like our policies.

It is critical we get energy policy right. Gasoline prices are now over $4 a gallon. That is hurting every American. It is hurting job creation. Heating

and cooling bills are going up. Farmers see their fertilizer, their natural gas bills expand. Their input costs are going through the roof.

Our people deserve better, and that is why I encourage my colleagues to support this important legislation.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

TRIBUTE TO ROBERT HARRIS

Mr. WARNER. Madam President, I rise, as I try to do on a regular basis, to honor another one of our great Federal employees. I know in the great Empire State of New York there are literally thousands of folks who oftentimes work anonymously to make sure, day in and day out, our Federal Government functions. This is a recognition I took over from our colleague, Senator Ted Kaufman, after he served in the Senate, and I am proud to continue this tradition where, on a regular basis, we come forward and honor one of those Federal employees who contributes to making our Nation safer, making our Nation more efficient, allowing many of us in America to enjoy the benefits of our country, oftentimes, again, without a lot of recognition.

The individual I am recognizing is Robert Harris, who is the Deputy Legal Advisor at the U.S. State Department.

Mr. Harris has played a critical role in advancing American foreign policy around the world. He has served as the lead negotiator on several important bilateral and multilateral agreements on antiterrorism, extradition, and global environmental protection. He also provides advice on issues ranging from treaties to law enforcement and intelligence.

But it is Mr. Harris's work to advance human rights around the world that sets him apart. In recent years, the United States had fallen out of compliance with five global human rights treaties, making it difficult for our Nation's diplomats to press other nations to fulfill their human rights obligations—something I know the Acting President pro tempore has a particular interest in. Mr. HARRIS oversaw five major reports documenting U.S. human rights activities and got our country back on track with the rest of the world.

Mr. Harris is also leading the U.S. delegation in the U.S.-China Legal Experts Dialogue, which provides an opportunity for both countries to exchange expertise and discuss reforms on a variety of issues.

Mr. Harris has successfully engaged the Chinese to implement an existing law—an existing Chinese law—that reduces prison terms and to more frequently grant parole to individuals serving for nonviolent offenses—again, advancing human rights in China.

Michael Kozak, a senior aide at the State Department, commented that Mr. Harris's negotiations have ''done more for concrete advancement of Chinese human rights than any previous human rights dialogue that I've ever seen.''

Mr. Harris also supervised the legal team that supported the President's signature on the U.N. Convention on the Rights of Persons with Disabilities in 2009 and guided the administration's legal approach to handling a U.N. conference on racism. More recently, he led U.S. and international efforts at the United Nations to prosecute pirates engaged off the coast of Somalia.

As a 25-year veteran of the State Department, Robert Harris's contributions have gone a long way to advance American foreign policy and preserve our Nation's record as a leader in human rights. I hope my colleagues will join me in thanking him for his service.

(Mr. FRANKEN assumed the chair.)

Mr. WARNER. Again, Mr. President, as you see me on this floor—and I know you share this commitment to those Federal employees who work in the great State of Minnesota—too often, when we have our political dialogs here, we get closed and sometimes cavalier attitudes toward shutting down our Nation's government and the economic consequences it would have on our overall economy and the private sector and also the immediate consequences it would have on the literally hundreds of thousands of great Americans who serve us as Federal employees. Today we take a moment to celebrate Mr. Harris's service, particularly in the area of human rights.

I think it is a record of service of which we can all be proud. We sometimes come down here and have tendencies to trash the Federal Government. I sometimes believe we do that at the expense of these people who work oftentimes for less pay, longer hours, and without a lot of recognition. This is some small way we are trying to recognize Mr. Harris and countless others who serve our Nation day in and day out.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. MURKOWSKI. Mr. President, last night the Senate defeated a misguided attempt to raise taxes on the five largest energy companies that are operating in our country. That bill, as we discussed, would have done nothing to reduce our gas prices, nothing to create jobs in America, and nothing to increase domestic energy production.

Furthermore, it would have hardly made a dent in our spiraling debt. Put another way, last night's effort would have done nothing to address the problems that most Americans care about, that most Americans are talking about, as they discuss things around the dinner table.

This morning we are here to debate a very different bill, called the Offshore Production and Safety Act. It was recently introduced by the minority leader, myself, and 16 other Senators. There is a very clear contrast, without a doubt, between this and what was brought up yesterday.

Instead of punishing a handful of companies within the oil and gas industry, we provide new opportunities to put Americans back to work. Instead of merely attempting to assign blame for our Nation's energy challenges, we develop a policy that we are proposing that will start to work right now and yield real benefits in the years ahead. And instead of raising taxes regardless of the consequences, we ensure that a far larger source of revenues, those that are derived from new offshore production, will be generated in the years ahead.

The bottom line is that our legislation is both common sense and long overdue. It will move our energy policy forward, not backward, and it would do so by addressing three pressing needs: We provide a boost to offshore energy production; we improve the safety of those operations; and we streamline our notoriously slow Federal bureaucracy.

Before I describe these sections in greater detail, I think it is important to explain why we focus on offshore production while at the same time we are focusing on offshore safety. The answer to the first part of that question is that our Outer Continental Shelf contains huge quantities, vast quantities of undiscovered oil and gas, some 86 billion barrels of oil, and 420 trillion cubic feet of natural gas.

The answer then to the second part is we all remember—we all remember and we should not forget—what happened last summer. We are committed to improving the safety of offshore production activities so it does not happen again.

As I mentioned, we call our bill the Offshore Production and Safety Act, because we understand that those terms—both production and safety—should be part and parcel of the same policy. We want our offshore industry to be working. But we need it to be working safely.

Those were words I used yesterday in the committee hearing on energy when we focused on the OCS reform bill. We want our offshore industry to be working, but we want to have that safety component. We know our Nation will need oil for decades to come, even under the most optimistic scenario we have out there.

We know offshore production will create thousands of badly needed jobs, not just on the offshore rigs themselves, but all across America, and that it will simultaneously generate tremendous revenue for our government at a time when we are looking for those revenues. We know that for every barrel of oil we produce here, that is one less barrel we have to purchase from someone else, typically from somebody else that could care less

about our situation here in this country.

It is not just me, not LISA MURKOWSKI from a producing State. It is not just Republicans who understand these benefits. Clearly President Obama and his team acknowledge these benefits as well. I do want to take an aside and recognize and commend the President for announcing that he will hold annual leases in Alaska's Natural Petroleum Reserve, the NPRA, establishing a permitting office in Alaska, and pursuing developmental opportunities in the Mid-Atlantic and South Atlantic.

I have routinely criticized this administration on certain aspects of their energy policy. But the President deserves credit for taking these steps and I acknowledge them. I will look forward to seeing those actually carried out, to see that followed through.

The Offshore Production and Safety Act offers us a chance to make even greater profits. To boost offshore production, the first part of the bill would require lease sales in the Gulf of Mexico, Alaska, and Virginia to be put back on the schedule. Those are areas that are projected to contain billions of barrels of oil. But if we refuse to even offer up the leases, then that energy is never going to be brought to market. We would also extend for 1 year all of the leases that were held back from production because of the administration's moratorium.

The second part of the bill relates to the safety, the safety of offshore production. Again it is pretty straightforward. It is pretty simple. We require that each leaseholder develop a spill response and containment plan to make sure if an accident does occur, immediate action can be taken to contain it and to protect the environment. This is critical. This is what we are all hoping for and waiting for after the Deepwater Horizon last year.

To further increase our Nation's response capacity, we would establish a public-private task force on spill response and mitigation measures. We would also require the Comptroller General to identify any gap in the legal authority or spill response capability that would need to be resolved.

This bill we have before us and that we will move to today, with the vote this afternoon, will actually mark the first time any safety legislation has been voted on in the Senate since the Deepwater Horizon incident. So this Republican proposal is the first time. We did not see that happen last Congress. I know Chairman BINGAMAN and I certainly hoped we would see it. But it was not moved through last year. It was not part of the proposal we took up yesterday.

The third and final part of our bill addresses our notoriously slow Federal bureaucracy. Oil and gas projects are routinely delayed, not because of the technological limits, or even the regulatory requirements, but because the Federal Government is simply too slow in making decisions. To remedy the situation, we would limit the amount of time that Interior can take to decide on drilling permits. We do allow for some flexibility here, but when delays do occur, we require an explanation as to why. What happened? What is holding it up? Because litigation is increasingly used to halt new development, we provide expedited consideration of those cases in a specific court.

We know this bill does not contain every pro-production piece every Member may wish. I wish to see an ANWR provision in here, but it is not in here. There are additional items I clearly wish to advance, most notably, revenue sharing, critically important for a coastal State such as Alaska, and for my friend and colleague from Louisiana.

I am going to be working to advance this bill and, if it advances, offer amendments. If the bill does not advance, I am going to be working within the committee to continue to push revenue sharing and other issues that speak to the pro-production piece. But for purposes of this bill before us, I realize that with the revenue-sharing issue, this does present a scoring issue which we need to resolve. So clearly more discussion needs to come for that to happen. But, regardless, I urge every Member who realizes the critical need for increased domestic production to join together to advance this modest and very responsible start.

The purpose of this bill, the reason why we are ready to take it up, move it today, is it really is so simple. We are not asking for that much: a handful of lease sales to be put back on the schedule, basic safety measures be implemented, and permitting decisions be made on time. Our goal—pretty simply—is to put offshore production back on track closer to where it should be and closer to where we need it to be.

If there is one word that should be used to describe this bill, it would be modest. Everything within it is straightforward. Nothing is outlandish. Nothing goes too far. There are no poison pills in it. Since its introduction, the President has very explicitly endorsed several of the provisions that are contained within it. Our proposal is fair, it is sensible, and I believe it is time for the Senate to send it on to the House of Representatives.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent to speak as in morning business.

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

GOODWIN LIU NOMINATION

Mr. BLUMENTHAL. Mr. President, I rise today to support the nomination of Professor Goodwin Liu's nomination to the Ninth Circuit Court of Appeals.

Very simply, America deserves and needs the best of our legal profession on the bench, the best Americans on the bench. Goodwin Liu is an extraordinary American and an exceptional lawyer, and he will serve with distinction on the Ninth Circuit Court of Appeals if he is confirmed by the Senate, as I urge he should be.

He is qualified by reason not only of his remarkable intellect but also his professional experience, his life experiences, which are important to anyone who serves on the Federal bench. As demonstrating his intellect, he graduated with honors from Stanford University in 1991. He was a Rhodes scholar, graduating with honors also from Oxford. He then went to the Yale Law School, where he was editor of the Yale Law Journal, and clerked for two distinguished Federal judges, including Supreme Court Justice Ruth Bader Ginsburg.

He has been a professor and a dean at the University of California-Berkeley School of Law. He has worked in private practice, including serving as a special assistant to the Deputy Secretary of Education. But his life has been about public service. Indeed, he served for 2 years at the Corporation for National Service, helping to begin the AmeriCorps National Service Program.

He has dedicated immense amounts of time to representing and serving the disadvantaged, including minority and low-income children in public schools, and he has received numerous awards, not only for his academic performance but also for that public service.

He brings to the bench potentially also life experience and diversity as an Asian American. There is no Asian-American member at present on the Ninth Circuit Court of Appeals. There should be and Professor Liu ought to be that judge.

He has been endorsed by jurists across the political spectrum. Ken Starr, the former Watergate prosecutor, said about him that he has ''obvious intellect and legal talent.''

Ken Starr also highlighted Professor Liu's ''independence and openness to diverse viewpoints, as well as his ability to follow the facts and the law to their logical conclusion, whatever its political balance may be.''

That is a quality that is priceless in a jurist. It is to be valued on the Federal bench, it is to be sought, and it is the reason he has been endorsed, as well, by Clint Bolick, Bob Barr, Tom Campbell, John Hu, Richard Painter—the list could go on. But that list is simply reflective of that quality of the open-mindedness and willingness to listen that the Federal bench, and any bench, needs today.

He is supported by business leaders and law enforcement officials, including a bipartisan group of 27 former judges and prosecutors and the California Correctional Peace Officers Association. Again, endorsements reflect quality.

I want to finish by talking about a couple of qualities that I think are particularly important. One of them is the willingness to admit error and recognize the need for acknowledging error,

as Professor Liu did in the hearing I attended. By the way, he has had numerous hearings—an extensive review by this body. In that hearing most recently, he acknowledged statements that perhaps should have been said differently, could have been said better. We all, from time to time, commit those kinds of errors, but rarely do people have the courage to acknowledge them. Professor Liu is the kind of human being who searches for the best in himself, as well as in others. He has a quality of integrity I think is perhaps most important in a Federal judge, or any jurist, and I hope across the political spectrum in this body there will be support for Professor Liu when his nomination comes to a vote within the next couple of days.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. WICKER. Mr. President, I rise today in support of the Offshore Production and Safety Act, a measure to increase domestic production of oil and natural gas in this country.

There are any number of things that make the United States the great Nation it is. Three of these things relate directly to the debate on the legislation that we will vote on this afternoon. They include our bountiful natural resources, the freedoms established by our Founding Fathers, and the determination of the American people.

The measure offered by the majority yesterday would have worked to stifle these very characteristics by discouraging economic activity, taxing industriousness, and putting more of our resources off-limits for development. From the oil wealth of the gulf coast, to the coal reserves of Appalachia, from the hydroelectric power that characterizes much of the American West, to the oilfields of Alaska, America is blessed with an almost boundless supply of energy wealth. From the time of this Nation's founding, Americans have sought to explore and develop this bounty. I am pleased to note that in recent decades we have become more responsible stewards of this endowment.

Last night, I held a telephone townhall meeting with many of my constituents, and the issues of gasoline prices and energy independence were raised repeatedly. It is certainly not surprising in light of the high gasoline prices we are facing today. As I told Mississippians again last night during this townhall meeting that I favor an all-of-the-above approach to addressing America's energy needs. I have supported, and continue to support, innovation in the area of biofuels, geothermal power, wind, and solar energy.

At the same time, however, we need to address current needs with currently available domestic energy resources, such as oil and natural gas. The measure we debate today, the Offshore Production and Safety Act, is a balanced one that offers a timely way forward by presenting a path toward lower fuel prices, job creation, and energy independence.

This legislation is responsive to the needs of the American people, not at some uncertain date in the future but now, making use of the resources and technology available today.

The specifics of the legislation before us are straightforward and commonsense. This bill would require proposed lease sales in the Gulf of Mexico, in the Mid-Atlantic, and those off of Alaska to be completed. It would cut bureaucratic redtape while speeding up the approval of drilling permits. Energy activities suspended during the administration's moratorium on offshore drilling would be extended by 1 year. Safety considerations are also taken into account under this bill, taking lessons that we learned from last year's Deepwater Horizon tragedy, to make deepwater drilling safer than before.

Energy independence—a goal we all share—can only be achieved through conservation, innovation, and domestic exploration, but domestic exploration must be a part of this in order for us to obtain independence.

According to a 2009 report by the CRS, America's combined recoverable natural gas, oil, and coal endowment is the largest on Earth. It is far larger than the reserves of Saudi Arabia, China, and Canada. We have the resources to meet our energy needs. I point out again that this is the independent Congressional Research Service that tells us this.

Closely related to this issue is the one of job creation in America—one that we should all be interested in with the unemployment rate currently at 9 percent. America's oil and natural gas industry is responsible for 9.2 million jobs in this country. I know the people who have those jobs are proud to have them. I know the families who are supported by those jobs are proud of their family members who work in this industry. Wouldn't it be great if we can expand that 9.2 million to a higher figure?

There was much discussion yesterday about taxation and budget considerations. Oil and natural gas production in the Gulf of Mexico raised over $67 million in revenues for the Federal and State governments in fiscal years 2008 through 2010. That is according to the Department of the Interior. Millions more went to land and water conservation. But because of the administration's moratorium, energy production in the Gulf of Mexico is expected to decrease by 13 percent this year, as estimated by the Energy Information Administration. Again, that is an official organ of this government. Overall, U.S. production is projected to drop by 110,000 barrels per day this year. This is not progress.

The fact is, the United States is dangerously dependent on foreign sources for our energy needs. We import 60 percent of our petroleum needs in the United States. This is hardly a revelation. Yet the proposed bill offered by my friends in the majority would have led to increased dependence on the importation of energy from foreign countries, many of which are not supportive of American interests, to put it mildly.

Furthermore, the suggestion that the appropriate response to soaring prices of gasoline is greater taxation on the companies that produce gasoline simply runs counter to common sense. In the larger picture, the administration's energy policy is not comprehensive in nature because it fails to promote the utilization of proven domestic resources, and the traditional domestic production it allows comes wrapped in bureaucratic redtape. If our goal is to increase our energy independence in the near term, the White House seems to want to lead us in the opposite direction. We do not encourage the increased production of any good by raising taxes and imposing more regulations on it.

The McConnell alternative, which we will vote on this afternoon, takes a different strategy—one that would increase access to domestic oil and natural gas. It is a strategy that would create jobs and spur economic growth, while increasing government revenues and improving industry safety.

Oil and natural gas reserves are abundant and accessible in the United States today. Tapping these domestic resources is integral to lowering energy prices and making us more energy independent.

I urge my colleagues to support the Offshore Production and Safety Act as a logical, prudent step in the right direction for U.S. energy policy.

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

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

Mr. SESSIONS. Mr. President, yesterday the Senate debated a bill to increase taxes on the production of oil and gas in the United States, as well as the tens of thousands of Americans that industry employs and really the millions of Americans it serves. We should have been debating a budget. In fact, the Senate has not passed a budget for 749 days.

The majority decided to bring their bill to the floor yesterday in an effort, I think, to change some of the conversation from the problem at hand, which is our spending problem in Washington. Today we borrow 40 cents of every dollar we spend. Spending on domestic government agencies domestic

nondefense government agencies in the past 2 years increased 24 percent. That does not count the $700 billion, almost $800 billion stimulus package. It was much more than that added to it. The Medicare trust fund will go bankrupt in 2024. The Social Security trust fund will be insolvent in 2036. In the past decade, our Nation's debt has increased from $5 trillion to $14 trillion.

Despite the gravity of our situation, the majority has chosen to debate a bill to increase taxes on oil and gas, an industry that employs 170,000 Americans and a number in my State and added this past year 11,000 new jobs. Mr. President, $1.9 trillion in taxes has been generated by the industry since 1981. The Reid-Menendez bill would not have decreased prices at the pump but would have shipped more jobs overseas and resulted in the importation of more oil and gas. Whenever you tax something, you get less of it. Whenever you tax a refining process, you drive up the cost. It is just that simple.

We are all aware that gas prices have doubled in the President's first 2 years in office. Raising taxes on energy companies operating in America would do nothing to help that situation. The real solution is for America to enact legislation that increases domestic American energy production from a variety of sources—oil, natural gas, nuclear—we need to do more on nuclear—hydroelectric, biofuels, coal and other sources of reliable energy that Americans can put to good use—our energy.

Conservation is a very important factor and should play a very important role. America needs an energy policy that strengthens our national security, fosters economic growth, and protects the environment in a reasonable and cost-effective manner. Americans need affordable domestic energy. Regrettably, the Senate majority plan does not seem to be interested in that kind of energy policy.

In April of this year—just last month, the United States imported 344 million barrels of oil from foreign sources. That is over 60 percent of the oil consumed in America. That means we sent $42.5 billion overseas in April alone to purchase the oil we import.

Stated differently, last month alone the United States spent over $980,000 per minute on oil from foreign sources. That is almost $1 million a minute. This presents a significant risk to our national security, as so many have told us, as many of these dollars are going to nations that are not friendly to us.

This also further exacerbates our Nation's trade balance. We import far more than we export, and our exports now are beginning to rise a little bit, but those gains are being more than offset by the importation of oil and the price of oil.

The Reid-Menendez bill would have increased the price of energy in America, which, I have to say, seems to be the objective of the administration and some in this Senate. In September of 2008, Steven Chu told the Wall Street Journal in an interview:

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

Dr. Chu is now the Secretary of Energy for the United States of America. He needs to be thinking about how to get the costs down and serve the constituency of America. I do not know what idea he has that we ought to be raising the cost of energy to the level in Europe.

The Environmental Protection Agency, in fact, is enacting new regulations that will also drive up the cost of energy in a way that should never have happened, in my view. We have had some close votes on that issue. Hopefully, we will soon be able to pull back that effort. A study by the Affordable Power Alliance concluded that EPA's greenhouse gas regulations could increase the cost of gasoline by 50 percent, electricity by 50 percent, and natural gas by 75 percent over the next 20 years. That is a stunning figure. There is no doubt it will drive it up. The majority has yet to recognize the negative impact these tax increases and new EPA regulations will have on the economy.

With gas prices up to $4 a gallon, from $2.75 in September—$4 from $2.75—this translates into a 5-percent cut in the average American's discretionary income just for the same amount of gas they are buying. This means less spending on home improvements, furniture, clothes, vacations—things people and families need. All that is eaten up by increased energy costs. In a way, it is a form of a stealth tax on the American people.

Furthermore, increasing energy taxes will make doing business in the United States more expensive. As a result, jobs will go overseas.

The rise in gas prices over the past two years has meant that a family paying $100 a month for gasoline will now pay over $140 a month for gasoline. If someone is paying $200 a month—and many are—they would pay $280 a month just because of a change in the gasoline price. Add it up. That is what it amounts to—$80 for a family who uses $200 a month in gasoline.

Some argue raising taxes will help reduce our deficit, but the tax increases in the Reid-Menendez bill would have raised approximately $1.2 billion in 2012. With a projected deficit of over $1.6 trillion this year, the revenue produced from these taxes would be a drop in the bucket. Don't think it is going to balance our budget, that is for sure.

Furthermore, the bill's sponsors claim the money would be used to reduce the deficit, but there is nothing in the bill that does that. Although the language sounds good, the language is essentially what we call a sense of the Senate and has no binding power. In the end, nothing in the bill could have been construed as mandating deficit reduction. It is simply a tax increase, plain and simple—tax and spend.

As the majority tried yesterday to increase taxes on the energy industry, they ignored the convoluted tax system that is increasing and inhibiting job growth in America. The United States has the second highest corporate tax rate in the world—39.5 percent. All the developed nations have been reducing their taxes. Only Japan has as high a corporate tax rate as we do, and they are reducing theirs. The Canadian Finance Minister, whom I had the chance to meet with last week, says Canada is bringing its tax rate down to below 15 percent. And we are taxing at 39.5 percent? Will that not cause a business to decide maybe to build their factory in Canada rather than in the United States and cost us much needed time?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. Mr. President, I ask unanimous consent to speak for 1 additional minute.

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

Mr. SESSIONS. I thank the Chair.

Mr. President, I believe the McConnell legislation, which has three components—one aimed at restoring American offshore production in the wake of the moratorium that has been imposed, a safety component aimed at preventing future incidents like the Deepwater Horizon, and an efficiency component aimed at streamlining the issuing of permits—is the right way to go. More production of American energy will help our country, our economy, and our people.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I have come to the floor to talk about the Republican bill to expand coastal drilling without environmental review, without the normal planning process, and without important safety measures. But before I do, I just have to respond to the remarks of my distinguished colleague from Alabama about our bill debated on the floor yesterday.

Only in Washington—only in Washington—could taking $21 billion from the oil companies' tax breaks, which the legislation clearly stated would go to deficit reduction, at a time that oil companies are making anywhere between $125 billion and $144 billion in profits—not revenue but profits—would that be not reducing the deficit. Only in Washington could you say taking $21 billion from the oil industry and the tax breaks they get, with record profits—and the law said very clearly that was going directly to deficit reduction—only that could be viewed a different way. And to suggest the oil companies cannot do without that $21 billion of the taxpayers' money when they are making $125 billion to $144 billion in profits is pretty outrageous.

But I know what today's legislation is about. Yesterday, the Republicans were standing up for Big Oil and today they are standing up for Big Oil again because this is not about reducing gas prices.

Haven't we learned anything from the tragic death of 11 men aboard the Deepwater Horizon rig a little over a year ago? Haven't we learned anything about the families who lost livelihoods and the gulf economy that will take decades to finally rebuild? Just over a year ago, I came to the floor to speak about this human and environmental catastrophe, a spill that many in this Chamber said was inconceivable—well, inconceivable despite the fact that a remarkably similar spill had happened a year before off of Australia's coast. Two hundred thirty miles of coastline in Louisiana, Mississippi, Alabama, and Florida was spoiled by toxic oil, and countless families who made their living on the coast had their lives turned upside down. This chart reflects the oilspill in Australia, but this is similar to what happened in the gulf.

Despite that sobering reality, my colleagues on the other side of the aisle have introduced a bill that would open new areas to coastal drilling and put millions more families at risk of losing everything. And at the same time they are calling on coastal communities, such as my home State of New Jersey, to risk everything, they have blocked efforts to address the fundamental safety concerns raised by the Deepwater Horizon blowout and the results of what the commission said. This reckless bill would allow drilling in sensitive coastal areas even though current safety and oversight laws have been deemed to be inadequate to prevent a repeat of the gulf disaster.

So I ask, have we learned nothing? My home State of New Jersey would face a risk of drilling along Virginia's coast, less than 100 miles from the Jersey shore. If the gulf spill happened in Virginia waters, many New Jersey families and much of our coastal economy would be ruined. We have magnificent pristine beaches. The dunes along the coast are breathtaking, wildlife is abundant, and tourism depends on it. It would all be in jeopardy. This is the second major driver in billions of dollars for our economy. And for what?

This photo shows what happens to wildlife when coastal drilling goes wrong. It shows a risk we cannot take. A spill similar to the one in the gulf could quickly travel to Cape May and blanket the entire Jersey shore in a sheen of toxic oil. This would not only be an environmental disaster but also an economic disaster for New Jersey. If our coast was covered in oil and our wildlife disappeared, tourists wading into the ocean would be replaced by cleanup crews in biohazard suits. That is not what I want for the people of the coastal communities of my State or any other State.

With approximately 60 percent of New Jersey's $38 billion tourism industry generated by the Jersey shore, we cannot afford to let this happen. And when we add the effect a spill would have on my State's multibillion-dollar fishing industry, the economic consequences are unimaginable. It simply does not make sense to play Russian roulette with an asset that generates thousands of jobs and tens of billions of dollars per year for drilling assets that could never generate even one-tenth of that.

My colleagues argue that we must risk our coastal economies in order to bring down the price of gas; that what we need is more production domestically. But here is the problem. As this chart shows, we now have greater production than at any time since 2005. Yet what do we see? Gas prices haven't gone down. So how does that theory play out? We have greater production domestically than ever before, but gas prices haven't gone down.

What does the Department of Energy tell us? It estimates that opening all the shores—all shores—to drilling would reduce gas prices by—how much, Mr. President?—one, two, three cents in the year 2030. That is from the Department of Energy of the United States. Drill everywhere and a 3-cent reduction in 2030. I don't think that is about providing relief right now. Three cents per gallon in 20 years, and yet we would risk tens of billions of dollars in damage to our coastal economies?

So instead of doubling down on 19th-century fuels, we should be investing in a new 21st-century green economy that will create thousands of new jobs, billions in new wealth, and will help protect our air and water from pollution. It is time for this country to move forward and embrace the future rather than clutch at the ways of the past.

Over the last 2 days, we had two bills presenting clear choices—my bill to cut oil tax breaks and this bill to recklessly expand oil drilling. Neither bill will do anything to gasoline prices. And despite rhetoric on the other side of the aisle, neither bill is about gasoline prices.

I said it very clearly. My bill to cut oil subsidies was about lowering the deficit and doing so by cutting wasteful subsidies. It is hard enough to be paying nearly $4 a gallon for gas, but then to have the taxpayers reach into their pockets and give more money to Big Oil to have them make bigger profits is pretty outrageous. The Republican leader's bill is about enriching oil companies by granting them new areas to drill without normal safety or environmental review. My bill was designed to help taxpayers, and their bill is designed to help oil companies.

When it is all said and done, this is what we are deciding today: Are you with the working, middle-class Americans or are you with Big Oil? I think there is only one fair answer, only one answer that makes sense for American families, and only one answer for ourselves as a country looking to future generations.

If we learned nothing from the tragedy of a year ago, then that is a sad commentary. But if we have learned, yes, we can pursue drilling in certain areas, but it must be done safely or else we spend billions afterward cleaning up the mess. I don't want to clean up the oil companies' messes. I don't want to put future generations of Americans at risk in terms of the conservation of their environment. And I certainly do not want to wait for 2030, to take all of that risk, to risk all of the billions of dollars in our coastal economies for three cents.

Mr. President, let's vote no on this suggestion, and let's move forward to a green energy future that finally breaks our addiction to foreign oil and breaks our addiction to those gas prices we suffer with today.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I hear talk about gas prices and the economy, the effect on the economy and our future. We need to work hard to be sure we are producing more American jobs. Frankly, I can't think of a better way to do that than to produce more American energy. We use about the same amount of energy in a good economy as we do in a weak economy. It is the place to go where we know the consumers are, whether it is the electric bill or the gasoline at the gas pump, and we ought to be doing all we can to produce those jobs.

Certainly there are many factors that affect the price of oil, things such as the value of the dollar, supply and demand, and the global events that affect oil, such as the problems now in Libya and other oil-producing countries, or even the weather. I live in a State bounded by the Mississippi River, and the flooding down the Mississippi has had some impact on the north-south movement of refined products in the country. All those things have impact on gas prices.

One thing that will come up this summer and that I have worked hard on and on which many of my colleagues have joined me is looking into what we can do to be sure our efforts to have clean air don't needlessly restrict the supply of gasoline. As we get into the summer months, too many cities have their own unique blends of fuel. That means we turn the refineries into profit centers making these unique blends of fuel instead of places that process oil into gasoline and different blends of gasoline only when necessary as opposed to whenever someone has convinced a city that a unique blend of fuel is the only one they can possibly use.

In my State of Missouri we have one blend of fuel in the summer in St. Louis, another blend of fuel across the State in Kansas City, and a third blend of fuel in between. All those have to be blended separately, trucked separately, sold, obviously, separately. The Gas Act, which I hope we can talk about more in the next few weeks, is one of the ways we can bring as much common sense into the system as we can. Let's take the supply that we have available and use it in the way that makes the most sense.

In fact, right before Katrina in 2009, the President was given new authority in cases of natural disaster to suspend these fuel blends if there is a restriction of supply, and the President did that. I don't think he had the authority a month before Katrina hit. The President did that, and in the 6 months that authority was used, gas prices did not go up in any significant way at all, as I recall, because for that 6-month period of time gasoline became a commodity again.

If one could get gasoline, one could sell gasoline. If somebody had gasoline, one could buy gasoline. It did not matter whether it was the unique blend that one had become convinced that in their community that was the only one right for them, and we set some standards on those blends at the time, in the Gas Act, with 38 of my colleagues who cosponsored it. We will set more standards. That is one way to try to use the supply we have in a way that makes the most sense.

Another way, clearly, is to go out and find more. Our approach to energy needs to be threefold: to use energy more efficiently so we use less, to find more, and to invest in the future to find out what those things are that we need to be looking at as we transition the system.

I am not at all of the opinion we will not have a system, a fleet of cars that is powered in different ways at some date in the foreseeable future. But the foreseeable future would be 25, 30, 40 years. I am equally convinced that no matter what direction we go for fueling automobiles, 25 years from now the majority of cars on the highway are still going to be using gasoline. That means we need to find more of it here. That is what the Offshore Producing and Safety Act that Senator MCCONNELL introduced does and what I am cosponsoring along with my colleagues.

This bill tries to restore our offshore exploration of energy. Thirty percent of our domestic energy supply has come from the gulf in recent years. We want to be sure that number continues to remain at that level.

Since April of 2010, the administration has only approved 53 shallow-water and 14 deepwater permits—most of those underway before the Deepwater Horizon spill a year ago. In fact, the moratorium has, for all practical purposes, become what some people are describing as a permatorium. We permanently decided we were not going to look at the gulf for the kind of oil that it can, should, and needs to produce. In fact, offshore energy production is projected to fall by 210,000 barrels per day this year. That means in the gulf we would be getting 210,000 fewer barrels of oil every day this year than we got last year.

Surely, that is no solution, to become more dependent on other countries that are recipients of the jobs that follow our energy future. We need those jobs to be here. The estimate is, we would be down 190,000 barrels per day in 2012 because we have not been pursuing the drilling permits.

It is possible that 2011 could be the first year since 1958 that the Federal Government will not hold an offshore lease sale—the first time since 1958. Does that mean we are less dependent on oil and gasoline than we were in 1958 or 1959 or 1969? No, it does not mean that. We are more dependent, and we need to move forward with looking at the resources we have.

Recently—recently meaning Saturday, in his Saturday speech—the President appears to have reversed course on this issue and has called for Alaska and Gulf of Mexico leases to be reinstated and for an extension of leases impacted by the moratorium. I think this bill actually helps what the President called for on Saturday. It would be lightening speed for the Senate to pass a bill on Wednesday or Thursday that the President asked for on Saturday. I think this is very much in line with what I would admit is a new position for the President to take, but it is one he seemed to take firmly on Saturday. This legislation would help him.

The number of lease sales is undetermined by the President's address, but we could help by pursuing leasing and permitting with this act. This act directs the Interior Department to conduct the offshore lease sales that the administration canceled in December of 2010. These were lease sales that were underway, the process was well along, and the administration canceled those lease sales in December of last year.

These were lease sales in the western and central gulf and on the Virginia Outer Continental Shelf and the Alaska Outer Continental Shelf. Let's go back to that point: Let those lease sales move forward as they were doing before they were canceled. The President just said Saturday: Let's do this. Let's do it, and let's give him the tools and encouragement he needs to do it right now.

This would end the permanent moratorium that occurred last year in the gulf. It includes a 30-day time limit for the Interior Department to review and decide on drilling permits. If rejected, the Interior Department has to disclose why it rejected the permits. There should not be anything wrong with that. If a permit should be rejected, everybody ought to be told why, and it ought to be part of the record. It also provides for default approval if the Interior Department does not make a decision within 60 days.

Finally, it improves safety procedures by adding additional requirements for a spill response plan and a containment response plan to see that was done.

This would mean we would have more American energy, and more American energy has two impacts. No. 1, it would inject more supply in the marketplace, putting price pressure on the worldwide marketplace. If we fully pursue our own resources, that does have an impact on the short-term response of the industry because they know America is going after its resources.

I urge we approve this bill. I intend to vote for it.

I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, first, let me say I will be supporting the bill that we have before us today. It did not go far enough, though. What we ought to do is open everything. I am talking about the Pacific, the Atlantic, the gulf, the North Slope, the public lands. That is what we really need to be doing.

I know there are some reasons they are confining it to the gulf in terms of this legislation. While I respect that, again it does not go far enough.

Let me make one comment about yesterday's vote. Right now the single issue people have in terms of energy is the price of gas at the pump. I know it is not just my wife, they are all that way. I can see that. But when the Democrats came up with their bill last night, I hope people remember who was voting for this. That was for a major tax increase on what they call Big Oil.

Big oil is the five biggest oil companies. I hate to say this, but sometimes you walk on the floor with half truths and get by with it, and people will assume that is true. As much as I love my fellows on the other side, some of the things that were stated were actually just totally inaccurate.

To say the big five don't pay taxes—they pay huge taxes. I don't know where they come up with some of these numbers. I am going to single out one company, ExxonMobil, and tell my colleagues something they are not aware of because it has not been said on the Senate floor yet.

In 2010, ExxonMobil's total tax expenses in the United States were $9.8 billion. That is what they paid in taxes in 2010. That includes income tax expense of more than $1.9 billion. That $9.8 billion in taxes exceeded the 2010 U.S. operating earnings of $7.5 billion.

What we are saying is, they paid $9.8 billion in taxes. They only received $7.5 billion in terms of earnings from the United States. Why is that? It is because about 80 percent of their operations are in other countries. They are in 100 different countries. Not one of the other countries charges taxes when they go offshore. I believe we are the only country that charges a U.S. tax on production that takes place in some other country.

For that reason, if we tax them like most people do it would have been a tax credit and not a tax at all. Nonetheless, they were accountable for paying taxes that year of $9.8 billion. Look at this year. That was 2010. During the first quarter of this year, our U.S. operating earnings of this particular company were $2.8 billion—that is the first quarter of 2011. The rest of their earnings, more than $8 billion, came

from operations in more than 100 countries worldwide.

Here is a number we will not hear in Washington. During the first quarter on those earnings, U.S. earnings of $2.6 billion, they incurred a tax expense and paid a tax of $3.1 billion. They are paying more than they are getting out of this country. I think sooner or later we have to come up and just tell the truth of what is happening. It is all class warfare. I think we know that: Big, bad oil. They are all bad.

We have a lot of production in my State of Oklahoma. We have companies such as Devon and Anadarko and others that are doing a lot to relieve this problem. I know what is going to happen. It did not pass, obviously, and is not going to pass, but if it had the next target would be some of the smaller domestic companies.

I remember coming down to the floor last year when the good Senator from Vermont had a bill and was bringing it up by unanimous consent, and I just happened to get here in time to stop it and debate it and defeat it. In that bill they even held up a picture of a check from ExxonMobil as to what their tax liabilities were—totally wrong, in my opinion, and apparently in the opinion of 61 of the 100 Senators because they joined me in opposing that particular legislation.

We have a solution to the problem. This is not rocket science. Right now we have the data. It just happened in the last 8 months that the Congressional Research Service—nobody has stood on the Senate floor and questioned the fact that they are nonpartisan; they are objective. They looked at our recoverable reserves in coal, oil, and gas and found they are greater in America than any other country in the world. We have those recoverable reserves.

The problem is, we have a political problem where the liberals here, along with liberals in the White House, including the President, will not exploit our own resources. We have all the oil and gas and coal that is out there. We could be totally independent of the Middle East in a very short period of time if we would just go offshore on all three coasts, along with the North Slope, ANWR, and with our public lands. As I say, every other country does it.

So we have to wonder: Why don't we do it? Why is it we don't care about supplying ourselves with homegrown oil, gas and coal and taking care of our own energy needs? We have the ability, but the politicians will not let us do it.

There is one reason. That is—and this is disturbing—that in the case of this administration, they don't want to do it. This administration has said many times they are not interested. Listen to what Alan Krueger, Assistant Secretary of Treasury, said:

> The tax subsidies that are currently provided to the oil and gas industry lead to inefficiency by encouraging an over investment of domestic resources in industry.

Secondly, he says:

> The administration believes that it is no longer sufficient to address our nation's energy needs by finding more fossil fuels. . . .

Look, I am all for coal, gas, oil. I am for nuclear. I am for all of the above. I am for all of the renewables: Sun, wind, and everything else. But we have to run this machine today, tomorrow, and the next 5 and 10 years. We can't do that without fossil fuels.

Further, they stated:

> The administration's goal is to have resources invested in ways which yield the highest social return.

Social return, that is a totally different thing—not an economic return, not the ability to run our country ourselves but some kind of a social engineering that is going on.

The best quote and the most telling is the one that came from Secretary Chu, the Energy Secretary for President Obama. Listen to this:

> We are going to have to get some sort of regulatory thing going on that [hydraulic fracturing].

He said:

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

This is our administration saying this. This is the Secretary of Energy:

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

They are intentionally raising the price of gas and it is by their own admission.

We were warned way back during the campaign when President Barack Obama was a Senator. He said:

> Under my plan of a cap and trade system, electricity rates would necessarily skyrocket.

So we have an effort by them. I would just warn my good friends on the Democratic side of the aisle to watch this pretty closely because just because the President wants to increase the price of oil doesn't mean that your constituents do. In fact, I can assure you your constituents do not, unless there is something unusual about my State of Oklahoma.

Let's see what the CRS report said a little bit more specifically. They said, in the updated report, America's combined recoverable oil, natural gas, and coal endowment is the largest on Earth. America's recoverable resources are far larger than those of Saudi Arabia, China, and Canada combined. That is the resources we have in oil, coal, and gas.

America is the world's third largest oil producer and is endowed with 163 billion barrels of recoverable oil which will run the United States of America for 50 years. We can run it. All the oil we will need for 50 years, we have it. We just have to get the politicians out of the way so we can produce it.

Natural gas, in terms of trillions of cubic feet, America's future supply of natural gas is over 2,000 trillion cubic feet, an increase of more than 25 percent just since the committee's 2006 estimate. At today's rate of use, this is enough natural gas to meet America's demand for 90 years.

Keep in mind natural gas is not just natural gas to develop energy, but also natural gas is something we are going to be using in our cars today. It is available. They are working on technology. We are working on the certification of engines that will burn natural gas. When we are, it is going to relieve that tension also. Right now, the price of a comparable gallon of natural gas to run an automobile is $1.60 gallon—$1.60 as opposed to $4, so it is out there.

I have to say this. The President made a speech, and I responded on a couple of TV stations. This was probably 3 weeks ago. It was on energy. He said in that speech: We have an abundant supply of good, clean natural gas. We need to be using it. Then, at the end of that speech, he said: However, we have to be very careful what we are going to be doing because we don't want to contaminate our drinking water with hydraulic fracturing.

I happen to come from Oklahoma. The first hydraulic fracturing job in Oklahoma was done in 1948. We have not had one documented case of groundwater contamination ever since 1948, 60 years. Yet, right now, they are going to stop us from going after natural gas by taking away hydraulic fracturing. In these tight formations, the shale formations, you can't develop a cubic foot of natural gas without using hydraulic fracturing. It is a way of inserting liquids in to force the gas out so we can develop it. So it is there. So the President is saying we need to use natural gas, but we don't want to use hydraulic fracturing.

There is an effort right now by many Members to try to take that over as a Federal function, the regulation of hydraulic fracturing. Right now, there has never been a problem with it. It is regulated differently in different States. For example, in my State of Oklahoma, in the Anadarko Basin, we are talking about depths of some 35,000 feet. If you go just north in Kansas, it is between 3,000 and 4,000 feet. So it is different in different States. It needs different regulation. It is not broken and we don't need to fix it.

What has the President done? He has put Secretary Chu in charge of determining what we are going to do with hydraulic fracturing. Secretary Chu is the same guy who said we have to raise the price of our gasoline to be comparable to the gasoline price in Europe. So that is the wrong guy for that kind of a study.

Besides that, I would remind my colleagues we actually have a study that is going on right now by the Environmental Protection Agency on hydraulic fracturing that isn't through yet. It would seem to me we ought to at least finish and get this study before we rush in and try to pass something that will stop us from being able to develop our natural gas.

I can say the same thing for coal. America is No. 1 in coal reserves. Right now—people aren't aware of it—we are reliant upon coal for 50 percent of the power it takes to run this machine called America. America is No. 1 in coal resources, accounting for more than 28 percent of the world's coal.

So we have it here. We have gas. We have coal. We have oil. All we have to do is develop them.

How many people in America who have gone through elementary school don't remember supply and demand? We have a huge supply and there is a great demand for it, but we have our politicians who will not let us develop our supply. As long as that holds, it is going to be very difficult for us to do it.

So I would just say this. This is a wakeup call for the American people. We have a vote this afternoon. It is not good enough. I am going to vote for it. But we ought to be opening our exploration and production all over America. To do that, we have to go beyond this bill. This is a start and it is a start that is worthwhile.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CHAMBLISS. Mr. President, I rise today to speak about our Nation's energy policy, or, frankly, our lack thereof.

Georgians, as well as folks all across America, are shocked every time they pull up to a gas pump, both at the price of gas per gallon and at the jaw-dropping cost each time they fill up their tanks.

With rising food prices and a stagnant economy, skyrocketing gas prices could not come at a worse time. This situation illustrates why it is imperative for Congress to focus on creating a policy to expand and diversify our energy sources so the American people are no longer held hostage by prices at the pump.

The necessity of congressional action has become all too clear as we watch gas prices climb and unrest spread throughout the Middle East, potentially threatening major sources of energy we import.

It highlights the fact that we cannot afford to keep sending hundreds of billions of dollars per year to foreign countries—many of which are not America's friends—to meet our energy needs. It poses a threat to our national security and further harms our Nation's struggling economy.

This week we are considering two pieces of legislation that both deal with domestic production of oil and gas: the Reid proposal that aimed to stifle it, and one introduced by Leader MCCONNELL that increases offshore production while improving the safety of offshore drilling operations.

Unfortunately, the Reid proposal would have increased taxes on domestic production of oil and gas, which would have discouraged domestic drilling and resulted in the loss of many American jobs associated with the oil and gas industry.

Without incentives to produce oil and gas in the United States, there is real risk that energy companies will take many of their drilling operations overseas. This goes directly against goals I know many of my Democratic colleagues share of reducing our dependence on foreign sources of oil and encouraging job growth. Moreover, as we watch gas prices rise, why would anyone want to impose new taxes on energy which will only further increase prices Americans pay at the pump?

My colleagues across the aisle who support this legislation portray their proposal as a deficit-cutting measure. As much as anyone here, I recognize the importance of reducing our Federal deficit. But I do not support targeting one industry to bear the brunt of the deficit-cutting measures while others enjoy tax incentives.

Rather than hindering domestic production of oil and gas, we must encourage the development of abundant energy resources we have right here inside the United States, and we must do so in an environmentally responsible manner.

I was pleased the Reid proposal did not pass yesterday. As a cosponsor of Leader MCCONNELL's Offshore Production and Safety Act, I will continue to support domestic oil and gas exploration and production. It is an essential component of a comprehensive energy policy that will enable America to become more energy independent.

As I hear more reports of new oil and natural gas deposits found within our borders and off America's shores, I am stunned we are not doing more to encourage the development of these resources. I cannot think of a better means of improving our economy by both reducing America's energy imports and encouraging job growth.

After the oilspill last year, the Obama administration reviewed its drilling and permitting process for domestic oil and gas production, and is still in the process of revising it. While changes clearly needed to be made, the Department of the Interior continues to hold up and unnecessarily delay approval of drilling leases and permits. Now is not the time to tie up valuable and much-needed American energy production in bureaucratic redtape. Senator MCCONNELL's bill would actually streamline the permitting process while improving safety.

A responsible energy policy that will make gas prices reasonable, lessen our dependence on foreign oil, and strengthen our economy will also result in increased domestic energy production, improved energy efficiency through technology, increased conservation, and a diversified energy supply through the use of renewable fuel sources.

Along with supporting America's oil and gas development, we must also focus on other domestic energy sources—including nuclear energy, wind, clean coal, and solar power—that will allow us to achieve sustainable energy independence.

I am hopeful that in the 112th Congress we will take on some form of comprehensive energy legislation. For the sake of our national security and our economy, we need to take this issue on now instead of kicking it down the road for others to handle.

I encourage my colleagues to support the McConnell proposal.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. HOEVEN. Mr. President, I rise to speak on behalf of S. 953. Today I wish again to speak about gas prices in our country and the pressing need to increase domestic supply. In a nutshell, the way you reduce prices at the pump for American consumers is by increasing supply, particularly domestic supply. More supply will not only help bring down the price of gasoline at the pump for American consumers, but it will also help create good American jobs for our workers across the country.

It is important to remember that government does not create jobs, but government can create the environment, the legal, tax, and regulatory environment that will stimulate private investment, and that private investment will stimulate the deployment of new technologies, new companies, and, of course, create jobs to help grow and sustain our economy.

I want to start out by giving you some examples close to my home in the great State of North Dakota. In North Dakota, we launched a comprehensive energy plan about 10 years ago. At that time oil companies had either left the Williston Basin, which is the energy patch in our State, or they were leaving. You might ask: Well, why was that? First, it was because they were getting better returns elsewhere. The technology was lacking to produce oil and gas economically from new formations in our State. Companies were going to other places in the world where they could extract that oil more cost effectively.

Second, the data on confirmed reserves was also lacking, and the technology to produce oil from shale was not sufficiently developed.

Third, our workforce was aging.

And, fourth, transportation constraints limited production. In other

words, there were better places for those companies to go, better places than our State, to invest their dollars, to get a return for shareholders.

To turn that around, we worked very hard to build a climate for investment and growth. I wish to tell you about some of what we worked to put in place. First, we put tax incentives in place that made it worthwhile to invest. Second, we established an oil and gas research fund. Third, we initiated studies of the Bakken formation, not only through the North Dakota Geological Survey, but also through the U.S. Geological Survey. We asked for updates to those studies now as well.

We improved infrastructure, including four-laning some of our major highways. We established a pipeline authority to expand transportation capacity, to move product out of the Williston Basin to market, and we also established a center of excellence for petroleum safety and technology at Williston State College, to train workers in oil production and recovery methods.

Up until that time, we had to send our workers to States such as Colorado or Wyoming or maybe Oklahoma for that education and training in oil field technologies, and sometimes they did not always come back to our State. So we established that training there at home.

As a result of our advanced business environment, we drew investment capital technology and ingenuity to the Williston Basin, and those efforts unlocked the potential not only of the Bakken formation but also the Three Forms formation.

This year, North Dakota will produce more than 120 million barrels of oil, the fourth most amongst all 50 States. We passed other States now such as Oklahoma and Louisiana, and our production continues to grow. What is more, the private investment that funded and deployed those new technologies to produce more oil most cost effectively and more dependably also funded the development and deployment of new technologies that helped us produce that oil and gas in more environmentally sound ways.

New technologies such as directional drilling, and the way we do hydraulic fracking, enabled companies to recover as much or more oil from one well bore than they had formerly recovered from up to a dozen well bores. That means more domestic production, less environmental impact, and better results for the American people.

Bear in mind that most of these measures I am talking about, most of these measures we implemented to enhance our business climate, were not about government spending. They were about creating an environment that attracted private investment.

Increased economic growth not only generated revenues for our State and broadened our economic base but also actually enabled us to reduce taxes for our citizens. It also has a national impact. Increased North Dakota oil production is also helping to reduce our dependence on foreign imports, and increase the domestic supply of oil in this country.

As I mentioned in my remarks last week, between 1985 and 2005, domestic oil production in this country was going down—it was shrinking—and foreign imports were growing. In 2005, we were importing 12.4 billion barrels of oil a day into this country, 60 percent of what we consumed.

By 2010, however, our imports had fallen to 9.4 million barrels a day, a reduction of about 3 million barrels a day over 2005. So over the last 5 years, we have actually reduced our daily imports of oil into this country by 3 million barrels a day.

Our dependence on foreign oil has been reduced from 60 percent down to about 49 percent. So what changed? Well, in part, we are using less. But the fact is, we have increased domestic production. We have increased our domestic supply. Increased supplies from onshore production in the lower 48 States such as North Dakota, also from natural gas liquids throughout the country, and from offshore drilling, have all raised domestic output by 1.5 million barrels a day in this country.

That is what today's vote on S. 953 is all about. The bill before us, which was introduced by Senator MCCONNELL—and I am pleased to be one of his cosponsors, is about more offshore domestic production, more offshore domestic production from off our coasts, and, hence, more domestic supply.

Like our approach in North Dakota, onshore production, S. 953, the Offshore Production and Safety Act will encourage more domestic production with better environmental stewardship. It will open areas in the Gulf of Mexico, in Alaska's Outer Continental Shelf, and parts of coastal Virginia to new exploration and production. At the same time, it will help to expedite the approval or denial of growing permits to a reasonable period of time—in this case 60 days—thereby allowing projects to move forward in a timely fashion.

But it does not just speed up the clock. This bill is also about safety. It requires companies drilling offshore to have safety plans that must be certified by the Secretary of Interior. To further improve safety, it also requires ongoing preview and research into spill prevention procedures and methods.

This legislation, the Offshore Production and Safety Act, is the kind of energy policy that will help to attract investment and increase production in this country. That means not only more supply to help bring down the cost of gasoline at the pump for American families, but it also means more jobs for American workers. It is a good piece of legislation and we ought to pass it.

Although it is a step in the right direction, no single piece of legislation will do it all. Congress has not passed a comprehensive energy policy in years. But, frankly, we can no longer wait for that single sweeping master plan that will do it all at once.

Again referring to my home State, we built Empower North Dakota over a decade piece by piece, and saw firsthand the power of energy development in our State. The bill before us today is one piece, a piece that can become part of a comprehensive national energy plan.

To build a comprehensive plan we need other legislation as well, other legislation such as the Boutique Fuel Reduction Act of 2011, which would simplify our Nation's fuel standards and make more fuel available to American consumers. My esteemed colleague, Senator ROY BLUNT from Missouri, was on the floor a few minutes ago talking about that piece of legislation, and also legislation such as the Regulatory Responsibility for our Economy Act, which would actually work with a directive from President Obama to review and remove outmoded or excessively burdensome rules that may be impeding economic development and job growth across our country.

We need to work in a bipartisan way, because high gas prices, high unemployment, and low economic growth are not a Republican or a Democratic issue, they are an American issue. That is why we also need legislation such as the EPA Fair Play Act, which will prevent the Environmental Protection Agency from rescinding previously approved 404 permits. I am pleased to be cosponsoring that legislation with my colleague, Senator JOE MANCHIN from West Virginia. Collectively, all of these pieces of legislation and more are the bricks and mortar out of which we can build a comprehensive national energy policy. But we need to get going, and we need to get going today. Let's get going with S. 953, and let's build a brighter energy future for ourselves and for future generations.

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.

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

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

Mr. COONS. Mr. President, I ask unanimous consent to speak as in morning business.

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

GOODWIN LIU NOMINATION

Mr. COONS. Mr. President, I rise today to support Goodwin Liu's nomination to the United States Court of Appeals for the Ninth Circuit. Years ago, in the early 1990s when I was working for the national I Have a Dream Foundation, I first crossed paths with Goodwin Liu, who was then a senior program officer with the Corporation for National Service. An issue

had arisen with regard to the corporation's support of one of our foundation's programs. We were running an AmeriCorps program. Mr. Liu very quickly distinguished himself through his competence and obvious commitment to education and national service. In fact, my interactions with him were so positive and memorable that 18 years later, when I had joined this body and heard of his nomination, I immediately remembered him and was anxious to find out what he had been up to in the intervening years.

The opportunity to reconnect with Goodwin Liu as part of his confirmation process has turned out to be one of the real pleasures of this job. It is readily apparent to me, as well as to so many Senators on both sides of the aisle who have had the opportunity to meet with him, to question him, and get to know him better, that Professor Goodwin Liu is a good, decent, bright, and engaging man.

His career, in my view, is marked by a profound commitment to service, from his time working at the Corporation for National Service, the organization of our Federal Government that supports VISTA and AmeriCorps, and all sorts of different commitments to national service across our country, to his later work as a clinical and summer associate while in law school, to his work for the Department of Education as a young attorney, to his service as a judicial clerk, and then his scholarship in support of opportunities for all Americans.

Professor Liu has been guided by a desire to leave the world a better place than he found it. Despite these many positive personal qualities to recommend him, it is, perhaps, something of an understatement to say that Goodwin Liu's has been controversial.

First nominated in February of 2010, and then after a searching and difficult nomination hearing, and a vote here, a renomination in January of this year, a second confirmation hearing in front of the Judiciary Committee, in which I was able to participate, we now stand on the verge of a cloture vote required for us to even get to the consideration of his nomination.

Professor Liu is a prolific scholar, who has written on a number of topics relating to educational rights and public schooling, among others.

When I heard the attacks against Professor Liu, I was shocked, but concerned. The charges that are being leveled against Professor Liu—that he is a radical who would use the bench to engage in judicial activism—are serious. So I took it upon myself to meet with Professor Liu, to review his record, and to come to my own conclusions.

I can say with certainty that Professor Liu will be a first-rate judge in the finest traditions of the legal profession. Professor Liu knows the difference between lecturing and judging. He knows that the role of a judge is not to advocate but to follow the Constitution and the precedents of the Supreme Court. Goodwin Liu will obey the law. We can and should ask no more.

If we take a step back from the partisan rhetoric, I think we can find broad agreement across the aisle that a judicial candidate ought to be evaluated according to his legal ability and experience, his standing within the legal profession, his integrity, and his temperament. Professor Liu rates extraordinarily highly in all of these areas.

Professor Liu's academic and professional qualifications demonstrate that he is a lawyer of the utmost ability with a broad range of experience. He was a Rhodes scholar and holds a law degree from Yale University, where he was editor of the Yale Law Journal. He went on to clerk for one of the great intellects on the DC Circuit, Judge David Tatel. After that, he clerked for Justice Ginsburg on the U.S. Supreme Court. Since that time, he has worked in private practice and earned a tenured professorship at the University of California, Berkeley School of Law. At Berkeley, he has been a prolific scholar of exceptionally high regard.

In addition to a sterling resume, Professor Liu enjoys the highest esteem of his colleagues. Noted conservative scholar John Yoo has spoken out in support of his nomination, as has Kenneth Starr. He is the recipient of the University of California's highest teaching award. Clint Bolick, director of the Goldwater Institute, has said that Professor Liu's writings ''exhibit fresh, independent thinking and intellectual honesty.'' This high opinion of Professor Liu is broadly shared. In giving Professor Liu its highest rating of ''Unanimously Well Qualified,'' the American Bar Association interviewed scores of attorneys and judges who have worked with Professor Liu and, evidently, found that his reputation is one of impartiality, integrity, and great ability. For nominees to our circuit courts of appeal, we could ask no less.

Professor Liu's activity as a noted legal and policy scholar is, in my view, being used unfairly to impugn his judicial temperament. In meeting with Professor Liu, he explained to me that he understands and respects the difference between scholarship and jurisprudence. Academics explore the contours and limits of the law, often advocating for policy outcomes. Judges, on the other hand, apply legal precedent to come to the conclusion that the law compels, without prejudice or a policy agenda.

When Professor Liu has been asked to apply the law, as would a judge, any criticism that he allows policy preferences to cloud his judgment does not pass muster. As an example, though Professor Liu has said that his personal views are that individuals should be treated equally, regardless of sexual orientation. Even so, he testified before the California State Senate in 2008 that California's controversial Proposition 8, which banned same-sex marriages, would pass muster under the California constitution. This is a concrete example, from before his nomination to public office, that Professor Liu is capable and willing to set aside personal preferences and views when called upon to render a legal judgement.

I also examined Professor Liu's scholarship on the topics of education and welfare, to which his opponents claim he would create a constitutional right if confirmed to the bench. I would be concerned if these charges have merit, but they do not. Rather, they reflect a distortion of what he has actually written. Professor Liu has repeatedly clarified his unexceptional belief that Congress, and not the courts, have the power to create new fundamental rights through amendment to our Constitution.

An objective review of Professor Liu's qualifications, temperament, and intellect lead to the conclusion that he is an outstanding nominee and should be confirmed to the bench. Former Representative Tom Campbell, a five-term Republican Member of the House, agrees. In urging his swift confirmation, Representative Campbell specifically praised Professor Liu's reputation for, quote ''integrity, fair-mindedness, and collegiality.''

I call upon all of my colleagues to take a fresh look at Professor Liu and to come to their own conclusions about him. In my opinion, Professor Liu is a dedicated public servant who has undergone intense scrutiny over the past 15 months at great personal sacrifice. Too often, it is easy to lose sight of the fact that judicial and executive nominees are also people, with families, careers, and other responsibilities in their lives. The confirmation process can exact a steep cost and, as a result, many qualified and decent individuals either withdraw or decline to submit to it in the first place.

Professor Liu is an exceptional nominee to the Circuit Court. He has borne the challenges of confirmation with grace and dignity, as is in keeping with his character and dedication to public service. In voting on the petition to invoke cloture, I ask my colleagues to consider the content of Professor Liu's character. Listen to those who know him above the interest groups who have sensationalized his nomination. I ask them to consider his bipartisan support from those who work with him and those who know him best.

I know Goodwin Liu. I trust him and know he will make a fine judge. I urge my colleagues to support his confirmation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I rise to speak in favor of Senator MCCONNELL's production bill. The bill might be too much for some, too little for some, and maybe it is not perfect, but we must take a step in the direction of adding production of our Nation's natural resources if we are going

to bring down the cost of gasoline, bring down the cost of fuel, bring down the cost of all the elements we have that are providing for our electricity, natural gas, and other forms of energy.

I hope we can pass Senator MCCONNELL's bill. Oil is, today, slightly under $100 per barrel, and with the summer driving season approaching, we know the price could go up. It is graduation season and people are driving to their graduation ceremonies, and they are having to pay these enormous prices at the pump. It is over $4 in many places. I recently read a story about a constituent who was going to College Station for a Texas A&M graduation, and he complained, rightfully, that he had a diesel truck and it cost him $74.41 to get his truck half full. That is a lot for a half tank of fuel. I think we can do something about it.

Over the past 2 years, the Obama administration has put up barriers to increasing our domestic energy potential. We must stop that policy and go in the other direction and open our natural resources and use our natural resources, so we can bring down the cost of fuel and try to help our small businesses and families by providing opportunities to lower fuel.

The McConnell legislation gets the ball rolling. Supporters of the bill agree that long-term energy solutions involve removing the anti-energy barriers to safely produce energy for Americans by Americans. On March 30, the President stated that producing more oil in America can help lower oil prices, create jobs, and enhance our energy security. But what is happening is our regulatory agencies are going in the opposite direction. They are stopping the production of oil and gas in our country.

Let me read excerpts from a FOX News article, by Dan Springer, in April of this year:

Shell Oil Company has announced it must scrap efforts to drill for oil this summer in the Arctic Ocean off the northern coast of Alaska. The decision comes following a ruling by the EPA's Environmental Appeals Board to withhold critical air permits. . . .

Shell has spent five years and nearly $4 billion on plans to explore for oil in the Beaufort and Chukchi Seas. The leases alone cost $2.2 billion. . . .

The closest village to where Shell proposed to drill is Kaktovik, Alaska. It is one of the most remote places in the United States. According to the latest census, the population is 245, and nearly all of them are Alaska natives. The village, which is 1 square mile, sits right along the shores of the Beaufort Sea, 70 miles away from the proposed offshore drill site.

The EPA's appeals board ruled that Shell had not taken into consideration emissions from an ice-breaking vessel when calculating overall greenhouse gas emissions from the project. . . .

At stake is an estimated 27 billion barrels of oil. That's how much the U.S. Geological Survey believes is in the U.S. portion of the Arctic Ocean. For perspective, that represents two and a half times more oil than has flowed down the Trans Alaska Pipeline throughout its 30-year history. The pipeline is getting dangerously low on oil. At 660,000 barrels a day, it's carrying only one-third of its capacity.

So we hear what the President is saying, but his own agencies are going in the opposite direction.

Here is another example: We are approaching June. The Department of the Interior has not conducted an offshore lease sale in the Gulf of Mexico. Lease sales usually occur twice a year. If a lease sale doesn't occur by the end of the year, 2011 would be the first year since 1958 which we have not conducted an offshore lease sale.

Because of the President's moratorium and lack of permitting in the Gulf of Mexico, offshore energy production is expected to decrease by 13 percent in 2011. Senator MCCONNELL's bill addresses the need for increased domestic production by reinstating the oil and gas leases in the Gulf of Mexico, Alaska, and the Atlantic, which President Obama canceled.

This legislation also tackles the permitting delays companies in the gulf have experienced. Since October, the Department of the Interior has only issued 53 shallow water permits and 14 deepwater permits. The monthly approval rate before the moratorium was approximately 10 shallow water and 8 deepwater permits.

This legislation eliminates the bureaucratic delays which have burdened operators and have taken away their ability to raise capital to do the exploration in the Gulf of Mexico. In the bill, it says the Department of the Interior will approve or reject permit applications within 30 days. It doesn't require approval of every application, but it puts a limit of 30 days on the approval process, so people will not be hung out, as they have been since last October. They are still paying the costs, but they cannot explore. So they are sitting idle. This has caused the bankruptcy of at least one company I know in Texas, Seahawk Drilling. This is not good policy when we are talking, as the President is, about increasing production in our country and then doing the opposite by enacting proposals that do not make sense, such as a moratorium in the Gulf of Mexico.

On March 9 of this year, Senator LANDRIEU and I introduced S. 516, the Lease Extension and Security Act, known as the LEASE Act. All this does is simply extend for 1 year the leases that have had a moratorium, but the people are still paying the costs of those leases when they have been prohibited from using them. The leaseholder continues to pay the Treasury for all expenses associated with maintaining a lease, but they have been prohibited from exploring the lands the lease is on.

It is very important that we pass this legislation. In the bill before us, the McConnell bill, we have a variation of the LEASE Act. It extends the leases for those that are going to come to an end at the end of this year. If they come to an end at the end of this year, they will get a 1-year lease. That is a right step in the right direction.

Senator LANDRIEU and I believe every leaseholder—even if their lease does not run out this year—should have the full opportunity for their lease exploration capabilities in order to make it fair for the price they have paid in the open bidding process for those leases.

The President has said he approves the extension of some leases. We agree. Why not all of them? They have been paid for. In many instances, the companies are still paying the employees, even though the employees are not able to do the work. This year alone, over 350 leases will expire and many of them are in moratorium.

The bill before us would help those people to use the next year for determining if it is worth drilling for more of the oil on the leases they have purchased.

I think it is very important that we pass this legislation that we will vote on very shortly today if we are serious about increasing the production of our own natural resources for the benefit of our people. It seems to me we need to back up the words of the President with actions that will be positive, proactive, and productive in getting the price of gasoline down at the pump. If we can start now, I hope the President would take some of the steps, for instance, to allow Shell, with the investment it has made, to drill for oil in the Arctic Ocean. That is a place where there are vast reserves that have not been tapped. The people of Alaska support it.

If we would use our natural resources, we could put people in America to work. We could stop the heavy importation of foreign oil, which is what we depend on now for over 50 percent of our fuel, and certainly we would like to add to our economy in this precarious economic time. We can do it with our own natural resources.

I urge my colleagues to vote for the McConnell bill, and maybe then we can open it for amendments and get started in doing the right thing for our country.

Mr. ENZI. Mr. President, I rise today to discuss high gas prices and the direct impact they are having on every American. Every day, we see the impact of high gasoline and diesel prices on our constituents and their pocketbooks. Some wonder if they will be able to put food on the table when they cannot afford the gas it takes to get them to work. Others see skyrocketing food prices caused by the increased fuel costs and wonder if they can afford a healthy meal for their children. Others wonder if they can take a vacation or cool their houses this coming summer.

Today, gas prices hover around $4 per gallon. According to a recent USA Today/Gallup poll, nearly 7 in 10 Americans say that the cost of fuel is causing a financial hardship for their families. That same poll suggested that 21 percent of Americans say the impact of high gasoline prices is so dramatic that their standard of living is jeopardized.

This is a serious problem and it needs immediate action. Unfortunately, rather than taking action to address the problem, I am concerned that Congress will once again punt on doing what we need to do to bring prices down now. To bring prices down, we need to address the fact that the United States imports too much oil from foreign nations. We need to increase supply at the same time we work to reduce demand.

There are two approaches that have been considered in recent weeks. My Republican colleagues and I have offered legislation that will increase production in the Gulf of Mexico. It will allow for the development of more American energy, which will decrease the amount of oil we import. With unrest in the Middle East, it will start the process of giving America a more stable source of domestic energy, and it will create American jobs at a time when the unemployment rate is 9 percent. Our bill looks at the problem—an unstable supply of energy—and provides a solution that will make our country more energy independent today.

The other approach being considered is that of my Democratic colleagues. Their bill, which failed to move forward yesterday, sought to increase taxes on five companies in the oil industry. Whether or not those tax benefits should exist is worth debating in the context of overall corporate tax reform, but that is not what we are debating today. We all know that their approach to energy policy won't do anything to improve the current situation. In fact, their legislation might make matters worse by leading to less domestic production and a larger increase in gasoline prices.

The contrast couldn't be greater. Republicans have put forth thoughtful legislation that will begin to address the problem and help lower gasoline prices. Democrats have put forth punitive legislation that might make some feel good now because it punishes ''Big Oil,'' but ultimately it will not do anything to lower gas prices. Republicans support legislation that will create American jobs. Democrats support legislation that will drive American jobs overseas.

Some suggest that our bill will not do anything to lower prices because it will take too long to implement to have a real effect. That is the same argument I have heard since I came to the Senate over 14 years ago. Opponents of domestic production always say that it will not do anything to lower prices today. If we had taken action to open up areas like the Arctic National Wildlife Refuge when I came to the Senate in 1997, we would be producing approximately 1 million more barrels of domestic oil today. If we had stopped efforts to lock up the gulf coast 10 years ago as many Republicans suggested, we might not be having this conversation today. And, if we do not do anything today, Senators will still be asking these same questions 10 years from now. And, it might not take 10 years for oil to come online if agencies are not delayed from issuing permits by frivolous lawsuits. The 2006 highway bill included a provision that prohibited lawsuits from being filed more than 180 days after publication of the final permit in the Federal Register. Such a provision should be included in future legislative efforts to move forward with American energy development in a timely manner. With high oil prices, we have an opportunity to act today and we should not let this opportunity pass without action.

In addition to lowering gasoline prices, we have the ability to increase revenues to the Federal Treasury today without raising taxes in a punitive manner on one industry. By passing legislation that allows for more domestic production, we will increase revenues to the Federal Treasury at the same time it creates good paying American jobs. In 2008 and 2009, the oil and gas industry paid over $30 billion in rents, royalties, and fees. The industry is estimated to generate approximately $100 million in revenue each day this year to the Federal Government. This amount will only increase as we allow for the production of more domestic energy.

With Americans hurting, we need to do something—anything to reduce gasoline prices. But, instead of working on solutions for one of the single most important issues confronting the American people, my colleagues in the majority loudly sings campaign rhetoric chorus and verse. They say, ''let's punish big oil for making big profits'' and ''let's not allow these energy companies to dupe us when Americans are paying record high prices.'' What they do not say is that their approach will do nothing to help the situation and will likely make the situation worse. They do not admit that their proposal is good politics, but bad policy. This is not the way we should legislate when Americans cannot afford to fill up their tanks. We need to do something about energy and we need to do it now.

Like most of my colleagues, I support developing more alternative energy. I support the use of wind energy and the development of better solar energy technologies. Wyoming is the perfect place for much of that development to happen. While we need to develop these technologies for the long term, we need of the energy we can get today. We need more American oil from American soil. We need more domestic natural gas. We need more nuclear energy and we definitely need more clean coal.

Republicans stand ready to have a serious debate about our country's energy policy. We have offered a proposal that looks at the supply and demand challenges we face and addresses them head on. Republicans stand ready to pass legislation that will lower gasoline prices and will increase domestic production. Those actions will, in turn, create American jobs and will increase revenues to the Federal Treasury at a time when we see record deficits.

For too long, we have talked about the need to have a comprehensive energy policy. We have talked about the need to decrease our dependence on foreign energy sources. It is time for us to stop talking and to act. The upcoming vote on S. 953, the Offshore Production and Safety Act, is our first opportunity to act, and I hope my colleagues will join me in working to lower gas prices by passing this measure.

● Mr. BAUCUS. Mr. President, I understand the wealth and opportunity represented by our Federal offshore petroleum and natural gas resources. We are blessed in this country with an abundant public estate. Montana, too, is abundant with natural resources and relies heavily on these resources for jobs and economic stability. I support efforts to develop these resources with commonsense safeguards that reduce our exposure to volatile foreign energy resources. I have supported onshore and offshore drilling in the past, and will continue to do so long as it is done responsibly.●

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I rise this afternoon to address the Offshore Production and Safety Act. It is legislation that attempts to address the regulation and the critical need to drill for oil in this country.

Let me tell you, I understand the frustration from my colleagues who are upset about the bureaucratic agencies that really do not understand the urgent need to review permits in a timely and responsible manner. Mining in West Virginia has long been a direct target of the EPA and these unfair regulatory practices they have practiced for far too long. For example, in May of 2009, the EPA had a permit backlog of 235 applications. Two-thirds of them were already deemed complete for final processing by the Army Corps of Engineers. Clearly, there is a problem. The question is, Is this legislation the right solution?

The truth is, I would love to sink my teeth in and vote for this measure, but I simply cannot. I do not believe this legislation strikes the right commonsense balance among our energy demands, responsible regulation, our economy, and the environment. In fact, the unintended consequence of this legislation is that it could make regulatory agencies more powerful and more Draconian—a fact that would actually hurt the drilling, the energy independence we could gain, and the businesses' and our need to achieve energy independence.

Quite simply, if we place a fixed 30-day deadline on these permits with two 15-day extensions, I believe we would see more permits denied than we would see processed. How does this make sense? It would create a perverse effect

that could encourage government bureaucrats to stop any and all permits, and that would be a terrible outcome.

The fact is, neither the legislation we will vote on today nor the legislation we voted on yesterday addresses the bigger issue that our Nation must declare its independence from foreign oil. We can only do that by developing a true national plan for energy independence.

I have come to this floor many times to urge my Republican and Democratic colleagues to work with me to put together an energy plan that works for all of America. In fact, just last week, I came here to address the importance of expanded domestic drilling. I truly believe this Nation needs to develop all of our domestic resources, whether it is drilling for oil or natural gas, mining coal, producing wind and solar, developing better nuclear, biomass, or geothermal so that we can declare our energy independence within a generation. But in developing and pursuing a national energy plan, we cannot lose sight of our commonsense values and our priorities.

This bill falls short of those commonsense priorities, but I assure my colleagues that I will work with any Senator from either party who will try to create a national energy policy that will truly help the Nation achieve energy independence.

I thank all of my colleagues, and I hope we will be able to work together to move this Nation forward for true energy independence.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. ROCKEFELLER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Montana (Mr. BAUCUS) is necessarily absent.

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

The result was announced—yeas 42, nays 57, as follows:

[Rollcall Vote No. 73 Leg.]

YEAS—42

Alexander	Chambliss	Crapo
Ayotte	Coats	Enzi
Barrasso	Coburn	Graham
Blunt	Cochran	Grassley
Boozman	Collins	Hatch
Brown (MA)	Corker	Heller
Burr	Cornyn	Hoeven
Hutchison	Lugar	Risch
Inhofe	McCain	Roberts
Isakson	McConnell	Rubio
Johanns	Moran	Sessions
Johnson (WI)	Murkowski	Thune
Kirk	Paul	Toomey
Kyl	Portman	Wicker

NAYS—57

Akaka	Harkin	Nelson (FL)
Begich	Inouye	Pryor
Bennet	Johnson (SD)	Reed
Bingaman	Kerry	Reid
Blumenthal	Klobuchar	Rockefeller
Boxer	Kohl	Sanders
Brown (OH)	Landrieu	Schumer
Cantwell	Lautenberg	Shaheen
Cardin	Leahy	Shelby
Carper	Lee	Snowe
Casey	Levin	Stabenow
Conrad	Lieberman	Tester
Coons	Manchin	Udall (CO)
DeMint	McCaskill	Udall (NM)
Durbin	Menendez	Vitter
Feinstein	Merkley	Warner
Franken	Mikulski	Webb
Gillibrand	Murray	Whitehouse
Hagan	Nelson (NE)	Wyden

NOT VOTING—1

Baucus

The PRESIDING OFFICER. On this vote, the yeas are 42, the nays are 57. Under a previous order requiring 60 votes for the adoption of this motion, the motion is withdrawn.

The majority leader.

EXECUTIVE SESSION

NOMINATION OF GOODWIN LIU TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT

Mr. REID. I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 80, the nomination of Goodwin Liu, of California, to be U.S. Circuit Judge for the Ninth Circuit; further, that on Thursday, May 19, following morning business, the Senate resume consideration of the nomination and the time until 2 p.m. be equally divided in the usual form prior to a cloture vote on the nomination as under the previous order.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report.

The legislative clerk read the nomination of Goodwin Liu, of California, to be United States Circuit Judge for the Ninth Circuit.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Mr. President, I ask unanimous consent to speak as in morning business for 2 minutes.

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

CALLING FOR THE RESIGNATION OF DOMINIQUE STRAUSS-KAHN

Mr. KIRK. Mr. President, I rise today to call for the resignation of Mr. Dominique Strauss-Kahn, head of the International Monetary Fund. The criminal allegations against Mr. Strauss-Kahn are alarming and undermine confidence in the institution at a critical juncture in our economic history. Mr. Strauss-Kahn has forfeited our confidence and should resign or be fired from his position at the IMF.

Over the last 2 years, the IMF presided over the European debt crisis, which included controversial bailouts of Greece, Ireland and Portugal. I remain especially concerned about the U.S. taxpayer share of funding these European bailouts and American taxpayers' exposure to new sovereign risks. While I have questions about the actions taken by the IMF to handle the debt crisis, the institution's role in our global financial system requires strong leadership.

The IMF's Deputy Managing Director, John Lipsky, should assume full responsibility of the IMF and the process to determine a permanent replacement should commence at once. I encourage U.S. Executive Director of the IMF, Meg Lundsager, to strongly advocate for Mr. Strauss-Kahn's resignation or termination and aid in the search for a more worthy replacement.

The PRESIDING OFFICER. The Senator from Ohio.

TRADE ADJUSTMENT ASSISTANCE

Mr. BROWN of Ohio. Mr. President, I appreciate the courtesy of the senior Senator from Virginia who is about to speak. I will be brief.

I wish to applaud the President today on his comments and the administration's comments, especially the comments of Trade Ambassador Kirk and Gene Sperling, the President's top economic adviser. They have made it clear they will not submit the three free trade agreements—one with Colombia, one with Panama, and one with South Korea—until legislation has come to their desks to take care of the issue of trade adjustment assistance.

This Congress, because of some objections on the other side of the aisle, allowed the trade adjustment assistance language to expire in February. That simply means many workers who lost their jobs because of free trade agreements, or lost their jobs because of trade—not necessarily the countries we had trade agreements with—were going to get some assistance so they could, in fact, be retrained so they could go back to work. Losing their jobs had everything to do with what happens in other ways but has nothing to do with their job performance or even their company's job performance.

The President made the right decision by saying we are not going to move forward with these free trade agreements. I don't much like them, but that is not the point. We are not going to move forward until we have helped these workers find jobs.

Second, we are going to make sure, as Senator CASEY and I have said on the floor before, that the health coverage tax credit is also renewed. That matters, to be able to continue the health coverage of many workers.

And, third, that the work of Senator WYDEN, Senator STABENOW, and Senator MCCASKILL will continue, to work on trade enforcement in making sure