

reading, read the third time, and passed.

JOHN P. GALLAGHER POST OFFICE BUILDING

The bill (H.R. 6150) to designate the facility of the United States Postal service located at 14500 Lorain Avenue in Cleveland, Ohio, as the "John P. Gallagher Post Office Building," was ordered to a third reading, read the third time, and passed.

DESIGNATING SENATOR PRYOR AS ACTING PRESIDENT PRO TEMPORE

Mr. REID. Mr. President, I had the good fortune in the Senate of serving with David Pryor, the Senator from Arkansas. He was a member of the Finance Committee and other very responsible positions, including the Ethics Committee. He was, I believe, what the stereotype of a Senator should be. He worked hard and he is very smart. He was so easy to get along with. I do not think I have ever served with a better legislator in my life than David Pryor.

Unfortunately for Arkansas and our country, he was taken ill. He had a very severe heart attack and decided not to run for reelection. He is doing well. He is healthy. I talk to him on occasion. Whenever I go to Arkansas, I see him. But what a wonderful man to know.

The reason I mention that, fortunately for the people of Arkansas, his son MARK has replaced him. MARK has all the same characteristics as his dad. He is a man with a lot of humility. He works very hard. He knows the legislative process. He was attorney general of the State of Arkansas. He is an outstanding lawyer.

There were a lot of reasons we were able to complete that most significant legislation last night, the Consumer Product Safety Modernization Act. But it is the most sweeping improvement of the law that has taken place since the law was passed some 40 years ago. It was done under the direction of Senator INOUE. But Senator INOUE gives credit to MARK PRYOR who worked so hard to arrive at the solution he did, which was a piece of legislation that passed overwhelmingly in this body.

So, Mr. President, with that brief background, I ask unanimous consent that Senator PRYOR be designated as Acting President pro tempore of the Senate for the purpose of signing the conference report to accompany H.R. 4040, the Consumer Product Safety Modernization Act.

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

Mr. REID. Mr. President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. HATCH. 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.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009—MOTION TO PROCEED—Continued

Mr. HATCH. Mr. President, what is the parliamentary state?

The ACTING PRESIDENT pro tempore. The Senate is on the motion to proceed to S. 3001, with Senators permitted to speak for up to 10 minutes.

Mr. HATCH. Thank you, Mr. President.

Will the Chair please let me know when 9 minutes has expired.

The ACTING PRESIDENT pro tempore. The Senator will be notified.

UNITED STATES ECONOMY

Mr. HATCH. Mr. President, yesterday the Government released the second quarter performance of the U.S. economy, and I am sorry to say the report looks dismal. I, along with the rest of Americans, am outraged that Congress will depart shortly for a 5-week recess without addressing the most pressing issue of this Congress: our ailing economy and in particular energy. During this past month, we have passed bills to provide \$50 billion for support of international programs to combat HIV/AIDS, for Medicare, and to improve FISA. This past week, we finally passed a bill that addresses a sector of our economy by revamping Fannie Mae and Freddie Mac. I certainly believe we can and should have done more than that.

In November of 2006, my party lost the majority in Congress, in both the House of Representatives and in the Senate. The Democrats ran on a platform of change, what they called "A New Direction For America." The Democrats pledged to push forward a 100-hour agenda that touted a change in ethics, an increase in the minimum wage, and a rollback in subsidies for the oil and gas industry. Look where that "direction" has led us. The price of energy has skyrocketed, the housing market has deteriorated, and the unemployment rate is on the rise. Across the Nation, we are feeling the effects of the crumbling economy. Yesterday, Bennigans and Steak & Ale restaurants have filed for bankruptcy, and Starbucks has recently announced the closing of 600 stores across America. It is time for the majority to wake up and smell the coffee.

Viewing this chart, it is no wonder why the congressional approval ratings are at an alltime low, at 12 percent. Congressional approval: 12 percent. Congress has failed to act when Americans need it the most.

At the end of 2006, when the Republicans controlled Congress, the average retail price of regular unleaded gasoline, according to the Energy Information Administration, was \$2.59. Look where it is today.

In June of this year, the average price of regular unleaded gasoline hit an average of \$4.06. Our friends on the other side have done absolutely nothing to address the rising costs of energy, and we are going home without having done so. We have proposed increasing the supply off our coasts, extending the expiring energy tax incentives, and reducing our dependence on foreign oil by providing alternative energy resources. The majority refuses to provide any solid bipartisan solutions because they keep insisting on their perverse let's-grow-the-Government, pay-as-you-go rules and combating the oil and gas industry as though they are the evil cause of everything. The fact is the Government does not produce one drop of oil. It does not drill one exploration well. It does not refine even 1 gallon of gasoline, and it doesn't build 1 foot of pipeline. Somehow, though, my colleagues on the other side of the aisle think every answer to dropping gas prices is more Government—more Government moratoria on drilling, more taxes on energy companies, more regulation of the commodity markets, more moratoriums on the development of oil shale, where we have somewhere between 800 billion and 2 trillion barrels of oil that can be recovered. It is doable. Estonia has been doing it for the last 80 years. Brazil has been doing it for the last three decades. We can do it, but there is a moratorium that doesn't expire until September, and now the Democrats want to put another moratorium on it—just on preparing the rules pursuant to which we can develop these vast resources that would help bring prices down. It wouldn't happen overnight, but I tell you one thing, if we went and tried to do all these things and we announced we were going to do them, I believe gas prices would automatically come down quite a bit more than they are right now.

This past week, the majority leader brought a bill to the floor to curtail oil price speculation, and while this was a start, my party tried to amend this bill to provide real solutions, ranging from expanding offshore drilling to boosting oil shale production. We were prevented from offering these various amendments, which was an opportunity to increase energy supply and to send the rest of the world a message that we are going to get serious about helping ourselves instead of sending \$700 billion every year off some shore for offshore oil.

Across the Capitol, the House refuses to even bring up legislation involving offshore drilling. I do not know how I can return home to my home State of

Utah and explain to constituents such as Bill Howard, a farmer who has to increase the price of his cattle and hogs to combat fuel costs, that we cannot do anything about the soaring gas prices unless it is paid for and hurts the oil and gas industry. Americans need affordable energy now.

If we look at the results of Democratic policies on job growth in our country, we are met with the same disappointment. Here is where we are. The unemployment rate in 2006 was 4.4 percent. Today it is up to 5.5 percent.

Less jobs means people spend less. When we spend less, companies start cutting back, laying off employees, and reducing employee salaries. This causes us to spend even less and the vicious economic cycle continues. We need to put more money back into the taxpayers' pockets over a long period of time in order to create a virtuous economic cycle. Among the tax extenders bill, which has failed to pass the Senate again and again, is the research tax credit. Seventy percent of research tax credit dollars are used for wages of R&D employees. That is creating jobs. I have been the champion of the R&D tax credit, along with Senator BAUCUS, for years.

We should provide tax relief not through economic stimulus packages or on a year-to-year basis but over a long period of time so the taxpayers can depend on this relief. That is why it is so important that when we talk about economic stimulus, we should look at solutions rather than rebate checks and bailouts, such as repealing the alternative minimum tax and making certain tax cuts permanent such as the research tax credit.

Looking toward the housing market, we still are puzzled why the majority has not provided solutions to help the economy. We have been hit hard by the housing market in my home State. St. George, in the southwestern part of Utah, and Provo, UT, were among the top ten fastest-growing metro areas in the United States between 2000 and 2006, with a growth of 39.8 percent and 25.9 percent respectively. As you can see, our economy has all kinds of foreclosures; in Utah we are up to 141 percent. That is twice the national increase from a year ago.

Last week, my friends on the other side of the aisle pushed through a housing bill that some estimate will provide a temporary financial housing lifeline by benefiting only 13 percent of the estimated 300,000 homeowners who will likely lose their homes in the next year. I supported earlier versions of the bill, but as it moved through the process and took on new provisions, my reservations grew. There is more to be said about the bill than I have time for now, but I have a statement in the RECORD on the subject. Let me say I think too many people and organizations that do not deserve it will be bailed out by what is now housing law.

I am also concerned that some of the provisions in the bill are shortsighted. For example, we created a new regulator for Fannie Mae and Freddie Mac, which is fine, but then we created what could possibly become a huge taxpayer-funded backstop, to put it nicely. Some have proposed that we cut the Government's ties to Fannie and Freddie, make them truly private companies, and incentivize more competition. Maybe we need to start the discussion now so taxpayers are not on the hook should future crises arise. We are on the brink of a recession and we need leadership.

The Democrats' "New Direction For America" has led us down a road to economic hardship and Americans deserve to have the economy driving on all cylinders. With the government-sponsored housing enterprises, high energy and food prices, and the instability of financial institutions, we are in a state of economic slowdown. But there is hope.

Much like today, when I came to the Senate over 30 years ago, the unemployment rate was rising, inflation was accelerating, and the GDP was beginning to decline. The economy was a major problem facing Americans. In response, we provided long-term solutions to our ailing economy by lowering taxes and increasing investment and growth. While the economy today is bleak, I believe there is hope because we have been here before. However, I do not know why the majority has not addressed this dire situation before adjourning.

There are some real problems facing the American economy, and together we can deal with them.

The ACTING PRESIDENT pro tempore. The Senator has 1 minute remaining.

Mr. HATCH. Thank you, Mr. President.

Most of these problems are self-inflicted, due to some major financial mistakes in our country. Congress has passed some legislation aimed at improving our economy, but these short-term, bandaid solutions will eventually exacerbate the increasing deficit, and we will find ourselves back in the same situation. More spending certainly is not the answer.

When we return from our August recess, I encourage Congress to debate how we can fix our ailing economy. I believe we can take steps toward reducing unemployment, slowing inflation, and increasing investment and growth. I also believe we need to look at reforming our Tax Code. Our tax system has become burdensome and overly complicated. It discourages investment at a time when we desperately need it most. For too long we have delayed addressing our economy, and we owe a lot better service to our fellow Americans.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. I ask unanimous consent to speak for 10 minutes as in morning business.

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

OIL COMPANY PROFITS

Mr. WHITEHOUSE. Let me begin by saying, as we leave for our August recess very shortly, what a pleasure it has been for me to serve with the distinguished Senator from Utah on the Judiciary Committee during these first months of my first term in this body. I would respond to what he has said by suggesting that if he and his colleagues would actually let us lead, we would be able to solve a lot of the problems he discussed and that were indicated on those graphs. However, instead of letting us lead, they have embarked on a strategy of creating gridlock in this institution with—I think at this point we are at 92 or more filibusters—which is the world record in the history of this country—and climbing. I think what has happened to this body is my colleagues on the other side have made the decision that the record of George Bush is hopeless, the Republican message is shot, and their only salvation is to call down a pox on both our Houses and try to disable this institution, try to prevent us from doing essentially anything. It also has the added benefit of allowing the Executive more leeway, and it confers more power on George Bush, which I think is a mistake, given the way the record has shown his judgments have worked out.

For instance, take a look at what has happened in the Bush economy every day and getting worse and worse. Since George Bush and DICK CHENEY took office in 2001, wages in America have remained stagnant, as the very distinguished Senator from Ohio knows very well. Wages in America remain stagnant, oil and gas prices have risen sharply, and troubles in the housing market have made it harder and harder for families to stay in their homes. One would not have thought very long ago that America was a country in which tens of thousands of Americans would be thrown out of their own homes, but there we are.

Even those well off enough to own stock have seen the consequences of the Bush economy. In the Clinton years, the Dow Jones industrial average climbed 129 percent. In the Bush years, it has climbed exactly 0.7 percent. I ask my colleagues on the other side of the aisle whether they think their investor friends would prefer 129 percent capital gains and then paying a fair tax on those capital gains or whether they would prefer having big fights about what the capital gains tax rate is, but nobody makes any money.

While American families and American workers struggle in the Bush

economy, there is one special, favored industry that is laughing all the way to the bank. Eight years of two oilmen in the White House has brought over \$4-a-gallon gasoline for American consumers and absolutely grotesque profits for the biggest oil companies.

Yesterday, once again, the largest of these international giants—Exxon-Mobil—announced recordbreaking profits. ExxonMobil's second-quarter profits were the highest in the company's history. They were the highest in the history of the entire oil industry. In fact, Exxon's \$11.7 billion profits for this last quarter were the highest corporate profits in the history of the United States. These profits, indeed, are the highest in the history of the universe as we know it.

Think about that: \$11.7 billion in just 3 months. The U.S. Department of Transportation estimates that there are 250 million passenger vehicles in the United States. Exxon's \$11.7 billion second-quarter profits amount to a quarterly tax of \$47 on every car and truck in the country. That is just for one quarter. If you have ever wondered where the \$60 or the \$80 or even the \$100 that it might cost to fill your tank goes, take a look at this. Gas prices are definitely going up; there is no doubt about that. We all experience the pain at the pump. But compared to how gas prices are going up, look at what is happening to oil company profits. As gas prices have risen, oil company profits have soared. If Exxon continues to reap profits at this level, in 2008 alone, you will pay for every car a \$188 oil profits fee to ExxonMobil per car—\$188 on every car in America—for the profit.

That is not counting the hundreds of billions of dollars raked in by the four other major international oil companies doing business in our country.

We are facing a true energy crisis. Instead of working with us to solve it, our colleagues on the other side of the aisle continue to fight for oil company profits.

Drilling off of our pristine coasts—and I come from the ocean State of Rhode Island—won't produce a drop of oil for a decade and won't significantly lower gas prices even then. These facts have no affect on our colleagues. Make no mistake about it, more drilling means higher profits for Exxon, Shell, BP, and especially for DICK CHENEY's former employer, Halliburton, which provides drilling products and services.

Exxon is committed to an oil economy that has no future for this country. They earned \$11.7 billion in profits in the last 3 months, but in the 4 years between 2003 and 2007, Exxon spent just \$20 million on research and development of alternative and renewable transportation fuel technologies. That is \$20 million in 4 years, which is \$5 million a year. That \$5 million a year is \$1.25 million a quarter. If you compare \$1.25 million a quarter to \$11.7 bil-

lion in profits, what you find out is that for every \$10,000 in profit ExxonMobil makes, it spends \$1 on alternative fuels. I am sure that in Ohio the Presiding Officer is seeing the same advertisements we are seeing in Rhode Island—wonderful Exxon ads with scientists and molecules, telling us how they are investing in the future. But it is \$1 for every \$10,000 they put in their pockets.

A recent Wall Street Journal article reported that the big oil companies spent \$52.5 million on advertisements to burnish their images in the first quarter of the year. That is an annualized rate of \$200 million in ads. Of course, many of these environmental ads say: We are green now, just watch us. Well, if you assume that of that \$52.5 million, a quarter of it was Exxon, that is \$12.5 million. If you assume that just a quarter of that 12.5 was spent on green ads and the rest on other stuff, that is \$3 million. That means they spend three times as much advertising their green research as they do actually doing their green research. It is the biggest sham in the world.

I hope when Americans see these ads in magazines and elsewhere they know they are being had. It is \$1 in research, \$3 in advertising about it, and \$10,000 in profits. That is the ratio. That is not a ratio anybody should be very proud of. If only Exxon and the other oil giants would devote some of their advertising budget to R&D, then we might be better off. We don't need sham solutions. We need results.

Yesterday, I signed on to a letter authored by our assistant majority leader, Senator DURBIN of Illinois, to request of President Bush to release about 10 percent—or 70 million barrels—from the Strategic Petroleum Reserve. That sale would immediately lower gas prices and generate over \$8 billion, which is money that could be used to invest in alternative sources of energy for real—not the phony show ExxonMobil is putting on—so that we can finally move away from our oil-addicted economy. But so far, no action. Indeed, yesterday, we tried to pass a Defense authorization bill to support our troops in the field, in harm's way. The Republicans voted against the bill, abandoning our troops for big oil. Big oil is making big money, and that is the Republicans' priority. I urge President Bush to end the rhetoric, put the troops first, get off of big oil's wagon, and let's get together to solve this problem for real.

I thank the chair and yield the floor. The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

FAILURE OF LEADERSHIP

Mr. McCONNELL. Mr. President, all across America today, people are look-

ing to Capitol Hill with astonishment. They are wondering how it is even possible that lawmakers who have been hearing from their constituents for months about the burden of record-high gas prices could fail to work out a sensible response.

I don't blame them. High gas prices have triggered a crisis in American homes and in the broader economy, and the American people have a right to expect their elected representatives to do something about it.

Every crisis is a call for leadership, and this one was no different. This was an opportunity for the Democrats who control Congress to demonstrate courage and resolve. They squandered it. In their hunt for more seats in Congress and control of the White House, they took the path of least resistance. They decided that they could increase their hold on Congress by avoiding tough votes, and then blaming the mess that followed on a party that wasn't even in charge.

While Republicans were working out a legislation solution that addressed high gas prices head on, Democrats embarked on a concerted effort of pointing fingers and casting blame. Americans were looking for answers, and the Democrat answer was to make everyone accountable but themselves.

First came the energy producers, who were threatened with higher taxes that would have passed along to consumers, making the problem worse. Then came the foreign oil producers, who were threatened with lawsuits unless they increased production, even though America sits on massive energy reserves that dwarf their own.

Finally, it was the speculators. Citing the testimony of a lawyer whose previous statements on energy provoked a stinging bipartisan rebuke, the Democrats claimed that writing a few new regulations for speculators would solve the energy crisis. Republicans agree that we need greater transparency in the market and more cops on the beat. But the notion that speculators alone have led to a dramatic surge in gas prices is, according to every serious person, completely and totally absurd.

The chairman of the Federal Reserve has rejected the idea that speculators alone were the cause of the oil shock. Warren Buffett, a prominent Democrat and perhaps the most successful investor of our generation, has said speculators alone are not the problem. The 27-member International Energy Agency said speculators alone are not the problem. T. Boone Pickens, who has been cited by both sides in this debate, has said unequivocally that speculators alone were not the problem.

When asked about high gas prices, all the experts seem to agree on two things: first, that speculators alone are not the problem. And second, that the high price of gas is primarily the result