levels have risen one foot within Maryland's coastal waters over the last century. Due in part to naturally occurring regional land subsidence, Maryland is currently experiencing sea level rise at a rate nearly double the worldwide average. Thirteen charted islands and large expanses of those critical tidal wetlands in the Chesapeake Bay have already disappeared.

These changes make us more vulnerable to storm surges. Allstate Insurance, one of our largest insurers, announced this past year that it would stop writing new homeowners' policies in coastal areas of my State. The reason they won't give insurance to homeowners in coastal areas is because they say a warmer Atlantic Ocean will lead to more and stronger hurricanes hitting the Northeast.

It is critical that we shore up the National Insurance Flood Program so that it is ready to support Marylanders and all Americans in times of need. S. 2284 does that without increasing incentives to build in disaster-prone areas or destroy environmentally sensitive areas. That is a tough line to navigate, but this bill does it well. I am proud to offer my support.

MORNING BUSINESS

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate enter into a period for morning business, with Senators allowed to speak for up to 10 minutes each.

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

The Senator from Wyoming is recognized.

ENERGY SECURITY

Mr. ENZI. Madam President, I recently returned from a trip around Wyoming. The focus of my trip was the need for change in our health care system. I have spoken about that issue on the floor of the Senate on a number of occasions, and while improving our Nation's health care system is essential, here today to speak on another issue of great importance to my constituents. That issue relates to our Nation's energy security. We have debated measures to tax one type of energy to provide tax incentives for other industries. We have debated, without success, the idea of opening up more of America to energy production and the Senate will eventually take up legislation related to climate change.

As we have had those debates, we have seen gas prices rise to record levels. We have passed a ''renewable fuels mandate'' that looks less encouraging with every new study that is released, and we have sent more and more money to countries that do not support our ideals of freedom and democracy.

Because of that, it is my intention here today to inject a little reality, a little common sense into the energy debate. I want us to take a realistic look at how we get there from here. The ''there'' is an America that produces more clean, renewable energy than we can possibly consume. The ''here'' and now is an America that is largely dependent on foreign governments for the energy we need, the energy we can't do without—the energy that is the lifeblood of our economy; the energy that makes our way of life possible. Where we find ourselves now is the hole that the failed planning of the past and realistic ideology has put us in. We have got to get out. We have got to get out for the sake of our children and for the sake of Americans who are struggling to pay their bills today.

For the most part, we can all agree on where we want to go. We want more clean energy. We want to import less foreign oil. We want improved energy efficiency. We can also agree that where we are is not acceptable. Its the road we travel, the pathway we take to a better future that we have been arguing about for decades. The arguments I have seen over the past dozen years or more center not on economic health of our Nation but on environmental health. OK. That is fine with me. We can talk about hydrogen fuel cells, solar panels and wind turbines and we should. All these energy sources and many other renewables are going to be a part of the solution, but overnight, they cannot replace the fuel sources we use today. The technology is not there. The infrastructure is not there, and the will of the American people to switch to different, more expensive fuel sources is not there. It is one thing to say, yes, let's go green, but it's another thing to pull the green out of your wallet to pay for it. Technology takes time to commercialize. Infrastructure takes time to build and the attitudes and willingness of many Americans to embrace a new energy market, a market that could be more expensive, will take time to occur.

What do we do until we get there? What do we do with the energy sources we have now? We make them better. We use them more efficiently. We make them clean. We make them green. And what is America's most readily accessible energy source that we already have the infrastructure in place to use? What is the 800-pound gorilla in the room that unfortunately so many of our political leaders are ignoring or worse yet, persecuting? It's coal.

When you turn on your computer, when you flick that light switch or turn on the television, it's probably powered by coal. Most of the energy we use to recycle the aluminum cans you put in the special bin on the curb, the glass, the metal, the plastic, well it comes from coal. And if you had an electric car now and wanted to plug it in to recharge, that energy would likely come from coal. Coal supplies more than 50 percent of our Nation's electricity and we have enough of it to last us for more than 225 maybe 500 years. Coal is what is going to pave the way to a completely renewable energy future. But its not going to be the coal you are picturing in your head right now. It's not going to be the black lump that Santa gives to ill-behaved kids on his list. It's not the dirty, dusty coal of Dickens' Victorian London. No, what I am talking about is plentiful clean coal that we use our ingenuity and our resources to turn into green coal.

You are worried about climate change and support the use of clean-burning natural gas. Good. Then you should support the projects underway right now that will convert coal into that natural gas or carbon sequestration of 50 percent of the carbon from coal, which makes coal just as ''clean'' as natural gas. We are developing technology to efficiently and cost-effectively convert coal into low carbon, low sulfur diesel, and to convert coal into low carbon gasoline so we can cancel those trips to Saudi Arabia where we have our hands out begging them to increase production of oil. Look, tomorrow we are not going to be able to jump into our hover car that is powered by common household trash. We need to develop what we have right now alongside the fuels of the future. Instead of running from coal, we should invest in its abundance, in its power and its potential. Instead of running from coal, America needs to run on coal, green coal.

George Washington Carver is one of my heroes for what he did with the peanut. He found over 300 ways that American farmers could use the peanut, including as soap, facial cream, shampoo and even ink. What we need now is a George Washington Carver of coal—and I believe several are out there right now ready to invent. They just need a little bit more encouragement instead of the ''can't do'' attitude that I hear from some opponents of coal.

Over the next few months, as we debate energy issues in the Senate, I will be talking with my colleagues about the need to develop the energy sources we will use in the future, some of which must be cleaner, more efficient versions of the energy sources we use today. We need all the energy we can get to power America, and I look forward to working on that solution.

I have been paying attention to what China is doing. They have figured out that the future power of the world is in energy, and they are buying it up anywhere they can. They are even buying U.S. coal.

But I wish to speak today in a little more detail on an issue that is affecting everyone in the Nation, and that issue is the rising price of gasoline and

diesel fuel. The rising prices are disproportionately affecting my constituents in Wyoming, who are oftentimes forced to drive long distances to get to and from work, and then all over the country I am hearing from truckers, usually small company truckers who have a fixed contract to deliver a product and no fuel escalation clause. I expect, from a financial literacy situation, that they have learned something about that, but they are still tied into those and they are going broke doing what they agreed to do because of the cost of fuel. They are visiting with all of us.

The Senate needs to take up action, and there is an amendment before us that will help all Americans.

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, the majority sticks its fingers in its ears and loudly sings campaign rhetoric chorus and verse. Last week, as oil shot up above $115 per barrel, we held one vote. We did not vote on Tuesday, Wednesday, Thursday or Friday. This week, we were out of session on Monday. 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.

I am proud to be a cosponsor of the Domestic Energy Production Act of 2008 that was recently introduced by Senator DOMENICI. The legislation includes a number of important provisions that will have a positive effect on our Nation's energy situation. Some provisions are designed to help hard working consumers today. Other provisions have a long term impact that will make it so that we are not as dependent on oil barons in the Middle East and foreign dictators to get our energy.

There are a number of good provisions in this bill that will make a difference. The bill allows for the development of domestic energy sources that are currently off limits. A major reason we are seeing high prices is the lack of domestic energy supplies in the face of growing energy demands. It allows for responsible energy production in the Outer Continental Shelf and for limited, environmentally safe energy production in the Arctic National Wildlife Refuge. Allowing for this production will help us to lessen our imports of energy. What we produce in the United States we do not have to send money to other countries for.

The bill addresses the need to build new refineries. There is not enough refining capacity in the United States to handle the demand that we have. Yet our policies are so onerous that there has not been a new refinery built in the United States in more than 30 years. This needs to change, and the only way it will change is if we act to make the process for permitting a refinery more reasonable.

The bill addresses the need to fairly compensate States that allow for energy production to occur on their lands by repealing a provision to withhold 2 percent of the revenue States receive to pay for ''administrative costs.'' This provision is particularly harmful to Wyoming and must be repealed immediately. The Federal Government's actions toward the Sates regarding mineral royalties are the actions of a bully and a thief. I am standing up to this bully. I hope my colleagues will join me. Your State could be bullied next. Don't forget that.

This bill also addresses our Nation's need to find alternatives to oil by promoting coal to diesel fuel. Coal is our Nation's most abundant energy source and can be made into low sulfur diesel through a process that has been in existence for years. We need to build coal to diesel plants in the United States in order to increase our energy security and this bill has provisions to promote this important and much needed policy.

Any one of provisions I have mentioned will help our Nation's energy situation and we need to act now. If the majority doesn't like every part of it, that is fine. Let's get in there and pass the parts we can agree on. Let's change the parts we can't agree on. Let's throw some of the parts out. I was working on an 80 percent rule, figuring we can usually agree on 80 percent of anything and if we concentrate on the 80 percent, we can get it done and leave the other 20 percent to the pundits. But we need to get out there and pass the parts we agree on. We need to get something done.

There will be plenty of credit to go around. Congress cannot sit back and do nothing as American pocketbooks are bleeding. Right now, the credit for that has to go to the majority.

I hope all my colleagues join me in supporting the Domestic Energy Production Act of 2008, even though we do not get to vote on it tomorrow and we don't get to vote on it Monday. We are not going to get to vote on it until Tuesday. But we ought to be making some difference by Tuesday.

Like I say, we can revise it, we can change it, we can throw parts out, but we have got to do something. America is complaining about the price of gas. I understand that. I look forward to seeing everyone next week to make a difference for America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

OFFSHORE DRILLING

Mr. NELSON of Florida. Madam President, next Tuesday—not Monday but Tuesday—we are going to have a series of votes and ultimately get to the final vote on the flood insurance bill. And miraculously, out of the air comes a couple of energy packages side by side that we are going to be voting on.

It is very interesting that in one of those energy packages, that being offered by the Senator from New Mexico, Mr. DOMENICI, it will have a provision for drilling in the Outer Continental Shelf. Now, we have gone through this drill about drilling several times, the last of which, I want to remind the Senate, when the pro drilling for oil forces wanted an additional 2 million acres in the Gulf of Mexico, which would go east in the eastern Gulf of Mexico headed straight toward Tampa, FL, we worked out something that would satisfy all of the parties; that they would not have 2 million acres but they would have 8 million acres—8 million acres, not 2 million acres. But it would be further to the south, not to the east and, therefore, would not harm the interests of Florida or the U.S. military.

I remind my colleagues that the U.S. military's largest testing and training area in the world is almost the entire Gulf of Mexico off of Florida. It is the pilot training for the new F–22 out of Tindale Air Force Base in Panama City. They have to have wide areas with which to do dog fighting, not at submach but at 1.5 mach, and the turning radius at 1.5 mach is extraordinary. When are you doing this with live fire exercises, you can imagine that you do not want anything down there on the surface of the water. By the way, that is also why all of the new F–35s, the new joint strike fighter pilot training, when that fighter is developed, will also be in that area.

It is also the reason the Navy now sends its squadrons down to the Key West Naval Air Station at Boca Chica, because when they lift off the runway at Boca Chica, in 2 minutes they are over restricted air space where they can do their pilot training. But it is also the area where we are testing some of our most sophisticated weapons systems, many of which are with live ordnance, and you simply cannot have oil rigs down there on the surface of the water where you are doing all of this in furtherance of the training and the testing in order to have the best military in the world.

Yet it is coming back. It is coming back again. Now this time it is a little easier for us because we etched it into law as to that additional lease area for drilling in the Gulf, and you have got to change the law. Until the last time, it had always been under a Presidential moratorium. So it will be more difficult for them to have to change this. But I bring this up because the attitude is tunnel vision about drill, drill, drill.

That is not how we are going to solve the problem. I mean, are we not going to wake up with $120 per barrel oil prices and, who knows, with the tight

world oil market, if it is not going to keep going up?

And why is it at $120? We have had testimony here in the Senate from oil executives who say the typical supply-demand on the world market ought to have the price of oil at $55 per barrel. If that testimony is accurate, why the difference then between $55 and $120?

I think part of the answer to that question is, you look at history. You see these spikes whenever there is an unsettling condition in the world. You saw that in the early 1970s in the oil embargo. You saw that again in the late 1970s with the Iranian capture of the American Embassy people and holding them hostage. You saw it again at the beginning of the 1990s with the first gulf war, when Saddam Hussein had moved on Kuwait. You have seen it again in this decade with the Iraq situation, and you see it now with the jitters about what is happening in the Middle East.

You see it also in the unsettling relationship we now have with the President of Venezuela, Hugo Chavez, who bombastically keeps threatening to cut off oil. Now, that is a hollow promise because we have the refineries that have to process his grade of crude. But over time he could change. Nevertheless, it unsettles the markets.

By the way, we get 14 percent of our oil daily, our daily consumption of oil, from Venezuela.

You see it also with regard to Nigeria. Mark my word. Nigeria is an accident waiting to happen with regard to the 12 percent of our daily consumption of oil that comes from Nigeria. And already the battery, the thievery, the kidnappings, all of that being done by criminal thugs, that is one threat. But I recall for the Senate the fact that in northern Nigeria, al-Qaida is ascending. So that is certainly one reason for the difference between what some people have testified that the supply and demand would have oil at $55, and instead it is at $120.

But there is another reason. That is the speculation on oil futures and bidding the price up that gets us to this point.

Now, I am giving all of this background to say, well, what do we do? Is the answer the tunnel vision or myopic vision of drill, drill, drill, or do we do what we know we have to do? And the question is, where is most of our oil consumed? It is in transportation. Where in transportation is most of the oil consumed? It is in our personal vehicles.

So why do we not get serious, as we had our first inkling that we are, by having more conservation with greater miles per gallon? We passed in this Senate 35 miles per gallon phased in all the way out until 2015.

In Japan today, they are running around in their cars at 50 miles per gallon. In Europe today, they have got an average of 43 miles per gallon. Why cannot America summon the political will to say we are going to do something different than what we have been doing in the past, and we are going to try to wean ourselves from dependence on foreign oil which makes up 60 percent of our daily consumption. If we had the political will, we could do it. And, of course, if we had the political will, we could not only do the miles per gallon, we would put the money into the research and development to ultimately get to cellulosic ethanol so we would not be making ethanol from what we need to eat, and instead we would be making it from fiber, from that which we throw away. If we summon the political will, we would get serious about conservation measures and renewable fuels such as wind and solar, all the more than we are now. We would get serious about a major R&D effort and pouring the money into it in order to start developing the engine of the future that does not depend on any kind of petrol, such as hydrogen, or perfecting these batteries so we can have an all-electric vehicle. That is what we would be doing if we summoned the political will. At the end of the day, that is what we are going to have to do. It is going to have to be the new President who does it.

On this subject I will close by saying, America has a historical tendency to drag its feet until we are abruptly shoved up against the wall and we have to do something, and you see this throughout our two centuries of history.

There was at a time, for example, during the Korean war, the Soviets had the high ground. Their MiGs could fly higher than our jets. Again in 1958 they had the high ground, because they put up the first satellite, Sputnik. Again in 1961 they had the high ground, when they put up Yuri Gagarin, the first human to orbit the Earth.

We did not even have a vehicle that was powerful enough until 10 months later when we put John Glenn in that flimsy Atlas that had a 20-percent chance of failure, and finally got up.

Again, they had the high ground when they rendezvoused, the first time in space, with two spacecraft. They beat us to that. But then America summoned the political will when the President said: We are going to the Moon in 9 years and return. And we did. And we have the high ground now.

Now it is another complete subject—I will not get into it—about how we could be losing that high ground with NASA, because NASA is not getting enough resources for all of the things it is trying to do and, therefore, it is not going to have a chance to achieve and keep that high ground if we do not. But I will save that one for next week.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

(The remarks of Mr. WYDEN are printed in today's RECORD under ''Morning Business.'')

Mr. WYDEN. 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.

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

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

LAW OF THE SEA TREATY

Ms. MURKOWSKI. Madam President, many of us have come to the floor, certainly this past week—all this year—talking about increasing energy prices. There has been a lot of commentary about whom to blame. What do we do, how do we reduce the price of oil, how do we address the predicament we are in as a nation that is so very heavily dependent on energy for our economic strength? I have certainly done my share of talking about the need to increase domestic production of oil and gas, particularly in the State of Alaska. We believe we have great opportunities up there and can be doing more to address it. What we haven't had an opportunity to bring up in the debate is the potential for a vast reservoir of energy that is available to the United States in the Arctic, in the far north, and the fact that we could lose out to other nations if we are not more proactive in asserting our claims to these resources.

I have been on the floor many times talking about the Arctic Coastal Plain and the potential in ANWR. We believe there is anywhere between 10 to 16 billion barrels of economically recoverable oil, the largest remaining onshore petroleum field in North America. But even further to the north, beyond ANWR, off the coast of Alaska and beyond, this is where we believe an unquantifiable amount of resource may lie. It is estimated that the Arctic may hold 25 percent of the entire world's undiscovered oil and gas resources. It is enormous. That number is based on a 2000 assessment by the U.S. Geological Survey. In that survey, they only looked at a few of the Arctic basins. There is going to be a more detailed survey that will be out. The survey is currently underway. The projection is that the amount of 25 percent could be lower—that, in fact, the amount of oil and gas in the Arctic region could go significantly higher.

What is the problem with this situation? The fact is, we believe the potential in the Arctic under the ice may be enormous, but we have no legal claim as a nation to most of this oil or gas, unless the United States becomes a party to the convention on the law of the sea. I can tell you, if we are not