

People respond to incentives, and if there are incentives for parents, incentives for employees to stay healthy rather than simply waiting for the ultimate bill to come along, we will make a significant difference.

If I can be personal for one quick moment, I once worked for Howard Hughes. In the Hughes organization in the 1960s and 1970s, we had absolutely total health care coverage. Anything that had to do with health care, we would send in the bill, and it would get paid 100 percent. I sent in my kids' orthodontist bills, and they paid for straightening their teeth. There wasn't any concern about what was covered or what wasn't. I figured I could have sent in the vet bills for my dog and probably gotten reimbursed, but I didn't do that.

I look back on that and the sense of security and abundance that came from that led me to overuse the system and to not worry about how well we were because they would take care of us. So I have had a personal experience about how important it is to pay attention to health at the front end.

Mr. WYDEN. I close, Mr. President—and the Senator has been very gracious to do this with me this morning—with why it would be important to have a bipartisan initiative now. As we have discussed, the conventional thinking is that the Congress can't deal with something such as this now; that this will be for the next President. But I think the two of us would very much like to bring the Senate together behind what the country wants to do today, which is to fix health care.

I have always gotten the sense that when you have divided Government—the President of one party, the Congress of another—that is the ideal time to try to bring the Congress together to tackle a big issue, and there is nothing bigger than health care at home. I think it would be appropriate.

I appreciate the Senator from Utah for coming and for his support, to hear his thoughts on bringing the Congress together and the country together to finally deal with an issue where there has been so much polarization in the past.

Mr. BENNETT. Mr. President, there is nothing that succeeds in politics like good programs, like good policy. Ronald Reagan didn't invent it, but he is known for repeating it, saying there is no limit to the amount of good you can do if you don't care who gets the credit. Far too much of the partisanship stems from the fact that we don't want the other party to get credit for solving the problem.

When I have had discussions across the aisle about this and Social Security, I get told: BOB, we will address that right after the next election. The next election never comes because there is always a next election.

The Senator from Oregon is exactly right in that for the first time since

Dwight Eisenhower's election, we have an election where there is not an incumbent in the White House on the ballot, either a sitting President or a sitting Vice President. So the Democrats who control the Congress have a political motive to show they can do something as they go into the 2008 elections.

The Republicans cannot try to take credit for that with their candidate because they are not going to have a candidate who is part of the present administration. But the Republicans want to be able to say: Well, at least in the last days of the Bush administration something important got done.

The setting is rare. We should take advantage of it. This is the moment, and I join with the Senator from Oregon in an attempt to seize it.

Mr. WYDEN. I thank my colleague from Utah. I see other Senators who are wishing to speak. We will be back to talk with Senators about this issue, to urge action in 2007, to support a bipartisan push in the Senate to deal with the premier domestic issue of our time.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

HIGH GAS PRICES

Mr. KYL. Mr. President, my two Texas colleagues and I would like to talk about the Democratic response to high gas prices. Given the fact I believe we have about 12 minutes, we may just have a colloquy instead of each giving presentations.

Let me begin by making a couple of points. The press reported yesterday that U.S. average retail gas prices rose to an overall alltime high, breaking \$3 a gallon. I know I paid \$3.04, and this is up just about 20 cents a gallon over the last 2 weeks. Every family feels this pinch.

Now, Democrats understand this, and that is why last year—and I know because I was going through a campaign at the time—they attempted to capitalize on a similar spike in gas prices. They held press conferences all across the country pledging to lower gasoline prices.

Let me read one of the headlines that resulted from this publicity blitz from the New York Times. It says: "Democrats Eager to Exploit Anger Over Gas Prices." This is an April 21, 2006, article, which reported, and I am quoting:

The recommendations of a memorandum sent by Democrat campaign officials to Democratic candidates include holding a campaign event at a gas station where you call for a real commitment to bringing down gas prices.

I guess you can say: That was then, this is now. Now that the Democrats are in charge, the question is, What have they done about the problem they were all too quick to exploit back dur-

ing the campaign? As far as I can tell, the answer to that question is, exactly nothing. In fact, they tried to and to some extent did prevent Republicans, when we were in control last year, from initiating a series of reforms that would have actually done something about the problem and might have prevented some of what we see now. We were finally able to get legislation passed to open the deep waters off the Gulf of Mexico for oil and gas exploration to bring more supply on line—that was a very positive development—but when we tried to do other things, we were stopped by the Democrats.

I think it is important for us to challenge our colleagues on the other side of the aisle who were very interested in the American public having to pay high gas prices back during the campaign last year. Well, you are in charge. What have you done about it? The answer, so far, appears to me to be, exactly nothing.

Let me say to my colleague from Texas that I know a lot of our problem is because of regulations that inhibit oil refineries from improving their capability to refine more oil and gas or building new refineries. It is very sensitive to what happens at the refineries. My recollection is that there was a recent fire at one of the Texas refineries.

Is it the case that we could do some things—and tried last year to do some things—to make it easier from a regulatory standpoint for oil refineries to increase their capacity? And isn't this one of the ways Republicans have tried to ensure we have a larger supply, which would, therefore, reduce the price of gasoline to our consumers?

Mrs. HUTCHISON. Mr. President, actually, that is absolutely right, and I will say to the distinguished Senator from Arizona that is only one of the problems we have, and it is the reason my husband walked into the house this weekend and said: I just spent \$70 filling my gas tank; what are you going to do about it? Like every one of us, I am sure, who has this same experience, I think we should be doing something about it. We should be doing a variety of things about it.

Senator KYL specifically asked about the refinery capacity. We are very tight on refinery capacity. We did pass legislation in the last Congress that would try to ease the regulatory burden and therefore the timetable that it takes from either starting a new refinery or adding critical capacity in an existing refinery, but the regulations had not yet been put out as of a couple of weeks ago.

One of the refiners in my State that wants to add capacity asked me if I would help and at least say to the Department to please issue the regulations so they can go forward, knowing they would have the guidance to move forward with expansion plans and add more refinery capacity.

In addition to that, I have to say that one of the things we see continuing to be blocked on the other side of the aisle is the ability to explore and drill in our own waters. The Department of the Interior, just last week, put out a lease-sale proposal in eight areas, including the Gulf of Mexico, the Outer Continental Shelf, Virginia, and Alaska.

In Virginia, the legislature is taking the first steps to production—by supporting the exploration of gas. The capability for earning money for the treasury of Virginia caused the Virginia Legislature to say: Yes, we want to do it, but there has to be a waiver of a previous extension of the moratorium in drilling. We're hearing signals that the Congress is not going to allow that, even though the Legislature of the State of Virginia and the Governor have said they want to be able to explore to see what is out there, 50 miles out.

The people who represent the people of Virginia have seen, as so many of our legislatures have, that technology today is not what it was 25 years ago. You can drill and explore in an environmentally safe way and we can do something about the price of gasoline at the pump if we will take these kinds of measures. The Department of the Interior is now trying to do that. Yet we are seeing already the signs of obstruction on the other side of the aisle. So I guess we are going to let these prices continue to go up without any regard to what we have in our own resources, under our own control, which could alleviate some of this.

It is not just drilling and production and exploration, either. We are also trying to put forward nuclear power, which is the cleanest, most efficient form of energy. The French have proven that it can be very effective as a clean energy source. Yet we are thwarted from the opportunity by the other side of the aisle to explore that avenue, and then lawsuits crop up, which have stymied our efforts to increase nuclear capacity in our country.

So I would suggest to my friend from Arizona, or my friend from Texas, if we are going to continue to be stopped from using our own natural resources and if we are not going to be able to increase our refinery capacity, then I think we are looking at the capability for countries that have denounced America and said they want the destruction of America to, in fact, be able to hurt our economy by cutting off the oil supply.

I would ask my colleagues, what should we do if we are not going to have cooperation?

Mr. KYL. Mr. President, I think my colleague from Texas, Mr. CORNYN, can certainly answer that question, but first allow me to make a few additional comments.

News reports suggest that increased gas prices can be linked to production

shortages at a time of increased demand. More directly, the problem can be traced to a continuing lack of refining capacity and unexpected outages at the Nation's oil refineries. A series of recent outages, largely for maintenance, have reduced the supply of domestic gasoline.

The price of a gallon of oil is still \$10 below last year when prices spiked; however, demand has increased 2.3 percent from the same period last year. Existing refineries are unable to meet the ever-rising demand for gasoline. The system also cannot handle unexpected outages, for example, the recent fire in Texas. The U.S. saw the strain on refinery capacity during Katrina when prices nationwide went up 45 cents in 1 week due to refinery damage in the region.

Because of high costs, regulatory red-tape, and public opposition, refiners haven't built a new facility since 1976—30 years ago. The system is under such strain that any outages or disruptions are quickly felt in the market in the form of increased prices.

The lack of domestic refining capacity also increases our reliance on foreign sources of refined gasoline. America now imports about a million barrels of gasoline every day—that means that about one of every ten gallons of gas Americans get at the pump is refined in a foreign country.

Regulations requiring a variety of new regional gasoline blends also increase the price and make it difficult to address shortages by moving supply from one area of the country to another.

Last year, Republicans saw the strain on the existing system, and we tried to do something about it. We passed legislation that opened new areas in the deep waters off the Gulf of Mexico to oil and gas exploration to bring more supply on line. Republicans recognize that it is in our national security interest to increase domestic supply, including ANWR, and reduce our reliance on foreign oil.

I also introduced legislation to ensure that oil companies pay their fair share for the oil and gas they produce from public lands. And I introduced legislation to remove the 54 cent import tariff on ethanol, to lower the price consumers pay at the pump.

Republicans also tried to address the lack of domestic refinery capacity. We introduced legislation to streamline permitting to build new refineries, and we were blocked by Democrats. Republicans introduced legislation to incentivize building new refineries, and we were blocked by Democrats. Republicans introduced legislation to reduce the number of boutique blends of gasoline, and we were blocked by Democrats.

Now the Democrats have to do more than block legislation—they have to solve problems.

The Democrats will talk about price gouging legislation and say that is the solution. The FTC looked at this last year after Hurricane Katrina and did not find evidence of price gouging. More hearings will not reduce the price of a gallon of gasoline since there are already laws in place to prosecute price gouging.

The Democrats will talk about conservation and higher CAFÉ as well. We all support conservation as a long-term solution, but we also need to take action to address our near-term problems and reduce our reliance on foreign oil. We need to increase domestic production and increase our refining capacity.

The theme that I think we see developing here is that the Democrats campaign rhetoric is catching up with them, and now they must prove they can govern and solve people's problems. They are 0 for 7 in '07 with their agenda. Gas prices are only the most recent example of failure. We still don't have a comprehensive energy policy. We still haven't taken steps to improve health care. Democrats campaigned on big ideas, but they are playing small ball.

The Washington Post wrote in an article this weekend entitled "Democrats Momentum is Stalling," which stated that: "Not a single priority on the Democrats' agenda has been enacted, and some in the party are growing nervous that the 'do nothing' tag they slapped on Republicans last year could come back to haunt them." That was the Washington Post, May 5, 2007.

I hope the Democrats will work with us for real solutions to people's problems, including reducing gas prices.

Mr. CORNYN. Mr. President, I think the senior Senator from Texas is exactly right. There are a lot of laws that Congress can pass—we can even repeal laws—but we can't repeal the law of supply and demand. The only way we are going to see these gas prices come down is to produce more supply, as we look for alternative forms of energy. The Senator mentioned, obviously, nuclear power, but we are even investing in clean coal-burning technology. I think we basically need to look at all aspects of the energy issue.

The Senator from Arizona was exactly correct as well. We have gone from a high of 324 refineries in this country down to 132. Because we are in a global marketplace for gasoline, which essentially can be transported wherever the prices tend to be higher, that is why we have seen gas prices in excess of \$3 a gallon at the pump.

I remember well that our colleagues on the other side of the aisle last year, when we were in the majority, said they wanted to know what the Republican plan was to relieve the pain at the pump. Well, the Democrats are in charge now, and we would like to know what their plan is. We believe this is something we ought to work on together, on a bipartisan basis, to try to

relieve the pain at the pump being experienced by working men and women and families all across this country. The only way we are going to be able to do this is on a bipartisan basis, but the Democrats control the agenda. The majority leader basically controls the time on the Senate floor. We need to know when he plans to bring up some meaningful relief for the American consumers to try to bring that price down.

We need to do this in the short term, the near term, not the long term only. We do need nuclear power. We need to do research in the biofuels and other alternatives. We need to employ wind energy and other clean technologies that will provide for part of our energy needs. We haven't discovered a way to make any of those useful to operate our vehicles. It is oil, and it is gasoline.

The only way we are going to be able to provide relief in the near term is to increase supply by reducing our dependency on imported energy, producing more of it domestically, and relieving some of the regulatory impediments which have made it impossible to create a new refinery in this country in the last 30 years. Only by increasing the supply in the near term are we going to be able to see prices come down at the pump as we continue to explore alternative forms of energy and other ways to meet our energy needs, while continuing to see our economy grow and continue to create jobs.

I hope the majority will take this request seriously and will come back and tell us what their plan is to relieve the pain at the pump American consumers are experiencing today.

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 bill clerk proceeded to call the roll.

Mr. SPECTER. Mr. 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.

VISITING STUDENTS SEE GOVERNMENT IN OPERATION

Mr. SPECTER. Mr. President, we have in the galleries today students from the seventh grade of the Saligman Middle School in the Philadelphia suburbs. I am not permitted under Senate rules to acknowledge their presence, except verbally, but my granddaughter, Silvi Specter, is among a very impressive group of 59 students who left Philadelphia before dawn today to come to the Nation's Capital to see government in operation.

I wish I had the opportunity to visit the Senate when I was in the seventh grade. It took me a little longer to get here. I have sensed from this very

bright, intelligent group of students that we may produce a Senator or we may produce a President because the sky is the limit if the students apply themselves and work hard.

I was explaining, when we took a picture on the steps today, that the Congress of the United States makes the laws for the country. This is basic civics, but it is good to repeat it. The House of Representatives, consisting of 435 Members, is a representative body, one for every approximately 700,000 people in the United States. Each of our 50 States has 2 Senators. We consider legislation, we vote—pass bills by both the House and Senate—and then we get together on a conference. We have an agreement and a conference report is then voted on separately. The measures then go to the President of the United States.

We have a fascinating part of the legislative process right now with the issue of the funding of the Iraq war. The Constitution creates the Congress under article I and creates the office of the executive branch, the Presidency, under article II. We have a unique constitutional confrontation. I think it is not an overstatement to say it is of historic proportion—perhaps the most dramatic constitutional confrontation between the article I power of the Congress to appropriate, commonly known as the power of the purse, and the authority of the President under his power as Commander in Chief.

The President is insisting on carrying out the program he has in mind with the addition of troops, a surge in Iraq, to try to restore order to that country. I believe had we known Saddam Hussein did not have weapons of mass destruction, we would not have gone into Iraq to start with, but once there, we do not want to leave it in a state of turmoil. So we are trying to work our way through the problems as best we can.

The President laid down two markers for the Iraqis in his State of the Union speech: first, that they should secure Baghdad; and second, that they should end sectarian violence. Regrettably, they have done neither.

Congress legislated, providing the funding the President asked for but setting dates for withdrawal. The President vetoed that, saying identifying a withdrawal date would be to tell the enemy how long they would have to stay there to outlast us. Now we are looking for some resolution. It is complicated. The House is talking about appropriating half of the \$100 billion and having another vote in July. The Senate has yet to formulate a proposal.

For certain, by September, when we face the full \$500 billion appropriation bill, there is a very difficult time ahead unless we can see light at the end of the tunnel.

On the front page of the New York Times today, one of our Members said

that in September there will not be support unless we see some significant progress. The metaphor "light at the end of the tunnel" perhaps is accurate or perhaps we will not be at that place. Because there is grave concern about radical Islamic fundamentalists with the determination by radical Islamic fundamentalists to destroy our society and to kill us—as they did with the striking events of 9/11—there is a concern if we do not fight the insurgents in Iraq, we will be fighting them in the United States.

These are weighty issues and there is a lot of controversy. Speaking for myself, I am still considering what the right course is. I voted against a withdrawal date at this time because there has been a commitment to a surge, 30,000 additional troops. They are not all there yet. Perhaps we will have better results by September. But those are the issues which await a determination.

I reference this in terms of the big issue of the day and how it illustrates the functioning of American Government, Congress and the Presidency, and what we have as a constitutional confrontation.

I know the time has come to move on to other business. I thank my colleagues and the Chair for permitting me to go beyond the 11 o'clock hour.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. McCONNELL. Mr. President, I gather morning business has expired?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. McCONNELL. I yield myself 5 minutes of my leader time.

The ACTING PRESIDENT pro tempore. The leader is recognized.

HONORING OUR ARMED FORCES

SERGEANT FIRST CLASS ROBERT V. DERENDA

Mr. McCONNELL. Mr. President, a bronze plaque hangs at the Joint Readiness Center at Fort Dix, NJ. All the new Army recruits there pass by it, and all the regulars know the story it tells by heart.

This plaque declares the Joint Readiness Center to be named after a Kentucky soldier who volunteered for his country, served a cause he believed to be just and right, and made the ultimate sacrifice.

So I ask the Senate to pause today in grateful memory of SFC Robert V. Derenda, a Ledbetter, KY, resident assigned to the First Brigade, 98th Division of the U.S. Army Reserve.

Sergeant Derenda was killed on August 5, 2005, when a civilian fuel truck collided with the humvee he was driving as the lead vehicle for a convoy mission in Rubiah, Iraq. He was 42 years old.

It could have been far worse if not for Robert's astute driving skills and rapid