

of energy exploration in the United States to bring down prices in the short term married to a long-term strategy of energy independence through development of clean energy technologies. If we are going to help Americans in the short term, obviously we need more American energy now, but our friends on the other side don't want to hear it. They think Americans should get used to \$4-a-gallon gasoline.

Asked last week about the sudden spike in gas prices, the Democratic nominee for President said he would have preferred a gradual adjustment. As I have said several times, and others have, I don't think that is the common view in the United States, and I want to give my colleagues on the other side one more opportunity to say that, in their view, Americans shouldn't have to get used to \$4-a-gallon gasoline. I haven't heard a single one of them say so yet, but I can't imagine they agree with their nominee that what Americans really needed was a gradual adjustment to \$4-a-gallon gasoline.

FISA LEGISLATION

Mr. McCONNELL. Mr. President, on another issue, Senator BOND reports that the FISA discussions have yielded a rough compromise that may be acceptable to the DNI, the White House, and the chairs and ranking members of the Intelligence Committees. Because the House leadership has denied a majority of House Members a vote on the acceptable Senate-passed bill last year, the burden remains on House leaders to prove they are capable of passing FISA legislation that the President will sign.

UNANIMOUS-CONSENT REQUEST— S. 3118

Mr. McCONNELL. Mr. President, I just listened to my good friend the majority whip spend considerable time this morning complaining about obstruction and delay, so, as I indicated to him in advance, I am going to give him a chance to move forward, if they will just take yes for an answer.

Therefore, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 776, S. 3118, a bill to preserve Medicare beneficiary access to care, that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Mr. President, the Senate Republicans had their chance last week to move to any measure relative to Medicare and they chose instead to

filibuster and to fail to produce enough votes to move to the debate. This effort here is simply trying to create a political "get well" card for those who voted wrong, and I object.

Mr. McCONNELL. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Republican leader.

Mr. McCONNELL. Did I hear an objection?

Mr. DURBIN. I object.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS-CONSENT REQUEST— 18-MONTH EXTENSION

Mr. McCONNELL. Another option we could pursue on a bipartisan basis is to do what we did last December, which is pass a 6-month extension on a bipartisan basis. So maybe we can simply extend existing law for 18 months, the 18-month period being the one we had been discussing before the bipartisan talks broke off.

Therefore, I ask unanimous consent that the Senate proceed to immediate consideration of a Senate bill, which I will send to the desk, and is a clean 18-month extension of the December Medicare bill. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. McCONNELL. Mr. President, our greatest successes in this Congress have come when both sides work together. We have seen it many times, from last year's Energy bill to the economic stimulus package. We started down the same path when we began the Medicare discussion a few months ago. Both sides wanted to prevent cuts to physicians in the Medicare Program, preserve access to the quality medical care our seniors have come to depend on, and improve the program with things such as electronic prescribing. Unfortunately, the majority walked away from these bipartisan discussions. With the deadline for action approaching at the end of the week, frankly, we need to pass a bill.

I am willing to consider many different options. Senator GRASSLEY drafted a bill that would protect Medicare benefits for seniors and that could be signed into law by the President. It should be passed today in the Senate, but the majority has passed on an opportunity to do that.

I am going to resist the temptation to launch into a speech like my good friend from Illinois about how many times legislation has been blocked by the minority. I think the finger-pointing at this point on this bill is ridiculous. We have a couple of weeks to pass it. We need to get together and pass it.

If the other benefits and improvements to Medicare are unacceptable to the majority, my side is willing, as I suggested a few moments ago, to extend the bill passed in December of last year for 18 months, with a 1.1 percent update for 2009. It was acceptable enough to pass 6 months ago by unanimous consent, so it should be acceptable enough now. It is critical we prevent these cuts from taking effect. This bill would do that. The majority, unfortunately, has objected to that path.

It is some cause for confusion. I thought our friends on the other side were interested in preserving seniors' access to physicians from being compromised. As physicians face a 10.6 percent cut in Medicare reimbursement, we need to be working together. I know I speak for myself as well as Senator GRASSLEY when I say we remain hopeful that the majority will stop playing partisan politics and return to the negotiating table so we can quickly pass this much needed legislation.

UNANIMOUS-CONSENT REQUEST— S. 3098

Mr. McCONNELL. Finally, I notified my friend on the other side I also wanted to ask consent that the Senate proceed to the immediate consideration of Calendar No. 771, S. 3098, a bill to extend expiring tax relief. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. McCONNELL. That was the extender package, the McConnell-Kyl-Grassley package. That includes the 1-year AMT patch omitted by the House bill that we had a vote on yesterday and extends the provisions that expired in 2007 for 2 years. This is a 1-year longer extension than in the House bill we had the vote on yesterday.

S. 3098 does not include any tax hikes, reflecting the position 41 Senators took in a letter to Senator BAUCUS on April 23 of this year.

Our Republican alternative also includes the Ensign-Cantwell energy tax incentives, which were approved by the Senate earlier this year, 88 to 8.

In addition, S. 3098 does not contain the New York City earmark. It also does not contain the tax break for trial lawyers. It also does not contain Davis-Bacon expansion. And it also would not be vetoed by the President.

On balance, this is a bill that could pass the Senate and get signed by the President. We hope to pass it as soon as possible.

Let me conclude my remarks by saying that my good friend on the other