flamboyant showmanship of President Bush aboard the USS *Abraham Lincoln*.

President Bush's address to the American people announcing combat victory in Iraq deserved to be marked with solemnity, not extravagance; with gratitude to God, not self-congratulatory gestures. American blood has been shed on foreign soil in defense of the President's policies. This is not some made-for-TV backdrop for a campaign commercial. This is real life, and real lives have been lost. To me, it is an affront to the Americans killed or injured in Iraq for the President to exploit the trappings of war for the momentary spectacle of a speech. I do not begrudge his salute to America's warriors aboard the carrier *Lincoln*, for they have performed bravely and skillfully, as have their countrymen still in Iraq, but I do question the motives of a deskbound President who assumes the garb of a warrior for the purposes of a speech.

As I watched the President's speech before the great banner proclaiming ''Mission Accomplished,'' I could not help but be reminded of the tobacco barns of my youth, which served as country road advertising backdrops for the slogans of chewing tobacco purveyors. I am loath to think of an aircraft carrier being used as an advertising backdrop for a Presidential political slogan, and yet that is what I saw.

What I heard the President say also disturbed me. It may make for grand theater to describe Saddam Hussein as an ally of al-Qaida or to characterize the fall of Baghdad as a victory in the war on terror, but stirring rhetoric does not necessarily reflect sobering reality. Not one of the 19 September 11th hijackers was an Iraqi. In fact, there is not a shred of evidence to link the September 11 attack—at least as of this date—on the United States to Iraq. There is no doubt in my mind that Saddam Hussein was an evil despot who brought great suffering to the Iraqi people, and there is no doubt in my mind that he encouraged and rewarded acts of terrorism against Israel. But his crimes are not those of Osama bin Laden, and bringing Saddam Hussein to justice will not bring justice to the victims of 9/11. The United States has made great progress in its efforts to disrupt and destroy the al-Qaida terror network. We can take solace and satisfaction in that fact. We should not risk tarnishing those very real accomplishments by trumpeting victory in Iraq as a victory over Osama bin Laden.

We are reminded in the gospel of Saint Luke, ''For unto whomsoever much is given, of him shall be much required.'' Surely the same can be said of any American President. We expect—nay, demand—that our leaders be scrupulous in the truth and faithful to the facts. We do not seek theatrics or hyperbole. We do not require the stage management of our victories. The men and women of the United States military are to be saluted for their valor and sacrifice in Iraq. Their heroics and quiet resolve speak for themselves. The prowess and professionalism of America's military forces do not need to be embellished by the gaudy excesses of a political campaign.

War is not theater, and victory is not a campaign slogan. I join with the President and all Americans in expressing heartfelt thanks and gratitude to our men and women in uniform for their service to our country, and for the sacrifices that they have made on our behalf. But on this point I differ with the President: I believe that our military forces deserve to be treated with respect and dignity, and not used as stage props to embellish a Presidential speech.

Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CHAFEE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

ENERGY POLICY ACT OF 2003—Continued

Ms. LANDRIEU. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. DOLE). Without objection, it is so ordered.

The Senator from Louisiana is recognized.

Ms. LANDRIEU. Today the Senate continues a process that began almost 2 years ago. At that time, the Senate Energy Committee held and completed the first of several planned mark-up dates with the goal of putting together a comprehensive energy bill. After a number of postponements due to circumstances beyond our control, we engaged in 2 months of debate on the Senate floor last spring and produced a bill by a vote of 88 to 11.

Unfortunately, the House and Senate were unable to resolve their differences in a conference so we find ourselves once again tasked with the formidable challenge of developing an energy policy for the Nation.

I am pleased to report that after 2 weeks of mark-ups under the leadership of Chairman DOMENICI and the ranking member, Senator BINGAMAN, the Senate Energy and Natural Resources Committee has lived up to its duty by reporting a comprehensive energy bill to the Senate for consideration.

So, the challenge of completing a comprehensive energy bill is once again before the Senate. There are likely to be additional obstacles before us along the way. The question is can we overcome them to complete our duty? It was Woodrow Wilson who once said:

> The only use of an obstacle is to be overcome. All that an obstacle does with brave men is, not to frighten them, but to challenge them.

So the challenge is now before us.

This legislation does an excellent job of utilizing the variety of energy options available to the country particularly from a production standpoint. It is up to the full Senate to balance this with some meaningful conservation measures.

We had a number of hearings in the Energy Committee earlier this year to address the volatility we face in the price and supply of both oil and gas. Since we import 60 percent of the oil we consume, the price of oil is often at the mercy of world events such as the political turmoil in other countries—Venezuela and Nigeria—that we rely on for imports. We can and should produce more at home but must simply acknowledge that reducing the amount of oil we consume has to be part of the equation.

On the other hand, the natural gas market is quite a different picture.

Our country currently produces 84 percent of the natural gas we consume. However, there is a gap looming on the horizon. The energy information forecasts that the demand for natural gas will increase by 30 percent in the United States over the next 15 years, with supplies available to meet 70 percent of this need.

The facts are clear: our natural gas market is in a state of transition. Industries across the country that rely on natural gas as feedstock such as the chemical and fertilizer industries are confronted with high pries which is translating into the loss of jobs. We need to act now.

Most of the natural gas supply sources that have been offered as solutions, such as the natural gas pipeline from Alaska, are medium to long term options. However, in the bill before us today there is a provision which is one of the few, if only, short term options, we really have to affect the market. This provision builds on a recent rule proposed by the department of Interior providing incentives for deep gas production from wells in shallow water areas that have already been leased. Given the projections for potential supply in these areas, the opportunity to deliver significant new natural gas production to the market in order to stabilize prices is simply too good an opportunity to pass up.

Another significant program authorized in the oil and gas title of this bill would take the step of recognizing, for the first time, the impacts to oil-and gas-producing states such as Alaska, Texas, Louisiana, Mississippi and Alabama, from the development that takes place on the outer continental shelf off of their respective coastlines.

With less and less areas available for production, and the deepwaters of the gulf of Mexico still a hotspot for the foreseeable future, it is time for Congress and the Federal Government to recognize the importance of the development that has been occurring and continues to take place off the shores of Louisiana and Texas and compensate those States for their role in providing the Nation's energy supply.

If our policy in this country is going to continue to defer to a State's wishes

as to whether oil and gas development takes place off its coast, then the least we should do is compensate those few States—Alaska, Texas, Louisiana, Mississippi and Alabama—for the duty they preform in supplying this Nation with a significant amount of the oil and gas it needs to function. After all, the OCS is now the largest producing area in the United States as more than 25 percent of both the Nation's oil and natural gas is expected to be produced from the OCS in 2003. In fact, the OCS is the largest single source of oil for the entire U.S., surpassing even Saudi Arabia.

Nuclear energy now provides approximately one-fifth of all electric power used in this country, but does so without compromising our air quality. It is the largest clear air source of electricity in the Nation today, generating two-thirds of all emission-free electricity. Nuclear power is perhaps unique among our supply options, as there is a large potential for expansion in the relative near term with little downside in terms of environmental quality or increased reliance on foreign fuel sources.

For future generations of Americans whose reliance on electricity will increase—and who rightfully want a cleaner environment—nuclear energy is an essential partner in our energy and environmental policy. The provisions contained in this title of the bill—renewal of Price-Anderson, incentives for the construction of new baseload nuclear plants, and the emphasis on encouraging hydrogen co-generation from nuclear power—recognize that nuclear energy is a vital component of our energy portfolio.

One of the most contentious debates we will engage in over the next several weeks involves the issue of electricity. We are confronting an industry that is facing difficult times from the dysfunction of California's market to a loss of market capitalization.

Amid this turmoil, the Federal Energy Regulatory Commission has proposed sweeping, untested changes to the business of providing basic and essential electric service to our constituents. Instead, we need to legislate with a caution not reflected by FERC's standard market design, SMD. While the bill before us took the important step of delaying any further action on SMD until January of 2005, there are a number of areas where I believe the electricity provisions before us come up short in addressing the shortcomings of SMD.

First, the State-Federal jurisdictional divide, which has worked exceedingly well in Louisiana to provide low-cost and reliable electric service, is jeopardized by the SMD proposal.

Second, I am concerned about the potential for increased rates for my retail customers as a result of the costs of accommodating the ''merchant generation'' that, over the past several years, has been seeking to connect to the electric grid in the southeast. While it has added to the competition, it is also straining the grid, and under FERC policy may end up straining the pocketbooks of regular homeowners who would be forced to subsidize the interconnection and transmission costs.

Lastly, I remain concerned that we need more investment in transmission facilities, but do not have sufficient policies to encourage it. Transmission is critical to sustaining wholesale markets. I had hoped that the electricity title of this bill would have been reported out of committee with much-needed participant funding language in order to significantly increase transmission investment.

When we turn to electricity during this debate, I intend to offer several amendments to address these concerns.

We now realize that perhaps the best alternative to oil and gas production in this country is conservation. As our economy continues to grow so does our demand for energy. While we have made some noteworthy strides on the conversation front there are miles to go. When we talk about our dependence on oil in this country we have to acknowledge that there is no alternative that matches oil for cheapness and convenience. While we should continue to produce oil in this country where we can that alone cannot be the answer. With over 60 percent of our daily oil consumption coming from the transportation sector, we have to start there. The challenge to this body is how to strike a sensible balance by establishing a reasonable increase in fuel economy standards that will not compromise vehicle safety, unduly increase cost and significantly limit consumer's choices.

I think every member probably realizes the importance of ultimately changing the ''coinage'' of energy in the transportation sector from oil to something else.

This bill addresses that something else by authorizing about $3.6 billion for an increase in hydrogen fuel research and development, demonstration projects, federal purchase requirements, and specific goals to move hydrogen vehicles out of laboratories and onto the nation's roads. A hydrogen economy that lessens our dependence on foreign oil is within our grasp.

During markup before the committee, I supported what amounts to a reasonable renewable portfolio standard. I continue to believe that it is a commonsense approach to ensure that renewable sources of energy—wind and solar—be a part of our electricity supply. Renewable energy is homegrown and does not need to be bought from foreign markets. The advantages of our ability to domestically produce renewables are obvious: protection for consumers from the prospect of supply interruptions outside the region or country which we cannot control.

It frustrates me to hear people talk about climate change as something that we can simply adapt to—no big deal. I can assure everyone here, changing climate is a big deal for Louisiana. My state continues to lose its coastline and critical wetlands every year. We already feel the human impact and economic loss from hurricanes every year. There are some that think these storms could get worse with global warming, although the scientific jury is still out. We owe it to our constituents and to our colleagues in the Senate to give our best efforts, in this bill, to come up with a commonsense and effective policies to deal with this threat.

For conclusion, the challenge before us now is to acknowledge how much we depend on these traditional fossil fuels—our Nation still relies on oil and gas for 65 percent of the energy it consumes. That is not going to change overnight. At the same time, we must continue to make significant strides toward using the impressive diversity of energy sources we have at our disposal including nuclear and renewable energy. Also, if we continue to ignore the importance of conservation we do so at our own peril.

With a little balance and common sense, we can make the diversity of supply available in this country go a long way. All of the supply options available to our country have a substantial role to play in our future energy mix. However, none by themselves is the answer.

I yield back the remainder of my time and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EXECUTIVE SESSION

NOMINATION OF MIGUEL A. ESTRADA, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Calendar No. 21, the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

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

The legislative clerk read the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented