

Such reassortment could lead to a mutated virus that could be transmitted efficiently between humans, which is the last condition needed for pandemic flu.

The question is, Will we be ready when that happens? Let's make sure the answer is yes. I urge my colleagues in the Senate and the House to push this administration to take the immediate action needed to prevent catastrophe, the likes of which we have not seen during our lifetimes.

I thank the Chair, and I yield the floor.

Mr. WYDEN. Mr. President, I ask unanimous consent to be recognized at this time.

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

#### ENERGY

Mr. WYDEN. Mr. President, a few months ago, the President signed into law an Energy bill that did virtually nothing to prepare America for any kind of crisis for a disruption in the oil supply. Now, a few months after that new law was signed, a scavenger hunt is underway to come up with yet another bill to address the issues that Congress ignored in the 2005 Energy bill.

The problem is that much of the new legislation tracks the troublesome trends of the bill that was signed. What I want to do this morning is spend a few minutes talking about why I think that is the case, why I think this legislation is misguided, and then to suggest some alternatives.

The central problem, in my view, is that this new legislation essentially says to these well-stuffed, well-oiled energy lobbies: We will give you more than you got. This is on top of the fact that oil refiners have seen their profits skyrocket by 255 percent over the last year, an extraordinary fact—a 255-percent increase in profits for the oil-refining sector. And now we are talking about another piece of legislation to subsidize these folks and others who are literally swimming in cash today.

I do not believe that one of Congress's top priorities, after the tragedy of Hurricane Katrina, should be to help these special interest lobbies that already are swimming in cash.

There are too many Americans who are far from swimming in those kinds of funds. They are still trying to clean up the flood waters. They are mucking out their homes in the State of the Presiding Officer, Louisiana. They are trying to rebuild from the rubble of south Mississippi. Many of them do not have a dime to their name. I believe it would be shameful if Congress returns to business as usual writing blank checks for these powerful energy lobbies, using the storms in the wake of these hurricanes as an excuse, as a Trojan horse, for handouts to the powerful energy lobbies in this country.

Let me outline the exact status of the subsidies that are on the books now

and what was added in the bill in 2005. Under the laws already on the books before the Energy bill was enacted, oil and gas industries were on tap to get about \$1.4 billion in tax breaks and other subsidies for a total of \$6 billion in taxpayer subsidies over the next 5 years.

With the Energy bill signed into law, the oil and gas interests will get another \$2.6 billion of additional tax breaks and subsidies on top of what they were already slated to receive. That includes an ability to write off up to 50 percent of their costs in the first year, to name just one of the special interest breaks that was in the legislation. But now we are talking about letting those who have received these huge subsidies get another opportunity at the all-you-can-eat buffet.

So the taxpayers and consumers who are footing the bill for hurricane clean-up, paying for tax cuts for some who are extremely affluent, are now going to be faced with the prospect of paying for additional subsidies for these energy interests.

Two weeks ago, the House passed legislation to provide additional financial subsidies to benefit the oil refining industry. Under the House legislation, refineries would get a regulatory risk insurance program to cover all the refineries' costs if their production is reduced because of a delay in the permitting process.

There is no limit on the amount of these subsidies for refineries, while the refineries get essentially guaranteed cost protection. What the Federal Government is essentially doing is privatizing the gains of these refineries and socializing the risks. There is absolutely nothing in the legislation to require refineries to protect consumers from the soaring costs they face today.

In my view, there is no need for these refiners, whose profits increased more than 250 percent in the last year, to get even greater financial rewards on top of the subsidies they are already getting in the brandnew energy law. In effect, what we are talking about is the prospect that these energy lobbies will become triple-dippers. They already received big subsidies in the old law. Then they received additional subsidies in the just-signed legislation.

We are talking about a third dip, a third round of subsidies, and I happen to think that is too much. Even the President said when oil is trading at upwards of \$55 a barrel the oil companies do not need incentives to produce more. When the President, who certainly is not hostile to oil interests, says the oil companies do not need a deal from the Government, that ought to tell us something.

With oil selling for what is getting to be close to \$70 a barrel, Congress should not be giving more taxpayer money away to these energy interests.

What I suggest is two practical steps that Congress ought to look at as we consider energy legislation in the days ahead.

First, I think the Congress should freeze the new subsidies that Congress lavished on the oil interests that are now earning record profits from record high prices. Nobody is talking about taking away what was there before the 2005 law was passed. What was there before the 2005 law was passed would remain in place. What I am talking about this morning is freezing the new subsidies, the new dollars that Congress just passed, despite the fact that the President of the United States said it was not even needed. What I would propose by freezing those new subsidies is that the Congress redirect those dollars to help low-income Americans who are at risk, literally, of freezing in their homes this winter.

For example, the \$2.6 billion in new subsidies for oil interests could be used to pay for weatherization assistance to more than 1 million low-income homes, taking basic steps to improve energy conservation. Adding insulation and sealing energy-leaking windows and doors can help these families reduce their heating bills substantially.

Congress could help consumers further by using the Federal Government's purchasing power to make taxpayer energy dollars go further. The Federal Government is the largest consumer of energy in the country. The Federal Government could use its substantial purchasing power to get some real discounts in the marketplace for the Government's energy purchases. These cost savings could be achieved not only for direct energy purchases for Federal agencies' power needs but especially for the Low-Income Home Energy Assistance Program. Instead of reimbursing consumers for their sky high energy bills when they come due, the billions of dollars spent each year under the Low-Income Home Energy Assistance Program could be used up front to acquire lower cost energy to help low-income Americans.

So the question is, Is the Federal Government going to be a smart shopper? Is the Federal Government going to use its marketplace clout for programs such as the one that serves low-income people to make sure that the Government gets more for its money?

Everybody in the private sector shops that way. They are in a position to make volume purchases. They go to the people with whom they contract, and they say: We are going to buy a lot of your product, give us a deal.

This is essentially what I am proposing be done for the Low-Income Home Energy Assistance Program: the Federal Government use its clout in the marketplace, the Federal Government use its purchasing power to get discounts for this program and to acquire lower cost energy to help low-income Americans.

The bottom line is our country can do better. I believe we could have done better in the Energy bill that was just passed. It seems incredible that just a few months after that law was passed and there were great celebrations

about what a difference it would make, now the Congress is back on a scavenger hunt to try to come up with legislation that does what should have been done in the first bill.

The reality is we now have a second chance to do better. I am of the view that lives depend on the Congress doing better not just in homes where heat is going to be scarce this winter but for generations to come.

When I came to the Senate floor to speak in opposition to the Energy bill a few months ago, I was sorry because that legislation failed to reduce our Nation's dependence on foreign oil by one drop. It failed to reduce the prospects that America would again go to war in the Persian Gulf. After 9/11, it became clear that the energy policy was a national security issue and reducing our dependence on foreign oil had to be a national security priority.

I am of the view that the great tragedy in the 2005 Energy bill is that it essentially ratified pre-9/11 energy priorities. For the longer term, Congress should look at smart, probusiness, and proconsumer initiatives. I am willing, for example, to look at a limited anti-trust exemption to let oil companies coordinate the refinery shutdowns expressly to keep supplies up and prices down. So there can be plenty of opportunities to put together a business and consumer coalition to meet the needs of our public.

I just suggested something that I suspect in the southern part of the United States, in the State of Louisiana, would be something that would be well received by oil refiners, but I am also saying that at a time when refiner profits are up more than 250 percent that we ought to be looking at other ideas that really help the consumer.

When gas prices are topping \$3 a gallon and we are seeing these increases in home heating prices, we know the public is prepared for change. I have laid out a number of areas this morning where change would be in the interest of the consuming public and be smart probusiness policy, but I think there ought to be more to an energy policy than just ladling out tax subsidies. We have done that again and again. The Congress just poured on more subsidies in the 2005 bill and did absolutely nothing to deal with the crisis that we have seen in the last few months.

So at this crucial time, with the eyes of the country upon us, let us look at a fresh energy policy, one that will meet this country's national security needs, one that will meet the needs of our consumers this winter at a time when they are so vulnerable. And let us learn that just handing out subsidies willy-nilly is not going to make the real energy problems of this country go away.

It is no time to further sate the appetites of the entrenched energy interests. It is time, and there is a chance now, for a fresh start on energy policy. This time, with the next Energy bill, let us do right by the people of this country.

I yield the floor and 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. BOND. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

#### CONCLUSION OF MORNING BUSINESS

Mr. BOND. Mr. President, I yield back the remaining time on this side in morning business.

The PRESIDING OFFICER. Morning business is closed.

#### TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2006

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3058, which the clerk will now report.

The assistant legislative clerk read as follows:

A bill (H.R. 3058) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, the District of Columbia and independent agencies for the fiscal year ending September 30, 2006, and for other purposes.

Pending:

Kyl amendment No. 2062, to provide that Members of Congress shall not receive a cost-of-living adjustment in pay during fiscal year 2006.

Kennedy amendment No. 2063, to provide for an increase in the Federal minimum wage.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, the Transportation, Treasury, HUD, and related agencies bill is now back on the floor. At 11 o'clock it is my understanding that by previous order we will go to consideration of the DC appropriations bill, which will be included as a separate part of this legislation because the House has the two functions of DC and Treasury, Transportation, HUD as one bill. Those, it is my understanding, will be conferenced separately but at the same time so that the final conference report will bring back Treasury, Transportation, Housing and Urban Development, and the District of Columbia appropriations.

The important thing to note is my partner and colleague in this effort, the ranking member, the Senator from Washington, Senator MURRAY and I, have asked our colleagues to bring to the floor the amendments they wish to offer for this T-T-H-U-D or TTHUD bill. We will be having a vote on the pending amendment, the Kyl amendment, at 10 minutes after 12. The amendment

relates to the cost-of-living increase for Members of Congress.

It is important to note that both sides agree we want to move quickly. We want to know what amendments there are. We are seeking a time deadline for filing those amendments so our staff can go to work on them.

We believe there will be time this evening for staff to consider them. It is possible we will be able to take some of these amendments and conclude this bill sometime this week. It is very important we get this moving because we are now in the new fiscal year. We are operating on a continuing resolution and we have many important items in this bill and the DC bill that need to be put into law so we are operating on fiscal year 2006 appropriations for the year.

As my colleague was kind enough to mention yesterday, there was an athletic contest in Houston last night in which Albert Pujols managed to keep the St. Louis Cardinals alive. I am currently in a good mood and ready to accept as many amendments as possible. While I have great hopes for continued success, this is the best time to catch me in a good mood. And the Senator from Washington is in a good mood. This is the time to bring the amendments forward. We will be happy to work with our colleagues to try to find ways to accept as many amendments as possible.

In any event, I know there will be some amendments that will require votes. We would like to have them brought to our attention as soon as possible in order for us to set a schedule enabling us to finish this bill, we hope well before the end of this week. We have many other important measures to work on and we will have to have a number of votes. We look forward to having those amendments before us. This is an urgent request to my colleagues who have amendments to the TTHUD bill to bring them to the floor and to share them with the managers on both sides of the aisle.

With that, I thank my colleagues and ask that they bring those amendments down.

Seeing no other speakers wishing to take the floor, 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. BROWNBAC. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. SUNUNU). Without objection, it is so ordered.

The PRESIDING OFFICER. Under the previous order, the Senator from Kansas is recognized to offer an amendment.

AMENDMENT NO. 2071

Mr. BROWNBAC. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.