and clean coastal environment are so important to our State's tourism-based economy that there is no support—zero—for drilling in the waters off Florida in the Eastern Gulf of Mexico. For that reason, I am compelled to ask the chairman and ranking member for their commitment that they will oppose, and work to defeat, any amendments to this bill that would change the status quo in the Eastern Planning Area. That commitment would apply to amendments proposing any change in the areas now under moratoria, any additional leasing activity in Lease Sale 181, beyond what was agreed to in 2001, and includes opposing the drawing of lateral seaward boundaries into the Eastern Planning Area.

Mr. MARTINEZ. Mr. President, I thank the chairman and ranking member for their leadership and for engaging us in this colloquy. For Floridians, there is simply no margin for error when it comes to offshore oil and gas drilling. Our $50 billion tourism industry is the lifeblood of our economy, and our tourism is based on people coming to enjoy the clean water, sugar-white sands, and excellent fishing that can be found up and down our coasts. The risk of even one offshore drilling accident to this economic engine is simply too great for us to take.

I will seek to strike the section that permits an inventory of oil and gas reserves in the Outer Continental Shelf. We are very concerned in Florida that an inventory is simply the first step down a slippery slope toward expanded drilling. But I will also join my colleague in seeking the commitment of the distinguished chairman and ranking member to oppose any amendments that would change the status quo in the Eastern Planning Area.

Mr. DOMENICI. Mr. President, it is my position that it is unfair to prejudge any hypothetical amendment, ruling it in or out without knowing the substance of the provision. Furthermore, I do not want to be in a position to preclude any of my colleagues from offering what they think are improvements to this legislation.

That having been said, I assure my colleagues, Senator NELSON and Senator MARTINEZ, that I will not support any amendment that alters current OCS moratoria with respect to submerged lands off of Florida's coast or that affects lands in Lease Sale 181, not so much because of the substance of any amendment of the sort, but because it would bog down this bill.

I want it to be clear that restricting development of our natural resources is not a policy view that I share, particularly in these times of severe shortages and high prices. I am on record supporting the principle that individual States should have greater input in petitioning the Federal Government to allow oil and natural gas production on the OCS. I am also on record stating that I believe that the time has come for the executive branch to draw boundaries and publish these boundaries as previously required under the Outer Continental Shelf Lands Act. I also believe that it is imperative that we increase our production on the OCS in order to decrease our dependence on foreign sources of oil. Finally, I think that it is important that we work toward recognizing, in real financial terms, the sacrifice that certain coastal States make toward helping our Nation meet its energy needs.

Having said all of this, I understand the importance of this issue to my colleagues from Florida. Although we do not agree, I respect their difference of opinion. I respect their passion on this issue and I make this concession because I understand the necessity of moving forward with this energy bill. This bill in its totality is more important than any one part. And, to that end, I extend this offer to my colleagues.

It should be noted, however, that this position does not apply in any way to any provision currently contained in this bill as reported out of the Energy Committee, including the comprehensive OCS inventory. While I will assist Members in working toward what I think are improvements to the inventory section, I will strongly oppose any attempt to strike the section. Furthermore, I will oppose any amendment that I think weakens any of the OCS provisions already contained in this bill. I thank my colleagues for their attention to this issue and look forward to working with them on this in the future.

As I said at the outset, I will not support any amendment that alters current OCS moratoria with respect to submerged lands off of Florida's coast or that affects lands in Lease Sale 181.

Mr. BINGAMAN. Mr. President, I join the chairman in his reluctance to prejudge amendments that we have not yet seen here in the Senate. We are trying very hard on this bill to consider and work out issues on their merits, which is how I think energy legislation should be considered in the Senate.

I can assure my colleagues, Senator NELSON and Senator MARTINEZ, that in order to move forward expeditiously with this legislation, I will likewise not support an amendment that alters current OCS moratoria with respect to submerged lands off of Florida's coast or that affects lands in Lease Sale 181, and that I will work very closely with them on any amendment that they believe affects Florida's interests with respect to the Outer Continental Shelf. Senator NELSON has been a strong leader and advocate for preventing oil and gas development off of Florida's coasts. He is a passionate defender of the pristine beaches, estuaries, and native mangrove ecosystems of Florida. I am keenly aware that he and his colleague, Senator MARTINEZ, have considerable rights under the Senate rules to impede the progress of this bill if amendments threatening these important Florida resources were in fact offered. But, I think it is unlikely that any Senator will offer an amendment to lift OCS moratoria off of Florida, or open areas otherwise unavailable for leasing, during our consideration of this bill.

I have somewhat different policy views than those of Chairman DOMENICI with respect to the role of States and the OCS. I certainly agree with his desire to see additional environmentally responsible energy development on the Outer Continental Shelf. Any policy differences regarding how that is to be accomplished are probably best left to another occasion. I also have a very different policy view on Lease Sale 181 from the Senators from Florida. I have supported drilling in the Lease Sale 181 area in the past and am likely to do so in the future.

I do believe that oil and gas production on the OCS can and will play an important role in meeting our Nation's energy needs, and that we need to craft appropriate national policies in that regard. For that reason, like the chairman, I support the inventory proposal contained in the bill now, and would support attempts to improve it. But I do not think that such provisions necessarily would operate to the detriment of Floridians. I appreciate the diligence being shown by our colleagues on these topics, given the importance that Floridians place on maintaining a pristine coastal environment. I look forward to continuing to work with them on these issues as this bill progresses.

MORNING BUSINESS

Mr. DOMENICI. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

J. JAMES EXON, NEBRASKA GOVERNOR AND SENATOR

Mr. NELSON of Nebraska. Mr. President, I am here today to pay tribute to a great American and a great Nebraskan. J. James Exon served with distinction in the United States Senate from 1979 to 1996 an as Governor of Nebraska from 1970 to 1978. Senator Exon passed away in his hometown of Lincoln, NE last Friday at the age of 83. His funeral services are tomorrow in Lincoln.

Jim Exon understood Nebraskans like no one else which explains his popularity with the people of his State. He loved them and they loved him back.

He was a Democrat in a highly Republican State, yet he never lost an election in 2 campaigns for Governor and 3 for United States Senate. He understood that Nebraska is a populist state more than it is a partisan state. Most Nebraskans judged him on what he said and what he did, not on his political registration.

Jim Exon was a common man. Nebraskans will remember Jim Exon as one of the greatest leaders Nebraska ever had. Anyone who travels around Nebraska today can see the continuing legacy from his quarter century of public service.

Jim Exon built on the Nebraska tradition of working together. In that way he carried on the legacy of another giant in Nebraska history, Senator George Norris. Norris founded the unicamera legislature in an effort to improve the workings of government and to achieve results. Jim Exon had the same philosophy.

I had the honor of serving in then-Governor Jim Exon's cabinet as Nebraska Director of Insurance. He has been a friend and mentor ever since even as I have followed him as Governor and U.S. Senator. I would frequently call him to seek advice and he would often call to offer it. Now, those calls will cease but I don't think I'll ever stop learning from Jim Exon.

The people of Nebraska always appreciated Jim Exon in life as they do now in death. We will miss him but we can all take comfort in the fact that his fingerprints are on more than a quarter century of our history and Nebraska and the United States of America are far better places because of his generous service.

As a former poker partner of Jim Exon, I can say that the man was driven to win. He was surprised by those who didn't try to beat him. That attitude carried over into his public life and is ''part and parcel'' of the reason so many Nebraskans are fond of him. He made you feel like he was on your side. He made you feel your issues were important. And most of all, he made you feel proud to be a Nebraskan.

Those in public life must face the last great scrutiny when they leave this world for the next. Their careers are examined again. Their friends and foes get one last unanswered say. In the case of Big Jim Exon, who liked to have the last word, I know this must be driving him crazy.

In the case of Jim Exon the last word goes to Nebraska, the State and the people he loved so dearly. The State of Nebraska will miss Jim Exon, his wisdom, his humor and his common sense. He is one Nebraskan who from start to finish, and through every day, truly did lead ''the good life.''

I ask unanimous consent to have printed in the RECORD two editorials from Nebraska newspapers that captured the essence of Jim Exon so eloquently, one from my hometown paper, the McCook Gazette and another from the Omaha World Herald.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the McCook Gazette, Jun. 13, 2005]

''COMMON MAN'' EXON IN TOUCH WITH STATE

The former editor and publisher of the McCook Daily Gazette, Allen Strunk, played a key role in the political career of J.J. Exon, the former Nebraska governor and senator who passed away Friday at age 83.

Strunk, a conservative Republican, broke with tradition in 1970 when he became the only daily newspaper publisher in the state to endorse Exon in the race for governor against Norbert Tiemann.

Contacted at his Las Vegas home this morning, Strunk said he was moved to support Exon because he was a ''common Joe'' who was in touch with the people. ''Exon had been a businessman in Lincoln and the 1970 campaign was his first run for office,'' Strunk said. ''He impressed me as being much more in tune with the wishes of the people than did Tiemann, who came across as pompous.''

The endorsement of Strunk was helpful in the hard-fought race. Another factor was the negative feedback which Tiemann received following passage of state sales and income tax legislation.

Exon's victory in 1970 launched a political career that continued through two terms as governor and three terms as a United States Senator. Whenever he was in Southwest Nebraska, Exon made it a point to stop by the Gazette office for visits with Strunk.

Exon also was an important figure in the lives of two other former McCook residents: the late Frank Morrison, a former governor of Nebraska; and Ben Nelson, a former governor and current U.S. Senator from Nebraska.

Nelson struck the same theme as Strunk, saying, ''Jim Exon was a common man who dearly loved the state of Nebraska and that's why the people loved him. He was one of them and they knew it and were proud of it. His fingerprints are all over the history of Nebraska and he'll go down as one of the greatest leaders this state has ever known.''

During this lifetime, Morrison spoke highly of Exon, as did Exon of Morrison. Exon was among the many mourners when Morrison passed away in 2003 at age 98.

Other than George W. Norris of McCook, Exon was the only Nebraskan to win five consecutive elections. The state will miss him, as will the McCook area, which had a significant role in Exon's long political career.

[From the Omaha World Herald Jun. 12, 2005]

J. JAMES EXON

Perhaps someone else would have made Nebraska a two-party state in the second half of the last century if John James Exon hadn't appeared on the scene.

But it's hard to imagine anyone else doing the job nearly as effectively, and with as much pure joy, as did the former governor and U.S. senator, who died Friday at age 83.

Starting in the 1950s J. James Exon breathed life into the moribund Democratic Party with the force of his personality, the clarity of his vision and the relentlessness of his energy.

He was a force in the candidacy of Govs. Ralph Brooks (1959–60) and Frank Morrison (1961–67). He was guide and mentor to Govs. Bob Kerrey (1983–87) and Ben Nelson (1991–99). In his own right, Exon was the first Nebraska governor to serve two four-year terms (1971–79) and followed that with an 18-year career in the U.S. Senate.

Exon has earned lasting honor in the councils of his party. He helped show Democrats how they could succeed in Nebraska: be true to the better nature of their party while respecting the political traditions and impulses of all Nebraskans. Above all, be a straight shooter. Don't pussyfoot.

But he belongs to all Nebraskans. Exon's presence on the political scene demonstrated the wisdom of evaluating a candidate's knowledge, character and ideas ahead of narrow partisanship. Competition between the parties makes for a better examination of ideas and philosophies, but only if the voters are willing to listen before deciding.

Exon simply would not be put down because the Republicans had a big lead in voter registrations. He said what was on his mind, and the electorate could not help but pay attention.

And thus when the time came to ask Nebraskans for their votes, Republicans stepped forward by the thousands to cast a vote for Jim.

As governor, Exon embraced the mantra of holding the line on spending. He was known for his strongly worded veto messages. He fought his political battles with a gusto that approached celebration.

However, though he was a conservative on spending, he was no skinflint. His dislike of careless spending was balanced by an abiding sense of stewardship over the institutions of state government. He was a man of moderation.

In the Senate, Exon positioned himself as a proponent of a strong national defense and as a knowledgeable source on geopolitical matters. A veteran of World War II, he could thus claim a legitimate share in the victory in the Cold War.

He followed his stars, loved the outdoors, maintained the loyalty of strong men and never wavered in his commitment to fairness and his concern for ordinary people.

Carved in the south facade of the Nebraska State Capitol, facing the Governor's Mansion where the Exons resided for eight years, are the words of Aristotle: ''Political society exists for the sake of noble living.''

Surely Big Jim Exon used that thought, or something very similar, as part of the code by which he lived his life.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I heard the remarks of the distinguished Senator from Nebraska. I don't have time tonight to make my comments about the distinguished Senator, Governor Exon, but tomorrow I will.

Suffice it to say, it was my privilege to serve with him. He was everything the Senator from Nebraska said and more.

Tomorrow I will elaborate on my years of service on various committees. He truly was a wonderful man, a hard worker, a man of great common sense, and he contributed immensely to the years I knew him in the Senate.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, let me take a minute, also, and underscore the comments our colleague from Nebraska and Senator DOMENICI have made about Jim Exon. He was a great U.S. Senator and one with whom I was fortunate to serve on the Armed Services Committee for many years. He contributed a tremendous amount to his home State and to this country. He will be missed by all who served with him in the Senate.

There is a service for him tomorrow in Nebraska, which I hope to attend. I will also have extensive comments to offer at a future time. It is a great loss to the country and a great loss, of course, to all those who knew him. He will be fondly remembered in this Senate.

I yield the floor.

TRIBUTE TO THE UNIVERSITY OF KENTUCKY'S COLLEGE OF PHARMACY

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to the University of Kentucky's College of Pharmacy. Today at the Kennedy Center the college is being awarded the American Pharmacists Association's 2005 Pinnacle Award to recognize the success of UK's Diabetes Education and Management program in helping Kentuckians with diabetes.

Over the past 30 years, doctors have been able to treat more and more conditions with prescription medication. While this revolution in pharmaceuticals is overwhelmingly positive, the incorrect use of medication can result in harmful side effects, ineffective treatment, and unnecessary costs. This is of particular importance in Kentucky, where citizens use significantly more prescriptions than the national average.

The UK College of Pharmacy has created a comprehensive Center for Improving Medication Related Outcomes to educate physicians, pharmacists, and consumers about the appropriate use of medication. This is something I believe in, and since 2002, I have been proud to secure $3 million in Federal funding to help the center become a leader in promoting the safe use of prescription drugs throughout the Commonwealth and the Nation.

The Diabetes Education and Management Program is an important component of the UK Center for Improving Medication Related Outcomes that focuses on diabetes control. I am proud that the UK College of Pharmacy and the Diabetes Education and Management Program have become valuable resources for our Nation's healthcare system. I ask my colleagues to join me in recognizing the University of Kentucky College of Pharmacy for their exceptional work in the field of prescription medication safety.

APOLOGY TO VICTIMS OF LYNCHING

Mr. CORZINE. Mr. President, over 4,700 people, mostly African American, were victims of lynching in the United States between 1882 and 1968. This represents one of the low points in our history as a Nation—a time when our Nation turned away from its responsibility to our fellow citizens and failed to do the right thing. We condemn these terrible crimes and ask forgiveness for the failure of the Senate to act. We are reminded that our history is not perfect and that the Senate made a costly mistake, calculated not in dollar figures but in human lives. I am deeply saddened by the fact that during a time when our commitment to justice for all Americans was tested the U.S. Senate failed to enact antilynching legislation to stop this brutal, tragic, and senseless violence. And so I join my colleagues in this apology.

It would be a mistake to see lynching as distant history for that is simply not the case. Lynching occurred in the United States until 1968 and was committed in 46 States, including New Jersey. Lynching was used to kill, humiliate, and dehumanize African Americans and, to a lesser extent, other minorities. It was intended to teach minorities a lesson—that if they did not follow the established social code of conduct between the races and classes, they too might suffer this fate. Indeed, there are countless stories of African American teenage boys who were allegedly lynched for talking back to a White man or looking at a White woman. Those acts were seen as transgressions in the eyes of lynch mobs who failed to understand one of the most central tenets of our great Nation—that we are all equal under the Constitution and laws of the United States of America.

In reality, it was not only the lynch mobs that failed to understand that we are all equal. State and local governments also failed to uphold this democratic principle. Although State and local laws prohibited murder and other violent crime, State and local officials failed to enforce these laws when they applied to lynching victims. And so lynching continued through the first half of the 20th Century as our society and government failed to hold the people who committed these crimes accountable.

Mr. President, lynching also continued because many communities implicitly sanctioned such events. We are not talking about secret affairs held under cover of darkness by men wearing hoods to hide their identity. We are talking about public spectacles held in town squares during broad day-light with no attempt by the participants to shield their identity. Indeed, there are countless stories of community celebrations surrounding lynching: of businesses closed so locals could attend, of postcards sent out commemorating these horrific events, and of souvenirs such as pieces of hanging rope sold to onlookers.

American Presidents asked the Senate, on seven separate occasions, to enact antilynching legislation to stop the violence. From 1900 to 1950, approximately 200 antilynching bills were introduced in Congress. And between 1920 and 1940, the U.S. House of Representatives passed three such bills. But the Senate remained silent and it was that silence that prevented the enactment of a Federal antilynching law.

This resolution is an acknowledgement that the Senate, in failing to pass a Federal antilynching law, ceased to protect many American citizens. While Federal legislation may not be the ideal solution in all areas of criminal justice, it has been essential in the realm of civil rights. When States have failed to enforce their own criminal laws because of local pressure or bias, the Federal Government has frequently established laws to vindicate the civil rights of all Americans.

Mr. President, I strongly believe that it is not enough for us to stand here and apologize for things that happened in the past. We must use this recognition of the Senate's past inaction to motivate us to enact laws today that protect the basic civil rights of all Americans, such as the Local Law Enforcement Act of 2005. This bill, which I am proud to cosponsor, will strengthen the ability of the Federal, State, and local governments to investigate and prosecute hate crimes based on race, ethnic background, religion, gender, sexual orientation, and disability. I urge all my colleagues to support this bill, a true test of the commitment of the Senate to do the right thing.

CHANGES TO H. CON. RES. 95

Mr. GREGG. Mr. President, section 308 of H. Con. Res. 95 the FY 2006 Budget Resolution—permits the Chairman of the Senate Budget Committee to make adjustments to the allocation of budget authority and outlays to the Senate Committee on Energy and Natural Resources, provided certain conditions are met.

Pursuant to section 308, I hereby submit the following revisions to H. Con. Res. 95:

	$ in billions
Current Allocation to Senate Energy and Natural Resources Committee:	
FY 2005 Budget Authority	5.124
FY 2005 Outlays	3.922
FY 2006 Budget Authority	4.600
FY 2006 Outlays	4.135
FY 2006–2010 Budget Authority	19.461
FY 2006–2010 Outlays	18.898
Adjustments:	
FY 2005 Budget Authority	n/a
FY 2005 Outlays	n/a
FY 2006 Budget Authority	.098
FY 2006 Outlays	.098
FY 2006–2010 Budget Authority	.740
FY 2006–2010 Outlays	.672
Revised Allocation to Senate Energy and Natural Resources Committee:	
FY 2005 Budget Authority	5.124
FY 2005 Outlays	3.922
FY 2006 Budget Authority	4.698
FY 2006 Outlays	4.233
FY 2006–2010 Budget Authority	20.201
FY 2006–2010 Outlays	19.570

JUDICIAL NOMINEES

Mr. KERRY. Mr. President, for the past several weeks, the Senate has been consumed with President Bush's judicial nominations. We have debated the constitutionality of the nuclear option, and we have debated the merits of the judicial nominees themselves. In the past 2 weeks, the Senate has confirmed 6 nominees bringing the total of confirmed judges to 214 out of 218.

I voted for two of these nominees: Richard A. Griffin and David W. McKeague, both of whom were nominated to the Court of Appeals for the Sixth Circuit. These two individuals were highly rated by the American Bar Association, and, although I disagree with their politics, I believe they will be fair and impartial jurists.

I voted against the other four nominees, none of whom I believe deserved lifetime appointments to the Federal bench. Each one has demonstrated an unwillingness to follow the law when it