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No. 79

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable SAM BROWNBACK, a Senator from the State of Kansas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Immortal, invisible God only wise, Your love endures throughout all generations. Thank You for Your wondrous work and for Your constant care for our world.

Lord, today, bless our Senators. Let their lips disperse knowledge and their conduct produce peace. Empower them to walk with integrity and to strive to honor You. Remind them often that humility comes before honor. Grant that whatever work they do, they may labor for You. Guide them in all of their decisions and give them the power to live victoriously. Give them the perseverance to finish the tasks they start.

Lord, help each of us to not simply honor You with our lips but also with our lives. All this we ask for Your love's sake. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SAM BROWNBACK led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 15, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SAM BROWNBACK, a Senator from the State of Kansas, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. BROWNBACK thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning we will resume consideration of the Energy bill. We will be spending all of this week and, in all likelihood, all of next week on the bill. We plan on completing the bill by the end of next week. Yesterday, the chairman offered a first-degree amendment relating to ethanol. Last night, we were able to consider and table a second-degree amendment relating to safe harbor. Today, we will be considering another second-degree amendment which was offered by Senator SCHUMER. It is our expectation to have a vote in relation to that amendment very shortly this morning, hopefully within the next 30 minutes. Senators, therefore, should be on notice and their offices should notify them that we might be voting around 10 o'clock, or shortly thereafter. If we are able to table that amendment, we would like to vote on

the underlying first-degree amendment as well.

We expect to make further progress on the bill following those votes. So it will be a very busy day. We may go into the early evening tonight. I know there are a number of events planned tonight. I say that only to encourage people to come and offer their amendments and debate their amendments over the course of the day.

We will be finishing the bill by the end of next week. The Democratic leader and I have been consistent with that regard. So we want people to come to the floor and offer those amendments.

The ACTING PRESIDENT pro tempore. The Democratic leader.

Mr. REID. Mr. President, we made a lot of progress yesterday. It may not seem that way because all we did was ethanol. There were a lot of activities going on behind the scenes to move this legislation forward. Senator CANTWELL will offer her amendment this morning. I do not know how long that will take. The unfortunate death of Jim Exon, I hope, will not cause us to hold things up. I hope the two managers of the bill can have a number of amendments offered and stack those amendments, with the permission of the majority leader, and probably vote on those, we hope, in the morning sometime.

The big issues left are a renewable standard for electricity, we have a number of global warming issues, and there are other issues. If we get the Cantwell amendment decided and we do the global warming amendments and electricity standards, I think we are down the road on this important piece of legislation. We need cooperation from both sides.

It is an important piece of legislation. I know the President gave a speech yesterday wanting us to move forward. We want to move forward on it. Senators DOMENICI and BINGAMAN have done a very good job of getting us to where we are.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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ENERGY

Mr. FRIST. Mr. President, today we will continue consideration of the Energy bill, as we just discussed. The debate has been very thorough and robust. Today I expect it to be so as we debate a number of very important issues, but I am confident, very optimistic, that we will have a strong bipartisan bill that will be overwhelmingly supported by this body by the time we complete it at the end of next week.

I thank Senator DOMENICI and Senator BINGAMAN for their tremendous leadership. They started in this session with a bipartisan commitment to produce a bill that speaks to the needs that are so clear and evident to all of us and to the American people. They deserve great credit for working together and working hard through all of these complicated details to come up with a plan that both sides of the aisle will be able to support.

I am pleased that during the Energy bill debate we are discussing the importance of increasing our Nation's use of renewable fuels, such as ethanol, which we spent a lot of time on yesterday, as we will today, as well as biodiesel.

I am a strong supporter of the renewable fuels standard which will double the use of ethanol and biodiesel over the next 7 years. Increasing use of these home-grown, clean-burning renewable fuels is essential to reducing both our short- and long-term dependence on foreign oil.

We are currently, as has been discussed many times, 56 percent dependent on these foreign sources of oil with all predictions aiming that we will be 68 percent dependent by 2025 if we do nothing. That is a call to action and, in many ways, that explains much of the action on the floor of the Senate this week.

One of the major goals in the bill is to reduce that dependence and thereby enhance our own energy security. We will accomplish that through adoption of this bill. The renewable fuels standard is a critical component, an important aspect of this energy policy.

Increasing use of ethanol and biodiesel is a bipartisan issue. It was in the last Congress. I, along with the then-Democratic leader, Senator Daschle, introduced the renewable fuels standard amendment on the Senate floor. I am working with colleagues on both sides of the aisle to help forge an agreement on this issue again this year, and I am very pleased with our progress to date, over the course of yesterday, and I expect today.

In particular I thank Senators THUNE, TALENT, LUGAR, HAGEL, GRASSLEY, INHOFE, BOND, VOINOVICH, COLEMAN, and colleagues on the other side of the aisle who worked so hard to get us to this point. It was, again, a huge bipartisan effort with people in this body working together. I look forward to supporting this bipartisan effort over the course of the coming days.

When we go back to our States, again and again we hear that anyone filling up that tank of gas knows that America is in desperate need of an energy plan. With gas now averaging well over \$2 a gallon, every American family, every worker, every small business owner is feeling the bite, is feeling the pinch. Gas prices are taking a bigger and bigger piece out of the family budget and that, of course, leaves less money to spend on items such as clothes, food, groceries, as well as looking forward to that next summer vacation.

We can do better. We are doing better in this bill. We know we can. And we have within our reach the ability to deliver clean, reliable, and affordable energy. All we have to do is imagine the future and project out what the future is going to be like, and then pull that back to the present and take action by debating and, where appropriate, amending the bill and then passing it over the next several days.

As we look to the future, imagine a future where coal is turned into a clean, cheap gas. It is not as far away as one might think or as most people thought 10 or 15 years ago. We have a 400- to 500-year supply of coal right here in the United States. My colleague from Tennessee, Senator ALEXANDER, discussed on the floor last week how, if we apply our technological know-how, imagination, and ability, capture that innovation, we can turn that very coal into clean coal gas, and by doing that, as a byproduct we would be able to share that with the entire world. We can do that by capturing our innovations, taking these natural resources, applying those innovations in a way that transforms them, and then sharing them with the entire world.

That is the sort of thinking that is going on in this bill. It is the sort of transformational thinking that the American people expect and should expect. It is time for an energy plan that is long overdue but also an energy plan that incorporates this innovation and this technology. We have gone on for way too long, we have gone on for 10 years without a comprehensive plan. We have attempted this in the past. We attempted it in the last Congress and we were unsuccessful. We passed a good bill on the Senate floor and the House passed a bill, but we did not get agreement in conference to get a bill to the President of the United States.

As we have debated and have been unable to bring a bill to conclusion, energy prices have gone higher and higher. We have become more and more dependent on foreign sources of energy. These foreign sources do not necessarily have the best interests of the United States at heart.

In the 1960s and early 1970s, the United States produced almost as much oil as we consumed. In those decades, imports were very small. In about 1972, U.S. oil production began to decline, and it has been declining steadily ever since.

At the same time as our economy has grown, U.S. consumption of oil has steadily increased. So declining supply, increased consumption. As a result, our reliance on foreign oil and foreign sources of energy, of course, have had to increase. So the problem is pretty clear, and that is the response we are delivering on the Senate floor.

Today, we import most of our oil from the North, from Canada; also from the South, Venezuela, Saudi Arabia, and Mexico. However, as we look out over the next 5, 10, and 15 years, the Department of Energy's Energy Information Administration predicts that more of the oil that we need will come from the OPEC countries in the Middle East.

We must take steps to reduce our dependence on foreign countries and thereby enhance our energy security at home. When we rely on other nations for more than half our oil supply, we simply put our security at risk. We need a system based upon efficiency, balance, and common sense. We need a system that will respond to the obvious needs that are growing worse, challenges that are increasing each day that we do not produce a bill.

We can look at nuclear energy as a great example. It is clean, it is efficient, and it has the potential to significantly reduce our dependence on foreign supplies. The Navy powers dozens of its vessels with nuclear energy and docks these ships at ports all over the world. They have not had one accident.

France uses nuclear energy to provide 80 percent of its electricity supply. Japan allows one, two, three new reactors to be built each year. In the United States, we have not ordered a new nuclear power reactor plant in the last 30 years, since the 1970s. We can, and we should, pursue commonsense efforts to produce clean, safe, affordable, and reliable energy, nuclear energy, for America's families. It only makes sense. It is common sense.

Increasing our domestic supply is critically important, but we also have to look at the conservation side of the equation. We simply need to look at the transportation sector. Nearly 70 percent of the oil we use goes to power the cars and trucks that we drive every day. If we are serious about reducing our dependence on foreign oil, we must look at new ways to power and fuel those vehicles. We are already doing this with hybrid cars which, as we all know, are becoming more popular, and with the alternative fuels that we have been discussing on the floor yesterday and today, ethanol and biodiesel. We must continue to move in this direction by continuing and increasing our investment in hydrogen fuel cell research.

President Bush has said that his goal is that today's children will take their driver's test in a zero-emission vehicle. That would go a long way toward helping to reduce our dependence and enhance our security.

The fuel that we are increasingly talking about, which is probably the most dramatic when we look at the challenges before us, is natural gas. Natural gas is another energy source we depend on heavily and another area in which we are becoming increasingly reliant on imports. Because natural gas is clean burning and relatively cheap, it has become the fuel of choice for new electric power generation in recent years. Sixty percent of homes across America are heated and cooled today with natural gas.

While demand has been steadily growing, and for good reason, domestic supply has remained relatively flat. In fact, in 2003, we imported 15 percent of the gas we used but by 2025 the percent of gas that is used that will be imported is going to go up twofold, is going to double. Yes, we need to take bold action in the United States to address America's energy challenges, and we need to do this head on. We are doing that on the Senate floor.

The Energy bill we are debating over these 2 weeks is a strong step in the right direction. I hope that we will be able to continue to work together to pass a strong and bipartisan bill so we can get this important legislation to the President of the United States so that he can sign it.

America needs this policy. It needs this policy to keep our families safe, strong, and secure. We need a policy that keeps us competitive, and we need a policy that continues to help us to move forward.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

BOLTON NOMINATION

Mr. REID. Mr. President, from the outset of the debate on John Bolton's nomination, Senate Democrats have had a clear and consistent position. If the administration works in good faith to give the Senate the information it deserves, the Senate Democrats are ready to immediately give this nomination an up-or-down vote. We said this as far back as April, and it remains our position today. Despite the administration's refusal to turn over any of the requested information during this time period, Senator FRIST told me yesterday he was inclined to seek another vote on the Bolton nomination. While the majority leader is certainly within his rights to do this, unless the administration changes course before this vote is held, the outcome will be exactly the same as it was last month and may even have less support than it did before.

Here is why: The history and precedent in the Senate makes it clear the Senate has a right to information that bears directly on the fitness of a polit-

ical nominee to serve. Virtually every other administration has recognized the Senate's rights and provided the needed information—every administration, that is, except this one. Many colleagues on the majority have stood for the Senate's right to get information from the executive branch in the past. We have many statements on record to that effect. These colleagues have made it clear, with their words and deeds, that it was perfectly legitimate for the Senate to withhold action on an executive nominee until the executive branch provided certain information, even if the information requested had nothing to do with the nominee in question.

In this instance, we are seeking information that bears directly on the fitness of John Bolton to serve as our representative to the United Nations. We are not engaging in any fishing expedition. We are seeking clearly defined documents and information about two very important issues:

No. 1, did Bolton attempt to exaggerate what Congress would be told about Syria's alleged weapons of mass destruction capabilities? Remember, we have some experience in weapons of mass destruction information being altered and manipulated.

No. 2, did Bolton use and perhaps misuse highly classified intelligence intercepts to spy on bureaucratic rivals who disagreed with his views or for other inappropriate purposes?

These are two very direct, simple issues that bear on this man's capability and fitness to serve in the United Nations.

The administration's position on these requests has been that political appointees are qualified to see this information but that Senators elected by the American people are not. I believe this is unacceptable.

During this impasse, Senate Democrats have repeatedly demonstrated our good faith to break the current impasse and give Mr. Bolton a vote. Yesterday, I heard some of my Republican colleagues assert that Democrats have been shifting the goalpost on resolving this issue, and they are absolutely right, we have. Instead of having a 100-yard football field, now we have made it only 60 yards. We have moved in their direction. Just last week, Senators BIDEN, ranking member of Foreign Relations and, of course, Senator DODD, the ranking member of the Rules Committee, made another effort to resolve the impasse over the Bolton nomination. Everyone in the Senate and outside this body should understand that this offer moves significantly away from our initial request in a sincere effort to resolve the situation. Everyone should also understand that, unfortunately, this latest effort to reach an accommodation with the White House has apparently met the same fate as previous efforts to work things out—silence from the administration.

Even yesterday, the ranking member of the Finance Committee—I should

say the vice chair Senator ROCKEFELLER of West Virginia, which is the proper title—offered his assistance, to break the impasse. He sent a letter to the Director of National Intelligence, John Negroponte, to that effect.

We have said publicly, if this administration, similar to every other administration, respects the requests of the Senate, we will immediately move to grant Bolton an up-or-down vote. I stand by that pledge today. I hope my colleagues on the other side of the aisle will recognize we are following their precedent with our actions today. I hope this administration brings an end to its pattern of abusing its powers and treats this coequal branch of Government with the respect it deserves.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. VITTER). Without objection, it is so ordered.

ENERGY POLICY ACT OF 2005

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 6, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 6) to ensure jobs for our future with secure, affordable and reliable energy.

Pending:

Domenici amendment No. 779 (to amendment No. 775), to eliminate methyl tertiary butyl ether from the United States fuel supply, to increase production and use of renewable fuel, and to increase the Nation's energy independence.

Schumer amendment No. 782 (to amendment No. 779), to strike the reliable fuels subtitle of the amendment.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I believe the order of business is my second-degree amendment to the amendment of my friend from New Mexico.

The PRESIDING OFFICER. That is the pending question.

Mr. SCHUMER. When do we expect a vote, Mr. President? What is the order of business here?

The PRESIDING OFFICER. We do not yet have a consent request. We are expecting that soon.

Mr. SCHUMER. Mr. President, I will address this amendment. Let me say, this amendment is one that still requires all the Clean Air standards to be met but removes the ethanol mandate. That is what this amendment does.

The underlying Domenici amendment on ethanol is so wrong. The amendment is a boondoggle. It hurts drivers and it hurts the free market. It is a boondoggle because it takes money out of the pockets of drivers and puts it into the pockets of the big ethanol producers.

The bottom line is very simple. In places where they need ethanol, there is a mandate, and in places where they do not need ethanol, there is a mandate. This is nothing less than an ethanol gas tax levied on every driver: the employee driving to work, the mom driving the kids to school, the truck-driver who earns a living. Gas prices are high enough. It is utterly amazing that in this body we seek to raise the prices even higher than they are now because that is what this amendment will do—particularly if you are on the coasts or in large parts of the South. If you are not in an area that has a lot of ethanol production, make no mistake about it, the underlying amendment will raise your gas prices. The Schumer amendment will make sure that gas prices do not go up any higher because of an ethanol mandate.

The bottom line is this boondoggle not only hurts drivers and puts money in the pockets of the big ethanol producers, but this amendment puts a dagger in the heart of the concept of a free market. We have lots of my friends, particularly on the other side of the aisle, who praise the free market all the time—as they should. But then they fold to the ethanol lobby and vote for one of the most anti-free-market amendments that has come on this floor in decades, because not only do we subsidize ethanol, which we do, and not only do we deal with ethanol in terms of imports, not only do we require ethanol in this amendment whether you need it but, amazingly enough, this amendment says: If you do not use the ethanol, you still have to pay for it.

So somebody driving in New York or Philadelphia or Boston or Bangor, ME, somebody driving in Seattle or Portland or Los Angeles or San Francisco—areas where there is not much ethanol—is going to pay 5 cents, 10 cents, 15 cents more to go into the pockets of the ethanol producers, even when the drivers do not use ethanol.

It is so unfair to do this. It is wrong to do this. If you come from Iowa or Illinois, and ethanol is good for your gasoline and it is the best way to make it cleaner, that is fine. But if there are other ways to do this, then why do we require ethanol?

We know why. Some say it will help the corn grower. When was the last time the little family farmer benefited from a policy where three or four big companies control the show? They do not benefit when it comes to meat, they do not benefit when it comes to milk, they do not benefit when it comes to wheat, they do not benefit when it comes to corn. So to put a few pennies—and that is all it will be—in the pocket of the family farmer, we charge drivers around the country billions of dollars.

Make no mistake about it, most of those billions will not go to the family farmer, they will go to the Archer Daniels Midlands of the world—a company that was once accused of price fixing.

There will be no free market here at all.

There could not be an amendment that does more damage—damage to drivers, damage to the free market, damage to the system that says we do not force things on people they do not need. It is hard to believe.

I know the political forces here. We have coalitions. We have big industry and people from the corn-growing States on one side. But if we required every person in New Mexico or Georgia or West Virginia or Montana to buy New York milk, no matter how much it cost and whether they needed it, you would be on your feet hollering. But to require New York drivers and drivers from Maine and Florida and Texas and Arizona and California and Washington to buy Middle Western corn-based ethanol is equally outrageous.

We have had this amendment around for a while. I have been fighting it as long as I have been here. I understand the political forces, but the political forces should not mitigate what is right. If you believe in the free market, if you believe in protecting drivers, do not vote for this amendment. If you would not vote for a gas tax, why vote for an ethanol tax? It is the same thing. It is the same concept. There are many other ways to make the air cleaner.

Talk to refiners on the coasts. They can crack the petroleum to meet the Clean Air standards. They are not going to buy the ethanol, anyway, but they are still going to have to pay for it.

I urge my colleagues to defeat this poorly conceived, unfair amendment that puts a dagger in the heart of anything that we might consider the free market.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, this amendment will gut the ethanol amendment which has been crafted in a bipartisan manner. My good friend from New York suggested it would be unfair to make us all buy milk produced in New York. I think that would not only be unfair, but it would be a disaster because we wouldn't have any milk anywhere because they do not produce enough milk to go anywhere in the United States.

In any event, we ought to table this amendment and get on with the Energy bill. I compliment the Senator on his arguments. He always makes excellent arguments in behalf of his State and his people. In this case I believe the country is going to be well served by making us less dependent upon oil that is imported from a cartel.

He speaks of competition and whether there is going to be competition in ethanol. Let's be serious about this. There is no competition in the world markets for oil. In this case we are going to be producing ethanol that is American in order to displace, gallon by gallon, the oil we import.

Having said that, I move to table the amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Alaska (Mr. STEVENS).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. JEFFORDS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 69, nays 28, as follows:

[Rollcall Vote No. 138 Leg.]

YEAS—69

| | | |
|-----------|-----------|-------------|
| Akaka | Dayton | Levin |
| Alexander | DeMint | Lincoln |
| Allen | DeWine | Lugar |
| Baucus | Dole | Martinez |
| Bayh | Domenici | McConnell |
| Bennett | Dorgan | Murray |
| Biden | Durbin | Nelson (FL) |
| Bingaman | Enzi | Nelson (NE) |
| Bond | Feingold | Obama |
| Brownback | Frist | Pryor |
| Bunning | Graham | Reid |
| Burns | Grassley | Roberts |
| Burr | Hagel | Salazar |
| Byrd | Harkin | Sarbanes |
| Cantwell | Hatch | Sessions |
| Carper | Hutchison | Shelby |
| Chambliss | Inhofe | Smith |
| Cochran | Inouye | Stabenow |
| Coleman | Isakson | Talent |
| Conrad | Johnson | Thomas |
| Cornyn | Kerry | Thune |
| Craig | Kohl | Vitter |
| Crapo | Landrieu | Voinovich |

NAYS—28

| | | |
|-----------|------------|-------------|
| Allard | Gregg | Rockefeller |
| Boxer | Kennedy | Santorum |
| Chafee | Kyl | Schumer |
| Clinton | Lautenberg | Snowe |
| Coburn | Leahy | Specter |
| Collins | Lieberman | Sununu |
| Corzine | Lott | Warner |
| Dodd | McCain | Wyden |
| Ensign | Mikulski | |
| Feinstein | Reed | |

NOT VOTING—3

| | | |
|----------|-----------|---------|
| Jeffords | Murkowski | Stevens |
|----------|-----------|---------|

The motion was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

AMENDMENT NO. 779

Mr. DOMENICI. We are still on the ethanol amendment. I understand—so Senators will know—there are still negotiations taking place. I am hopeful they will be fruitful with reference to some portion of this amendment. We are going to stay on it and see what happens.

In the meantime, a couple Senators have indicated they would like to speak. I understood Senator AKAKA had

come up and asked if he could be heard. He is not here.

I yield to the Senator.

Mr. REID. Mr. President, we are ready for the next amendment. What I would suggest for the good of the order is that while they are negotiating a finality of this ethanol amendment—that is taking place as we speak—Senator CANTWELL be allowed to move forward on her amendment. We would certainly agree that anytime they want to come back and finish the work on ethanol, she would step aside. But we have such a limited amount of time on this most important piece of legislation.

We have today. Of course, because of the funeral of Senator Exxon, we cannot have votes this afternoon. There are six or seven Senators leaving. Then we have a longstanding conference on Friday, so tomorrow is going to be the heavy workload of this week.

This is our first amendment. We believe we would do well if we could move forward with it. Senator CANTWELL has been very patient. She waited here all day yesterday, and she is here again today.

So I am wondering—I see, of course, that the distinguished chairman of the committee is here. I wonder if I could have Senator INHOFE's attention. If I could, I am sorry to interrupt the conversation, but I am wondering if the distinguished Senator from Oklahoma would allow the present amendment to be set aside. I know there are negotiations going on at the present time. We could allow Senator CANTWELL to offer her amendment. Anytime you wanted to come back on the floor, we would be happy to yield the floor and come back to you. It would just help things move along.

Mr. INHOFE. I say to the distinguished minority leader that I appreciate his comments and I note his thoughts, but the answer would be no.

Mr. REID. Mr. President, I know the majority leader, and I want to move this legislation along. We have great plans for the last week of this work period to do some appropriations bills, one of which I hope would be the bill of Senator DOMENICI and this Senator which we have been fortunate enough to be chairman and ranking member of that committee for many years. We were able to complete that yesterday in the subcommittee and will be ready to move. It is such a waste of the country's time not to move forward. I have made my good-faith gesture to do so. I hope everyone understands that we can't rush forward on cloture when there is nothing having been done to allow us to offer amendments.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Let me say to the distinguished minority leader, I am fully aware of the problem he has discussed. I am empathetic and want to move ahead. But I think it is better for a while to let the ethanol deal which is being considered in terms of perhaps some modification to continue for a

while rather than get off of it. We are going to do the best we can to move this bill. We need your help. We need our leader's help to move ahead.

Mr. MCCONNELL. Will the chairman yield?

Mr. DOMENICI. I am pleased to yield.

Mr. MCCONNELL. I say to my friend from Oklahoma that if his amendment became the pending business right after Cantwell, he would be in exactly the same position he is in right now. Our discussions could continue. It would at least allow the Senate to process another amendment.

Mr. REID. It is my understanding that Senator INHOFE's amendment or the underlying ethanol amendment will be the pending business after Cantwell. That would be fine with us.

Mr. DOMENICI. Let me ask maybe if we could put in a quorum for a minute.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, we have had a conversation as suggested by the distinguished chairman. He is, as usual, right.

I ask unanimous consent that the pending amendment be set aside and that Senator CANTWELL be allowed to offer her amendment, and that at such time as the majority wants to regain the floor to discuss the matter of ethanol, Senator CANTWELL would step down.

Mr. DOMENICI. Reserving the right to object, how long do you think the Cantwell amendment might take?

Mr. REID. A couple of hours. With the 12:30 schedule, I would hope we would have a vote on ethanol; otherwise, we will debate that and whenever that finishes move to another issue, if ethanol is not resolved. It is not going to be a day-long debate.

Mr. DOMENICI. Could I ask the distinguished minority leader another question? Do you know if there are any other amendments that are ready on your side after Senator CANTWELL?

Mr. REID. It is my understanding that the ranking member of the committee has one on renewables that is ready to go, electricity renewables, portfolio standard that we have debated on a number of occasions. I assume that with all the work done on global warming, there are several amendments around, some of which are bipartisan. I am sure that is ready to go. So there are a number of amendments ready to go.

Mr. DOMENICI. I think global warming is going to wait until next week.

Mr. REID. Which is fine with us.

Mr. DOMENICI. I have no objection—just a moment.

Mr. INHOFE. Reserving the right to object, I would inquire of the Chair, was there a UC proposed?

Mr. REID. Basically, to set aside this amendment.

Mr. INHOFE. To set aside mine. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Nebraska is recognized.

Mr. NELSON of Nebraska. Mr. President, I thank the Chair for giving me this brief opportunity to speak about the renewable fuels provisions in the Energy bill. I thank my colleagues, Senators FRIST and REID, for their leadership, and Senators LUGAR, HARKIN, TALENT, and so many others for their efforts in developing this important legislation.

I am here today to support the renewable fuels provision in the Senate Energy bill. This legislation is one of the pillars for economic development for rural America, one segment of the population that lagged behind in the economic surge of the 1990s, yet a segment positioned to play such an integral role in fueling our Nation.

It is rare when legislation benefits all. It is rare when legislation creates only winners. It is clear that the production and use of renewable fuels is a win/win situation—a win for farmers from rural communities, a win for consumers, and a win for the environment. That is why as Governor of Nebraska, I invited other Governors interested in creating a group devoted to the promotion and increased use of ethanol to join me in Nebraska. In September of 1991, we met, and the Governors' Ethanol Coalition emerged. Membership in the coalition doubled from 9 to 19 States during the first year, and now stands at 30 States, with international representatives from Brazil, Canada, Mexico, Sweden, and Thailand—30 States, red and blue States.

First, I mentioned this legislation is a win for farmers in rural communities. Three years ago, we completed the farm bill which at the time was characterized as one very important part of the economic revitalization plan for rural America. Economic stimulus can come in many forms and the production of renewable fuels is certainly a viable option for rural America, especially—and candidly—in my State of Nebraska.

It is as simple as this: Demand for corn to create ethanol raises prices for corn. Demand for sorghum to create ethanol raises prices for sorghum. Demand for soybeans to create biodiesel raises prices for soybeans. Added to the important feature of farm profitability is the idea that increased grain prices result in less assistance to producers under the farm bill in the form of loan deficiency payments and counter-cyclical payments—yes, less government assistance. Merging the realities of agricultural economics and farm policy into energy legislation is the type of responsible legislation the voters sent us here to enact.

I am unabashedly proud of what my home State has accomplished in this area. Within the State of Nebraska, 11 ethanol plants currently produce 523 million gallons of ethanol per year or 12 percent of the Nation's total. The benefits of the ethanol program in Nebraska don't just involve grain producers. It involves investment in industry, the creation of jobs related to plant construction, operation, and maintenance. It includes permanent jobs at the ethanol facilities and stimulates the economic engines in small rural communities. In Nebraska alone, more than 270 million bushels of corn and grain sorghum is processed at the plants annually. These economic benefits and others have increased each year during the past decade due to plant expansion, employment increases, and additional capital investment.

Next, a win for consumers: A study released by the Consumer Federation of America points out that motorists could be saving as much as 8 cents per gallon of gasoline at the pump if oil refiners would blend more ethanol into their gasoline supplies.

I ask unanimous consent to print in the RECORD a copy of the Consumer Federation of America Report.

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

OVER A BARREL—WHY AREN'T OIL COMPANIES USING ETHANOL TO LOWER GASOLINE PRICES?

(By Mark Cooper)

Across the country, consumers are facing the highest gasoline prices in memory, while oil companies are reporting record profits. The profits at ExxonMobil alone exceeded \$25 billion in 2004 with every expectation that 2005 profits will be even greater. The Wall Street Journal recently reported, "Exxon Mobil Corp. is gushing money. Amid soaring crude-oil prices, it recently reported a fourth-quarter profit that amounted to the fattest quarterly take for a publicly traded U.S. company ever: \$8.4 billion. That translated into \$3.8 million an hour." As oil companies squeeze every penny they can from consumers' pocketbooks, they continue to import high priced crude oil from the Middle East and elsewhere, engage in mergers that further reduce already constrained competition, and avoid, wherever possible, blending their gasoline with alternative fuels like ethanol.

In the past, some consumers have expressed skepticism of economic benefits derived from blending ethanol into gasoline. But in the face of rising gasoline prices that skepticism is beginning to wane. For example, Senator Chuck Schumer (D-NY), once a critic of ethanol, now points to the benefits of building local production capacity in New York to create jobs and markets for farmers and lower gasoline prices for consumers.

Contributing to the changing attitude toward ethanol is the fact that prices for ethanol have declined while pump prices for gasoline now exceed \$2.20 per gallon in many parts of the country. As Business Week re-

cently reported, "... since the start of the year, the wholesale price of ethanol has fallen more than 20 percent, to around \$1.20 a gallon, while black gold is soaring to record highs." Given the sharp decline in ethanol prices, one would expect major oil companies to increase their purchases of ethanol beyond what is required by the Clean Air Act. However, contrary to rational economic expectations, oil companies are not expanding their purchases of lower-priced ethanol, but are continuing to purchase expensive crude oil and raising gasoline prices to consumers. Frustrated, some ethanol producers are beginning to export their product. This creates a situation of lower-priced ethanol leaving the country while higher-priced oil enters it—hardly an indication of rational economic behavior.

Changing consumer perceptions about the benefits of ethanol are reinforced by several recent developments:

Rising gasoline prices amidst declining ethanol prices.

At a time when the price of gasoline all over the country is increasing, the price of ethanol has been declining in part because of increased production, but in part because oil companies are refusing to purchase the available supplies to blend with their gasoline.

Major oil companies cost consumers as much as 8¢ a gallon by boycotting lower-cost ethanol.

With today's price differential between the wholesale price of ethanol and the average wholesale price of gasoline, consumers who purchase gasoline blended with 10 percent ethanol could be saving as much as 8 cents a gallon if oil companies purchased ethanol instead of importing more expensive foreign oil.

Terminal and other infrastructure exists to handle additional ethanol supplies in markets across the country.

Companies have built capacity—terminals, storage tanks, blending equipment—to use ethanol. But even though this capacity exists, oil companies have chosen to purchase more expensive petroleum instead of ethanol.

GASOLINE PRICE INCREASES, CONSUMER COSTS AND OIL COMPANY PROFITS

According to the most recent data published by the Energy Information Administration, the average US price for a gallon of regular unleaded gasoline was \$2.24 as of April 25, 2005. This price is 42 cents a gallon higher than the year before, a jump of 23 percent. Since December 2004, the average price has climbed 40 cents a gallon. While some of this price increase is due to the higher cost of crude oil, some of it is directly related to continuing efforts by the major oil companies to keep their inventories as tight as possible.

Decisions about refinery capacity and stockpiling of product are business decisions. Figure 1 below demonstrates that oil refiners have limited gasoline inventories to less than 3 or fewer days of supply above the minimum operating reserves necessary to keep the system functioning since the consolidation of the industry. There is simply no slack in the system and this keeps markets tight. The closure of fifty refineries and the failure to build new ones in the past decade and a half reinforce this strategy.

Oil company refinery and inventory management has not only kept inventories low

and prices high, but also resulted in record high monopoly profits (see Table 1). The 13 oil companies that account for over 84 percent of U.S. refinery runs in 2004 increased their income on U.S. refining and marketing operations in 2004 by more than 130 percent over 2003—from \$6.6 billion to \$15.3 billion. In other words, as oil companies charged consumers an average of nearly 29 cents a gallon more in 2004 than in 2003 for their gasoline, major oil companies were reaping windfall profits. For the average consumer, an increase of 29 cents a gallon means an extra \$160 per year in the cost of driving the average car.

When assessing oil company profitability in the refining and marketing segment, it is important to recognize that "Domestic refining and marketing has become a more prominent contributor to net income over the past 4 years but has also demonstrated how volatile this segment of the industry can be. In 2000, 2001, and 2003, domestic refining and marketing had 3 of the 4 best years in terms of net income in the history of the FRS survey . . ." And 2004 was significantly better than 2001, the industry's previous best year.

TABLE 1.—INCOME FROM DOWNSTREAM OPERATIONS
(In millions of dollars)

| Company | Refining/Marketing Income | |
|----------------------|---------------------------|-----------|
| | 2003 | 2004 |
| ExxonMobil | \$1,348.0 | \$2,186.0 |
| Shell | 379.0 | 1,686.0 |
| ChevronTexaco | 482.0 | 1,261.0 |
| BP | 748.0 | 2,478.0 |
| ConocoPhillips | 1,272.0 | 2,743.0 |
| Valero | 621.5 | 1,803.8 |
| Marathon | 819.0 | 1,406.0 |
| Amerada Hess | 643.0 | 977.0 |
| Murphy | -21.2 | 53.4 |
| CITGO | 439.0 | 625.0 |
| Sunoco | 352.0 | 609.0 |
| Premcor | 116.6 | 477.9 |
| Tesoro | 76.1 | 327.9 |
| Total | 6,730 | 15,219 |

Source: Company Annual Reports.

The first quarter of 2005, with dramatically rising crude oil prices presents a stunning example of how domestic oil companies exercise market power over price to abuse consumers. If rising raw material (crude oil) costs were the problem then we would expect the domestic spread to decline as competition and consumer resistance (the elasticity of demand) squeezed the margin between the cost of inputs and the retail price. The opposite has happened because the industry is not competitive. Only in 2002, when demand was very weak due to the recession following September 11, did margins return to their historic levels. The winter of 2002 also taught the industry a lesson, that competition on price lowers profits.

The rising domestic spread numbers translate immediately into rising profits in the domestic refining and marketing industry (see Table 2). For the ten largest companies that refine crude oil in the U.S. profits increased by almost 60 percent in the first quarter of 2005 compared to the first quarter of 2004. This was a larger increase in profits than domestic exploration and production (16 percent) and total oil company operations (39 percent). There is no doubt that crude oil price increases contributed to the increase in the price at the pump, but so too did increasing margins and profits for domestic refining and marketing.

TABLE 2.—OIL INDUSTRY PROFITS

| Company | Refining/Marketing U.S. Only | | Global Total | |
|------------------|------------------------------|---------|--------------|---------|
| | 1q 2004 | 1q 2005 | 1q 2004 | 1q 2005 |
| EXXONMOBIL | \$392 | \$645 | \$5,440 | \$7,860 |

TABLE 2.—OIL INDUSTRY PROFITS—Continued

| Company | Refining/Marketing U.S. Only | | Global Total | |
|----------------------|------------------------------|---------|--------------|---------|
| | 1q 2004 | 1q 2005 | 1q 2004 | 1q 2005 |
| SHELL | 215 | 405 | 4,702 | 6,673 |
| BP | 827 | 1,429 | 4,912 | 6,602 |
| CONOCOPHILLIPS | 403 | 570 | 1,616 | 2,912 |
| CHEVRONTXACO | 276 | 58 | 2,562 | 2,677 |
| VALERO | 273 | 622 | 248 | 534 |
| MARATHON | 49 | 210 | 258 | 324 |
| AMERADA HESS | 137 | 102 | 281 | 219 |
| MURPHY | -11 | -8 | 98 | 113 |
| PREMCO | 53 | 129 | 53 | 129 |
| TOTAL | 2,614 | 4,162 | 20,170 | 28,043 |

Source: Company 1q2005 Reports.

In contrast to gasoline prices, which have risen as a result of rising input prices and the exercise of market power by domestic refiners, ethanol prices have not risen because the cost of the raw materials has not risen and the producers of ethanol do not have market power.

So why don't oil companies use more ethanol to keep price increases down? The answer is simple. The market is not competitive enough to force them to worry about price increases. They also do not own the ethanol. They prefer to process more crude oil and make more money by keeping the price up.

GASOLINE PRICE DECREASES CONSUMERS AREN'T GETTING

While the oil marketplace has become much less competitive over the past ten years because of huge mergers between the largest companies, one would still expect that the availability of lower cost gasoline components would attract buyers.

In sharp contrast to the oil industry, the ethanol industry has become more competitive. According to a recent study "ethanol production was the only agricultural sector in which concentration has steadily decreased. A decade ago, the top four companies owned 73 percent of the ethanol market. Today the top four companies control 41 percent of the ethanol produced.

But, when it comes to ethanol, oil companies have failed to respond. Over the last several months, ethanol prices have fallen by between 40 cents and 50 cents a gallon in dif-

ferent parts of the country, yet there is little, if any, evidence that refiners have taken advantage of the opportunity to purchase any supplies other than those required to meet the requirements of the Clean Air Act. According to Bernie Punt, general manager of an ethanol plant in Sioux Center, Iowa, "Unless most of these oil companies are told by the government they have to use it, they won't."

Table 3 below shows price changes for spot or wholesale prices for ethanol and regular reformulated gasoline sold in three major U.S. markets between November 2004 and March 2005. In all three markets, the spot price of ethanol fell between 41 cents and 50 cents a gallon while the spot price of gasoline rose between 13 cents and 30 cents a gallon.

Ethanol production has been climbing steadily as new producers continue to add capacity that is expected to reach 4 billion gallons this year. On a monthly basis, production of ethanol reached an all-time high of 245,000 barrels per day in February.

TABLE 3.—ETHANOL AND GASOLINE PRICES

| Market | Nov. | Mar. | Change |
|---|---------|---------|----------|
| Spot Ethanol Prices (per gallon) | | | |
| LA | \$1.785 | \$1.373 | -\$0.412 |
| CHIC | 1.821 | 1.394 | -0.427 |
| NY | 1.771 | 1.275 | -0.496 |
| Spot Regular RFG Gasoline Prices (per gallon) | | | |
| LA | 1.386 | 1.682 | +0.296 |
| CHIC | 1.256 | 1.492 | +0.236 |

TABLE 4.—PRICES FOR REFORMULATED GASOLINE—NEW YORK SPOT PRICES
(\$ per gallon)

| | NY RFG-MTBE | NY RFG-ETH | Diff. | NYRUL | NY | RFG-ETH | Diff. |
|------------------|-------------|------------|--------|--------|--------|---------|--------|
| March 2005 | | \$1.40 | \$1.35 | \$0.05 | \$1.44 | \$1.37 | \$0.07 |

Another example where consumers could save money at the pump is California, the nation's highest price gasoline market (with the exception of Hawaii). If, instead of just blending 5.7 percent ethanol, California refiners chose to blend 10 percent ethanol as they do in New York, Chicago and Connecticut, California motorists could save as much as 8 cents a gallon.

These potential cost savings to consumers represent only the arithmetic result of blending more lower cost ethanol with higher cost gasoline. The increase in available supplies could have an additional effect in lowering prices and reducing volatility.

Oil companies have the capacity to use more ethanol to lower consumer gasoline prices.

In numerous markets across the country, oil companies have put in place all the necessary equipment to blend ethanol. In Atlanta, for example, where oil companies had prepared to supply ethanol blends starting January 1, 2005, Chevron with a market share of 14 percent stated it "invested over \$2,000,000" to its Atlanta area gasoline supply terminal. In northern New Jersey, oil companies that supply metropolitan New

York (including southern Connecticut) have had capacity to blend ethanol in place since January 1, 2004. Instead of supplying more expensive reformulated gasoline (RFG) with MTBE, these companies could choose to blend with less expensive ethanol to supply outlets in northern New Jersey. And in most Midwestern states—Iowa, Nebraska, Illinois, Missouri, and others—where ethanol is blended in mid-grade (89 octane) gasoline, there is nothing to prevent oil companies from blending ethanol in regular (87) and premium (91) grades of gasoline.

CONCLUSION

The consumer implications of the refusal to use more ethanol are clear. While gasoline refiners are using as much ethanol as required, the same refiners are not buying lower-cost ethanol in other gasoline markets. Thus, consumers in many parts of the country where ethanol can be delivered to existing storage and terminal facilities are not receiving lower cost supplies and are paying as much as 8 cents a gallon more at the pump than they would if oil refiners purchased ethanol to blend.

The broader public policy implications should not be overlooked because the added

TABLE 3.—ETHANOL AND GASOLINE PRICES—Continued

| Market | Nov. | Mar. | Change |
|----------|-------|-------|--------|
| NY | 1.265 | 1.398 | +0.133 |

Source: Platt's Oilgram Price Report.

Ethanol is blended with gasoline to help reduce air pollution. In California, New York and Connecticut—states which have phased out the use of MTBE—ethanol must be blended with gasoline to meet Clean Air Act requirements for oxygenated fuel. In New York and Connecticut, 10 percent ethanol is blended with 90 percent gasoline while in California, 5.7 percent ethanol is blended with 94.3 percent gasoline.

GASOLINE PRICE REDUCTIONS TO CONSUMERS WITH INCREASED USE OF ETHANOL

The best example of how consumers could realize lower gasoline prices is using sales of petroleum products and ethanol in New York harbor (see Table 4). Gasoline and ethanol shipped into New York harbor serve markets in New Jersey where refiners still use MTBE and New York and Connecticut where refiners blend ethanol. Assuming that refiners and gasoline marketers in New York harbor took advantage of lower-priced ethanol during March, they could have lowered consumer gasoline prices by 5 cents a gallon in New Jersey compared to RFG using MTBE and by 7 cents a gallon compared to conventional gasoline used outside of the metropolitan areas required use of RFG.

abuse of consumers frustrates the nation's ability to address the fundamental energy problem. The failure of the oil industry to increase the use of ethanol undercuts the claim that they need to drill in Alaska to solve the problem for two reasons. First, we could increase the production of ethanol much faster and provide a lot more output to displace imported oil than new finds in Alaska could ever produce. Second, the same companies that dominate the gasoline business would control the flow of oil from Alaska, so there is not guarantee that it would have a substantial impact on prices, even if the amount of oil found was significant.

When the American people are asked about the current gasoline situation, they blame oil companies and the Bush administration. This analysis suggests that they are correct in that assessment. The Bush Administration defends the oil companies, whose increased profits and strategic business actions have played a big part in the recent price increases, keeps asking the American people to make hard sacrifices to deal with the problem in the long term, while the oil companies get off easy and policy makers fail to implement the simple and obvious policies

that would help consumers in the short and long term.

The New York Times took the administration to task because President Bush:

“. . . completely ignored the surest way to reduce demand and thus oil dependency, which is to improve the fuel efficiency of America's cars and trucks. Indeed, everything Mr. Bush said seemed designed to divert attention from this simple and technologically feasible idea . . . Then, too, he could not resist the deceptions that make debating energy in Washington such a frustrating matter. These include . . . drilling in the Arctic Natural Wildlife Refuge.”

Pointing out that the “House bill is dreadful,” the Times concluded that this “leaves the job of fashioning a coherent strategy in the Senate's hands.” Among the ideas with merit that the Times noted for addressing the gasoline problem, in addition to “stricter fuel economy standards,” is creating “biofuels” from agricultural waste. The irony is that we already have a “biofuels” industry that is not being fully utilized.

Until policymakers start advocating sensible and simple policies in the short and long term, American consumers are right to resist the bad policies that are being foisted on them.

Mr. NELSON of Nebraska. The recent decline in ethanol prices, coupled with surging pump prices for gasoline, have created a market dynamic in which increased ethanol use could help curtail record high gas prices. Consumers in many parts of the country where ethanol can be delivered to existing storage and terminal facilities are not receiving lower cost supplies and are paying as much as 8 cents a gallon more at the pump than they would if oil refiners purchased ethanol to blend. Blending high-priced gasoline with more modestly priced ethanol results in a more affordable final product. By using ethanol, oil refiners have an opportunity to pass along real savings to consumers during this period of high gasoline prices.

The Consumer Federation of America cites several reasons for the dramatic increase in gasoline prices, including tight crude oil inventories, inadequate oil refinery capacity, lack of competition, and the oil industry's increasing market power. In contrast to gasoline prices, ethanol prices have actually fallen during the past 6 months.

As an example, the price of ethanol on the Chicago spot market hit \$1.82 per gallon in November 2004 but averaged about \$1.18 per gallon last month. At these prices, why don't oil companies blend more ethanol to lower consumer prices? We have an opportunity to see that consumers benefit from cleaner burning, affordable, and domestically produced fuel.

Finally, a win for the environment: For environmental and health concerns, the Nation decided to clean up the fuels which have powered America for nearly a century. The Clean Air Act identified numerous areas of the country which must reduce or eliminate their pollution levels. Those areas have been meeting the challenges of the Clean Air Act through changing the gasoline and diesel fuels used, either year-round or seasonally. Studies show

ethanol reduces emissions of carbon monoxide and hydrocarbons by 20 percent, and particulates by 40 percent in 1990 and newer vehicles. In 2001 alone, ethanol reportedly reduced greenhouse gas emissions by 3.6 million tons or the equivalent of removing more than 520,000 vehicles from the road.

Now and through the next several years, cleaner and cleaner fuels such as ethanol, natural gas, propane, and biodiesel will be used in cars, trucks, and buses. Today's key issue is to determine which alternatives will extend or replace gasoline and diesel fuel to reduce pollution.

We need to be working hard to craft a comprehensive rural development plan that will spur investment in agribusiness and promote economic activity in the agricultural sector. This Energy bill, and the renewable fuels standard contained within, is an important part of such a rural development plan and is key to reversing the realities of outmigration in the rural areas.

If passed, this fuels language will establish a 4.0-billion-gallon renewable fuels standard in 2006, growing every year until it reaches 8 billion gallons by 2012. This is a responsible approach to meeting the demands of an ever-increasing demand for fuel sources. Additional benefits to this legislation include the displacement of foreign supplies of crude oil, reduction in the U.S. trade deficit, and the creation of tens of thousands of jobs throughout the United States.

It is quite apparent that increased use of ethanol will do much to boost a struggling U.S. agricultural economy and at the same time will help establish a more sound national energy policy.

A choice for renewable fuels is a choice for America, its energy consumers, its farmers, and its environment. It will help us to reverse our 100-year-old reliance on fossil fuels, a more pressing concern than ever given the unrest in the Middle East and increased competition for energy from growing economies throughout the world.

If each State were to produce 10 percent of its own domestic renewable fuel as Nebraska does, America will have turned the corner away from dependence on foreign sources of energy. When you take a hard look at the facts, you will see that this legislation is nothing but beneficial for America.

The Fuels Security Act is balanced, comprehensive, and is the result of the dedication of so many, especially Senator LUGAR and Senator HARKIN.

Now I ask my colleagues to join me in promoting new opportunities for the technologies that will put our Nation and our world's transportation fuels on solid, sustainable, environmentally enhancing ground. We owe it to our country now and to future generations to pass this legislation.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. THOMAS. Mr. President, I am delighted that we are now into the debate and soon the passage of our energy bill. This is a bill we have worked on for several years. It is a bill that is an energy policy for this country. It looks ahead through the years and tries to get an idea of what our needs are going to be and how we fill those needs. It is something we really need.

Certainly, everyone recognizes increasingly the profound effect it has on our lives. Look outside at the thousands of cars. All of them are running on gasoline, of course. Look at electricity. We take it for granted. We turn the lights on, and we do not think of where it comes from or how it got there. Air-conditioning is the same. We have noticed that a lot the last few days. Think of what it would be like if we did not have air-conditioning. We would probably be on recess, and I would go back to Wyoming.

All of our technology now is tied to computers. We do not think much about it. This is an opportunity for us to give some analysis to how we provide this and, of course, costs. We do pay some attention to the costs.

We have talked about this for years, and we have had bills on the Senate floor. In the last session, we had bills passed in the Senate and in the House. We went to a conference in which they were put together. We came back to the Senate floor, and over a couple of smaller or singular items, we lost. So we have not had a comprehensive energy bill.

We rely increasingly on foreign resources, some 60 percent or so on foreign oil. Unfortunately, that is continuing to grow. At the same time it grows for us, the demand grows in other countries. Even though there is some increased production, we see a smaller amount coming, and we see the prices continue to go up.

We have greater demand. One of the things that has to be in a policy is a decision about efficient use and conservation so that not only do we talk about supply but we talk about how we can more efficiently use the resources we do have.

We think quite a bit about renewables. We think, Oh, my gosh, we do not need to use oil all the time, there must be a lot of other things. Indeed, there are. The fact is that they are in the future. They are yet in need of a great deal of research, and right now, if we take out hydro, which is a renewable, about 3 percent of our power is provided by renewable energy resources. I am optimistic that over time that can certainly be larger, but right now it is a very small part of the overall mix.

We have natural gas prices which have reenergized the effort, and we

should pay attention to clean coal. Over the years, it has been easier, frankly, and somewhat less expensive to build generating plants that are fueled by gas, and so that is what has happened. We have smaller plants closer to the market, so we do not have to worry about the transmission as much, when the fact is that our greatest fossil resource for the future is coal. Coal is the largest generator of electricity, but we can use gas for many more things than we can coal.

With coal there are some challenges. One challenge is to be able to generate electricity and still take care of the clean air and environmental problems that go with that. So we want to emphasize that need for making clean coal technologies. Hydrogen is an energy that can come from coal as well. In fact, there are plants now being planned that will make synthetic diesel out of coal. So, again, that is an alternative source from where we are now.

We have some alternatives. We are importing a good deal of liquefied natural gas, which is also more expensive and has created, some controversy about the necessary facilities to have dockings for those kinds of things. All of these are very difficult issues.

I have been on the committee a good long time and have enjoyed it very much and certainly appreciate the leadership we are getting from our chairman and also our Democrat ranking member to work toward these things, but I hope that we do look out long term. We are not going to solve these problems next week or next month. We have to look out a little ways and say, all right, what are our needs, how are we going to meet those needs, and what do we have to do in the long term to get there. I hope this is a roadmap for the future. That is what it has been.

For over 4 years now, the President and the Vice President have been working. My colleagues will recall they had an energy task force which became a little controversial for unknown reasons, really, but that was one of the first items this administration talked about, and properly so. One of the controversies was that both of these gentlemen had been in the energy business, but all that did was give them more knowledge about it.

Since that time, we have experienced higher prices and low prices, and now we are back to higher prices. We have experienced blackouts, which, of course, are a possibility at any time.

There are some things we can do in terms of generation. There have been no electric generation plants built in a number of years, and we are right up to capacity, and the same way with refineries. In fact, some say we can get more oil shipped in from other places and refined here, but we do not have the refining capacity. So those are some of the things we need to talk about.

I emphasize again to my colleagues that we need a balanced program. I

know we all get involved in different aspects of it as it impacts our communities and our States, but the fact is, when it is all over, we need to deal with alternatives, we need to deal with efficiency, we need to deal with conservation, we need to deal with domestic production, and we need to deal with research for alternatives and renewables. All of those things have to go together.

Then we get into the electric business. We have to talk about transmission and about a lot of things. It is not an easy subject. When a subject is brought to the Senate floor that has that many aspects, many of which affect States and communities differently—for instance, offshore drilling. Well, in Wyoming, we are not too interested in offshore drilling as it affects us. We are interested in it in that it is the largest resource we have for the future. So we have to deal with different facts in different places. We have a chance now to pass a balanced and comprehensive bill.

I am, obviously, very interested in this issue, partly because I am on the committee but more importantly because it is very important for our country. I come from a State that has incredible natural resources. They mean very much to us economically, but more than anything we are a resource for the whole country. We have probably more coal than any other State. We have low sulfur coal. We have coal that burns relatively cleaner than most. We need to continue to make it even more so. We have oil.

Some of the earliest oilfields in the West were in Wyoming, and they continue to produce. We are finding new ways to try to recapture oil that we have not been able to bring out of the Earth. We can do that. We have had a whole new growth of natural gas called methane gas. It is engulfed in water under the ground in the relatively shallow wells. We have uranium. We had uranium mines active a number of years ago, and then we kind of got away from nuclear powerplants. Now there is a new opportunity to go back into that area and some real advantages to that, particularly in terms of clean air and climate control.

Nuclear powerplants, we kind of think, well, that is a funny thing. We do not know much about them. I think 40 percent of the energy in Illinois is produced now with nuclear plants. We are concerned about the waste areas, such as the Yucca Mountain issue out in Nevada. The fact is, however, that there are opportunities to do things better there. We can look again at France. France uses almost all nuclear power. They have a system of recycling uranium so they do not have the waste the way we do. So there are opportunities to do that.

We also have quite a bit of wind, and so we can capture wind energy as well.

These are the kinds of things we must do. We must modernize conservation such as with cars—and we are

doing that, but it takes a while—so we get better mileage. We are finding household equipment that better utilizes energy and electricity. We have to modernize our infrastructure. This is a tough one, too.

One of the issues most of us like to talk about is mine-mouth generation for coal-powered electricity but yet generated at the mine. One has to get it to the marketplace, and that takes very efficient transmission, more transmission than we have now.

So these are some of the things we need to do. At the same time we work with more production and different kinds of production with research, we need to protect the environment. We have issues in the West. Half of our State, nearly 85 percent of Nevada is Federal lands. So we have to have a program that allows for multiple use of public lands so that we can continue to use them for grazing, fishing, and wildlife, and at the same time in careful ways we can have production of energy as well.

This bill sets some direction in terms of research and incentives. We are beginning to do what we have not done before that may not be as efficient initially economically, but if we can provide some tax credits, we can provide some sort of assistance, then it will become efficient, and then we can back out of that. The way businesses are initiated into new things is to provide some incentive. These are all things most of us would agree to, and the opportunity to pass them is now.

The House has passed their energy bill, and when we pass ours, we will go to the conference committee and work out some differences. There are some differences, and there will be differences here. There are different ideas about what we do on world climate activities, Kyoto. I have been to several of the Kyoto meetings, and over the whole world there are different ideas. I seek to remind folks when I go there that we are not putting on some of the regulations that some countries are. We want our economy to continue, and at the same time we are spending more in research for clean air and on the global situation than the whole rest of the world put together. What really is important is to find new ways to be able to maintain the economy, manufacturing and production, and do it in such a way that it does protect the economy.

National security, of course, is obviously a real part of this. As we become more dependent on foreign countries' resources, there is some question about our security. We are getting 62 percent of our oil from outside of the United States. Fortunately, much of that comes from Canada, so that is a little less concerning. But we are at the hands of Venezuela and lots of other places if we are not able to be a little more dependent on ourselves. Energy independence depends on the things I have talked about: conservation, efficiency, and new sources of energy.

The global energy demand is changing as well. Certain places, such as China, are using a great deal more energy than they did just a few years ago. So the demand for coal has changed where they are importing the kinds of things they were not importing before. India, the whole Asian picture is changing.

So these are some of the things that I believe we need to take a look at. We need to be realistic about it. Sometimes we get in sort of a fantasy that we can do all of this with renewables and we do not need to worry about oil and coal. Frankly, at least for the foreseeable future, that is not the case. We are getting about 3 percent of our energy from renewables at this point.

We will get more. But, nevertheless, we have to also continue to improve and make sure we have those kinds of sources of energy that we now can depend on.

I am particularly involved and interested in the electricity portion of it. We need to encourage investment in generation as the demand increases—and it does, constantly. Look around our cities. Even in our rural areas, there is an increasing demand. Everything we do demands more energy. We need to generate the energy.

It becomes difficult, of course, particularly on private lands and some Federal lands, to get efficient transmission. We think there are some possibilities of getting more efficient so the same transmission lines can carry a great deal more of a load than they have in the past.

When we get into multiple kinds of ownership, we get controversy about how you have access to the lines and all those things, but we can work those out. That is partly what we are doing.

I again congratulate the leadership on this committee for getting us where we are. I am committed to doing whatever I can to get it through because I think it is so important. I believe we have a good bill, a comprehensive bill, a bill that deals with all the aspects of the future. It helps create jobs and maintain the economy—which is, of course, one of the key things—and to keep this country self-reliant and not dependent on the rest of the world.

I hope we can move forward to deal with the issues, to talk about them. It is all right to have different views. But I hope we don't get into objecting and holding up things just because we have a point of view.

Offshore drilling, already there is some debate about it. We are willing to give the States a lot of their own decisionmaking with regard to offshore. We are not going to tell them what to do.

We can make this work. I hope we can move forward and get this job done. Let's get it done.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Let me say, before the distinguished Senator leaves the floor, how much I appreciate his com-

ments today and his analysis of this bill. But more than that, around the Senate there are some people—I guess, in the parlance of the racetrack, some are show horses and some are work horses. This Senator is a work horse. He has been on this committee for a few years—not as long as this Senator, but that is just because I have been here so long. Hardly anybody has been here longer than this Senator. But he works all the time on this. He knows a lot about this bill. He has some specialties in this area to which he has contributed immensely.

Some things on this bill he is right on. He is more correct than the bill. He didn't get to do what he wanted on some of them, but he understands that we have a good bill.

It is hard work. He was there all the time, helping us, doing his share, pulling his part of the load, helping us get this bill through.

I want those who are aware of him and know of him to understand that is what the Senator from New Mexico thinks about that. I want the record to reflect that.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MODIFICATIONS TO AMENDMENT NO. 779

Mr. DOMENICI. Mr. President, I send modifications to the pending amendment to the desk. It has been approved by both sides and the parties to this discussion.

The PRESIDING OFFICER. The amendment is so modified.

The modifications to the amendment (No. 779), are as follows:

1. Page 27, beginning on line 20, delete "section" and all that follows through the parenthetical on line 22, and insert "Title XIV of the Energy Policy Act of 2005".

2. Page 29, beginning on line 5, delete "notwithstanding" and all that follows through the parenthetical on line 8.

3. Page 30, delete lines 5 through 13, and renumber paragraphs (7) and (8) accordingly.

4. Page 39, line 1, delete "significant" and insert "increased".

5. Page 39, lines 3 and 4, delete "important to the cost-effective implementation of" and insert "needed to implement".

6. Page 45, line 11, strike "the law in effect on the day" and insert "any law enacted or in effect".

7. Page 52, line 4, strike "2005" and insert "2006".

* * * * *

"(B) RELIANCE ON EXISTING REQUIREMENTS.—To avoid duplicative requirements, in carrying out subparagraph (A), the Administrator shall rely, to the maximum extent practicable, on reporting and record-keeping requirements in effect on the date of enactment of this section.

"(3) CONFIDENTIALITY.—Activities carried out under this subsection shall be conducted in a manner designed to protect confidentiality of individual responses.

"(C) CELLULOSIC BIOMASS ETHANOL AND MUNICIPAL SOLID WASTE LOAN GUARANTEE PROGRAM.—

"(1) IN GENERAL.—Funds may be provided for the cost (as defined in the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.)) of loan guarantees issued under title XIV of the Energy Policy Act of 2005 to carry out commercial demonstration projects for cellulosic biomass and sucrose-derived ethanol.

"(2) DEMONSTRATION PROJECTS.—

"(E) there is a reasonable assurance of repayment of the guaranteed loan.

"(4) LIMITATIONS.—

"(A) MAXIMUM GUARANTEE.—Except as provided in subparagraph (B), a loan guarantee under this section may be issued for up to 80 percent of the estimated cost of a project, but may not exceed \$250,000,000 for a project.

"(B) ADDITIONAL GUARANTEES.—

"(i) IN GENERAL.—The Secretary may issue additional loan guarantees for a project to cover up to 80 percent of the excess of actual project cost over estimated project cost but not to exceed 15 percent of the amount of the original guarantee.

"(ii) PRINCIPAL AND INTEREST.—Subject to subparagraph (A), the Secretary shall guarantee 100 percent of the principal and interest of a loan made under subparagraph (A).

"(5) EQUITY CONTRIBUTIONS.—To be eligible for a loan guarantee under this section, an applicant for the loan guarantee shall have binding commitments from equity investors to provide an initial equity contribution of at least 20 percent of the total project cost.

"(6) INSUFFICIENT AMOUNTS.—If the amount made available to carry out this section is insufficient to allow the Secretary to make loan guarantees for 3 projects described in subsection (b), the Secretary shall issue loan guarantees for 1 or more qualifying projects under this section in the order in which the applications for the projects are received by the Secretary.

"(7) APPROVAL.—An application for a loan guarantee under this section shall be approved or disapproved by the Secretary not later than 90 days after the application is received by the Secretary.

(A) increased use of MTBE could result from the adoption of that standard; and

(B) the use of MTBE would likely be needed to implement that standard;

(4) Congress is aware that gasoline and its component additives have leaked from storage tanks, with consequences for water quality;

(5) the fuel industry responded to the fuel oxygenate standard established by Public Law 101-549 by making substantial investments in—

(A) MTBE production capacity; and

(B) systems to deliver MTBE-containing gasoline to the marketplace;

(6) when leaked or spilled into the environment, MTBE may cause serious problems of drinking water quality;

(7) in recent years, MTBE has been detected in water sources throughout the United States;

(8) MTBE can be detected by smell and taste at low concentrations;

(9) while small quantities of MTBE can render water supplies unpalatable, the precise human health effects of MTBE consumption at low levels are yet unknown as of the date of enactment of this Act;

"(II) ending on the effective date of the prohibition on the use of methyl tertiary butyl ether under paragraph (5).

"(D) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph \$250,000,000 for each of fiscal years 2005 through 2008."

(d) NO EFFECT ON LAW CONCERNING STATE AUTHORITY.—The amendments made by subsection (c) have no effect on the law in effect before the date of enactment of this Act concerning the authority of States to limit the

use of methyl tertiary butyl ether in motor vehicle fuel.

SEC. 212. ELIMINATION OF OXYGEN CONTENT REQUIREMENT FOR REFORMULATED GASOLINE.

(a) ELIMINATION.—

(1) IN GENERAL.—Section 211(k) of the Clean Air Act (42 U.S.C. 7545(k)) is amended—

(A) in paragraph (2)—

(i) in the second sentence of subparagraph (A), by striking “(including the oxygen content requirement contained in subparagraph (B))”;

(ii) by striking subparagraph (B); and

“(vi) REGULATIONS TO CONTROL HAZARDOUS AIR POLLUTANTS FROM MOTOR VEHICLES AND MOTOR VEHICLE FUELS.—Not later than July 1, 2006, the Administrator shall promulgate final regulations to control hazardous air pollutants from motor vehicles and motor vehicle fuels, as provided for in section 80.1045 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subparagraph).”.

(c) COMMINGLING.—

(1) IN GENERAL.—Section 211(k) of the Clean Air Act (42 U.S.C. 7545(k)) is amended by adding at the end the following:

“(11) COMMINGLING.—The regulations under paragraph (1) shall permit the commingling at a retail station of reformulated gasoline containing ethanol and reformulated gasoline that does not contain ethanol if, each time such commingling occurs—

“(A) the retailer notifies the Administrator before the commingling, identifying the exact location of the retail station and the specific tank in which the commingling will take place; and

Mr. DOMENICI. Just for the benefit of the Senators, I know it is close here to leaving, but we are getting close also to a vote. I am very hopeful that will occur in a couple of minutes here. We will ask for the yeas and nays and have a vote on the ethanol amendment, as modified, which I think will make many people happy, before we draw to a close this afternoon. We will not be closing the Senate, but as far as voting, we will wait until the Senators return from the Nebraska trip on behalf of the late Senator Exon.

Mr. BINGAMAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. OBAMA. Mr. President, I rise today in support of the amendment offered by the Senator from New Mexico.

During the debate on this energy bill, we have already heard and will continue to hear about the importance of strengthening the energy independence of America. The phrase “energy independence,” however, must be heard no longer as a routine utterance. It must be heard as an urgent warning of the most serious magnitude.

The sirens are sounding, and I fear that we are not listening.

The days of running a 21st century economy on a 20th century fossil fuel are numbered—and we need to realize

that before it is too late. The price of gas is now around \$2.24 per gallon. Crude oil is now soaring over \$50 a barrel. The Saudis are pumping at near-full capacity, and their own oil minister says that the price of crude will probably stay at this price for the rest of the year. And Goldman Sachs predicts that soon it may reach \$100 a barrel.

Imagine what that would do the price of gas—\$100 for one barrel of oil.

Our own Department of Energy predicts that American demand will jump by 50 percent over the next 15 years. And as developing countries like China and India continue to grow, the world will be faced with more drivers than it knows what to do with. Right now, there are 800 million cars on the road. By 2050, that number will grow to 3.25 billion.

Think about that 3.25 billion cars guzzling oil that is becoming more limited and more expensive with each passing day. We could open up every corner of the United States for drilling and tell the oil companies to go to town, but with only 3 percent of the world's oil supplies, it wouldn't even make a dent in the problem.

Of course, most of the rest of the world's oil lies in the Middle East, a region we have seen torn by war and terror. Every year, we send \$25 billion to these countries to buy oil. It doesn't matter if they are budding democracies, despotic regimes with nuclear intentions, or havens for the madrasas that plant the seeds of terror in young minds they get our money because we need their oil.

What is worse—this oil isn't even well-protected. Over the last few years, terrorists have stepped up their attempts to attack poorly defended oil tankers and pipelines. And a former CIA agent tells us that if a terrorist hijacked a plane in Kuwait and crashed it into an oil complex in Saudi Arabia, it could take enough oil off the market and cause more economic damage in the United States than if a dirty nuclear weapon exploded in downtown Manhattan.

Recently, I came across a quote from Henry Ford, the carmaker, who said these prophetic words in 1916:

All the world is waiting for a substitute to gasoline. When that is gone, there will be no more gasoline, and long before that time, the price of gasoline will have risen to a point where it will be too expensive to burn as a motor fuel.

Mr. FORD was right—he was just ahead of his time. His words were spoken before the shocks to our economy caused by the oil crisis of the 1970s, before the world's oil fields became areas of turmoil and terrorism, before growing nations like China and India joined us at the trough of massive petroleum consumption.

We need a 21st century energy policy. Whether this bill accomplishes that remains to be seen. But it is clear that part of the solution must be greater use of renewable fuels instead of con-

tinued reliance on foreign oil. That is why I am astonished that there is any effort in this Chamber to eviscerate a renewable fuels standard that can and will—further America's energy independence while also strengthening our economy.

The Nation's ethanol production is expected to exceed 4 billion gallons this year. In the coming years, ethanol production is expected to be so robust that as much as 8 billion gallons of renewable fuels could be in our fuel supply by 2012.

Right now, outside Washington, in cities and towns, on farms and in factories across America, there is hope for us to do so much more than we have been doing on energy. Whether it is farming the corn in Galesburg that can fuel our cars or fine-tuning the microchip in Chicago that let's us plug them in, people are taking America's energy future into their own hands with the same sense of innovation and optimism that has always kept our country on the forefront of discovery and exploration.

They deserve a government that can see that future too.

The American people are asking us to address high gas prices. The American people are asking us for greater national security. The American people are asking us to invest in job creation. The renewable fuels standard in the Domenici amendment proposes to do just that in 7 years, and I am proud to be a cosponsor of the amendment.

Instead of continuing to link our energy policy to foreign fields of oil, it should be linked to farm fields of corn. I urge my colleagues to support the Domenici amendment.

Mrs. FEINSTEIN. Mr. President, I rise today to oppose Senator DOMENICI's amendment to require that U.S. refiners blend 8 billion gallons of ethanol into gasoline each year by 2012.

I think this is a mistake that will cost the Federal treasury \$2 billion by the time it is fully implemented and could further pollute California's air.

In my home State, the mandate will mean that refiners must choose between blending ethanol into gasoline or using a costly credit/trading system.

Either choice will mean California consumers pay more at the pump.

According to the California Air Resources Board, California would be able to mitigate the air quality impacts of a mandate if it were limited to 6 billion gallons or less.

With a 6 billion gallon mandate, refiners in California would be required to use about 660 million gallons of ethanol, which they could accomplish in the cooler winter months alone.

However, at 8 billion gallons, the State's refiners would be forced to use about 880 million gallons of ethanol and they would either have to use ethanol in the hot summer months, when it could pollute the air, or buy costly “credits” for not using ethanol.

While we do not know exactly how the credit trading system will work, it

is estimated that the credits would cost about 40 cents per gallon of ethanol.

So if California refiners were not able to use about 220 million gallons of ethanol per year, it could cost \$88 million annually to buy the credits—money that would inevitably be passed on to drivers.

I do want to thank Chairman DOMENICI for including two provisions in the amendment that could help my State: repealing the 2 percent oxygenate standard; and maintaining the summertime waiver for California.

The Federal 2 percent oxygenate standard has forced areas with poor air quality, including the entire State of California, to use either MTBE or ethanol in gasoline.

This Federal requirement has forced California's refiners to use an oxygenate even though they can make cleaner-burning gasoline without MTBE or ethanol.

To meet this oxygenate requirement, California has been forced to use ethanol since 2004 when the State officially banned MTBE, although many refiners in the State started using ethanol as early as 2003.

Beginning in the Summer of 2003, ethanol was found to have had a detrimental impact on the State's air quality. And on August 1, 2003 the California Environmental Protection Agency informed me that:

... our current best estimate is that the increase in the use of ethanol-blended gasoline has likely resulted in about a one percent increase in emissions of volatile organic gases (VOC) in the SCAQMD [South Coast Air Quality Management District] in the summer of 2003. Given the very poor air quality in the region and the great difficulty of reaching the current federal ozone standard by the required attainment date of 2010, an increase of this magnitude is of great concern. Clearly, these emission increases have resulted in higher ozone levels this year that what would have otherwise occurred, and are responsible for at least some of the rise in ozone levels that have been observed.

I will provide a copy of this letter for the record.

In September 2004, the California Air Resources Board sponsored a study by the Coordinating Research Council entitled "Fuel Permeation From Automotive Systems."

The purpose of the study was to find out if three different fuels had different chemical properties that made one evaporate more rapidly than the others.

The fuels that were studied were MTBE-blended gasoline, ethanol-blended gasoline, and gasoline with no oxygenate.

The study found that emissions increased from all 10 of the gas tanks and engines that were studied when ethanol replaced the MTBE in gasoline.

In fact, the ethanol blended gasoline caused emissions to increase by 65 percent when compared with MTBE blended gasoline, and by 45 percent when compared with non-oxygenated gasoline.

Here's why: ethanol-blended gasoline evaporate from the car's parts faster and does so in a vapor form. Those vapors cause smog.

Ethanol's evaporative tendencies only get worse in hot climates. The Air Resources Board has since found that the use of ethanol on hot summer days increases emissions of ozone forming compounds by about 75 tons per day above what they would be if we were allowed to use summertime gasoline without ethanol.

This is important because ozone can cause respiratory difficulties in the elderly and those with asthma.

There is a strong direct relationship between temperature and ethanol—the hotter the day, the higher the emissions. On a 100 degree day, emissions are four times higher than on a 68 degree day. Therefore, the worst time to use ethanol is in the summer months.

Overall, the Air Resources Board believes that ozone levels in California are about 1 to 2 percent higher than they should be because of the oxygenate requirement.

This is a significant problem. Almost all of California's 37 million residents already breathe unhealthy air. Current levels of ozone pollution annually result in an estimated 630 premature deaths; 4,200 hospitalizations for respiratory diseases; and 3.7 million school absences.

The Energy Committee approved my amendment to this bill to provide California with a waiver so that the State does not have to use ethanol in the summertime when ethanol-blended gasoline impacts air quality the most.

I do appreciate the fact that Chairman DOMENICI has retained this waiver in his amendment. However, I still believe the ethanol mandate is bad public policy, which increases the cost of gasoline for consumers; does next to nothing to reduce oil consumption to increase energy security; and, has severe impacts on the federal budget.

Last month, the Director of the Petroleum Division at the Energy Information Administration stated before the House Government Reform Committee that:

... refiners lost production capability when replacing MTBE with ethanol. This, along with continued demand growth, has contributed to price pressures. From 2000 through 2002, California retail gasoline prices averaged about 19 cents per gallon more than the U.S. average gasoline price, but in 2003 as MTBE began to be removed, California prices averaged 27 cents per gallon higher than the U.S. average, and remained at that level through 2004.

So far this year, California's gasoline prices are at least 23 cents higher than the U.S. average.

Much of this additional cost can be attributed to the cost of transporting ethanol. Because ethanol cannot be transported through the existing pipeline infrastructure and has to be trucked from the Midwest to the coasts, it adds another 10 cents to the retail cost of gasoline.

In other words, adding ethanol to our gasoline has increased the cost at the pump.

Moreover, the ethanol mandate does not improve energy security. The ethanol mandate will only reduce U.S. oil consumption by one-half of one percent when the 8 billion gallon mandate is fully implemented in 2012.

In addition, since ethanol has a somewhat lower energy content, more fuel is required to travel the same distance.

This energy loss leads to an approximate 3 percent decrease in miles per gallon vehicle fuel economy with ethanol-blended gasoline.

And finally, I would like to point out how expensive this mandate is. Ethanol receives a tax credit of 51 cents per gallon. If the mandate were to increase to 8 billion gallons by 2012 from the 3.85 billion gallons of ethanol sold today, that would mean a net loss of an additional \$2 billion to the U.S. Treasury.

We should not be imposing a larger mandate for ethanol at a time when the ethanol industry already receives such a huge subsidy, and when the Nation has such huge budget deficits.

We need to either eliminate the mandate or end the subsidy. We can keep one or the other but not both.

Yes, the provision to allow California not to use ethanol in the summertime is a win for California's air quality. But the mandate, itself, could well be a loss for consumers and the Federal Treasury.

I hope my colleagues will join me in opposing this amendment.

I ask unanimous consent that the letter from which I quoted be printed in the RECORD.

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

CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY,
Sacramento, CA, August 1, 2003.

Hon. DIANNE FEINSTEIN,
U.S. Senate, Hart Senate Office Building,
Washington DC.

DEAR SENATOR FEINSTEIN: Thank you for your letter dated July 15, 2003, in which you requested that the California Environmental Protection Agency and the California Air Resources Board (ARB/Board) investigate the impacts of ethanol-blended gasoline and its potential contribution to the recently degraded air quality in Southern California.

Like you, I am extremely concerned about the recent increase in the number of exceedances of the federal ozone standard and the high elevated peak ozone levels observed in the South Coast Air Quality Management District (SCAQMD) this summer. As you observe in your letter, the air quality in the Los Angeles Basin has deteriorated this year, concurrent with a dramatic increase in the use of ethanol-blended gasoline.

All of the causes of this year's increased ozone are not yet known. In the two weeks since you wrote, the ARB has not had sufficient time to fully determine the role that ethanol-blended gasoline has played relative to other factors. We do know that weather conditions have played a very important role, and that increased use of ethanol-blended gasoline has increased emissions over what they otherwise would have been. That said, I also think it is fair to point out that

the impact of ethanol-gasoline blends, while significant and of great concern in California's ongoing efforts to reduce ozone, is not large enough to explain the majority of air quality deterioration that occurred in the SCAQMD this summer.

Unfortunately, at this time we are not able to precisely quantify the magnitude of the impact that higher emissions associated with the increased use of ethanol-blend gasoline has had relative to either weather or other factors affecting this year's ozone pollution. However, I would like to convey what we know today about the potential impact of ethanol use on emissions of smog forming compounds in Southern California.

As you know, as part of our efforts to obtain a waiver from the two percent oxygen requirement that now applies to most of the gasoline sold in California, the ARB has prepared extensive analyses of the impact of ethanol-gasoline blends on emissions and air quality. This information was submitted to the U.S. Environmental Protection Agency (U.S. EPA) to support our waiver request, and showed that emissions of ozone and particulate matter precursors would be reduced in California if U.S. EPA approved the waiver request.

In addition to the information previously submitted, the ARB has continued to conduct studies to further our understanding of how ethanol-blended gasoline would affect emissions in California. As is explained below, our current best estimate is that the increase in the use of ethanol-blended gasoline has likely resulted in about a one percent increase in emissions of volatile organic gases (VOC) in the SCAQMD in the summer of 2003. Given the very poor air quality in the region and the great difficulty of reaching the current federal ozone standard by the required attainment date of 2010, an increase of this magnitude is of great concern. Clearly, these emission increases have resulted in higher ozone levels this year than what would have otherwise occurred, and are responsible for at least some of the rise in ozone levels that have been observed.

To elaborate on the ARB's analyses, there are several ways that the use of ethanol in gasoline could potentially increase VOC emissions. The most important factors are: increased volatility of gasoline; the commingling of ethanol and non-ethanol blends in vehicle tanks; and permeation of ethanol through hoses and fuel system components.

Your letter mentions the potential for ethanol to increase the volatility of gasoline. Increases in volatility lead to increases in evaporative emissions from both the fuel distribution system and from vehicles. This effect may result in emission increases in other parts of the Nation where volatility of ethanol-gasoline blends is not tightly controlled. However, the California Phase 3 Reformulated Gasoline regulations, which ban the use of Methyl Tertiary Butyl Ether (MTBE) in California gasoline, anticipated this effect and required all gasoline to meet the same volatility standards whether ethanol was used or not. In addition, these regulations actually slightly lowered the volatility limit that most gasoline must meet. Therefore, we do not believe that this factor is contributing to increased VOC emissions in California.

Commingling emissions occur when consumers fill their fuel tanks and mix ethanol and non-ethanol gasolines. The California Phase 3 Reformulated Gasoline regulations were designed to preserve the existing Phase 2 Reformulated Gasoline vehicle emission benefits and to provide additional emission reductions to offset potential commingling effects. However, in 1999 when these rules were adopted, there was limited information on the real-world effects of commingling,

and the ARB committed to further analyze this issue.

Board staff recently completed a study of the likely emissions impacts of commingling in California. Based on this study, we continue to believe that the California Phase 3 Reformulated Gasoline regulations provide adequate compensating reductions to offset the emission increases due to commingling. The findings in the commingling study have been submitted to the University of California for formal peer review, and the review is expected to be completed within the next month.

Increases in permeation emissions occur due to ethanol's greater propensity (relative to most other components of gasoline) to leak through the soft components of fuel lines and through other parts of the fuel system. Because this effect was not adequately quantified when the ARB adopted the California Phase 3 Reformulated Gasoline regulation in 1999, ARB staff was directed to investigate these impacts and to return to the Board with recommendations on whether there is a need to take further actions to address those impacts.

Preliminary results from this study are now available, and strongly suggest that permeation impacts are both real and significant. The ARB's analyses indicate that this effect could increase ethanol evaporative hydrocarbon emissions by between 10 and 15 tons per day in the SCAQMD at the current level of ethanol use.

The information presented above is especially relevant in light of the recent decision by the 9th Circuit Court that overturns U.S. EPA's denial of California's oxygen content waiver request, and requires U.S. EPA to reconsider this issue. ARB believes that the information now available on the impact of ethanol in gasoline on VOC emissions must be part of U.S. EPA's reconsideration. We believe that the data on commingling and permeation effects demonstrate that U.S. EPA's denial of California's waiver request, which was based on its conclusion that granting the waiver might lead to an increase in overall VOC emissions due to commingling effects, was in error. As part of our effort to gain a reversal of this waiver denial, California is now preparing an information package to submit this information to the U.S. EPA.

I hope the information provided above is of value to you. As in the past, I am sure that your office will be of great assistance in assuring that California receives the needed waiver, and I look forward to working with you on this effort. Relative to understanding the factors that contributed to higher ozone levels this summer, the ARB staff will continue to work closely with SCAQMD staff to understand the cause of the recent increases in ozone levels in southern California. We will keep you informed of the results of this effort. If you have any additional questions about this important issue, please feel free to contact me, at (916) 323-2514, or Alan C. Lloyd, Ph.D., Chairman, ARB, at (916) 322-5840.

Sincerely,

WINSTON H. HICKOX,
Agency Secretary.

Mr. SALAZAR. Mr. President, I rise in strong support of the bipartisan amendment to increase the renewable fuels standard. I am proud to be a cosponsor of this commonsense amendment—and honored to join the senators, such as Senators JOHNSON and LUGAR, who have been working on this issue literally since its inception.

My parents always taught me that it was important to understand the his-

tory of our family, the lands around us and our Nation. I don't think it's out of the question for us to take a moment to reflect on the history of ethanol, too.

The use of ethanol in this Nation reaches back more than a century. Henry Ford's Model T was designed to run on ethanol. During World War I, ethanol accounted for 20 percent of vehicle fuels and during World War II we converted whiskey distilleries to produce fuel ethanol. Ethanol helped combat the oil crisis of the 1970s and was pivotal in the phase-out of leaded gasoline in the early 1980s.

Now we have an opportunity to move forward again with ethanol, which Henry Ford referred to as the "fuel of the future". Last year this Nation used 140 billion gallons of motor fuel, but only 3.45 billion gallons of ethanol and biodiesel. In other words, in 2004 only 2.5 percent of our Nation's fuel was renewable. The amendment we are considering now calls for 8 billion gallons of ethanol and biodiesel to be produced in America by 2012. This will represent slightly less than 5 percent of the transportation fuel that will be used in 2012.

At the moment, most of our biofuels are ethanol, and most of that is derived from corn. But this legislation helps the country to transition to producing more biodiesel and more diverse ethanol feedstocks. This transition to a more diverse set of feedstocks will help our national security and national economy, because it will allow farmers from all over the country to grow crops that can be used to make transportation fuels. These diverse feedstocks will include potatoes, tobacco, sugar, wood waste and more. And while this amendment works to diversify the feedstocks for renewable fuels, it also contains very good incentives to establish cellulosic ethanol. This is the ethanol of the future and we need to develop it. While current ethanol has a positive energy return of around 35 percent, cellulosic ethanol has the potential to return as much as 500 percent of the energy required to make it. This will be a significant advance in our quest to set America free from foreign oil.

The amendment is meant to send a very clear signal to the market that America is committed to this cheap, clean and reliable energy source. This amendment is not, as some of my colleagues have suggested, an "outrage." This amendment is good for Colorado, good for America, and good for the environment.

First of all, this amendment is good for Colorado. Rural economies in Colorado and across the country need help. We cannot continue to maintain the policies that have made rural America the forgotten America. It is said that a rising tide lifts all boats, but too often the tides never reach the Main Streets of our rural communities. Ethanol can help make it possible for everyone to benefit from economic growth.

Domestically produced biofuels can provide that assistance, in the form of good jobs, an influx of construction dollars, and new markets for local agriculture. In Colorado alone, new ethanol plants are planned for Windsor, Evans, and Sterling. There is some talk of future ethanol plants in Fort Morgan, Commerce City, and Lamar. The facility in Sterling is under construction now and should be up and running by October of this year. It will employ about 32 people and may add up to 100 secondary jobs. The facility hopes to supply about 1 million gallons of ethanol each year.

For biodiesel, we have small producers in Berthoud and in Denver, and a new production and blending facility will come on line in Monte Vista this year that should be producing biodiesel fuel within the next two months and will employ 12 people around the clock. Once in full production, this Monte Vista plant should create a ripple effect of up to 200 additional jobs. And right now, in my own San Luis Valley, canola is being grown specifically for the production of biodiesel.

This amendment also includes potatoes as a possible feedstock for biofuel. The San Luis Valley grows, but cannot use, tons and tons of potatoes each year. The amendment allows for the possibility that someone in the San Luis Valley will pick up on this cheap feedstock and turn it into fuel.

Second, this amendment is good for America. It is a simple fact that our dependence on oil from a politically unstable region of the world puts our national security at risk.

Remember what we are dealing with when we are so dependent on foreign sources of energy. Our four top sources for oil are Saudi Arabia, Canada, Mexico and Venezuela. It is no secret that stability in Saudi Arabia is an open question, and each week records a new outrage from the President of Venezuela.

Developing our own transportation fuels directly reduces this dependence on foreign oil and frees our nation to better protect its citizens from economic or other harms. The production and use of 8 billion gallons of ethanol and biodiesel by 2012 will displace more than 2 billion barrels of crude oil, and it will reduce the outflow of dollars to foreign oil producers by more than \$60 billion.

By reducing our dependence on foreign oil and the unstable governments that provide it, we strengthen our national security. By reducing our trade deficit, we strengthen our economy. This amendment does both.

Finally, ethanol and biodiesel are good for the environment. There is no monopoly on concern for protecting our natural heritage. Everyone in this chamber share the goal of clean air, and ethanol is a simple, direct route to getting there. Net carbon dioxide emissions from biofuels are lower than from fossil fuels, because the carbon released during combustion was taken

out of the air by the agricultural crops in the first place.

According to Argonne National Labs in Illinois, in 2004 ethanol use in the U.S. reduced greenhouse gas emissions by approximately 7.3 million tons, equivalent to removing the annual emissions of more than 1 million cars from the road. According to the EPA, ethanol can reduce the production of carbon monoxide, one of the chief ingredients of smog, by as much as 30 percent. In fact, ethanol can reduce urban smog more than any other fuel available.

Supporting this, amendment is the common-sense thing for the Senate today. It's a win for big cities and rural small towns alike. It benefits the environment while putting us on a stronger economic and national security footing. How often are we presented with an opportunity to implement policy that benefits every person in this country? To pass it up would be a I shame.

In closing, Mr. President, I reiterate that I am proud to cosponsor this amendment to establish a strong renewable fuels standard. It is a clear-cut case of what we can do when we work together—Republicans and Democrats—to fix problems that face our country. I wish it were not such a I unique development.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. JEFFORDS. Mr. President, I regret that I am unable to be present for the vote on the Domenici renewable fuels amendment, No. 779. I support this amendment, and I am pleased that a majority of my colleagues do as well. The Domenici amendment makes a significant step toward reducing our Nation's reliance on foreign oil. For 30 years I have been a supporter of renewable energy and alternative fuels, and I support this amendment which will require 8 billion gallons of ethanol in gasoline by 2012.

The Energy Committee's reported Energy bill sought to promote the use of biomass ethanol, biodiesel, hydrogen and biogas. I appreciate that effort. But, as we move forward with increased production of these renewable fuels, we must do so in a manner that is environmentally sound.

We cannot separate energy policy from environmental policy. The Senate Energy Committee reported bill encompasses many provisions in the jurisdiction of the Environment and Public Works Committee. Unfortunately, the only provision in this bill that was actually considered by the Environment Committee is the renewable fuels program. The reason is that boosting the use of ethanol in gasoline has significant Clean Air Act implications, and we must ensure that conforming changes to the Clean Air Act are made to ensure no worsening of air quality. As included in the reported version of the Energy bill, giving the Department of Energy authority for a new billion gallon renewable fuels program does

not accomplish our dual objectives of increasing the use of renewable fuels while maintaining our Nation's air quality.

Prior to the Energy Committee consideration of this renewable fuels provision, Senator INHOFE wrote Senator DOMENICI regarding the need for changes in the Clean Air Act for an ethanol mandate to be effective. The Environment and Public Works Committee has repeatedly approved legislation to make such changes in the Clean Air Act to make the ethanol mandate work and for the environment, air quality and public health to be protected.

The Domenici amendment is basically the same as the measure, S. 606, approved earlier this year by the Environment and Public Works Committee but with a higher ethanol mandate and updated to prevent backsliding on toxic emissions. The amendment phases out the use of methyl tertiary butyl ether, or MTBE, within 4 years. This phase-out will be accomplished more safely because refiners will be required to maintain no worse toxic emissions than occurred in 2001–2002. Those were much better performing years than the 1999–2000 baseline in S. 606. The amendment also provides EPA with authority to regulate fuels and fuel additives for the protection, not just of air, but of water resources too. This is an important provision that will allow EPA to take action should another fuel additive prove a threat to drinking water.

In addition, the amendment eliminates the oxygen content requirement for reformulated gasoline—RFG—that was put into the 1990 Clean Air Act Amendments. EPA is required to issue regulations to ensure that all non-attainment areas use RFG that contributes less to smog. The Agency must also regularly require fuel and fuel additive manufacturers to conduct health and environmental studies and make them public and to update its complex model for vehicle emissions from the outdated 1990 baseline vehicle. Further, governors in the ozone transport region may opt-in to the RFG program for their entire State, not just a non-attainment area. The amendment also sets up an automatic check-back to see what impacts the fuel system changes, the ethanol mandate and the MTBE phase-out will have on health, air quality, gasoline prices and supply, and other factors.

Oil companies began adding MTBE to gasoline as early as 1979 and by 1991, 1 year before the Clean Air Act oxygenate requirement went into effect, oil companies were using more than 100,000 barrels of MTBE per day.

These facts belie the oil companies' argument that Congress made them use MTBE and therefore Congress should stop the lawsuits. It is a well-established fact that oil companies were using MTBE years before the Clean Air Act oxygenate requirement went into effect. The Clean Air Act does not mandate the use of MTBE, and the fact

that there was any oxygenate requirement in the Clean Air Act at all was due in part to oil industry lobbying.

Earlier today there was also a roll-call vote on the Schumer amendment, No. 782. Had I been present, I would have voted in opposition to the amendment offered by the Senator from New York, Mr. SCHUMER.

The Senator from New York, Mr. SCHUMER, was proposing to strike the whole second subtitle, Subtitle B, from the Domenici amendment. While the Senator from New York, Mr. SCHUMER, argues that his strike merely eliminates the “mandate” of requiring ethanol in gasoline, it does much more. First, the fact that it eliminates a national commitment to use ethanol in gasoline at significant volumes should not be overlooked. Second, the Domenici provision would promote diversification in ethanol production by promoting the development of cellulosic biomass ethanol. This is an important new technology, designed to produce ethanol from wood waste, plant materials, and animal waste, in addition to corn and soybeans. It will allow more States the opportunity to produce ethanol with locally appropriate and available materials.

In addition, to address the concerns of the Senator from New York, Mr. SCHUMER, there is detailed language in the part of the Domenici amendment he seeks to strike that would allow States to seek waivers from the use of ethanol in the event that there is disproportionate economic hardship. I think that this is the appropriate way to proceed. High gasoline prices and dependence upon foreign sources of oil are already causing economic hardship, and now is the time to try to get more domestically produced ethanol blended with our gasoline so that we can reduce that dependence.

Though I support removing the liability shield for renewable fuels in Subtitle B of the Domenici amendment, I think that the Schumer amendment is too drastic a tool to deal with the price concerns of his State and moves us away from a serious national commitment to renewable fuels. For those reasons, I would have opposed Senate Amendment 782 had I been present.

I support efforts to increase the use of renewable fuels. I believe it can and should be done in a way that is protective of this country’s air, land and water. That means not allowing gasoline to become dirtier. And that means maintaining EPA’s role in regulating fuels to improve air quality while protecting current and future drinking water sources and not transferring these authorities to the Energy Department. The Domenici amendment accomplishes those objectives and I am pleased it has been added to the bill.●

Mr. DURBIN. Mr. President, I rise today in support of the renewable fuels standard, RFS, amendment. This important amendment, which I have co-sponsored, will create a nationwide standard for the use of renewable fuels.

A renewable fuels standard is created that will increase the use of domestically produced renewable fuels to 8 billion gallons by 2012. The bill also allows the Nation’s refiners to buy credits from refiners that use ethanol in other States to meet the requirement, ensuring additional refiner flexibility to use ethanol where it is most efficient and economical.

In Illinois, roughly one in every six rows of corn, approximately 280 million bushels is the source for ethanol. Illinois ranks second in the Nation in corn production, with more than 1.5 billion bushels produced annually, and is the Nation’s leading source of clean-burning ethanol. Illinois currently has five ethanol plants, with two other plants in production. Corn grown in Illinois is used to make 40 percent of the ethanol consumed in the United States. More than 95 percent of the gasoline sold in the Chicago area contains 10 percent ethanol.

Investment in the ethanol industry in Illinois exceeds \$1 billion, generating 800 jobs in plant operations and 4,000 jobs in the industry-related service sector. In fact, Illinois ethanol production alone has increased the national market price for corn by 25 cents per bushel.

Illinois farmers stand ready and eager to contribute to our Nation’s energy security, and the benefits extend to the environment as well. Replacing Midwest oil with Midwest ethanol is a winner for everyone but the oil sheiks. When we can use our Illinois agricultural expertise to reduce our dependence on foreign suppliers, the whole Nation benefits.

This expanded role for renewable fuels means more than a boost to industry; it means jobs to rural America, and increased energy security. And in contrast to the environmental damage that can be caused by drilling for oil, the only drilling required to produce ethanol is the initial inch and a half deep planting of the corn seed. And for the soybeans used to make biodiesel, the seeds are only drilled an inch into the ground.

American farmers are the foot soldiers in our battle for energy independence. Farmers throughout the country have come together to build ethanol production facilities that, in many instances, have become the backbone of a regional rural economy. In fact, farmer-owned ethanol plants, taken together, are the single largest segment of the U.S. ethanol industry. As we look for solutions to high oil prices, we must remember that renewable fuels are viable alternative fuels—domestically produced and environmentally friendly.

Cleaner burning biofuels, that can be produced, transported and combusted with major environmental benefits will contribute to cleaner and healthier air and less water and soil pollution. Importantly, biofuels, being essentially greenhouse gas neutral, will also contribute to achieving environmental

goals while advancing the economies of rural America.

According to an analysis completed by renowned economist John Urbanchuk of LEGC, Inc., an RFS that grows to 8 billion gallons of ethanol by 2012 would have a significant impact on both the farm and overall economy over the next decade.

It would reduce crude oil imports by 2 billion barrels and reduce the outflow of dollars largely to foreign oil producers by \$64 billion.

It would create 234,840 new jobs in all sectors of the U.S. economy.

It would increase U.S. household income by \$43 billion.

It would add \$200 billion to GDP between 2005 and 2012.

It would create \$6 billion in new investment in renewable fuel production facilities.

And it would result in the spending of \$70 billion on goods and services required to produce 8 billion gallons of ethanol and biodiesel by 2012.

Renewable fuels provide for a dependable domestic source of energy that increases fuel supplies, reduces our reliance on foreign oil, and enhances our ability to control our own security and economic future—while helping our farmers by increasing demand for their crops. Increasing the use of ethanol and other renewable fuels achieves many positive public policy goals.

This amendment should be adopted. Mr. DOMENICI. Mr. President, we are ready to vote on the ethanol amendment, as modified.

I ask for the yeas and nays. The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll. The legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: The Senator from Idaho (Mr. CRAPO), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Alaska (Mr. STEVENS).

Further, if present and voting, the Senator from Idaho (Mr. CRAPO) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from Vermont (Mr. JEFFORDS) is necessarily absent.

The PRESIDING OFFICER (Mr. BURR). Are there any Senators in the Chamber desiring to vote?

The result was announced—yeas 70, nays 26, as follows:

[Rollcall Vote No. 139 Leg.]

YEAS—70

| | | |
|-----------|-----------|----------|
| Akaka | Byrd | DeWine |
| Allen | Cantwell | Dodd |
| Baucus | Carper | Dole |
| Bayh | Chafee | Domenici |
| Bennett | Chambliss | Dorgan |
| Biden | Cochran | Durbin |
| Bingaman | Coleman | Enzi |
| Bond | Collins | Feingold |
| Brownback | Conrad | Frist |
| Bunning | Cornyn | Graham |
| Burns | Craig | Grassley |
| Burr | Dayton | Hagel |

| | | |
|-----------|-------------|-----------|
| Harkin | Lugar | Sarbanes |
| Hatch | Martinez | Sessions |
| Hutchison | McConnell | Smith |
| Inhofe | Mikulski | Snowe |
| Inouye | Murray | Stabenow |
| Isakson | Nelson (FL) | Talent |
| Johnson | Nelson (NE) | Thomas |
| Kerry | Obama | Thune |
| Kohl | Pryor | Vitter |
| Landrieu | Reid | Voinovich |
| Levin | Roberts | |
| Lincoln | Salazar | |

NAYS—26

| | | |
|-----------|------------|-------------|
| Alexander | Gregg | Rockefeller |
| Allard | Kennedy | Santorum |
| Boxer | Kyl | Schumer |
| Clinton | Lautenberg | Shelby |
| Coburn | Leahy | Specter |
| Corzine | Lieberman | Sununu |
| DeMint | Lott | Warner |
| Ensign | McCain | Wyden |
| Feinstein | Reed | |

NOT VOTING—4

| | |
|----------|-----------|
| Crapo | Murkowski |
| Jeffords | Stevens |

The amendment (No. 779), as modified, was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. SUNUNU. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate stands in recess until 2:15 p.m.

Thereupon, at 12:30 p.m., the Senate recessed until 2:18 p.m. and reassembled when called to order by the Presiding Officer (Mr. SUNUNU).

ENERGY POLICY ACT OF 2005—
Continued

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DOMENICI. Mr. President, I note the presence of the distinguished Senator from Washington, Ms. CANTWELL, on the floor. We have agreed heretofore that her amendment would now be the subject matter before the Senate. I understand the Senator is prepared to offer it.

Ms. CANTWELL. Mr. President, yes.

Mr. DOMENICI. Mr. President, may we have a copy of the final draft of the amendment?

Ms. CANTWELL. Yes, we will send the amendment to the desk.

Mr. DOMENICI. We have it. I wonder if we can discuss what the Senator's pleasure is. We have nothing else pending but her amendment for at least a couple of hours or more. How much time does the Senator think she might need?

Ms. CANTWELL. Mr. President, I know there are many colleagues who want to talk on this issue. I do not know how many members on the other side of the aisle want to speak. I would think we can dispose of this within a couple of hours. That would be my guess.

Mr. DOMENICI. Mr. President, we will not set a specific time, but let's talk about a couple of hours. I gather that the Senator would not need all that time continuously, if somebody desired to speak. I ask the Chair to recognize the Senator to answer my question.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. That is correct. I think we will start the debate on the Cantwell amendment, and if other Members want to address that or other issues, we are happy for them to come down and address those issues as the afternoon progresses.

Mr. DOMENICI. It is the understanding—and I hope Senator CANTWELL would comply—that there will not be any other subject matter come up. I ask unanimous consent that no other amendments be in order while this discussion is taking place, other than discussing the amendment.

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

Mr. DOMENICI. Mr. President, having said that, Senators on our side have heard we will be on this amendment for 2 hours, probably longer. If any of my colleagues desire to come down and debate the issue, I would very much appreciate them letting us know or, in fact, come to the floor and we will arrange for them to speak.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank the chairman of the Energy Committee for his participation and help in clarifying this next segment of debate on the Energy bill. While I think we have several issues left to discuss, I think it is very important to realize what a milestone we have achieved. After a couple of sessions of the Senate trying to get energy legislation, we are now on the precipice of having an energy bill that has great bipartisan support.

I compliment the chairman of the Energy Committee for his hard work and diligence in getting an energy bill that has such great bipartisan support. As a member of the Energy Committee and as a relatively new Member of the Senate, I can tell you how honored I was that Senator DOMENICI visited me in my office to talk about the issues impacting the Northwest—because we have been hard hit by an energy crisis in the last several years—and his willingness to work with my office on those Northwest issues, particularly related to the hydro system.

I can say with certainty that just about every member of the Senate Energy Committee participated in the

markup of this legislation by getting ideas and concepts into the Energy bill. While each of us have different perspectives because we represent different regions of the country, people should realize that getting an energy bill is a very important step forward in our Nation.

I contrast that to the House version. The House version reminds me of where we were in the Senate version 2 years ago, except for the House version just kept going in the wrong direction. It basically has what I call "gratuitous special interest deals" relating to groundwater pollutants. This includes letting MTBE manufacturers off the hook from their liability, something I know the Presiding Officer has concerns about. The House bill also has rollbacks of the Clean Air Act, the Clean Water Act, the National Environmental Policy Act and the Safe Drinking Water Act. I think these are bad precedents to set.

I am trying to bring attention to the fact that the product we are starting with in the Senate is good legislation. The next week and a half will probably make this legislation even better, as Members who are not on the committee bring up issues, some of which, Members who are on the committee left to be discussed by all the Members on the Senate floor.

Something of particular importance to the Northwest is the electricity title in this legislation. Establishing the electricity title was a very meaningful step toward responding to the scandalous Enron crisis and the unethical practices of market manipulation. We are really getting tough on energy traders and executives who perpetrate the kinds of abuses that we saw in the western energy market. We are sending a message to those industries and businesses that the consumer will not provide the deep pocket for Enron kinds of bankruptcies.

I am grateful to the chairman and the ranking member from New Mexico for their hard work on this legislation. There was a great irony taking place the moment the Senate was about to make a decision on changing the filibuster rules. Members of both sides of the aisle and all their staffs were hard at work marking up a very comprehensive energy bill in a very bipartisan fashion. If people were there, they would have realized it was the Senate at its best doing its best work.

There are still outstanding issues that we decided we were going to bring to the Senate floor. Some of those issues were related to a variety of concerns that we thought were best addressed on the Senate floor. One of the issues that I think is important to bring up is my amendment on energy security. It is an amendment that will set a national goal for getting off our overdependence on foreign sources of oil. I am pleased to be able to offer that amendment with Senators DURBIN, SALAZAR, and KERRY because it is important that energy independence be

part of our strategy for a national energy policy.

Many Americans are feeling this overdependence at the gas pump today. They know we are overdependent on foreign oil. They want to see more competition in gas prices. Americans may not realize that now the United States imports about 58 percent of our oil supply. That is about 11 million barrels a day. This number is expected to grow to about 62 percent by 2015. The underlying bill tried to address this by saying we should cut our dependence on oil by a million barrels a day, but what that underlying bill does is leave us worse off by 2015 than we are today. It would leave us more dependent on foreign oil than we currently are. The mathematics of the underlying bill need to be improved.

My amendment would direct the President to develop and implement a long-term strategy to reduce our dependence on foreign oil by reducing 7.6 million barrels of oil per day by 2025. So, instead of allowing our foreign oil imports to grow from the 58 percent that it is today to 68 percent in 2025, my amendment would reverse this alarming trend.

We can see where we are today and where we need to get to reduce this dependence.

Under my amendment, this would be a 40-percent reduction by the year 2025. It is very important that this goal be included as part of our energy legislation.

It should be no surprise because many of the Members have talked about energy independence as part of the energy legislation. If my colleagues believe in the underlying fundamentals of this legislation, then they must believe that we can be successful in getting off our overdependence on foreign oil.

What this legislation is missing is an adequate goal to actually reduce our dependence on foreign oil.

It is no surprise that consumers and experts alike agree on this. In fact, there was a recent poll which showed that 92 percent of Americans are very worried about our dependence on foreign oil, and 93 percent of Americans want our Government to develop an energy strategy that will get us off our overdependence on foreign oil. In fact, the President has joined in the call, saying that in order to make sure our economy grows, we need to encourage small business sector growth and vitality. We need to address a major problem facing our country, and that is our Nation's growing dependence on foreign sources of energy.

The President has joined in this debate in saying that getting off our foreign dependence is important.

We have had many others speak out, such as the leadership on both sides of the aisle. In the House, Speaker HASTERT said: Our Nation is dependent on a fickle foreign oil market that is being stretched to the limit by foreign demands.

National security experts, such as CIA Director James Woolsey, former Secretary of State George Schultz, and others in the Energy Future Coalition, have said that the possibility exists for future oil embargoes and supply disruption that make us more dependent on the Middle East.

In fact, those gentlemen, in their report, said: For the foreseeable future, as long as vehicle transportation is dominated by oil, the greater Middle East and especially Saudi Arabia will remain in the driver's seat.

We have a chart that shows who owns the oil supply and who are the top global oil companies in the world. If one thinks about these companies on the chart, looking at the names, Aramco and various companies, and they look at the countries that basically own these companies, people will see that they are 100-percent owned by those entities. We can see what countries they are. We can see where the supply is.

If Americans look at this chart, then they know that we cannot leave our economic future and our national security for future oil supply in the hands of these governments and these countries. What we need to do is to get off of our overdependence on foreign oil and diversify, and that is specifically what my amendment calls for.

I ask unanimous consent that a letter from the Energy Future Coalition that calls for major new initiatives to curtail U.S. oil consumption be printed in the RECORD.

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

ENERGY FUTURE COALITION,
Washington, DC, May 18, 2005.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: We are writing to follow up on the letter we sent to the President in March, urging an aggressive program to address America's growing dependence on foreign oil, which in our judgment endangers our national and economic security. We asked the President to "launch a major new initiative to curtail U.S. oil consumption through improved efficiency and the rapid development and deployment of advanced biomass, alcohol and other available petroleum fuel alternatives."

The signatories, representing a broad range of political views, support a new national commitment: to reduce U.S. oil consumption substantially, through the accelerated introduction of advanced technology vehicles and alternative fuels. We believe domestic biofuels can cut the nation's oil use by 25 percent by 2025, and substantial further reductions are possible through efficiency gains from advanced technologies. That is an ambitious goal, but it is also an extraordinary opportunity for American leadership, innovation, job creation, and economic growth.

Mr. Chairman, we recognize that you and the other Members of the Committee are well along in the drafting process, and we hope that legislation can be enacted this year that addresses the critical energy challenges confronting the nation. We want to commend you for the leadership you are showing and the bipartisan approach you

have pursued in developing a comprehensive energy bill. You have demonstrated a willingness to look anew at the facts on the ground and to adjust to those facts as appropriate.

We come forward now in a constructive spirit, with recommendations drawn from the work of several groups that have recently examined this topic in addition to the Energy Future Coalition—the National Commission on Energy Policy, the Set America Free Coalition, the Apollo Alliance, Rocky Mountain Institute, and others.

The President said last month, "Our country is on the doorstep of incredible technological advances that will make energy more abundant and more affordable for our citizens. By harnessing the power of technology, we're going to be able to grow our economy, protect our environment, and achieve greater energy independence." We could not agree more strongly.

We see a broad and bipartisan consensus emerging at various levels of government throughout the country on the need to move to a new model of energy production and use. As promising as that vision is, however, it won't happen by itself. Public policy and investment are needed to hurry the future, and now is the time to act, before a crisis.

Toward that end, we recommend certain first steps, outlined briefly below. The cost of this package is small, relative to both the risks and opportunities at hand, but it would begin to change the nation's direction on this critical issue. We would be pleased to work with you and your staff on specific legislative language.

1. Reward technological innovation that increases fuel efficiency—Transportation accounts for two-thirds of U.S. oil consumption, and light-duty vehicles account for more than half of all transportation demand. New vehicle technologies, including hybrids and advanced diesels, can dramatically increase the efficiency of that fleet.

The health of the U.S. economy is closely linked to the health of its auto manufacturing industry, which affects one out of every 10 private-sector jobs in America. The industry's vitality in turn depends on its ability to innovate and respond to rapidly changing customer preferences.

We recommend tax incentives for U.S. vehicle and component manufacturers that will enable them to retool existing production lines for both cars and trucks and produce advanced technologies that reduce fuel consumption and U.S. demand for foreign oil. We also recommend tax incentives, as the President did again last month, that will increase consumer demand for these technologies. We recognize, of course, that tax policy falls within the jurisdiction of the Committee on Finance, and we will send a similar letter to Chairman GRASSLEY.

2. Support the next generation of advanced vehicles—Fuel consumption is closely tied to vehicle weight. Lighter vehicles are thus desirable as long as they do not compromise safety or performance. Advanced materials—such as composites now used in advanced aircraft—could allow dramatic gains in fuel economy if they could be reduced in cost. We recommend that the Federal government carry out a program to demonstrate the feasibility of high-volume, low-cost manufacture of these materials, which will have important military applications as well.

Additional reductions in oil demand would flow from extending the range that hybrid vehicles can travel on the electricity stored in their batteries. This will require further improvements in battery technology and the ability to plug in to the electric power grid, but may have the additional benefit of leveling peak utility power loads. We recommend support for further development,

demonstration, and deployment of these technologies.

3. Accelerate the introduction of alternative transportation fuels—The production of ethanol has increased dramatically in the last two years, but must grow much further to displace a major share of U.S. oil demand. Technologies to convert widely abundant plant fiber—cellulosic biomass—to liquid fuels have been demonstrated at pilot scale but face considerable financial and technical risk in moving to first-of-a-kind commercial-scale production. A Canadian company, Iogen, is currently producing ethanol from wheat straw, but at relatively small scale. Biodiesel fuels—from sources as diverse as soybeans, waste cooking oil, and turkey offal—are also emerging as important alternatives.

A well-focused and adequately funded program to take these technologies to the point of becoming low-risk commercial choices should be pursued on grounds of national security. This may be the only way that the U.S. can have—in years, as opposed to decades—a significant supply of renewable domestic fuels, chemicals, and other products for which we now depend on imported oil or limited natural gas reserves. The Federal government should be directed to conduct a one-time technology competition, supporting private-sector construction of at least 10 commercial-scale demonstration plants within the next five years—testing the comparative advantages of different conversion processes, feedstocks and end products.

We also support an aggressive program to increase the use of renewable fuels in the fleet (similar to S. 650, for example) to encourage development of these fuels and their use as fuel substitutes, not just as additives. Flexible-fuel vehicles can use ethanol or gasoline interchangeably, and some four million are already on the road. Because new cars can be given flexible-fuel capability at negligible cost, we recommend that this technology be rapidly introduced into the fleet to give consumers a choice in refueling options. We also believe the corporate average fuel economy program should provide credit for the demonstrated use of alternative fuels not based on petroleum, and we recommend that all biodiesel blends be treated alike in the tax code.

Finally, we are not unmindful of the current budget situation and its implications for the energy bill; however, we think that a more rational allocation of scarce resources would substitute the unfunded elements of this package for the \$2 billion “ultra-deep-water and unconventional onshore natural gas and other petroleum research and development program” contained in the House bill. As the President noted recently, with oil at \$50 a barrel, “energy companies do not need taxpayers’-funded incentives to explore for oil ad gas.” We should support instead a new direction in energy policy that will reduce our dependence on foreign oil, expand the production of domestic transportation fuels from agriculture, and create new jobs, economic growth, and investment in America.

Mr. Chairman, we note that the Committee has held conferences this year on natural gas supply and on the future of coal, as well as hearings on other relevant topics, but not on the subject of oil dependence and national security, despite the remarkable rise in the price of oil over the past year. We respectfully urge you to consider such a session and offer our participation if you so desire. In any case, we would be pleased to discuss these initiatives with you as you consider incentives for innovative clean energy technologies, as well as other provisions on renewable energy, fuels and vehicles, and oil and gas.

These recommendations are the product of three years of work by the Energy Future Coalition and others, who have come together in a constructive and non-partisan effort to develop politically viable answers to seemingly intractable issues, so that we might have a national energy policy that responds strategically both to the challenges we face and to the opportunities they create.

With best wishes,

Sincerely,

Robert C. McFarlane.

R. James Woolsey.

Frank J. Gaffney, Jr.

Richard L. Trumka.

Charles B. Curtis.

C. Boyden Gray.

Timothy E. Wirth.

John D. Podesta.

Enclosures: Additional Signatories

Lt. Gen. John S. Caldwell, Jr., USA (Ret.); Adm. William T. Crowe, Jr., USN (Ret.), Former Chairman, Joint Chiefs of Staff; Hon. John H. Dalton, Former Secretary of the Navy; Vice Adm. Robert F. Dunn, USN (Ret.); Michael T. Eckhart, American Council on Renewable Energy; Hon. Vic Fazio, Former U.S. Representative; Hon. Robert W. Fri, Resources for the Future; Brig. Gen. Gordon Gayle, USMC (Ret.); Hon. Sherri W. Goodman, Former Deputy Under Secretary of Defense; Hon. James C. Greenwood, Biotechnology Industry Organization, Former U.S. Representative.

Vice Adm. Lee Gunn, USN (Ret.); Institutes for Public Research, Center for Naval Analysis; F. Henry Habicht II, Former Deputy Administrator, EPA Commission on National Energy Policy; David A. Harris, American Jewish Committee; Hon. Gary Hart, Former U.S. Senator; Co-Chair, U.S. Commission on National Security for the 21st Century; Bracken Hendricks, Apollo Alliance; John P. Holdren, Harvard University, Co-Chair, National Commission on Energy Policy; Lt. Col. William C. Holmberg, USMC (Ret.), Biomass Coordinating Council; Hon. Jerry Hultin, Former Under Secretary of the Navy; Rear Adm. Leland S. Kollmorgen, USN (Ret.).

Gen. Richard L. Lawson, USAF (Ret.), Former President, National Mining Association; Maj. Gen. Charles Link, USAF (Ret.), National Defense University Foundation; Gal Luft, Institute for the Analysis of Global Security; Lt. Gen. William R. Maloney, USMC (Ret.); Vice Adm. Dennis V. McGinn, USN (Ret.); Dennis R. Minano, Former Vice President for Environment and Energy, General Motors; Hon. William A. Nitze, Former Assistant Administrator, EPA, The Gemstar Group; John L. Petersen, The Arlington Institute; Hon. Robert B. Pirie, Jr., Former Secretary of the Navy (acting).

Hon. Joe R. Reeder, Former Under Secretary of the Army; Hon. William K. Reilly, Former Administrator, EPA, Co-Chair, Commission on National Energy Policy; Maj. Gen. J. Milnor Roberts, USAF (Ret.); Larry J. Schweiger, National Wildlife Federation; Hon. Philip R. Sharp, Former U.S. Representative, Congressional Co-Chair, Commission on National Energy Policy; Hon. Susan F. Tierney, Former Assistant Secretary of Energy, Commission on National Energy Policy; Vice Adm. Richard H. Truly, USN (Ret.), Former Director, National Renewable Energy Laboratory; R.E. Turner, Turner Foundation; Adm. James D. Watkins, USN (Ret.), Former Secretary of Energy.

Ms. CANTWELL. Specifically, this coalition believes that domestic biofuel, something that we just debated as part of this energy strategy, can be used to produce a very significant amount of our future energy, and they

are calling it an extraordinary opportunity for American leadership for job creation and economic growth.

I think this group of individuals, who are part of a coalition that is interested in our country’s national security, are pointing out that this very chart, showing the ownership by foreign entities, is of great concern to our future. I think this letter does adequately call on us to do our job in making sure we are getting off of our foreign dependence.

I believe this underlying legislation gives us the tools to do so. That is especially true if you think about the framework that is in the bill and the debate we just had on biofuels, the 8 billion gallon biofuels goal by 2012. What is great about the biofuels amendment that was adopted and revised from the committee markup is that it includes both ethanol and biodiesel, and specifically ethanol research and development of what are called cellulosic ethanols—biomass-based ethanol materials.

We know we have Midwestern States that are already producing ethanol and giving us a source of supply. But if you take those five Midwestern States and try to transport that product to the Northwest, as we do today—we are selling biofuels and ethanol in a variety of places in Washington State today, but you are adding a 30-cent to 50-cent transportation cost. What the amendment we just adopted does is make sure that various parts of the country can also be in the biofuels business; that we can start producing products in other parts of the country, closer to the source and consumers that are going to use them. So it is a very positive step forward.

The bill also includes clean coal technology, that I know my colleague who is on the floor, the Senator from Tennessee, has worked on so diligently. It includes hydrogen fuel cells, and it includes next generation nuclear power, things I know my colleagues on the other side of the aisle have worked hard to perfect. It includes new research and development, to play a vital role in the commercialization of new technology. It promotes in, a bipartisan way, conservation initiatives. It is exciting to catch a sense of the new technology that will be in this bill to give us more efficiency in our homes and businesses. We will get a lot of savings from these programs and tools.

There are many tools in the underlying bill to achieve the goals we set out for ourselves. We believe this underlying bill has the right technology answers; that is, it has all the various means by which we can get off our foreign oil dependence, but it is simply lacking a goal. That is what my amendment will provide. This legislation should reflect the resolve of the American people, who say that getting off our overdependence on foreign oil is a national priority, and we are going to stick to it.

I know various Members are going to come down here and offer amendments

on other issues, issues related to global warming and greenhouse gas emissions. We are going to have proposals regarding a renewable portfolio standard, which would basically mean that our electricity grid would use more renewable energy to provide supply. I think Senator FEINSTEIN is still going to come down and offer her amendment to close the SUV loophole, to try to make SUVs more fuel efficient.

We are going to have a lot of discussion to help improve the bill. But without setting a national goal, without saying our country has to get off our dependence on foreign oil, we will have missed an opportunity. This underlying legislation sets a goal that will actually make us, in 2015, more dependent on foreign oil than we are today. I think we need to set a goal as a legislative body, that we want to reverse that trend. In 2025 we want to actually be importing less foreign oil, and that is exactly what my amendment does.

Why is this so important? First, we all know it is in the economic interest of the United States to diversify off foreign oil. We know our dependence has cost us, since 1970, something like \$3.6 trillion. In 2003, imports cost us \$10 billion every single month, and our oil imports count for about 34 percent of our existing trade deficit. Think about that, 34 percent of our trade deficit, just because of the cost of oil. In fact, Alan Greenspan has said that the high cost of fuel has basically caused 8 out of the 10 postwar U.S. recessions; they were related to high energy prices and spikes in oil.

We know there is a strong relationship between energy costs to our overall economy. That is what we are trying to change. But a number of factors remain, and that is what is of great concern. Who actually controls those energy costs? We know the OPEC cartel, as well as international events and political events, have an impact. We know the growing demand in China and India for the same supply of oil has an impact. We know we need to do something about it.

If you talk to economists about what is going to happen to the price of oil in the future, the signs are pointing to oil prices could reach \$100 a barrel in the next 20 years. If that is the case, that would have a devastating impact on our national economy. Yet that is exactly what we are hearing from them. That is exactly what people are saying. There is a world economic outlook report that was issued this spring by the International Monetary Fund, and that report basically said that oil could spike to \$100 a barrel between now and 2030.

The Wall Street firm of Goldman Sachs also predicted that the price of oil could reach \$105 in the next few years, and energy markets could easily be in the early stages of a superspike period. I know the United States has been through these periods before, where we have seen extreme spikes in energy costs. It has had a devastating

impact on our economy. That is something we are trying to avoid by setting a national goal to diversify away from foreign oil.

We have many economic reasons for this amendment. But as I stated earlier, we also have security reasons. Let me expound on that just a little bit because I think it is important to understand the demand for oil and, basically, who holds the reserves. The oil reserves of every area in the world are in decline except for the Middle East. That means if we continue to be dependent on foreign oil, we are going to be more dependent on OPEC and its member countries. Given that those reserves, let's just say, are constantly under some scrutiny because of the challenges in that region of the world, some analysts, when looking at the oil futures market, basically describe what they call a fear premium. That is, the price of oil futures actually increases because people are concerned that international incidents may happen, terrorist threats and other things, that will damage that oil supply. So the cost of oil futures actually goes up, just on the fear of what might happen.

That is troubling because as we all know, we cannot predict what is going to happen on an international basis. We do our best to protect that oil supply, but Saudi Arabia alone has about a quarter of the world's oil reserves and more than 60 percent of that country's total oil inputs are processed at a single facility. So if you think about it, it is the home to almost all of the world's spare production capacity. Again, we are putting all our eggs in one basket. I am simply saying let's set a national goal to get off that dependence on foreign oil because of this security reason, as well as the economic reason and who owns this supply and how important it is.

I would like to talk for a second about the picture as it relates to other people interested in that oil supply. I mentioned China and India and the projections of the price of oil reaching \$100 a barrel. Analysts agree that China, because of its growth and huge demand, is likely to shift the whole center of gravity for energy markets. That is, China has already moved past Japan in its global energy consumption. It is the second largest oil consumer and the third largest oil importer. In the next decade, China is going to continue to grow to about half of today's U.S. combined car and truck total, so they are going to be looking for lots of energy supply. It is expected that their imports are going to double by 2010 and quadruple, to 8 billion barrels of oil a day, by 2025. Imports will be 60 percent of China's total oil consumption.

While we are looking at the picture, already knowing we are overdependent on foreign oil and that the challenges to security are there and that the American economy is already suffering, we also need to recognize there are other nations who are going to be bidding for that same resource.

We need to get off our overdependence on foreign oil. How are we going to do that? First, we have to have the resolve. There are many times in American history this country has shown American resolve. We have put a man on the Moon. We have ushered in the nuclear age. We stood up in the OPEC crisis and got fuel efficiency standards for cars. We ought to have the resolve now. We need to bet on the ingenuity of American brain power to get us off our overdependence on foreign oil. If we are smart enough to put a man on the Moon, we ought to be smart enough to get off our overdependence on foreign oil. When John F. Kennedy made the declaration of wanting to put a man on the Moon in a 10-year period of time, I don't think he had the answer to every single element of how to do that. He left the details up to both the public and private sector in getting new technology developed so we could move forward.

In this case we have an underlying bill that actually can achieve this goal of reversing the trend by 2025 and reducing 40 percent the consumption of the United States of foreign oil. How do we do that? Many people have talked about how we get there. I will show one chart with examples of the oil savings technology in this legislation.

The biofuels amendment we talked about: Many organizations, including some of those security initiative organizations such as Energy Future Coalition and some environmental organizations such as Natural Resources Defense Council, have said biofuels can play a significant role. They could help produce 3.9 billion barrels of alternative fuel a day.

I hope my Midwest colleagues and my colleagues from other parts of the country who are interested in biodiesel and ethanol are excited by that opportunity. It means an economic opportunity for all the regions of our country that can produce those fuels. It also has a higher national purpose, to help us get off our over-dependence on foreign oil.

We can also improve efficiencies in various sectors such as aviation, residential applications, and various modes of transportation. I am very proud the Northwest has figured this out.

At the Paris Air Show we are seeing a lot of news about future planes. One plane you will not see there today but is on the drawing boards and is getting rave reviews from people making purchase orders is the next generation 787. What is great about that is its whole design is based on a more fuel-efficient plane. Boeing estimates it can save between 20 and 30 percent on fuel costs. They figured out the marketplace is going to be very sensitive to the high expense of transportation fuel and have developed a plane to answer the call from the marketplace. What has the marketplace said? The marketplace is responding with over 200 orders for a plane that is not even finished yet.

That is a great example of how we can get efficiencies in aviation and other sectors.

This chart explains how we can make a big step forward in energy savings, which are aspects of this legislation. They are very important aspects to look at.

A few of my colleagues who are anxious about this legislation want to know if it is a back door to higher fuel efficiency standards; that somehow this bill mandates CAFE. It does not mandate a higher fuel efficiency standard, although this Member would certainly support a piece of legislation in the Senate that suggested that. This amendment realizes there are hybrid cars in the marketplace that are likely to come onboard. There are estimates that you can increase the efficiency of our economy using hybrids and save up to 2 million barrels a day by 2015. That's just from the growth in the hybrid auto market. That is just American consumers buying hybrid cars and making that investment. It does not have to be CAFE, although I personally think we are losing a huge opportunity in the American marketplace by not being more aggressive about cars that can run on alternative fuels. I say that, mentioning the Boeing experience in aviation.

The aerospace industry in the Northwest is responding to the demand of more fuel-efficient transportation. I wish the auto manufacturers would be more aggressive. Actually, as oil has hit \$50 a barrel they have gotten more aggressive. They have gone over to Japan and said, okay, we want a technology deal with the Japanese auto manufacturers; we want to get more of these cars in the United States market. Maybe that will work.

However, this amendment does not assume we are going to have a new CAFE standard. It simply says to the United States, if you are serious about this problem, you will set a national goal to get off our overdependence on foreign oil by 2025 and start reducing the trend. Instead of continually importing more, we should be importing less.

This chart shows the trend we are trying to reverse. Today we are basically importing 13 million barrels a day; if we do nothing, by 2025, we will be importing 19 million barrels. This is the trend we are trying to reverse. This is the direction we did not want to go in. We want to make a change.

Some of my colleagues ask, how can you set this goal? If you are not specific about how you get there, how are we going to achieve it? There is a lot I am sure that President Kennedy thought about when he wanted to put a man on the Moon, and maybe his original projections were not accurate. There is a lot of research and development we are going to do on a variety of these technologies.

One country that has taken this challenge and embraced it is Brazil. It is a country which looked at this same di-

lemma the United States has, from the economic perspective. They said, we cannot afford to be dependent on the high cost of imported oil. In fact, in the 1970s, Brazil had about 80 percent of its supply from imports. That was a big challenge.

As it exists today, Brazil has, because of its biofuels initiative, changed that trend. In fact, Brazil has gone from 1975 being 80 percent dependent on foreign oil to 1990 being only 45 percent dependent on foreign oil, and in 2006, Brazil actually plans on being an energy self-sufficient country and maybe even being a net exporter of fuel. That is very interesting. As it stands today, they are only importing about 11 percent of their supply.

How do you go from 1975 at 80 percent to 11 percent in 2003? The country took the initiative and said they were going to produce a competitive product to fossil fuel. That competitive product happened to be sugar-based ethanol. They got good at producing sugar-based ethanol. They got so good at producing sugar-based ethanol they actually can produce it and ship it here cheaper than we can produce it today.

I don't like losing the competitive edge to somebody else on the production of an alternative fuel source. I want the United States to be a leader in the production of alternative fuel sources. It holds a lot of promise for the United States.

One might say, well, Brazil is only one-eighth the size of the United States economy and we have much more demand than Brazil. That is true, but Brazil has learned about the efficient production of ethanol. Are we saying somehow the United States does not have the raw material supply for ethanol, whether it is sugar-based ethanol or biomass-based ethanol?

We actually are trying to put the American farmer in the fuel business. If there is anything we ought to be sure we have its agriculture. We know we only sit on 3 percent of the oil reserves in the world, so we know we are not going to get it from there. We are talking about importing liquified natural gas, so we know we are challenged there. But we sure know that the American farmer can produce a lot of product as it relates to ethanol, whether it is sugar based or biomass based, and we can produce a lot as it relates to biodiesel products as well.

That is exactly what this legislation does. It is very specific about the research and development that needs to take place to get us into the alternative fuels business. I am so certain of the well-crafted nature of that section of the bill that I am willing to say that I think we really can achieve our goal of decreasing our energy dependence by 2025. So it is a very positive step for us to look at what we have seen around the globe as far as other countries trying to get toward energy independence or becoming less dependent on foreign oil.

Now, I have another chart that shows examples of what we are trying to

reach. This chart basically demonstrates how we can reduce, by 7 million barrels a day, U.S. consumption. It does not have to be the exact mix as shown on the chart of how we achieve that. This is just one of the proposals. You have market growth in hybrid cars; industrial improvements, efficiency improvements in aviation; efficiency gains in trucks and heavy-duty equipment. One of our National Laboratories in the State of Washington, the Pacific Northwest Labs, is doing great research on lightweight trucks, lightweight materials, transportation efficiency, for the trucking industry in our country. Other areas to reduce consumption: how to make the movement of goods and services more efficient, saving transportation costs; the replacement of tires, you can get more fuel efficiency just by having better balance of your tires to get better gas mileage; and there are transportation choices; and biofuels. Again, biofuels is a big opportunity for us.

So I hope all my colleagues are listening who are very supportive of the biofuels section of this legislation—which I hope there are many because I think it is a great opportunity. If you are supportive of that biofuels section of the bill, you ought to be very supportive of setting a goal because you really ought to believe the national goal is achievable. You ought to believe that the economic interest of our country in getting that new production of biofuels is not only an economic and security matter, it is also just plain good job creation for our country. You are putting the American farmer back in business with a product that now will see huge demand.

Now, I do not know if we have it here on the floor, but I took great note that the Economist magazine wrote a piece on biofuels a few weeks ago. In fact, it was a front-page cover story article that week about biofuels. What was interesting about it is that it discussed the fact that we are at this point where biofuels make so much sense because of the price of oil.

Now, several years ago, when we were talking about oil at \$20 a barrel and people were talking about biofuels, maybe it did not make much sense, the economics did not make much sense. But we have hit, as Andy Grove would say, an inflection point, and that inflection point is that now we are seeing prices over \$50 a barrel for imported oil.

So the article basically says that it is no longer the "blue sky" stuff that people talk about, but it is an idea whose time has come. It is a very substantive opportunity for anybody who can produce biofuels because at anywhere around \$50 a barrel, instead of \$25 a barrel, biofuels can be competitive.

Now, in Washington State, we are selling biodiesel and alternative fuels. A few weeks ago, we had the opening of one of our first biofuels stations. It was

actually at the same location as a previous traditional petroleum-based station. So they changed over from serving customers gasoline to now serving biodiesel.

Right now, the product is something that is shipped from the Midwest, refined at a production facility in Seattle, and then sent over to what was this particular station, Laurelhurst Oil. They are producing a biofuel in Seattle, even though the oil is still imported from another state. That biofuel, I think at the time, was about 30 cents more than what you could go around the corner and get to fill your car up with gasoline—30 cents more. And you ask: Well, how are you expecting to be competitive if it is 30 cents more? It was 30 cents more because we had the transportation cost of bringing that agricultural product to the Northwest, having it processed, and then sold. The production facility that is actually producing this biodiesel in Seattle believes it can reduce the cost by 30 cents—they could be selling the biodiesel at the same cost we are buying gasoline per gallon in Seattle—by simply producing the product in the State of Washington.

So that is what this bill allows us to do. I think the Economist was right, that the private sector is starting to respond to this and starting to come up with solutions. So then you say: Well, if the private markets are responding, why do we have to set a national goal? Well, let me address that because as a former businessperson, I understand that businesses are responsive to their customers and they are responsive to their shareholders. I do not blame a national oil company for setting its own agenda on when it wants to get into new energy technologies. That is their prerogative.

You see lots of commercials on TV all the time about how existing fossil fuel companies are going to generate biofuels, how they are going to diversify. They would make you think they are doing that in a rapid fashion. I am not so sure it is rapid enough for the consumers of Washington State, who are paying a very high price for gasoline, have paid a very high price for electricity recently, and are reeling from a hard-hit economy because of high energy costs.

We would like to see a much more aggressive effort. But those companies are not going to set a national goal and they are not going to diversify until it is in their financial interest. So the question is whether this body is going to set a national goal, which I think this underlying bill can achieve, and whether we, as a country, are going to diversify off of that overdependence on foreign oil. It is not their job; it is our job. And we should get about showing the American people that we have the will to do it and that we are betting on American ingenuity to achieve it. I have to believe that putting a man on the Moon is a lot harder than discovering how to be as efficient as the Bra-

zilians are in the development of ethanol. I have to believe that was a tougher challenge.

So I think about the things we have achieved in our country's history. I think about the fact that, in response to the threat of what other countries might be doing with the nuclear bomb in World War II, FDR ushered in the nuclear age in 2 years. He shifted our spending in the development of energy in 2 years from about \$3,000 to 86 million dollars and ushered in the nuclear age. Why? Because he saw a threat, and he wanted to set a national goal. We have had these instances where our country has decided it was in our economic interest and our security interest to move ahead. That is what we need to do today.

So I am glad to offer this amendment that simply says that we should take the underlying legislation and change its goal. The underlying bill already has a goal. It says that our goal should be to get off of foreign oil by 2015 by reducing it a million barrels a day.

What we need to do is reduce our oil supply in a much more aggressive fashion. We need to reduce that 40 percent by 2025. That is what my amendment calls for. I am happy to hear from my other colleagues on this issue. I hope that my colleagues will take this issue as an amendment to improve the underlying bill.

The underlying bill has the tools and the framework we need. What we need to do is have the resolve as a country to set a national goal. The private sector is not going to do that. We are not going to have consumers make market choices that don't exist. They want more market choices. What we have to do is set the wheels in motion. The good news is, once the Government sets a goal, it is amazing how many people respond to that.

Our country has set lots of goals. We set goals for more homeland security. I have seen more security technology companies come through my office in the last 2 years than imaginable. Why? Because we said we want more homeland security. So we have every imaginable aspect of homeland security being addressed by thousands of companies across America.

If we want to be serious about getting off our overdependence on foreign oil, we will pass this amendment, and we will be on the track for setting a goal that both the private sector and public sector will respond to. I think with that we will be able to say to Americans that we are on the right track, that we are not going to let consumers continue to pay high transportation costs, and that we have a plan for the future. We are not going to continue to be so singularly dependent on the fossil fuel industry. We are not going to continue to have transportation-sensitive industries caught in a stranglehold by high energy costs. We are going to say to them instead that our national security interests, our economic interests, our environmental

interests are being met by a new national goal that all of us will participate in making a reality.

Mr. DURBIN. Will the Senator yield for a question?

Ms. CANTWELL. I yield to the Senator from Illinois.

Mr. DURBIN. I thank the Senator for her leadership. The amendment she is proposing—and we hope will be embraced by both sides of the aisle—will set a goal to reduce our dependence on foreign oil. I can't think of a single person in America who wouldn't agree with that goal. We can all understand that as we wait every day for a press release from the OPEC nations to try to determine whether or not the price of gasoline is going to go up or down. This proud, strong, leading nation in the world goes hat in hand to the Saudi peninsula looking for oil. We wait for them to determine what the price will be. It affects every individual and family and business and airline, right down the line.

Is it not true that the bill before us, S. 10, has a goal of reducing dependence on foreign oil over the next 10 years by 1 million barrels a day, which is not as ambitious or as far reaching as the goal of reducing dependence on foreign oil by 40 percent over 20 years? Is it not also true that the President sent a letter to Congress yesterday and said if we include this provision—the weaker provision that is already in the bill—reducing the barrels of oil by 1 million a day over 10 years, the President will veto the bill? Is that the message that we have received from the Bush White House about our goal in reducing dependence on foreign oil?

Ms. CANTWELL. The Senator is correct. In the underlying bill, we have language that says we should reduce our dependence on foreign oil by 1 million barrels a day by 2015. The problem with that goal is, when you are currently importing 58 percent of your oil supply from foreign sources and you calculate in the growth of demand—obviously, our economy continues to grow—there is demand for more oil. Even with that amendment, in 10 years, in 2015, we will be importing 60 to 62 percent of what our Nation consumes in oil supply from foreign sources. So the underlying amendment does nothing to stop this trend. In fact, we will continue to be more dependent on foreign oil.

I know the White House has sent some communication to Senators saying they oppose even that milestone in the bill which does attempt to try to reduce oil consumption. But the provision in the bill doesn't take into effect the fact that the economy grows. I guess it is saying: We don't want to have any goal to actually try to decrease the amount of foreign oil coming into this country.

I want to have a goal for decreasing the amount of foreign oil coming into this country. I want to reverse the trend. I want to go from what we are expected to have, 68 percent in 2025,

and say, let's switch that down towards 50. Let's get to 56 percent. Let's start doing as the Brazilians did, which is an amazing story, if you think about it. Here is a nation that basically went from 80 percent, now, today to 11 percent, and is on the verge of becoming an exporter. When you think about the economic opportunities our country has in actually being an exporter of new energy efficiency technology, it is a great opportunity.

The Senator is right that the administration opposes any goal setting in this bill. Why would somebody oppose goal setting? All the tools are here in this legislation. I am not saying which technology is going to win. Basically, our amendment is technology agnostic. It doesn't say: You are going to have CAFE; you are going to have nuclear power.

A lot of my colleagues are betting on nuclear power. There is new language in here for new nuclear technology. A lot of people think it will provide us hydrogen sources, and we will have hydrogen fuel cells. We will move to having a more fuel-efficient economy that way.

I am not being prescriptive because 2025 is a long time from now. But I know if we look at specifics, we can get there through these various means, but we won't get there without a goal.

Mr. DURBIN. If the Senator will yield for a further question, we can't pick up a news magazine or a newspaper in America without reading about the growth of the Chinese economy. They are expanding at the expense of many other countries, including the United States.

We have lost hundreds of thousands of manufacturing jobs over the last 4 years to China as their economy is exploding in size. Many of the companies in China that are growing are American companies. The fact is, China is expanding its economy dramatically. It is no longer a backward Communist nation. It is a full-fledged world competitor, and many believe that China and India will be our competitors in the next 50 years for jobs and economic growth.

Is it not also true that China has one problem it has to face, and that is the fact that within the borders, as huge as China is, they don't have a lot of energy resources. So to keep this economy moving forward, they need to import energy into China, which means in the years to come, we will see more and more competition for foreign oil, not just the United States versus the rest of the world, but the United States versus China and the rest of the world, which means oil for \$50 per barrel, which has now raised our price at the pump, may go to \$100 per barrel.

I ask the Senator from Washington, setting this goal of reducing our dependence on foreign oil through conservation techniques, through alternative fuels, through finding environmentally sensitive resources that we can use, is that not looking forward to

the kind of global competition we are going to face and accepting the reality that if we don't do this as a nation, we will find ourselves losing out from a security viewpoint as well as global competition with nations such as China?

Ms. CANTWELL. The Senator from Illinois brings up an important question, which is with China's interest in global oil supply and the demand, is it going to drive up the price. I don't think an oil company really cares whether the price of oil is driven up or not. What do they care?

Somebody is going to pay them, whether it is \$50, \$55, \$60, \$80, or \$100. With an increase in demand, that is good news for them. Oil supply costs just go up. They reap the benefits; they reap the profit. But what it is not good for is the American economy.

So the Senator is absolutely right, China's entrance into the demand for foreign oil should be seen by this country as an economic and security risk. China's consumption and growth rate is staggering. China is going to be consuming I think I said 8 million barrels of imports. They have already overtaken Japan, and they are fast on our heels to catch up to our consumption, and they will get to a point where they are the 800-pound gorilla in the dynamics of world oil supply.

Even our underlying bill says you can try to ramp up different sources of U.S. production. But we all know with the United States being situated on 3 percent of the world's oil reserves, it is not a likely scenario for us in the United States to be able to drill our way to energy security. So the Senator is right, China is a unique concern in this. We ought to take that, along with the other national security factors, and the fact that the oil supply is located primarily in these Middle Eastern countries—if we can put the chart back up there. If you look at where the supply is already, the countries and state ownership, that is already worrisome enough. Now, when you throw into the equation that China is going to be demanding more supply from these entities, it is going to lead to a higher price. I am not sure any of these countries are worried about the U.S. consumer and what they have to pay for transportation costs. I don't think they are responsive to the needs of U.S. consumers. The United States might be responsive to our own consumers if we were the owner of these companies, but we are not.

So this is about setting a national goal that recognizes the hardship the American economy is going to encounter, and that we are going to be under in the future if we continue to pay these prices. We might, in 10 years, be happy we were talking about \$50 a barrel prices, if some of the expectations of Wall Street come to pass—the predictions that we could see superspikes and get to \$100 a barrel. We are already feeling the pain now. Americans are losing jobs, pensions, like the pensions of transportation workers, where there

are issues because of high fuel costs; and people are curtailing economic activity because of high transportation costs. We ought to take the Chinese part of the equation and realize this goal needs to be set and we need to make it a reality, just as we did to reach the goal of putting a man on the Moon.

My colleague from Tennessee is also on the floor. I want to give him an opportunity to add whatever comments he wants to add about this.

AMENDMENT NO. 784

Ms. CANTWELL. Mr. President, I call up my amendment at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Ms. CANTWELL] proposes an amendment numbered 784.

Ms. CANTWELL. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To improve the energy security of the United States and reduce United States dependence on foreign oil imports by 40 percent by 2025)

Beginning on page 120, strike line 23 and all that follows through page 122, line 14, and insert the following:

SEC. 151. REDUCTION OF DEPENDENCE ON IMPORTED PETROLEUM.

(a) FINDINGS.—Congress finds that—

(1) based on the reports of the Energy Information Administration entitled “Annual Energy Outlook 2005” and “May 2005 Monthly Energy Review”—

(A) during the period beginning January 1, 2005, and ending April 30, 2005, the United States imported an estimated average of 13,056,000 barrels of oil per day; and

(B) the United States is projected to import 19,110,000 barrels of oil per day in 2025;

(2) technology solutions already exist to dramatically increase the productivity of the United States energy supply;

(3) energy efficiency and conservation measures can improve the economic competitiveness of the United States and lessen energy costs for families in the United States;

(4) United States dependence on foreign energy imports leaves the United States vulnerable to energy supply shocks and reliant on the willingness of other countries to provide sufficient supplies of oil;

(5) while only 3 percent of proven oil reserves are located in territory controlled by the United States, advances in fossil fuel extraction techniques and technologies could increase United States energy supplies; and

(6) reducing energy consumption also benefits the United States by lowering the environmental impacts associated with fossil fuel use.

(b) GOAL.—It is a goal of the United States to reduce by 40 percent the amount of foreign oil projected to be imported during calendar year 2025 in the reference case contained in the report of the Energy Information Administration entitled “Annual Energy Outlook 2005”.

(c) MEASURES TO REDUCE IMPORT DEPENDENCE.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every two years thereafter, the President shall—

(A) develop and implement measures to reduce dependence on foreign petroleum imports of the United States by reducing petroleum in end-uses throughout the economy of the United States sufficient to reduce total demand for petroleum in the United States by 1,000,000 barrels per day from the amount projected for calendar year 2015; and

(B)(i) subject to clause (ii), develop and implement measures to reduce dependence on foreign petroleum imports of the United States by reducing petroleum in end-uses throughout the economy of the United States sufficient to reduce total demand for petroleum in the United States by 7,640,000 barrels per day from the amount projected for calendar year 2025.

(ii) If the President determines that there are insufficient legal authorities to achieve the target for calendar year 2025 in clause (i), the President shall develop and implement measures that will reduce dependence on foreign petroleum imports of the United States by reducing petroleum in end-uses throughout the economy of the United States to the maximum extent practicable and shall submit to Congress proposed legislation or other recommendations to achieve the target.

(2) REQUIREMENTS.—In developing measures under paragraph (1), the President shall—

(A) ensure continued reliable and affordable energy for the United States, consistent with the creation of jobs and economic growth and maintaining the international competitiveness of United States businesses, including the manufacturing sector; and

(B) implement measures under paragraph (1) under existing authorities of the appropriate Federal agencies, as determined by the President.

(3) PROJECTIONS.—The projections for total demand for petroleum in the United States under paragraph (1) shall be those contained in the Reference Case in the report of the Energy Information Administration entitled “Annual Energy Outlook 2005”.

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the President shall submit to Congress a report, based on the most recent edition of the Annual Energy Outlook published by the Energy Information Administration, assessing the progress made by the United States toward the goal of reducing dependence on imported petroleum sources by 2025.

(2) CONTENTS.—The report under paragraph (1) shall—

(A) identify the status of efforts to meet the goal described in subsection (b);

(B) assess the effectiveness of any measure implemented under subsection (c) during the previous fiscal year in meeting the goal described in subsection (b); and

(C) describe plans to develop additional measures to meet the goal.

Ms. CANTWELL. Mr. President, I know there are many Members who want to speak. I ask unanimous consent that Senators FEINSTEIN and REID be added as cosponsors of the legislation.

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

Ms. CANTWELL. Mr. President, I ask unanimous consent that following the Senator from Tennessee, Senator KERRY be recognized to speak.

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

The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I thank the Senator from Washington

for her contribution to the debate today and for her contribution to the debate in our committee process.

While it may seem like “inside baseball” to those outside the Senate, the process here is very important. We don’t get anywhere unless we have some sort of consensus. That is the way this body operates. So far, over the last several years, we have not had a consensus on energy. I thought the Senator from Washington, at the close of our committee markup proceedings a couple of weeks ago, made a very important comment. She said this was a clean energy bill, but she said it also was a clean process. She was referring to the fact that both Senator DOMENICI, the Republican chairman, and Senator BINGAMAN, the Democratic ranking member on the committee, have been working together to try to identify areas of consensus.

Senator DOMENICI literally set out on that by going from office to office on the Democratic side and on the Republican side to see what he could do. We all had our say. We didn’t all get our way in those proceedings, but we had long hearings on gas, we had long hearings on coal, and we had much discussion of renewable energy. In the end, we reported to this body a piece of legislation with a vote of 21 to 1. There was only one dissenting vote.

The Senator from Washington made an important contribution to that discussion, as she did today, with her discussion of biodiesel, which is a promising renewable fuel. It is in its infancy. We don’t know how far it will go. Biodiesel has only contributed about 2 percent of all of the fuel we use in the United States today. We have to always remember what a huge economy we have and how long and how much it takes to turn it around. But she offered an amendment that the committee adopted and which was included in the bill now before us. It has as part of the mandate for use of renewable fuels biodiesel.

The Senate, by a large vote a few minutes ago included, I believe, an 8 billion gallon standard for renewable fuels. So she made an important contribution. And the spirit of our discussion so far has been that we recognize the urgency of the issue we are talking about, which is blue-collar workers, homeowners, keeping jobs from moving overseas, and that this is serious business and we need to get it right.

I will make some observations about the Senator’s amendment. There will be three observations. One is I respectfully suggest she has the wrong goal for the near term. Two, I suggest the bill we have before us actually presents an excellent, balanced approach toward what we need to do. Three, I will reemphasize the importance of not just reducing our dependence on oil, the growth of our dependence on oil in the United States—that is the goal, I believe—but lowering the price of natural gas for the benefit of blue-collar workers, homeowners, and farmers. That is the point.

The Senator talked about President Kennedy and probably the most celebrated goal of the last 100 years—certainly one of the most celebrated in our history, and very much in keeping with the American spirit and character. We are always setting high goals, such as “anything is possible” and “all men are created equal” and “we will pay any price and bear any burden to defend freedom.” A lot of our politics is about the disappointment of not reaching those goals. In fact, most of American history is the story of setting high goals, missing them, being disappointed, and recommitting ourselves to the goals. But the goals we remember and the leaders we remember are the ones who have challenged us within some reason. We used to have a wonderful citizen of Tennessee named Chet Atkins, who played the guitar. He may have been the best guitar player in the world. He always said: In this life, you have to be mighty careful where you aim, because you are likely to get there.

I don’t think we would have remembered President Kennedy as well if he had said in 1960 that we need to put a man on Mars by 1970, or a man on Jupiter by 1970. President Kennedy didn’t say that. That would have been far outside of our reach. Our scientists knew that, but it was within our reach to go to the Moon. He said that and challenged us, and we figured out the details of doing it.

I suggest the goal of the Senator from Washington would be like putting a man on Mars. It is out on another planet, it is somewhere out there. It might be the right goal one day, but we have to go to the Moon before we go to Mars. I suggest her goal is the wrong goal. The Senator suggests that the United States, over the next 20 years, reduce its dependence on foreign oil by 40 percent. That sounds pretty good, like going to Mars might have sounded pretty good in 1960, but we would never have gotten there. Let me try to put her goal in perspective.

She says get rid of 7.6. We use about 20 million barrels of oil a day in the United States. It supplies about 40 percent of all of our energy. The Energy Committee, including the Senator from Washington, considered all of this, and we came to a consensus that we should look for wherever the Moon might be in this goal. And we said: Let’s save 1 million a day. Let’s ask the President to save 1 million a day by the year 2015, 1 million of that 20 million.

That million is a pretty big number. Drilling for oil in ANWR, which we argued so heavily in this body, would produce about 1 million barrels of oil a day. If I am not mistaken, if we were to adopt the CAFE standards legislation that Senator CANTWELL herself suggested in earlier debates, that would have saved about 1 million barrels of oil a day. But she is saying 7.6 million barrels of oil a day over the next 20 years.

I agree it might be possible to go higher than 1 million barrels of oil a

day. Senator JOHNSON and I introduced the National Gas Price Reduction Act of 2005 earlier this year. We had in that an oil savings amendment of 1.75 million barrels of oil a day.

All these amendments direct the President to figure out a plan for doing this and then to implement it. These are not just idle suggestions.

I think there is a consensus in this body, certainly on this side and that side of the aisle, and I might say, as Senator BINGAMAN mentioned, we did not really vote Republican and Democrat in our committee hearings. We had a lot of votes, but they generally split on our individual views and regions, not whether we are a Republican or a Democrat. I think there is still a consensus here. Of course, we want to reduce the growth of our dependence on oil, but to say our goal should be to reduce by 40 percent in 20 years our reliance on oil is somewhere out on another planet, not within our reach.

Many of us have been reading very carefully the National Commission on Energy Policy report called "Ending the Energy Stalemate, A Bipartisan Strategy to Meet America's Energy Challenges," that includes within it a broad variety of people—Mr. Holdren, Bill Reilly, Mr. Rowe from Exelon Corporation, a representative from the United Steelworkers. We all read it, and I suppose we all like the parts we agree with and try to agree with some things that may have changed our mind. Here is what this commission report, which is an excellent report, says about oil:

Over the last 30 years, the United States has sought to improve oil security by promoting a greater diversity of world oil suppliers, reducing domestic consumption through a substantial increase in new passenger fuel economy between 1975 and 1987, and creating the largest dedicated strategic petroleum reserve in the world. Due to these policies and as a result of structural shifts, the U.S. economy today is less oil-intensive and therefore less vulnerable to oil price shocks than it was in 1970. The fact that oil imports have nonetheless steadily increased since that time suggests that calls for energy independence—while rhetorically seductive—represent the wrong focus for the U.S. energy policy.

To try to get another example of the practical effect of the amendment of the Senator from Washington, we asked the Energy Department to take a look at it. Here is what they said. Remember, the Cantwell energy security amendment calls for a 7.64-million-barrel-per-day reduction in oil consumption over the next 20 years. EIA, the Energy Information Administration, which looks at all these things, estimated that by a combination of policies outside the transportation sector, the upper limit of what we could do in this country would be 2 to 3 million barrels of oil per day.

So we take out 2 or 3 million barrels of oil a day and let's say that leaves 4.5 million barrels oil per day. The Cantwell amendment would require the President to, therefore, impose on the

transportation sector of our economy this achievement, and here is what it would translate to in terms of a CAFE standard miles per gallon. It would require a 78.6-mile-per-gallon CAFE standard. That is a 185-percent increase over today's standard. And it would require 60.8 miles per gallon for light trucks. That is a 174-percent increase.

I submit that is putting a man on Mars instead of a man on the Moon. That is somewhere off on another planet and not anything that we could reasonably do. The effect of enforcing that on the American economy would be to destroy jobs and raise fuel prices and raise expectations and disappoint the people who sent us here.

I much prefer the approach the committee bill takes that came out of the committee 21 to 1, with a very broad consensus. I will admit, we all recognized, when that came out, that we would reserve for debate on the floor some of the more contentious issues, such as MTBE, global warming, CAFE standards, and the size of the oil savings amendment, about which we are talking today.

We said 1 million a day. That is what the committee could agree on. I and Senator JOHNSON thought 1.75. Senator CANTWELL is at 7.6, and that is the wrong goal.

What would the right goal be? The right goal is to say, of course, we want to reduce our dependence on foreign oil. It makes no sense whatsoever for us to rely for so much of our oil on an area of the world where men and women are getting blown up every day, including a great many Americans. It makes no sense whatsoever.

So our goal should be this: Putting us on the path to a steady supply of low-cost, adequate, American-produced clean energy—low-cost, adequate supply of American-produced clean energy. As we do that, we reduce our reliance on all oil. We reduce our reliance on oil not just from around the world but from this country.

Here would be some of the things that are already underway in this bill. As I mentioned, we just adopted an 8-billion-gallon requirement for renewable fuels. Personally, I think that is a little high. That is stretching the limit. I believe the House of Representatives is at 5. Remember, only at 2 percent of all of our energy is renewable fuels. So we have done that.

We have in our bill which is before the Senate research for biofuels, about which the Senator from Washington talks. They are very important, but they are minuscule at this time. We have a way to go. There are some associated waste problems that occur with them, and there are production problems about which we have to think. To produce large-scale biodiesel fuel requires large areas of land. We have to think about that as well. Clearly, we should do it in this bill, which supports research for that.

If we are really serious about reducing our demand for overseas oil, then

we should start with efficiency and conservation in the United States, both of oil and natural gas because they often come together. And so the provisions in this legislation, twice as strong as last year's Energy bill, provide for efficiency and conservation standards for such items as appliance efficiency standards. It would avoid building 45 natural gas powerplants of 500 megawatts each and save billions of dollars.

This legislation also includes a 4-year national consumer education program which, when used in California, helped produce a 10-percent cut in peak demand. This is natural gas we are talking about. But we are talking about conserving energy, and oil and gas often are found together.

If we were to add a provision, as I tried to do in the committee, and as I would welcome the Senator from Washington helping me do on the floor as we debate this bill, to encourage utilities to use first the electricity most efficiently produced from natural gas, we could save and conserve even more. Add that to the oil savings amendment of 1 million barrels of oil per day, which is in our legislation, which is about the same as the amount of oil produced onshore in the State of Texas, and then add on top of the provisions that are in the Finance Committee's mark that would continue the deduction for American consumers to purchase hybrid, and I would hope advanced diesel vehicles as well, that saves oil, that gives an incentive, that helps to change the market in a very promising way without a mandate. If we include the provision that is also in this legislation that supports discouraging large trucks from running their motors all night long so they can have their air-conditioning on and their TV on and their appliances on, one may think that is a small potatoes item, but it is actually a big potatoes item. Big trucks are a big part of our energy use in the United States. They are a big part of our air pollution in the United States. When we encourage them to plug into a battery instead of leaving their trucks on, we are using less oil. All of this is a well-balanced approach.

So it is my respectful suggestion that we remember President Kennedy for saying, Let us go to the Moon. We would not remember him as well if he had said, Let us put a man on Mars in 1970. I believe the committee approach is the right goal and is the right balance and much more realistic than the goal of the Senator from Washington State which, according to the Energy Department, would produce a CAFE standard of 78 miles per gallon for cars and 60.8 miles per gallon for light trucks.

I conclude by making a general remark about natural gas and other aspects of how we ought to be producing energy in this country. One important part of it is American-produced. That is what the Senator from Washington

is emphasizing with her amendment. Another important part is low cost. Another important part is reliable and adequate supply.

We use 25 percent of all the energy in the world in the United States of America. We spend \$2,500 per person on it. Another important part is clean air. This is not the clean air debate, but it is the debate that will solve the clean air problem, in my opinion, because clean air and clean energy are so intricately related.

The legislation that is before this Senate begins with conservation and efficiency. That reduces our demand for oil, as well as natural gas, and helps to lower prices at least of natural gas. It goes next to increasing supply of natural gas, and I would say oil.

Listening to the Senator from Washington, she is saying we need to reduce our demand for oil from overseas, and since it is unrealistic to think we could save this much oil in that 20-year period of time, that would suggest to me that she would be advocating a big increase in supply of oil as well as natural gas from domestic sources in the United States.

In the legislation that Senator JOHNSON and I offered, we recommended that. It recommended that we look onshore and offshore for new supplies of natural gas as well as oil in the Rocky Mountain area and offshore. Well, that has been greeted with a very cold gaze by many Members of this body, including some who have created objections to unanimous consent agreements just to stop us from even considering increasing our exploration for drilling the large amount of oil and gas that we have just offshore, even though we could put the rigs far out to sea where no one could see them.

It would seem to me as we are talking about oil savings, if we want to keep prices down in the United States and keep jobs here, we need to talk about oil and gas supply at the same time coming from the United States. I did not hear very much about that.

We also need to hear more about LNG. I am speaking now of natural gas, which is an essential part of this debate. Many in the Senate often talk about gasoline prices. The truth is, as the Senator from Washington accurately observed, there is a huge demand for oil. Prices are going to stay up for the foreseeable future, that is the truth about it in terms of gasoline, and we need to learn to reduce our use of the oil. The one thing we can do is lower the cost of natural gas, which is a big part of this bill. That affects millions of blue-collar workers, millions of farmers, and tens of millions of homeowners.

We have gone from having the lowest priced natural gas to the highest price natural gas, and this is outsourcing jobs, putting farmers out of business, and making home heating and cooling prices too high.

If we are going to reduce the price and conservation does not do it, the

next best step is to import some from overseas. That goes directly in the face of what the Senator is talking about to reduce our supply of natural gas. If we do not import liquefied natural gas from overseas, we are going to be exporting jobs from America to overseas. So we can either import natural gas or export American jobs. We have to be realistic in the near term in what we have to do.

I would hope that we could drill offshore and drill in the United States and use the extensive amounts of natural gas we have and bring down the price that way. But if we are not going to do it that way we are going to have to bring it in from overseas at least for a while until we have an alternative form of energy.

When we talk about alternative forms of energy, we often go to the renewable fuels, and I will talk about those more in a moment. I am just as excited about those as anybody. We have in Memphis a Sharp plan, for example, that produces solar energy. They have exciting new technologies. In the Oakridge National Laboratory we have a whole division on renewable energy and renewable fuels. They have exciting new technologies in solar. That is only 2 percent of our energy and 2 percent of our fuels. We have to be realistic about where we are going from there.

Where are we going to get the energy we need that will create this adequate supply of American-produced clean energy? After conservation, after new supply, we have to come to nuclear power. I suggest if we want to talk about American independence, we talk about nuclear power, that we do what France is doing. They are 80 percent nuclear power. We should do what Japan is doing. They are adding a nuclear powerplant every year. We invented the technology. We have used it without incident for more than half a century in our Navy. We produce 20 percent of our electricity today from nuclear power and 70 percent of our carbon-free electricity comes from nuclear power.

So if we really want American-produced energy, we need to build advanced nuclear powerplants so that we can have them at a cost that makes us less reliant on oil and gas from overseas.

Waiting in the wings and right behind nuclear power is coal gasification and carbon sequestration. I see the Senator from North Dakota on the Senate floor. He has been a leader in that area for a long time. He talks about it a lot and talks about it clearly. That technology is not completely with us yet. We know how to do coal gasification; that is, turn coal into gas and then gas into electricity. That gets rid of mercury, nitrogen, and hydrogen by and large. It still leaves carbon in the air, but there is a technology called carbon sequestration. We are a few years away from that, but if we accelerate research on carbon sequestration that would be a good goal.

Then we can burn the coal we have in the United States, and we have a 400- or 500-year supply of it. We are the Saudi Arabia of coal. Conservation plus our own supply of natural gas, plus nuclear power, plus coal gasification and carbon sequestration would fuel this great big economy.

One might ask, what does that have to do with automobiles? Well, hopefully, by that time we will also have invested a lot of money in research and development—not just for nuclear power, not just for carbon sequestration, but also for hydrogen, which the Senator from North Dakota is a leading spokesman for, and for fusion. When we get to hydrogen and these hybrid cars that we see being driven around America today—a gasoline engine with an electric engine, that is called a hybrid—when that hybrid becomes an electric engine and a hydrogen engine, then we have to have some way to make that hydrogen. We are either going to import oil and gas from overseas as we are doing it now, we are going to supply it from our own reserves, we are going to conserve enough, we are going to make it from nuclear, or we are going to make it from coal gasification.

I am glad we are having a debate about American energy independence. Just as President Kennedy is remembered for having the right goal by saying, Let us put a man on the Moon, and not for picking an unrealistic goal in 1960 and saying, Let us put a man on Mars in 1970, let's be realistic. Our bill stretches our country, causes us to aim differently, and if adopted will transform the way we produce electricity and will increase our independence on foreign sources of gas and oil.

One last thought about renewable fuels, before I finish. We need to keep that in perspective. If we were a small country, we might be able to rely on renewable fuels or renewable energy, but we are not. We are a country that uses 25 percent of all the energy in the world. Stretch as we might, for the foreseeable future we are going to have to rely on conservation, on our own supplies of oil and gas, and, yes, on some oil and gas from around the world. Then we are going to have to invest in an incredibly aggressive way in advanced nuclear technology and advanced coal gasification and carbon sequestration technology if we are going to have a reliable, low-cost power of American-produced clean energy.

I hope the Senate will prefer the committee report which was adopted by 21 to 1, that includes a balanced approach to the right goal. I would say it is more in keeping with President Kennedy's "man on the Moon" goal. This is a "man or woman on Mars" goal, and maybe we will get there one day, but it is unrealistic today. It would be disruptive of jobs if you set a 78 mile per gallon CAFE standard for cars, a 185-percent increase; a 60 mile per gallon standard for trucks, light trucks, a 174-percent increase. I hope we will stick

with the consensus that passed 21 to 1, and one day we might also reach this goal.

I yield the floor.

The PRESIDING OFFICER (Mr. COBURN). The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank the Senator from Tennessee for his comments and for his diligence in following energy policy both on the committee and on the floor. I know he cares greatly about this issue and has spent many hours on the details in various sections of this legislation. I appreciate his interest and unique focus on clean coal technology. He has great interest and knowledge about clean coal technology, and has articulated his views about that numerous times.

I know my colleague from North Dakota is here so I want to give him an opportunity to talk, but I want to respond. The 7 million barrels reduction is an achievable goal. If you believe in the underlying technology the Senator from Tennessee just discussed, which is the various ways we can get to that goal, he and I are in agreement. Where we seem to be in a disagreement is whether we want to set this goal. I believe the American people deserve to have a goal set that is achievable.

The underlying bill that says in 2015 we will be more dependent on foreign oil than we are today doesn't seem the goal we should be putting forth. While the committee passed that out of committee, we knew we were going to come out here and discuss a variety of issues. Now that we have the perspective of the entire bill with a lot of different technology solutions, I would say it is time for the Senate to be more bold about this.

I commend to my colleagues this report, "Securing America; Solving Our Oil Dependence Through Innovation." There are two different organizations, the NRDC and the IAGCS, that basically outline in their report how we can save close to 7 billion barrels of oil per day.

We have a submittal to the RECORD from the Committee on the Present Danger, on our oil security. It, too, talks about how we can achieve this goal and what some of the sources are.

I ask unanimous consent to have that printed in the RECORD.

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

A COMMITTEE ON THE PRESENT DANGER
POLICY PAPER: OIL AND SECURITY

(By George P. Shultz and R. James Woolsey)

SUMMARY

This paper could well be called, "It's the Batteries, Stupid." Four years ago, on the eve of 9/11, the need to reduce radically our reliance on oil was not clear to many and in any case the path of doing so seemed a long and difficult one. Today both assumptions are being undermined by the risks of the post-9/11 world and by technological progress in fuel efficiency and alternative fuels.

We spell out below the risks of petroleum dependency, particularly the vulnerability of the petroleum infrastructure in the Middle

East to terrorist attack—a single well-designed attack could send oil to well over \$100/barrel and devastate the world's economy. That reality, among other risks, and the fact that our current transportation infrastructure is locked in to oil, should be sufficient to convince any objective observer that oil dependence, today creates serious and pressing dangers for the US and other oil-importing nations.

We propose in this paper that the government vigorously encourage and support at least six technologies: two types of alternative fuels that are beginning to come into the market (cellulosic ethanol and biodiesel derived from a wide range of waste streams), two types of fuel efficient vehicles that are now being sold to the public in some volume (hybrid gasoline-electric and modern clean diesels), and one vehicle construction technique, the use of manufactured carbon-carbon composites, that is now being used for aircraft and racing cars and is quite promising as a way of reducing vehicle weight and fuel requirements while improving safety.

The sixth technology, battery improvement to permit "plug-in" hybrid vehicles, will require some development—although nothing like the years that will be required for hydrogen fuel cells. It holds, however, remarkable promise. Improving batteries to permit them, to be given an added charge when a hybrid is garaged, ordinarily at night, can substantially improve mileage, because it can permit hybrids to use battery power alone for the first 10-30 miles. Since a great many trips fall within this range this can improve the mileage of a hybrid vehicle from, say, 50 mpg to over 100 mpg (of oil products). Also, since the average residential electricity cost is 8.5 cents/kwh (and in many areas, off-peak nighttime cost is 2-4 cents/kwh) this means that much of a plug-in hybrid's travel would be on the equivalent of 50 cent/gallon gasoline (or, off-peak, on the equivalent of 12-25 cent/gallon gasoline).

A plug-in hybrid averaging 125 mpg, if its fuel tank contains 85 per cent cellulosic ethanol, would be obtaining about 500 mpg. If it were constructed from carbon composites the mileage could double, and, if it were a diesel and powered by biodiesel derived from waste, it would be using no oil products at all.

What are we waiting for?

There are at least seven major reasons why dependence on petroleum and its products for the lion's share of the world's transportation fuel creates special dangers in our time. These dangers are all driven by rigidities and potential vulnerabilities that have become serious problems because of the geopolitical realities of the early 21st century. Those who reason about these issues solely on the basis of abstract economic models that are designed to ignore such geopolitical realities will find much to disagree with in what follows. Although such models have utility in assessing the importance of more or less purely economic factors in the long run, as Lord Keynes famously remarked: "In the long run, we are all dead."

These dangers in turn give rise to two proposed directions for government policy in order to reduce our vulnerability rapidly. In both cases we believe that existing technology should be used, i.e. technology that is already in the market or can be so in the very near future and that is compatible with the existing transportation infrastructure. To this end government policies in the United States and other oil-importing countries should: (1) encourage a shift to substantially more fuel-efficient vehicles, including fostering battery development for plug-in hybrid vehicles; and (2) encourage biofuels and other alternative fuels that wherever possible can be derived from waste products.

PETROLEUM DEPENDENCE: THE DANGERS

This fact substantially increases the difficulty of responding to oil price increases or disruptions in supply by substituting other fuels.

There is a range of fuels that can be used to produce electricity and heat and that can be used for other industrial uses, but petroleum had its products dominate the fuel market for vehicular transportation. With the important exception, described below, of a plug-in version of the hybrid gasoline/electric vehicle, which will allow recharging hybrids from the electricity grid, substituting other fuels for petroleum in the vehicle fleet as a whole has generally required major, time-consuming, and expensive infrastructure changes. One exception has been some use of liquefied natural gas (LNG) and other fuels for fleets of buses or delivery vehicles, although not substantially for privately-owned ones, and the use of corn-derived ethanol mixed with gasoline in proportions up to 10 per cent ethanol ("gasohol") in some states. Neither has appreciably affected petroleum's dominance of the transportation fuel market.

Although there are imaginative proposals for transitioning to other fuels, such as hydrogen to power automotive fuel cells, this would require major infrastructure investment and restructuring. If privately-owned fuel cell vehicles were to be capable of being readily refueled, this would require reformers (equipment capable of reforming, say, natural gas into hydrogen) to be located at filling stations, and for natural gas to be available there as a hydrogen feed-stock. So, not only would fuel cell development and technology for storing hydrogen on vehicles need to be further developed, but the automobile industry's development and production of fuel cells also would need to be coordinated with the energy industry's deployment of reformers and the fuel for them.

Moving toward automotive fuel cells thus requires us to face a huge question of pace and coordination of large-scale changes by both the automotive and energy industries. This poses a sort of industrial Alphonse and Gaston dilemma: who goes through the door first? (If, instead, it were decided that existing fuels such as gasoline were to be reformed into hydrogen on board vehicles instead of at filling stations, this would require on-board reformers to be developed and added to the fuel cell vehicles themselves—a very substantial undertaking.)

It is because of such complications at the National Commission on Energy Policy concluded in its December, 2004, report "Ending The Energy Stalemate" ("ETES") that "hydrogen offers little to no potential to improve oil security and reduce climate change risks in the next twenty years." (p. 72)

To have an impact on our vulnerabilities within the next decade or two, any competitor of oil-derived fuels will need to be compatible with the existing energy infrastructure and require only modest additions or amendments to it.

2. The Greater Middle East will continue to be the low-cost and dominant petroleum producer for the foreseeable future.

Home of around two-thirds of the world's proven reserves of conventional oil—45% of it in just Saudi Arabia, Iraq, and Iran—the Greater Middle East will inevitably have to meet a growing percentage of world oil demand. This demand is expected to increase by more than 50 per cent in the next two decades, from 78 million barrels per day ("MBD") in 2002 to 118 MBD in 2025, according to the federal Energy Information Administration. Much of this will come from expected demand growth in China and India. One need not argue that world oil production

has peaked to see that this puts substantial strain on the global oil system. It will mean higher prices and potential supply disruptions and will put considerable leverage in the hands of governments in the Greater Middle East as well as in those of other oil-exporting states which have not been marked recently by stability and certainty: Russia, Venezuela, and Nigeria, for example (ETES pp. 1–2). Deep-water drilling and other opportunities for increases in supply of conventional oil may provide important increases in supply but are unlikely to change this basic picture.

Even if other production comes on line, e.g. from unconventional sources such as tar sands in Alberta or shale in the American West, their relatively high cost of production could permit low-cost producers, particularly Saudi Arabia, to increase production, drop prices for a time, and undermine the economic viability of the higher-cost competitors, as occurred in the mid-1980's. For the foreseeable future, as long as vehicular transportation is dominated by oil as it is today, the Greater Middle East, and especially Saudi Arabia, will remain in the driver's seat.

3. The petroleum infrastructure is highly vulnerable to terrorist and other attacks.

The radical Islamist movement, including but not exclusively al Qaeda, has on a number of occasions explicitly called for worldwide attacks on the petroleum infrastructure and has carried some out in the Greater Middle East. A more well-planned attack than what has occurred to date—such as that set out in the opening pages of Robert Baer's recent book, *Sleeping With the Devil*, (terrorists flying an aircraft into the unique sulfur-cleaning towers in northeastern Saudi Arabia)—could take some six million barrels per day off the market for a year or more, sending petroleum prices sharply upward to well over \$100/barrel and severely damaging much of the world's economy. Domestic infrastructure in the West is not immune from such disruption. U.S. refineries, for example, are concentrated in a few places, principally the Gulf Coast. The recent accident in the Texas City refinery—producing multiple fatalities—points out potential infrastructure vulnerabilities. The Trans-Alaska Pipeline has been subject to several amateurish attacks that have taken it briefly out of commission; a seriously planned attack on it could be far more devastating.

In view of these overall infrastructure vulnerabilities we do not suggest that policy should focus exclusively on petroleum imports, although such infrastructure vulnerabilities are likely to be the most severe in the Greater Middle East. It is there that terrorists have the easiest access and the largest proportion of proven oil reserves, and low-cost production are also located there. Nor do we hold the view that by changing trade patterns anything particularly is accomplished. To a first approximation there is one worldwide oil market and it is not generally useful for the U.S., for example, to import less from the Greater Middle East and for others then to import more from there. In effect, all of us oil-importing countries are in this together.

4. The possibility exists particularly under regimes that could come to power in the Greater Middle East, of embargoes or other disruptions of supply.

It is often said that whoever governs the oil-rich nations of the Greater Middle East will need to sell their oil. This is not true, however, if the rulers choose to try to live, for most purposes, in the Seventh century. Bin Laden has advocated, for example, major reductions in oil production.

In 1979 there was a serious attempted coup in Saudi Arabia. Much of what the outside

world saw was the seizure by Islamist fanatics of the Great Mosque in Mecca, but the effort was more widespread. Even if one is optimistic that democracy and the rule of law will spread in the Greater Middle East and that this will lead after a time to more peaceful and stable societies there, it is undeniable that there is substantial risk that for some time the region will be characterized by chaotic change and unpredictable governmental behavior. Reform, particularly if it is hesitant, has in a number of cases been trumped by radical takeovers (Jacobins, Bolsheviks). There is no reason to believe that the Greater Middle East is immune from these sorts of historic risks.

5. Wealth transfers from oil have been used, and continue to be used, to fund terrorism and its ideological support.

Estimates of the amount spent by the Saudis in the last 30 years spreading Wahhabi beliefs throughout the world vary from \$70 billion to \$100 billion. Furthermore, some oil-rich families of the Greater Middle East fund terrorist groups directly. The spread of Wahhabi doctrine—fanatically hostile to Shi'ite and Sufi Muslims, Jews, Christians, women, modernity, and much else—plays a major role with respect to Islamist terrorist groups: a role similar to that played by angry German nationalism with respect to Nazism in the decades after World War I. Not all angry German nationalists became Nazis and not all those schooled in Wahhabi beliefs become terrorists, but in each case the broader doctrine of hatred has provided the soil in which the particular totalitarian movement has grown. Whether in lectures in the madrassas of Pakistan, in textbooks printed by Wahhabis for Indonesian schoolchildren, or on bookshelves of mosques in the U.S., the hatred spread by Wahhabis and funded by oil is evident and influential.

It is sometimes contended that we should not seek substitutes for oil because disruption of the flow of funds to the Greater Middle East could further radicalize the population of some states there. The solution, however, surely lies in helping these states diversify their economies over time, not in perpetually acquiescing to the economic rent they collect from oil exports and to the uses to which these revenues are put.

6. The Current Account deficits for a number of countries create risks ranging from major world economic disruption to deepening poverty, and could be substantially reduced by reducing oil imports.

The U.S., in essence, borrows about \$13 billion per week, principally now from major Asian states, to finance its consumption. The single largest category of imports is the \$2–3 billion per week borrowed to import oil. The accumulating debt increases the risk of a flight from the dollar or major increases in interest rates. Any such development could have major negative economic consequences for both the U.S. and its trading partners.

For developing nations, the service of debt is a major factor in their continued poverty. For many, debt is heavily driven by the need to import oil that at today's oil prices cannot be paid for by sales of agricultural products, textiles, and other typical developing nation exports.

If such deficits are to be reduced, however, say by domestic production of substitutes for petroleum, this should be based on recognition of real economic value such as waste cleanup, soil replenishment, or other tangible benefits.

7. Global warming gas emissions from man-made sources create at least the risk of climate change.

Although the point is not universally accepted, the weight of scientific opinion suggests that global warming gases (GWG) pro-

duced by human activity form one important component of potential climate change. Oil products used in transportation provide a major share of U.S. manmade global warming gas emissions.

THREE PROPOSED DIRECTIONS FOR POLICY

The above considerations suggest that government policies with respect to the vehicular transportation market should point in the following directions:

1. Encourage improved vehicle mileage, using technology now in production.

Three currently available technologies stand out to improve vehicle mileage.

Diesels

First, modern diesel vehicles are coming to be capable of meeting rigorous emission standards (such as Tier 2 standards being introduced into the U.S., 2004–08). In this context it is possible without compromising environmental standards to take advantage of diesels' substantial mileage advantage over gasoline-fueled internal combustion engines.

Substantial penetration of diesels into the private vehicle market in Europe is one major reason why the average fleet mileage of such new vehicles is 42 miles per gallon in Europe and only 24 mpg in the U.S. Although the U.S. has, since 1981, increased vehicle weight by 24 percent and horsepower by 93 percent, it has essentially improved mileage not at all in that near-quarter century (even though in the 12 years from 1975 to 1987 the U.S. improved the mileage of new vehicles from 15 to 26 mpg).

Hybrid Gasoline-Electric

Second, hybrid gasoline-electric vehicles now on the market show substantial fuel savings over their conventional counterparts. The National Commission on Energy Policy found that for the four hybrids on the market in December 2004 that had exact counterpart models with conventional gasoline engines, not only were mileage advantages quite significant (10–15 mpg) for the hybrids, but in each case the horsepower of the hybrid was higher than the horsepower of the conventional vehicle. (ETES p. 11) If automobile companies wish to market hybrids by emphasizing hotter performance rather than fuel conservation they can do so, consistent with the facts.

Light-Weight Carbon Composite Construction

Third, constructing vehicles with inexpensive versions of the carbon fiber composites that have been used for years for aircraft construction can substantially reduce vehicle weight and increase fuel efficiency while at the same time making the vehicle considerably safer than with current construction materials. This is set forth thoroughly in the 2004 report of the Rocky Mountain Institute's *Winning the Oil Endgame* ("WTOE"). Aerodynamic design can have major importance as well. This breaks the traditional tie between size and safety. Much lighter vehicles, large or small, can be substantially more fuel-efficient and also safer. Such composite use has already been used for automotive construction in Formula 1 race cars and is now being adopted by BMW and other automobile companies. The goal is mass-produced vehicles with 80% of the performance of hand-layup aerospace composites at 20% of the cost. Such construction is expected to approximately double the efficiency of a normal hybrid vehicle without materially affecting manufacturing cost. (WTOE 64–66).

2. Encourage the commercialization of alternative transportation fuels that can be available soon, are compatible with existing infrastructure, and can be derived from waste or otherwise produced cheaply.

Biomass Ethanol

The use of ethanol produced from corn in the U.S. and sugar cane in Brazil has given

birth to the commercialization of an alternative fuel that is coming to show substantial promise, particularly as new feedstocks are developed. Some six million vehicles in the U.S. and all vehicles in Brazil other than those that use solely ethanol are capable of using ethanol in mixtures of up to 85 percent ethanol and 15 percent gasoline (E-85); these are called Flexible Fuel Vehicles ("FFV") and require, compared to conventional vehicles, only a somewhat different kind of material for the fuel line and a differently programmed computer chip. The cost of incorporating this feature in new vehicles is trivial. Also, there are no large-scale changes in infrastructure required for ethanol use. It may be shipped in tank cars, and mixing it with gasoline is a simple matter.

Although human beings have been producing ethanol, grain alcohol, from sugar and starch for millennia, it is only in recent years that the genetic engineering of biocatalysts has made possible such production from the hemicellulose and cellulose that constitute the substantial majority of the material in most plants. The genetically engineered material is in the biocatalyst only; there is no need for genetically modified plants. Typically the organism that is engineered to digest the C5 sugars freed by the hydrolyzation of the hemicellulose also produces the enzymes that hydrolyze the cellulose.

These developments may be compared in importance to the invention of thermal and catalytic cracking of petroleum in the first decades of the 20th century—processes which made it possible to use a very large share of petroleum to make gasoline rather than the tiny share that was available at the beginning of the century. For example, with such genetically-engineered biocatalysts, it is not only grains of corn but corn cobs and most of the rest of the corn plant that may be used to make ethanol.

Such biomass, or cellulosic, ethanol is now likely to see commercial production begin first in a facility of the Canadian company, Iogen, with backing from Shell Oil, at a cost of around \$1.30/gallon. The National Renewable Energy Laboratory estimates costs will drop to around \$1.07/gallon over the next five years, and the Energy Commission estimates a drop in costs to 67–77 cents/gallon when the process is fully mature (ETES p. 75). The most common feedstocks will likely be agricultural wastes, such as rice straw, or natural grasses such as switchgrass, a variety of prairie grass that is often planted on soil bank land to replenish the soil's fertility. There will be decided financial advantages in using as feedstocks any wastes which carry a tipping fee (a negative cost) to finance disposal: e.g. waste paper, or rice straw, which cannot be left in the fields after harvest because of its silicon content.

Old or misstated data are sometimes cited for the proposition that huge amounts of land would have to be introduced into cultivation or taken away from food production in order to have such biomass available for cellulosic ethanol production. This is incorrect. The National Commission on Energy Policy reported in December that, if fleet mileage in the U.S. rises to 40 mpg—somewhat below the current European Union fleet average for new vehicles of 42 mpg and well below the current Japanese average of 47 mpg—then as switchgrass yields improve modestly to around 10 tons/acre it would take only 30 million acres of land to produce sufficient cellulosic ethanol to fuel half the U.S. passenger fleet. (ETES pp. 76–77). By way of calibration, this would essentially eliminate the need for oil import for passenger vehicle fuel and would require only the amount of land now in the soil bank (the Conservation Reserve Program ("CRP")) on

which such soil-restoring crops as switchgrass are already being grown. Practically speaking, one would probably use for ethanol production only a little over half of the soil bank lands and add to this some portion of the plants now grown as animal feed crops (for example, on the 70 million acres that now grow soybeans for animal feed). In short, the U.S. and many other countries should easily find sufficient land available for enough energy crop cultivation to make a substantial dent in oil use. (Id.)

There is also a common and erroneous impression that ethanol generally requires as much energy to produce as one obtains from using it and that its use does not substantially reduce global warming gas emissions. The production and use of ethanol merely recycles in a different way the CO₂ that has been fixed by plants in the photosynthesis process. It does not release carbon that would otherwise stay stored underground, as occurs with fossil fuel use, but when starch, such as corn, is used for ethanol production much energy, including fossil-fuel energy, is consumed in the process of fertilizing, plowing, and harvesting. Even starch-based ethanol, however, does reduce greenhouse gas emissions by around 30 percent. Because so little energy is required to cultivate crops such as switchgrass for cellulosic ethanol production, and because electricity can be co-produced using the residues of such cellulosic fuel production, reductions in greenhouse gas emissions for cellulosic ethanol when compared to gasoline are greater than 100 percent. The production and use of cellulosic ethanol is, in other words, a carbon sink. (ETES p. 73)

Biodiesel

The National Commission on Energy Policy pointed out some of the problems with most current biodiesel "produced from rapeseed, soybean, and other vegetable oils—as well as . . . used cooking oils." It said that these are "unlikely to become economic on a large scale" and that they could "cause problems when used in blends higher than 20 percent in older diesel engines". It added that "waste oil is likely to contain impurities that give rise of undesirable emissions." (ETES p. 75)

The Commission notes, however, that biodiesel is generally "compatible with existing distribution infrastructure" and outlines the potential of a newer process ("thermal depolymerization") that produces biodiesel without the above disadvantages from "animal offal, agricultural residues, municipal solid waste, sewage, and old tires". It points to the current use of this process at a Conagra turkey processing facility in Carthage, Missouri, where a "20 million commercial-scale facility" is beginning to convert turkey offal into "a variety of useful products, from fertilizer to low-sulfur diesel fuel" at a potential average cost of "about 72 cents per gallon." (ETES p. 77)

Other Alternative Fuels

Progress has been made in recent years on utilizing not only coal but slag from strip mines, via gasification, for conversion into diesel fuel using a modern version of the gasified-coal-to-diesel process used in Germany during World War II.

Qatar has begun a large-scale process of converting natural gas to diesel fuel.

Outside the realm of conventional oil, the tar sands of Alberta and the oil shale of the Western U.S. exist in huge deposits, the exploitation of which is currently costly and accompanied by major environmental difficulties, but both definitely hold promise for a substantial increase in oil supply.

Plug-In Hybrids and Battery Improvements

A modification to hybrids could permit them to become "plug-in-hybrids," drawing

power from the electricity grid at night and using all electricity for short trips. The "vast majority of the most fuel-hungry trips are under six miles" and "well within the range" of current (nickel-metal hydride) batteries' capacity, according to Huber and Mills (*The Bottomless Well*, 2005, p. 84). Other experts, however, emphasize that whether with existing battery types (2–5 kwh capacity) or with the emerging (and more capable) lithium batteries, it is important that any battery used in a plug-in hybrid be capable of taking daily charging without being damaged and be capable of powering the vehicle at an adequate speed. By most assessments some battery development will be necessary in order for this to be the case. Such development should have the highest research and development priority because it promises to revolutionize transportation economics and to have a dramatic effect on the problems caused by oil dependence.

With a plug-in hybrid vehicle one has the advantage of an electric car, but not the disadvantage. Electric cars cannot be recharged if their batteries run down at some spot away from electric power. But since hybrids have tanks containing liquid fuel (gasoline and/or ethanol, diesel and/or biodiesel) plug-in hybrids have no such disadvantage. Moreover the attractiveness to the consumer of being able to use electricity from overnight charging for a substantial share of the day's driving is stunning. The average residential price of electricity in the U.S. is about 8.5 cents/kwh, one-quarter the cost of \$2/gallon gasoline. So powering one's vehicle with electricity purchased at such rates is roughly the equivalent of being able to buy gasoline at 50 cents/gallon instead of the more than \$2/gallon that it presently costs in the U.S. Moreover, many utilities sell off-peak power for 2–4 cents/kwh—the equivalent of 12-to-25 cents/gallon gasoline. (Id. p. 83) Given the burdensome cost imposed by current fuel prices on commuters and others who need to drive substantial distances, the possibility of powering one's family vehicle with fuel that can cost as little as one-twentieth of today's gasoline (in the U.S. market) should solve rapidly the question whether there would be public interest in and acceptability of plug-in hybrids.

Although the use of off-peak power for plug-in hybrids should not initially require substantial new investments in electricity generation, greater reliance on electricity for transportation should lead us to look particularly to the security of the electricity grid. In the U.S. the 2002 report of the National Academies of Science, Engineering, and Medicine ("Making the Nation Safer") emphasized particularly the need to improve the security of transformers and of the Supervisory Control and Data Acquisition (SCADA) systems in the face of terrorist threats. The National Commission on Energy Policy has seconded those concerns. With or without the advent of plug-in hybrids, these electricity grid vulnerabilities require urgent attention.

CONCLUSION

The dangers from oil dependence in today's world require us both to look to ways to reduce demand for oil and to increase supply of transportation fuel by methods beyond the increase of oil production.

The realistic opportunities for reducing demand soon suggest that government policies should encourage hybrid gasoline-electric vehicles, particularly the battery developments needed to bring plug-in versions thereof to the market, and modern diesel technology. The realistic opportunities for increasing supply of transportation fuel soon suggest that government policies should encourage the commercialization of alternative fuels that can be used in the existing

infrastructure: cellulosic ethanol and biodiesel. Both of these fuels could be introduced more quickly and efficiently if they achieve cost advantages from the utilization of waste products as feedstocks.

The effects of these policies are multiplicative. All should be pursued since it is impossible to predict which will be fully successful or at what pace, even though all are today either beginning commercial production or are nearly to that point. The battery development for plug-in hybrids is of substantial importance and should for the time being replace the current r&d emphasis on automotive hydrogen fuel cells.

If even one of these technologies is moved promptly into the market, the reduction in oil dependence could be substantial. If several begin to be successfully introduced into large-scale use, the reduction could be stunning. For example, a 50-mpg hybrid gasoline/electric vehicle, on the road today, if constructed from carbon composites would achieve around 100 mpg. If it were to operate on 85 percent cellulosic ethanol or a similar proportion of biodiesel fuel, it would be achieving hundreds of miles per gallon of petroleum-derived fuel. If it were a plug-in version operating on upgraded lithium batteries so that 20–30 mile trips could be undertaken on its overnight charge before it began utilizing liquid fuel at all, it could be obtaining in the range of 1000 mpg (of petroleum).

A range of important objectives—economic, geopolitical, environmental—would be served by our embarking on such a path. Of greatest importance, we would be substantially more secure.

Ms. CANTWELL. There are lots of third parties saying we can achieve this goal. I want to bet on the American ingenuity that is outlined in this bill, and other American ingenuity, that we can achieve what it takes to get there. So I am not afraid of setting this goal. I am glad third parties are validating that we can achieve it.

My colleague wants to say this is about putting a man on Mars or something of that nature. I can tell you, the American people are right here on planet Earth and paying \$2.36 or close to it for gasoline in Seattle, and that is too high. What Americans want is relief. What they know they will not get is relief from language that says we are going to be more dependent in 2015 than we are today. They want us to set a goal to get off that overdependence because, frankly, there is not true competition on oil prices. That is to say when Americans have no alternative fuel at the pump and they have to pay that price, there is no true competition. So Americans want to get off that overdependence. That is what the amendment says and that is what we want to achieve by 2025, 20 years from now.

With all the myriad technology in the legislation and all the technology we can create between now and then, let's reverse the trend and be less dependent on foreign oil in 2025 than we are today. That seems to be a national goal on which everyone in this body ought to be able to agree. We should not be afraid of the underlying bill and the great work that has been done by my colleagues. I cannot say who the ultimate winners and losers will be. My colleague has spoken about new nu-

clear technology, he has talked about natural gas—there will be many ways. But I know if we set this goal and tell the American people they are not going to be strangled by high energy costs moving forward maybe up to \$100 a barrel, then we will actually achieve that goal. But our underlying language right now does not get us there. So I hope we will embrace the bipartisan effort that the Senate committee had and work together on this to set a goal we will be proud of, in the sense of reversing the trend so we are not in 2015 being more dependent on foreign oil, but in 2025 being less dependent on foreign oil.

I yield the floor to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Let me thank my colleague from the State of Washington. I think she has offered an amendment that is worthy of the kind of significant debate we should be having about energy. I recognize that tomorrow's newspapers will not likely include this discussion on the front page. I was watching the television programs last Sunday, including one with perhaps one of the most esteemed columnists in this country, one of the best, in my judgment, David Broder. They were talking about the majority party and Democrats and the political differences. David Broder observed that the Democrats need to come forward with a positive agenda—with an agenda. What is their agenda?

The fact is, people don't cover positive news. You can be on the floor all day with an agenda and they will not cover it. This will not be on the front page of the paper tomorrow.

On the front page today is Michael Jackson. His attorney says he has agreed to end the behavior that got him into such trouble.

A new "Batman" movie, I noticed on the front page.

The Lakers have hired a new coach. That is on the front page of the newspaper.

I don't think this debate will make the front page and that is regrettable, because this is a big issue. This is an important issue. The question is, are we going to set goals as a country and aspire to achieve those goals? There is an old saying that if you do not care where you are going, you are never going to be lost. Where are we going with respect to energy? We know that 60 percent of our oil comes from off our shores—60 percent from off our shores.

I asked the Energy Department officials one day when they came before the Energy Committee: We talk a lot about 50 years from now, like what will be the consequences of the Social Security financing system 50 years and 75 years from now. Then I asked these officials to tell me what their plan is 50 years from now with respect to energy usage and energy supply. You would have thought I hit him with a baseball bat. They did not have the foggiest

idea. They don't have a 50-year plan for energy. We know that 60 percent of our oil now comes from off our shores, much of it from troubled parts of the world. Yet here we are, blissfully moving along, buying one big vehicle after another.

In fact, pull up to the next stoplight and pull beside a humvee; that is about 6,500 pounds—I will get a letter from the humvee folks, I suppose—6,000 pounds or so. I am sure it gets single-digit gas mileage. I never took Latin, but I think of the Latin term "totus porcus" whenever I pull up next to a humvee. Someone told me it means whole hog. Here we are, blissfully moving along, driving our humvees, driving our SUVs, understanding that the question of whether we continue to have an oil and gas supply in this country is not up to us, it is up to the generosity of others, their willingness to pump it, their willingness to sell it, and the question of, at what price do they sell it to this country.

I want to tell a story. Late one evening, I was in the old Air Force One, the old 707 used by President George Bush, the first. That plane was retired and is now in a museum. But that old Air Force One is the airplane that carried John F. Kennedy's body from Dallas, TX, to Andrews Air Force Base the night that he was shot. It is a great old airplane. One of the last trips made in that old Air Force One was to Asia. I was on that trip. Senator John Glenn was on the trip and about two or three other Senators. We were going to China and Vietnam and a couple of other places to talk to foreign leaders.

Late that night, in the dark, in the front cabin which the President would have used when it was Air Force One, we began talking as we were sitting around, as colleagues do. I asked John Glenn about his space flight because I was a young boy listening to the radio with rapt attention when I heard that John Glenn circled the Earth. I asked him questions about it. What was it like going up in that space capsule and being the first American to orbit the Earth? He leaned forward, and for the first time he began talking about that flight to us.

One of the things he told us I never have forgotten. As he crossed from the light side of the Earth to the dark side of the Earth—some of you might remember that all of the citizens of Perth, Australia, decided to turn on all of their lights so that when this human being in some small little capsule called *Friendship 7* orbited over the dark side, Perth, Australia, wanted to shine all their lights up so that John Glenn could see them. And John Glenn told us that night, sitting in that old Air Force One cabin, flying across the Pacific, he told us that he looked down on the dark side, and the only thing he could see on that path around were the lights of Perth, Australia.

Think of that. This big old planet of ours, with 6 billion people, that spins around the Sun, we have a human

being for the first time orbit the Earth. He looked down on the dark side and saw the product of the light switches turned on by all those citizens in that community in Australia. The only evidence on the dark side of the Earth that John Glenn could see as he orbited the Earth was the product of energy—light.

We take energy for granted every single morning. We wake up, we flip the switch on, and it is energy at our fingertips. We put our key in the ignition, we turn the ignition on, and it is energy at our fingertips. We turn on the air conditioner or the heater, it is energy at our fingertips. We take it for granted. The story John Glenn told describes that the human condition in this country depends a lot on the availability of energy.

What has the Senator from Washington said today? She said: Let's have a big idea. I am pleased to support this amendment and to come over and speak about this amendment because this is a big idea. It says: Let's set a goal. Let's set a target, a timetable. I know there will be some, and there are some, who say it shouldn't be done, won't be done, can't be done, can't be done, can't be done. I understand these comments. That is always the case.

In my little old hometown, we had a guy named Grampy. His reaction to everything was, it can't be done. He always supported it after it was done, but he always said, it can't be done. While he was saying it can't be done, the other folks in my little hometown were doing it, out making it happen.

This country has a responsibility at this intersection, at this time, at this moment, to decide on a different energy future. We cannot hold this country hostage by being dependent on 60 percent of our oil from troubled parts of the world.

I talk a lot about trade. In part, this is a trade issue. We use nearly 21 million barrels of oil a day. The Saudis suck that oil out of the sands. They are blessed with a lot of oil under their sands. Then the oil comes over here, and we say, well, go ahead and fill her up over here and we will just give you a credit card. By the way, our folks will pay for it later. That is exactly what happens because that is how we get a \$640 billion trade deficit—which, by the way, next year we are on the path—for the first 4 months of this year—we are on the path to exceed \$750 billion in trade deficit next year. This is just one construct of that transaction, saying: Suck the oil out of the sand, send it over here, and we will pay later. It is like going to the gas station saying: Fill it up, here is a plastic card. We will not pay now, we will pay later.

This cannot continue. What if, God forbid, we woke up and discovered our oil supplies from Iraq, from Saudi Arabia, from Kuwait, from Venezuela, from any other country around the world, were gone. If that happened, I guarantee this economy will be belly up immediately. We cannot exist as a

world class economy, we cannot exist, without this supply of energy.

What about this energy? We are hopelessly addicted to oil. When you have an addiction, the best way to deal with an addiction is to have an intervention. My colleague from Washington is saying let's have an intervention. Let's decide the future has to be different from the past. She says let's propose a big idea. I support that, as do many of my colleagues. Let's really have a big idea. Let's decide to reduce our dependence on foreign oil in the next 20 years by 40 percent.

Some say it can't be done. Well, we decided to go to the Moon. We did it in 10 years. We cannot do this in 20? Don't underestimate the American people. Of course, we can do this in 20 years.

I will go through a list of technologies, and my colleague from Tennessee listed some, but there are a lot of hopeful things on the horizon. Those things alone will not solve this issue. We have to be more aggressive, much more aggressive, by setting timetables.

Those who are pilots, they understand what I mean when I say you set waypoints when you are in the airplane. You get in the cockpit and decide where you are going to fly and you set waypoints and fly to a waypoint. We need to set targets, waypoints. Where do we want to be? How do you measure where you are if you do not have a discussion about where you want to be?

That is what this amendment is about. It is not about 80-mile-per-gallon CAFE standards or 50-mile-per-gallon CAFE standards. It is not about that at all. It is about whether this country collectively will decide that when it is dependent on something, dangerously dependent on something that it must shed its dependency on, whether we will make the decision to stop that dependency. Will it make a bold decision to stop the direction we are heading, turn it around, and back off?

I don't know the answer to that. We will find out at some point. If anyone happens to be listening with respect to reporting on positive agendas, I would say here is an example of a positive agenda, a positive idea, a big idea. Big and bold. Risky? I don't know. I know the riskiest proposition for this country. By far, the riskiest proposition for this country is to keep doing what we are doing and be dependent and held hostage to 60 percent of our oil coming from outside of our country.

Those who have studied economics, and I have studied and taught economics—probably not very well—but you will recognize the doctrine of comparative advantage. It was a simple doctrine. The doctrine of comparative advantage is, and the example traditionally used is, it is easier to produce wool through sheep in England and to grow grapes and wine in Portugal. It makes more sense, is more efficient to do both in England and Portugal, and then the English can ship their wool to Por-

tugal, and Portugal can ship their wine to England, and they have traded. They have each produced what is to their advantage. The English raise sheep, get the wool; the Portuguese raise grapes, make the wine; and you simply trade wool for wine. It is a very simple construct, the doctrine of comparative advantage.

That is not what this issue is about. The issue of energy has nothing to do with the doctrine of comparative advantage. The advantage here is not comparative. The advantage here is that in the Middle East you have a massive amount of oil under the sands. It is pulled up less expensively there than any place else in the world. A few people sit on massive reserves of oil. And we have become addicted to its supply. As a result of that, instead of getting ourselves out of a hole, we are still busy with shovels continuing to dig.

We need to find a way and develop a goal that says at a certain point this country's future is no longer dependent on someone else providing for us the oil we need. We need to do that. Is it hard? Sure, it is hard, absolutely. This is not an easy thing to do. But do we have a choice? I do not think so. I do not believe we have a choice.

My colleague described a number of technologies that are being discussed these days. Let me describe a few of them.

Wind. Does anybody here understand how much more efficient the new wind turbines are? The new turbines are much more efficient. We are in a situation where we have the capability of taking energy from the wind. You take energy from the wind, a renewable resource, use it to produce electricity, use the electricity in a process called electrolysis, and separate hydrogen from water, and have an inexhaustible supply of hydrogen coming from water. Where does that come from? It comes from renewable energy, an inexhaustible supply of energy.

We just finished the ethanol title on this piece of legislation today. What a wonderful thing that is, to grow energy in your farm fields. Take a kernel of corn, and from that kernel of corn comes a drop of alcohol and, in addition to the drop of alcohol, you still have the protein feedstock left to give to the cows. It makes a lot of sense, doesn't it?

I know some oil companies do not like it. When I learned they did not like it, I figured this has to make a lot of sense for our country. So we passed an ethanol title. The renewable part of this legislation dealing with wind energy and biodiesel and a range of other strategies makes great sense.

I particularly have been interested in helping write the title that deals with hydrogen and fuel cells. Some say: Well, we are not ready for that. You are right, at this point we do not have all the solutions of production, storage, transportation, and infrastructure. I understand that. But we can, and we

will, and other countries, particularly in Europe, are moving rapidly in this direction. And even as an interim step we are seeing these hybrid cars. But we are going to move rapidly toward a different construct: hydrogen fuel cells—twice the efficiency of power to the wheel and water vapor out the tailpipe.

What a wonderful thing. Hydrogen is ubiquitous. It is everywhere. There are many strategies to employ to take hydrogen from water, using renewable resources, to extend our country's energy supply in a dramatic way and move us toward less dependence and greater independence.

The one thing that characterizes this country is how famously wrong people have been in trying to prognosticate the future. There is a whole list of these famous projections. Thomas Watson, in 1943, who was the chairman of IBM, said he thought maybe there was a world market for up to five computers. He was the head of IBM in 1943: I think maybe there is a world market for five computers. Sarnoff once said, with respect to the proposal to develop the radio: Well, who on Earth would pay for a message sent to no one in particular?

I guess they missed the mark. I could go through a long list. We are famous for not understanding what promise the future holds. This is not going to the Moon. That is not what this is. But this country does best when setting goals, such as when John F. Kennedy said, in response to Sputnik and in response to the race with the Soviets: We are going to go to the Moon by the end of the decade.

I have talked to folks at NASA who were around back then, the old codgers, the old-timers. They scratched their heads: How on Earth are we going to get to the Moon? We don't have the technology to get to the Moon.

Did you know the lunar lander that landed on the Moon with Armstrong and Aldrin had less computer power than a current new car has? Let me say that again. The lunar lander, on which Buzz Aldrin and Neil Armstrong settled on the surface of the Moon, had less computer power than a new car that you purchase today at the dealership anywhere around this country.

That is remarkable. But those scientists, those engineers, that American ingenuity, that know-how, that spirit said: We are going to do this. We are going to put someone on the Moon in a decade. And guess what. By the end of the decade, there they were. "One small step," you will recall, when Neil Armstrong planted his foot on the Moon.

This country needs to establish goals. This country needs to have aspirations. All of us need to be a part of something that is bigger than ourselves. We debate so many issues on the floor of the Senate that have so little importance. This issue will determine whether our kids and our grandkids and their kids have jobs and opportunities and live in a country

that has an economy that expands, that improves the standard and scale of living in the United States. That is what this amendment is about.

Read the history books. Just because we are here on this designated spot in America, we think we have some blessing, some right to believe that America will always grow, always expand, always lead the world. Not so. It will be the case only if we make good decisions, only if we make the right decisions.

This country has a wonderful economy. You can circle the globe in any kind of plane you want and you can look down on any spot in the world, and you will not find the equivalent of the United States of America—nowhere. But we are headed toward some whitewater rapids here in a range of areas. We are spending money we do not have. We have the highest budget deficits in history. We have a trade deficit that is going to choke this country unless we get it under control. And, I think most importantly, we have an economy that is running on foreign oil.

Sixty percent of that which we use comes from elsewhere. An economy that is hostage to decisions made by OPEC, hostage to decisions that might be made by terrorists, hostage to 60 percent—and going, we estimate by the Department of Energy, to 69 percent in a relatively short period of time—of its oil coming from off its shores, is a country, in my judgment, that is not in control of its own destiny.

It falls to us to make the decisions to put this country on track. It falls to us to chart the future with respect to this country's energy. We have an energy bill on the floor. I have complimented Senator DOMENICI and Senator BINGAMAN. I am pleased this bill was brought to the floor in a bipartisan way. I voted for it out of the committee. I had a hand in a good many of the titles that were written for this bill. I could not be more pleased than to be here saying this is a step that is a positive step in the right direction: a bipartisan energy bill.

My hope is the amendment that has been offered by Senator CANTWELL will be embraced on a bipartisan basis as well because there is not a Republican or a Democratic way for this country to go off course. There is not a Republican or Democratic way for this country to need energy and not have it and, therefore, shrink its economy and shrink opportunity for the future.

We need to do this together. Together we need to describe a big, new, bold idea that charts a new course for this country, a new energy course that gives us some feeling that we are moving toward independence.

There is all this discussion these days about freedom. I am not talking about "freedom fries" now, I am talking about freedom and independence. All of that was undergirding the State of the Union Address given to us by President George Bush.

Well, in my judgment, the issue of independence related to the word "free-

dom" these days applies to a lot of things. And it must—it must—apply to the circumstances that this country finds itself in with respect to its dangerous, its hopeless addiction to oil coming from off our shores. As I have said previously, we simply cannot hope that in the months and years ahead the Saudis, the Kuwaitis, the Iraqis, the Venezuelans, and others, will decide there is enough oil to share with us.

My colleague from New Mexico, the other day on television, I think, actually said—I did not hear him exactly—but there may not be a completely inexhaustible supply of oil in this world. We act as though it is inexhaustible. Every day we wake up in this country and use over 20 million barrels of oil.

We pretend it is inexhaustible. Maybe it is not. If it is not, what then: That is why I believe we ought to set some goals. This has nothing to do with politics. The Senator from New Mexico just came on the floor. He missed the credit I have given him and Senator BINGAMAN. I like what we have done. I am going to vote for another energy independence amendment called the renewable portfolio standard, requiring 10 percent of our electricity be made with renewables. We didn't have that in committee because we decided to do it on the floor. Some utility companies don't want it. I understand that. There is lots of room for debate. Maybe my view isn't the right view. I don't know.

I know my view is one I hold passionately. I believe strongly that we need to do what is in this bill because it moves this country forward and advances our energy interests. I also believe we ought to do more. I believe we should set big, bold goals for America's energy future, see if we can't free ourselves from a hopeless dependence on foreign oil that is set now to grow and grow. Let's decide to make a U-turn and see if we can't begin to move in a more constructive direction.

The Cantwell amendment will improve the legislation. I am going to vote for the Energy bill. I voted for it in committee. I am proud to vote for it. I am also going to vote for some things that will improve it. This positive idea is going to improve the legislation. I am happy to be a cosponsor and happy to support it.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank the Senator from North Dakota for his comments. I wish I could take credit for the bold idea in the sense that I am happy to be the sponsor of this amendment, but there are many people in America who have been talking about this as an idea.

I submit for the record another organization that has supported a blueprint for U.S. energy security, the Set America Free Organization, which is a collective organization of individuals, and they actually submit information that would be much bolder than a proposal to set a goal in number of barrels that could be saved by 2025.

There are a lot of people out there who have their sights set even more dramatically than what we are talking about.

Clearly, my colleague outlined that we are talking about something that is technologically agnostic. We are not declaring what technology is going to win. There are lots of great solutions that are provided in this bill. But I would like to remind my colleagues that today at 2 p.m., the price of oil per barrel was up to \$56.50. So that is what we are dealing with, \$56.50.

I know my colleagues in the Chamber were involved in getting the original language of 1 million reduction by 2025. I think that language first emerged when the Senate was considering previous Energy bills 2 years ago. At the time we originally started thinking about this goal of how to get off our foreign oil dependence or to reduce it, we were talking about oil prices that were much lower, maybe as low as \$23 a barrel. Now we are looking at \$56 a barrel. It is imperative that we be more aggressive by setting this goal and by working together to achieve it.

The underlying bill is a testament to bipartisan work in saying that there are a variety of ways to reach the goal. Some may ask: Senator CANTWELL, why do you want to set this goal? You might actually find the United States pursuing more domestic oil supply as a result of this goal.

I can't say what is going to happen. I just know I want to get off the foreign dependence that we are at today because our economy cannot continue to take that risk. With the concentration of oil supply in the Middle East, we are one mishap away from having our economy face a \$100-a-barrel oil cost in the future. We cannot afford \$56 a barrel. Some people say: Well, economies adjust to the high cost. I guarantee, in the meantime, a lot of people are going to suffer. There is not a week that goes by that I am not on a plane flying back to the west coast, to my home State of Washington, and a transportation worker doesn't come up to talk to me about their pension, the fact that they are laid off, the fact that they are losing their job because transportation fuel costs in aviation have not been passed on to the consumer. Consequently, it is being taken out on pensions. So there isn't a week that goes by where I don't see somebody who hasn't suffered from the high cost already, at \$56 a barrel.

We cannot continue this dependency or the race we are going to be in with China on competing for a limited supply.

I am confident enough in American ingenuity that I am not even going to be prescriptive about how we get there as it relates to whether it is nuclear, another supply of oil, biofuels, what is going to win the day. I showed a chart because I am a big advocate of biofuels. If you can buy biofuels in Seattle now in the \$2.60 range, \$2.70 range, I know that we can create more incentive, as

we are in this bill, more research and development to get that cost down. So I know I can get it competitive to what I think gasoline prices are going to be. I want to do that. I am gung-ho about that.

I am gung-ho about what the Brazilians have done because they have turned their economy around by becoming almost net exporters of energy instead of net importers. That is an incredible story the United States should learn from.

As my colleague from North Dakota said, there are many different technologies in the bill, but other countries are starting to gain the advantage. If we think about it, we are not the experts on fuel efficiency that the Japanese are. We are not the experts on wind energy that some of the Scandinavian countries are. We are not the experts on the production of sugar-based ethanol that the Brazilians are. It bothers me that we are losing the technology edge to other countries.

I certainly am willing to take the risk of setting a goal of 2025 in reducing our foreign oil consumption by 40 percent and saying all the options are on the table. I believe that Senator DOMENICI and Senator BINGAMAN did a good job of putting all those options on the table. I believe in the underlying bill. What I think we should reflect on is that the underlying bill includes language from a couple of years ago that may not be bold enough in the sense that if it doesn't reduce our dependence on foreign oil in 2015, we will be more dependent.

We should reflect on that and see if we can get to a point where we are endorsing the underlying solutions in this bill and setting a higher goal so that we can say to the American people, we are reversing this trend.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I thank the Senator from Washington. I thank my kind colleague from Louisiana. I attended a meeting at the White House and just returned so I only had this time to do it. I appreciate the opportunity to discuss the Cantwell oil savings amendment.

Obviously, it sounds good. Anybody who says we are going to save more oil, it is a good thing. But I urge my colleagues to look at it for what it really is. This appears to me to be a backdoor attempt, arbitrarily, to increase the corporate average fuel economy or what we call the CAFE standards. Along with my colleague from Michigan, Senator LEVIN, we have been through the CAFE debate in both the 107th and 108th Congress. It appears, from all I can tell, that if this amendment really has any teeth, it means we are going to go through it again in this Congress. I am sure there will be other efforts to increase CAFE standards later in the debate.

Let me remind my colleagues, we went through extensive debate, and we

got signed into law measures saying that we must push the technology to increase fuel economy as fast as we can. We directed the National Highway Traffic Safety Administration to examine the technology and increase the required CAFE standards as quickly as can be done with the technology available.

Now, I believe that after all of our debates on CAFE, the Members of this body understand that corporate average fuel economy is a complex issue that requires a lot of thought and scientific analysis. That is why previous CAFE measures in the last Congress were defeated. Members have come to realize that the massive arbitrary increases in CAFE standards cost lives, jobs, and stifle the ability of consumers to choose the vehicle best for their families.

It is wonderful to say we want to make a statement—we are not saying how we want to get there, but we really ought to have a major decrease. Well, Mr. President, the effort by Congress initially to establish CAFE standards, without knowing how you are going to get there, wound up with the auto manufacturers being forced to lower the average weight of their automobiles by about a thousand pounds.

As I will be discussing later, we have lost thousands and thousands of lives because of unsafe automobiles. Unless you mandate that only certain cars can be sold or you tell people what they have to buy, people may not buy the cars that are made small to conform to the CAFE standards.

While I laud my colleagues' desire to conserve oil, the fact is that under this amendment, as best we can determine, the only place oil savings can come from would be a massive increase in CAFE standards. The amendment requires the use of existing authorities to obtain these savings, but they appear to be inadequate to the task required. Authorities to implement the requirement or mandate are very limited.

According to a recent Energy Information Association report, by 2025, oil consumption reductions on the order of 1.3 million barrels per day might be expected using a broad array of incentives and policies, such as new appliance efficiency standards, credits for home efficiency upgrades, additional tax credits for advanced technologies, energy performance standards for customers of selected utilities, and, of course, the promotion and use of renewable fuels. Many of these policies are already outside of the scope of existing authorities and still fall short of the goal of this amendment of 7.64 million barrels per day.

Furthermore, assuming the renewable fuels standard included in the bill can be doubled by 2025 to 16 billion gallons per year, which is ambitious and also beyond existing authorities, it would contribute only 1 million barrels a day of petroleum reduction toward the Cantwell goal. As a result, some 4

to 5 billion barrels per day would be required, and there is no readily apparent source to get it from.

The Cantwell amendment fails to protect these policies subject to existing authorities from excessive implementation. Existing programs, such as CAFE, may be called upon to provide contributions toward the goal that are far in excess of the normal implementation of these programs if there are inadequate overall authorities or demand reductions to accomplish these goals and other measures. For example, the Energy Information Association analysis referenced above estimates that with a 20-percent increase in CAFE standards by 2012, in conjunction with the other policy options analyzed, only a 1.1-percent decrease in the net import share of oil consumption occurs by 2025. The 40-percent reduction required in the Cantwell amendment is far beyond what can reasonably be expected, using existing authorities.

The proposed amendment assumes that huge, new opportunities exist to reduce oil demand, but existing programs will ultimately be held accountable. The development of fuel cells and extensive implementation of other advanced technologies may contribute significantly to the accomplishment of the goal, but the contributions they might make are highly uncertain. If we don't know where they are coming from, the consequences could be something very different than what we bargained for and having the adverse consequences we have seen from other broad mandates where Congress assumed that great, good things could be accomplished. Those are some of the reasons, frankly, we got into this energy problem, because of some of the "great" ideas. I will only mention the forcing of electric utilities to burn natural gas, which has caused a great part of the energy problem we have today.

In addition, since the measures must be defined and implemented starting within a year, existing programs and authorities would have to be relied upon extensively to develop the plan and to make up any shortfalls.

The Cantwell amendment would push the administration to rely on contributions from programs and activities that are high risk, high cost, and the benefits are unknowable at this point. The President is allowed 1 whole year under the amendment to develop and implement measures that will save an amount of oil equivalent to 90 percent of the annual consumption of the current light-duty vehicle fleet. However, the timing and the level of contributions of programs such as fuel cell and hydrogen development can only be guessed at this point, and authorities to fully implement them are still being developed. In light of this, my question would be, How can the President obtain the oil savings required under this amendment?

According to the Department of Energy's EIA, the vast majority of petroleum consumption in the United

States—68 percent in 2002—is in the transportation sector. Any reduction in petroleum consumption will imply a substantial contribution from this sector.

Under the Cantwell amendment, CAFE standards for cars, light trucks, and SUVs will skyrocket. The Alliance of Automobile Manufacturers, in its examination of the EIA's assessments on oil savings, projects that the Cantwell amendment will require CAFE standards for passenger cars nearly to triple from its current level of 27.5 miles per gallon to 78.6 miles per gallon by 2025. Anybody for riding a golf cart? Furthermore, the CAFE standard for light trucks and SUVs would nearly triple from its current level of 21 miles per gallon to 60.8 miles per gallon by 2025.

Under the 20-year duration of the proposed amendment, the yearly percentage increase for passenger cars and light trucks would be equal to a 10-percent rate of increase. According to NHTSA, the "maximum feasible" standard for cars and light trucks for the years 2005 to 2007 is a 2.8-percent rate of increase. To go above that, to have the 10-percent increase, would not only be technically infeasible, but it would have a devastating effect on employment in the auto industry. If the requirements of the Cantwell amendment are enacted, then we could kiss tens of thousands of good, high-paying, American union jobs goodbye. I don't want to do that to the roughly 36,000 hard-working men and women who work directly for the automotive industry in Missouri, nor am I willing to do that to the over 200,000 men and women who work in auto-dependent jobs in my State or those employed directly and indirectly throughout this Nation.

Furthermore, what does the Cantwell amendment mean for the size and safety of our Nation's vehicle fleet? If we force consumers to drive smaller vehicles, which is what will happen under arbitrary CAFE increases, then we can expect a lot more highway fatalities.

Yesterday, I received some frightening statistics from NHTSA and the National Center for Statistics and Analysis regarding the small vehicle fatality rates. In 2003, over 3,200 fatalities resulted from crashes involving smaller vehicles. This is anywhere from 2 to 7 times more than the fatality rates for larger, heavier vehicles, depending on their weight class.

As we talked about the last time we debated CAFE, when we take a look at it over the years, NHTSA has found that solely as a result of the lighter cars made necessary by CAFE standards, between 1,000 and 2,000 more people were killed on the highways than would have been killed if they had larger vehicles. This isn't just on head-to-head, running into another larger car or a larger vehicle; over 40 percent of those were single-car accidents.

The latest figures I have heard is that NHTSA estimates that 1,300 deaths a year occur because of the

mandated smaller size cars made necessary by the CAFE standards. Make no mistake, you may call this an oil savings, but this is CAFE all over again. As I have stated time and again, far-reaching increases to fuel efficiency standards that are not based on sound science are too costly and impractical for us to adopt. The lives and safety of drivers and their passengers, along with the livelihood of men and women in the automotive workforce who manufacture these vehicles, is too much of a price to pay for unthought-out, unscientific fuel efficiency standards.

And, finally, make no mistake about it, this goes to consumer choice. Consumers are making the decision on what kind of vehicles they want to drive. Right now, more and more of them are opting for light trucks. Are we going to tell them that we are going to tell them what kind of vehicle they can purchase? Are we going to have some Soviet-style czar who says because they have two parents and two children in the family, we will allow them one minicar and one small van? Who is going to decide if we take away from the consumers their right to choose these vehicles?

If we have fuel standards of 78 miles per gallon, we are not going to be able to buy any of the cars we want. Consumers are not going to have choices. We are going to see people out of work in the auto industry, major disruptions in the transportation sector, a great inconvenience, and increased highway dangers.

I urge my colleagues to continue to work for sound, science-based ways to conserve and produce more energy and to reject a measure that does not have a good, sound scientific foundation.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I will take 1 minute. Before Senator BOND leaves, I thank him for his statement. I have heard the Senator eloquently describe this whole situation regarding automobiles in the United States and CAFE standards, but it seems to me this amendment is even way beyond anything we debated before. We are talking about changing by a couple miles, 2 or 3 miles. What we are talking about here would never become law. Let's be serious about it. But if it would, we are talking 3 or 4 times the CAFE standards we have today. What kind of cars could we build?

Mr. BOND. We would have golf carts.

Mr. DOMENICI. It seems to me the answer is impossible. That is the answer. This is an impossible amendment. People want to dream, but you do not build a country on dreams. Maybe you can dream, wake up and think of something that is quite appropriate for goal achievement. This seems like somebody dreamt up something to tell us we ought to save 40 percent of crude oil we use in the United States by 2025; is that what it sounds like to the Senator?

Mr. BOND. Mr. President, I am happy to answer. Obviously, it is well-intentioned, but I agree with the distinguished chairman of the committee who has done an excellent job on this entire bill. I commend him. The chairman and ranking member, our two friends from New Mexico, have done great things in this bill, but I think this kind of amendment would cripple its chance of passage. It does not meet the test of scientific reasonableness, sound science that I think we have to follow if we are to make some major improvements in the energy situation in our country.

Mr. DOMENICI. I thank the Senator. I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I wanted to come to the floor to make a few brief remarks about the overall Energy bill that is before us, about some of the strong points in this bill and how we might be able to improve upon it.

I would like to briefly mention, along the lines of the discussion that just ensued, importing oil and the challenges that brings to our Nation. I will submit a few documents for the RECORD and discuss generally the situation that we have in Louisiana. Of course, I will not be offering any amendment at this time but just discussing something I know we will be talking more about as this debate ensues.

While I understand the amendment before us is quite an aggressive amendment—and at this time, I have not made a final decision about it—I would like to say something positive about the amendment.

One of the points I like about this approach, while it is very aggressive because it is similar to an approach that Senator ALEXANDER and I took 2 years ago on the Energy bill, is the flexibility that it provides to the country to try to make smart strategic choices about how savings can occur and smart strategic choices about lessening our dependence on foreign oil.

Coming from an oil-producing State, I can say that the people in Louisiana who produce oil and gas right here at home would like to reduce our dependency on foreign sources of oil.

The question is—and I think the chairman raises a very excellent point, and it is a real question—can we do that this fast, this aggressively, and maintain our economic position? We may or may not. But I want to say that anything we can do to reduce our dependency on foreign oil, while we recognize that we are just about to open to the imports of natural gas because we virtually have no choice—we have to because we cannot step up domestic production fast enough to meet the demands because China, because India, because our industries—chemical, petrochemical, agriculture, and others—are demanding more natural gas. We are about ready to bring in natural gas, where in some ways, while I support

that, it will compound the problem of dependency.

It really is a dilemma. I say to the Senator from Washington that I think the flexibility of her proposal is very important, and the fact that this amendment does not say we have to conserve, we could, in fact, produce more domestic oil and gas which I happen to think would be a great idea. I know the chairman and the ranking member support more domestic drilling of oil and gas.

I want to say a word about that for a moment. We do not do anything the same way today that we did in the 1930s. Our telephones do not work the same way. We did not even have computers in the 1930s. Everything has changed. Technology for the large part has made everything better. Some people might argue with that statement, but the efficiency, the convenience, the ability to clean up our environment—everything has been made better in large measure by technology.

The oil and gas industry is not what it once was when the men and women who started it were paddling in a pirogue, a canoe—that is what we call a pirogue in Louisiana. A pirogue is a canoe—in the marsh pumping the oil out of the ground by hand and digging with shovels and crude instruments. This industry resembles more of the space industry today. It is run by computer. It is highly technical.

The environmental advances are absolutely astonishing. I have taken the chairman down to Louisiana. He has seen this with his own eyes. The wells, where they are situated, the offshore platforms, I believe, would make any American proud, even Americans who belong to the California Sierra Club. I absolutely believe they would be proud if they could see the development of this oil and gas industry. In fact, one of the majors told me—and I do not have any reason to doubt them because I think independent studies have shown this—that in the Gulf of Mexico last year, in the entire Gulf of Mexico, that oil company collected three barrels—three barrels—of spilled oil from its operations, and it has billions of dollars invested.

That is how good we have gotten. Guess what. We are the best in the world. Instead of bellyaching, we should be proud of that. We should say thank goodness for that old American ingenuity. We did not do it very well in the 1930s, and we did not do it well in the 1940s, but one good thing about America is we never stop trying to be better. It separates us from so many places in the world.

Coming from an oil and gas State, I would be the happiest person in the world if we could stop importing oil, drill it at home and explore new places that are appropriate. Some places may need to be off-limits but not everywhere.

There is a place that is not off-limits and we are proud of, and that is south Louisiana and the work that we have

contributed to this country. I am going to show my colleagues this chart because this is where all of the drilling off the coast of our country occurs: Texas, Louisiana, Mississippi, and Alabama. We have been producing oil and gas and sending \$5 billion annually to the Treasury in taxes every year. Yes, there have been some environmental impacts which I am going to talk about in a moment, but they have been minor compared to the wealth that this industry has created not just for this region but for the entire Nation.

Does anybody remember we have gone through an industrial revolution? Does anybody remember that everybody moved off the farms and went to the cities? How do people think the cities got lit? It did not wave a magic wand and the lights came on. We have been producing and digging from coal, oil, and gas. So if anybody wants to say that, oh, well, we just do not have to do that any more, heck, the whole country was built on this contribution. People from Louisiana are darn proud of it.

Instead of everybody coming to the floor and saying how we do not care about our land and we do not care about our trees and we do not care about our coast and we do not have anything beautiful to preserve, not only do the people of Louisiana love our land and love our water, we survive on it and in it more than anybody in America. We swim more. We eat more fish. We spend more time in boats. We recreate more on the water than probably anywhere maybe except for a very few. Not only wealthy people get to the water, everybody lives by the water. In some places, one has to have a \$5-million house before they can touch the water. In Louisiana, there are people who live in a house not worth \$25,000, but they have a gorgeous marsh land behind their house, and those kids go fishing.

So I do not like to hear anybody come to this floor and say that we do not treasure our land in Louisiana. We are going to continue to produce oil and gas. We are going to continue to be proud of it, and we are going to continue to tell the story, whether anybody wants to believe us or not, that this can be done in a very safe environmental way. Why? Because we have good regulation; two, we have courts that enforce the regulation; three, we have all kinds of agencies—some would argue too many—that make sure that all of these companies are doing what they are supposed to do.

We have a free press, which means a lot because if somebody is doing something wrong, there is nothing I can do or the Senator from New Mexico can do to try to stop them from reporting it. So they can report anything they want. There is open information. I wish they would really tell people what is actually happening.

The point I want to make in just a moment is that we are going to continue to do drilling. I appreciate all the good work of my colleagues to try to

give more revenues to the State. We get a little bit, but because we are generating so much and helping everybody so much—let me just use this. I wanted to thank my colleagues for their interest in helping us, but this makes my point even better. When the Senator from Washington said she wants us to be more like Brazil, I am going to learn a little bit more about what Brazil has done because I am not quite sure of the details, but I will tell my colleagues about 11 States in the United States and what they have done. Those States are Utah, Colorado, North Dakota, Montana, Oklahoma, Kentucky, New Mexico, Alaska, West Virginia, Louisiana, and Wyoming. Eleven States out of fifty are the only States in the United States that produce more energy than they consume.

Let me say that again. There are only 11 States in the United States of America that produce more energy than they consume. So if anybody wants to give Brazil an award, please give these 11 States an award first because we have already done that. We produce oil and gas. We are net exporters of energy—well, we produce oil, gas, coal, nuclear. We can produce energy from a lot of different ways. This is not just oil and gas production. This includes nuclear. This is from the Energy Information Agency, our own agency, not from Louisiana or Senator LANDRIEU. This is the U.S. Department of Energy Energy Information Agency. This includes nuclear, hydro, geothermal, wood, wind, waste, solar, oil, natural gas, and coal.

As the chairman from New Mexico will say, his goal is to increase the choices of all of these so that more States can begin producing something. If my colleagues do not want to drill for oil, then drill for gas. If they do not want to do that, put in a nuclear powerplant. If they do not want to do that, put in some wind turbines. If they do not want to do that, dam up some of their rivers and use hydro. Some people will do that; some people will not. But for heaven's sakes, do something. Do something. If they want to mine for coal, we have given them a lot of money in this bill and they can clean the coal. It can be burned and used efficiently. Put in solar panels. Go get waste from the agricultural areas of their State. That is the whole point of this bill.

We have 39 States that need to make some decisions about what they are going to produce to be free because 11 of us have already figured it out.

I do not know these other States as well as I know my State, but in addition to being a net exporter of energy, I will also tell the country that Louisiana probably has the most petrochemical plants per capita than any State in the Union. Those products that are produced in my State are not consumed by my State alone.

We make these products and send them all over the country and the world. So not only are we producing

enough energy for every single person in Louisiana—the 4.5 million of us—and what we need, but we are also fueling every plant, every LNG facility, every petrochemical facility, supplying so much for the Nation and still exporting because people in Louisiana kind of believe in good old-fashioned “do your part” kind of work.

We also conserve. I am so tired of people saying, oh, the Senator from Louisiana and the people from Louisiana, all they do is waste fuel. I do not have the document, but I am going to submit for the record—I am going to take the last 10 years—the efficiencies that Louisiana, through our industry, has achieved. Yes, some of them have been mandated by this body and they had no choice and they had to do it, but some of it is voluntary. We have tried to be more efficient as well and, of course, we have produced this energy.

Let me just point out three or four States that are at the top of this list. Actually, I am probably going to do five States.

The States that consume more energy than they produce are California at the top of the list, New York second, Ohio third, Florida fourth, and Michigan fifth.

Let me point out one other thing, because you will say, Why isn't Texas on the green list. I want to find where Texas is—here it is, 25. Texas is not a net exporter, but it is close. The reason it is not is because, of course, it is a big State, a huge State—20-plus million people, and they also have so much industry that they supply energy for, that helps us all, they don't quite make it. But I have to say Texas is doing a great deal. Perhaps they could do more.

But the rest of these you can understand. Maybe Hawaii is too small. Hawaii is not very big, but they are doing a whole heck of a lot better than California.

I want to be clear about who is doing what, who is not, and where we need to go and try to help everybody make the choices that work for their State but that also work for the country. It has to happen.

I will stop for a moment on that issue and move to something else.

Mr. DOMENICI. Will the Senator yield for a moment?

Ms. LANDRIEU. I am happy to.

Mr. DOMENICI. Just for a few minutes, without losing your right to the floor.

I want to say to the Senator, thank you for your discussion, as you zero in on what States do and do not do. I will not repeat that. People heard it and they ought to heed it. Some of the States you have alluded to ought to heed it, too. Some of them are the very ones who do not want to produce anything and have production somewhere else, not there.

But in passing, the Senator discussed offshore production in her State, which she described in terms of new tech-

nology that is very safe. There is nothing happening that hurts anybody. There is no degradation of the water, no degradation of the air. I have seen one of the new facilities. I wish everybody who is worried about offshore drilling would take a helicopter and go out there. They are not next door to your house, they are miles and miles out in the ocean, and they are very large. They look like a big battleship out there all lighted up, full of technology, with 10 or 12 oil wells you cannot even see, producing natural gas for America, and you don't know where it goes, no pipes, nothing. Nothing spills, and it is our resource.

The Senator knows in this bill one big thing is missing and that is we are not going to do anything significant about letting the United States of America or States make a decision that off their shores they could produce more natural gas or crude oil for this great country. That is because Senators will not vote for it because the Senators with coastlines stand up and talk about what you have been talking about here.

“We need the energy, we need to grow, we are great Americans, we have a lot of plants, we want jobs—but you bring the energy here.” Right?

Off our shores, remember—and Americans should remember it well—sits the largest reserve of natural gas that America has today, but for some parts of Alaska which are very difficult right now, but we are going to bring some down. It is the largest mainland reserve of natural gas we are going to have for generations to come.

What does it mean that we do nothing about it? Listen well, we are not going to stop using it. Remember how much crude oil we import. It will be 5, 6, 10 years and what will we be importing? The Senator knows the answer: Natural gas. Where from? Not from our seashores 100 miles away out there in the ocean where our natural gas is. From thousands of miles away in big, gigantic boats. They are going to come across the ocean and come over to America. And do what? Pump it into these States you are talking about. Because right here on this floor, if the Senator from New Mexico and two Senators from Louisiana were to say, just simple: Those States that have moratoriums off their shores where we can't drill, if they would like to let us drill, let's let them say yes and then let's pay them a little more royalties than we have been paying. Because right now we get no royalties. Give them more than we are paying now and let them decide whether they would like to or not.

Guess what would happen. I have already been told. The bill, if it passed, will die. First of all, it will not pass. Because for all this language around here—flexibility, let's do what we can, let's use every avenue for exploration—that is not true. That is not true. Because don't touch this one I have just talked about. Right?

Ms. LANDRIEU. Right.

Mr. DOMENICI. Your State has. They have done it, along with Texas and a couple of other States. Frankly, before we start giving other States resources, I wish they would start making decisions and we would start making them so other States would join. We have to help your State. We have to help you because you are taking the burden, and we are going to try to do something about that.

I don't know what we can do because we are stymied by a few things that are intangible, that we don't control—fiscal policy and budget policy and the like. But I want to say it doesn't do very much good to adopt resolutions on this floor and proposals such as are pending here from Senator CANTWELL—it doesn't do a bit of good to say these are our goals, let's do them. Flexibility.

We don't need that kind of bill if we do what we know we should do. We have not built a nuclear powerplant in two decades plus, while the rest of the world built them. We can talk all we want about why did we use so much natural gas in the powerplants of America. We know why. We didn't want to use anything else. Right? So we used natural gas, even some from offshore, some from your State. We piped it all the way over and burned it in powerplants as though it were coming out and would be here forever. It starts running out, right? So we are going to import it pretty soon.

That is the problem. We have been doing that. It is the problem in this bill. We are 90 percent where we ought to go, but the big thing is no action with reference to the largest asset we have toward independence, which is natural gas and crude oil hundreds of miles—not a mile—offshore.

There is one thing we are asking in this bill: Let's inventory it. Right? We voted in our committee. It was a hard vote. Hard? Just ask somebody to go out and tell America what we own. That natural gas you have been talking about, how much is there? You don't have to disturb anything anymore.

We have been talking about high tech. You don't drill holes to find out what is there. We do it by technology, by looking, by checking, by a new kind of geophysical equipment. Should not we tell America how much is there?

You watch, there will be a motion to strike that here on the floor. You and I will be here saying, What is the matter with that. But we are apt to lose that. Yet we are talking about some "pie in the sky," let's set a goal 30 years from now to be 40 percent less dependent upon crude oil and we will have all the flexibility in the world. We don't need flexibility of any statute. We need the flexibility of Americans deciding that we have to do what you said.

If we have a source of energy, we have to produce it. Do not think we are producing ourselves out of existence. This bill conserves more than any piece

of legislation will ever ask Americans to conserve. But we can't conserve our way out of this dilemma either, right?

Ms. LANDRIEU. Right.

Mr. DOMENICI. We could close up the wells offshore in Louisiana and say, "Thank you." Of course not. We need more—and conservation. But I thought, since you raised the subject of offshore, we ought to tell the Senate, tell the few people listening, where the real value in America is, that we refuse. We are like ostriches when it comes to offshore.

People say, it is so pretty here, we don't want to touch it. What about 100 miles out from that shore? You cannot even see it. And people around here are crying that you will hurt their States. You could put any limitation you would like that is credible and let's go beyond that and try to do something with this very important asset—this asset field that is ours.

I thank the Senator for her comments and thank her for yielding.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I thank the chairman, the distinguished Senator from New Mexico, because he is absolutely correct. I share his frustration. All I can say is as we proceed, we will continue to talk about these issues and educate the American people. People are afraid. They tend to be afraid if they are not sure of the facts. Sometimes people get the facts all confused.

But as I hope people understand, as I keep speaking the truth on this and people understand there are ways you can do this drilling, particularly for natural gas, that are safe for the environment, that meet every environmental standard we have today, and actually meet the clean air standards set out in our own act, we can most certainly explore these opportunities and continue to work on this bill. I thank the Senator for his comments, for his interest and his knowledge of the subject. I can only say I will continue to try to tell the story, and as the American people learn more about it, perhaps some of the fear will dissipate, reason will prevail, and we can begin to understand that here at home we have places on our shores and off our shores that we can tap into and minimize our dependency on foreign oil and foreign gas.

For the short term, this bill, and with the support of most of these Senators, will begin importing natural gas. We have policies in this bill to allow that to happen. It is quite ironic we are setting out in a bill to import more natural gas, and we will not take opportunities to drill for more on our shores. Again, this is a work in progress.

Let me share another part of the story that is not just about energy production. It is the great contribution our coast makes to Louisiana. There is the gold coast, the rocky coast, the cliff coast. We are the working coast. We are proud of it. We are the largest

and most productive expanse of coastal wetlands in North America. It is the seventh largest delta on Earth. The Mississippi River drains two-thirds of the United States. As I said, it is one of the most productive environments in America.

In addition to the energy production I talked about which is right off this shore—and we have 20,000 miles of pipeline that can wrap around the country 10 times, 2,000 miles each way, miles of pipeline that send oil and gas to Chicago, California and to Washington and New York—in addition to the energy we produce for the Nation, through this Mississippi River, we drain the mountains in the West and all throughout the Nation; we also have a great nursery for one of the greatest flyways in the world for millions of waterfowl and migratory songbirds.

It also is a nursery for the Gulf of Mexico. Most of the seafood in the Gulf of Mexico is produced because this marsh does not exist anywhere else in the coastal United States. Again, it is an unusually large delta created by the Mississippi River. It is unique.

In addition to the energy contributions this delta makes, in addition to the drainage we contribute by our location for the Nation, in addition to the great flyways for migratory birds that this provides, and the nursery for all the gulf coast fish and species, it also serves as a protection for the two million people that live below I-10. This is the main interstate that runs in the southern part of the United States. It goes all the way through Mississippi, to Florida, and all the way through Texas and west. This I-12/I-10 corridor is one of the busiest in the Nation for many reasons. It is a great north-south trade Route.

Below this interstate, basically two million people live in Louisiana. As the map shows, this land is all marsh and low-lying wetlands. The people that live here are in some jeopardy. They are in some danger if this marsh would erode and go away as storms—whether they are hurricanes, floods, or rising tides—continue to pound our shore. That, unfortunately, is exactly what is happening today.

Yet this wetland that supplies all of this energy, seafood and other environmental benefits to the Nation, we are losing a football field every 30 minutes. We are losing 25,000 square miles every year. In the last 50 years, we have lost the size of the State of Rhode Island.

The red on this map indicates a loss of wetland. This is not caused by oil and gas and by fisheries. It is exacerbated by pipeline construction and some exploration, but it is caused primarily by the channelization of the Mississippi River. This river, for all the things I have said it is used for, you could argue the most important thing it is used for, for the Nation, is the commerce—500 tons of cargo, the largest port system in the world. When my friends from the Midwest—whether it is Senator HARKIN, Senator CONRAD, or

Senator DORGAN and others—want to get grain and corn out of the States they represent, there is not a whole lot of ways to get it out except by barge. It comes down the Mississippi River.

We are happy for the trade and the traffic. But this river was levied to keep the water in, to create this major port system for the Nation, and as a result, over decades, the river cannot overflow itself, and it then cannot replenish the marsh. That is what is causing the staggering loss of these wetlands. Then, on top of that—which is probably 85 percent of the loss of wetlands, say our scientists who have been studying this for many years, the last two decades in particular—when the oil and gas industry came in and some canals had to be put in for the drilling, it exacerbated it by allowing the saltwater from the Gulf of Mexico to come into this water. We call it brackish. It is part salt and part fresh. It comes into the marsh and kills the marsh grass. The salt is toxic to that particular marsh grass. The marsh grass fades away, and before you know it, you are in open water.

I have friends that have fished down here for years and old timers I talk to. It is getting scary because it is not even people that are that old any more who are saying: When I was a kid, you could stand right here in Terrebonne Bay and look out for miles and see land. I took my little boy down there last week, the same place I used to fish when I was a kid, and there is no land left.

Senator, what is happening? Where is it going? It is eroding. I have been here for 8 years trying to get this Congress—Senator Breaux joined me, Senator VITTER now joins this effort—to try to get this Senate and this Congress to understand that this delta is not only precious to Louisiana—it is not even Louisiana's wetlands, it is America's wetlands—it deserves our attention.

Since we contribute so much toward waterborne commerce, so much to the energy infrastructure and independence of this Nation, we serve as a nursery for the fisheries industry, for the whole gulf coast of Mexico, we serve as a flyway for migratory birds which support a whole emerging and growing ecotourism industry that affects everyone in a positive way, surely we can get a few little dollars to help us save our coast.

We are only one hurricane away. We had a terrible season last season. We had five or six major storms. Luckily, they did not hit directly. Unfortunately, our friends in Mississippi and Mobile were hit. None of us along the gulf coast like to get hit. We are in great sympathy and empathy with each other because we know what a major hurricane will do. My people are sitting ducks. It is getting worse and worse. We can save our coast. But we need to use some of the moneys we can get to invest and to do this and we can make progress.

The Senator from Washington would like to wrap up on her amendment, and so let me conclude in a few moments. I thank the Senator for her courtesy and time.

This is a very precious wetland to Louisiana and to America. It is something that can be saved, must be saved and, if saved, cannot only contribute so much to Louisiana but to the Nation.

This issue is not as clearcut as some would like to believe. As I said, I like some parts of the amendment of the Senator from Washington. She has been a tremendous contributor on the Energy bill and a tremendous voice for conservation. What I do like about her amendment is its flexibility. What I do like about her amendment is the opportunity to produce more domestically so we do not have to get it from somebody else, particularly a somebody who does not share our values, who does not have America's best interests at heart. So I agree with that approach. Again, it may be too aggressive for us. But the Senate will decide if that is the case.

But I want to say from a State that is producing—and we are going to continue to produce; we are happy to produce—there are some coastal impacts associated with it. But even if we were not doing any production off the coast of Louisiana, this loss of wetlands would still be occurring because of the channelization of the Mississippi River done by the Corps of Engineers, at our request, on behalf of the Nation. It is time we get some help and some support for fixing this wetland.

I thank the Senator for her patience and her courtesies, and I wish her the best of luck as we continue to work on our bill.

THE PRESIDING OFFICER. The Senator from Washington.

The Chair would advise the Senator from Washington that her last unanimous consent request for a submission was not made formally. If she would like to resubmit that request at this time, the Chair would take it. It was the last piece of information you submitted.

MS. CANTWELL. Mr. President, I ask unanimous consent that a letter from Set America Free be printed in the RECORD.

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

SET AMERICA FREE

For decades, the goal of reducing the Nation's dependence upon foreign energy sources has been a matter on which virtually all Americans could agree. Unfortunately, differences about how best to accomplish that goal, with what means, how rapidly and at what cost to taxpayers and consumers have, to date, precluded the sort of progress that might have been expected before now.

Today, we can no longer afford to allow such differences to postpone urgent action on national energy independence. After all, we now confront what might be called a "perfect storm" of strategic, economic and environmental conditions that, properly understood, demand that we affect over the next four years a dramatic reduction in the quantities of oil imported from unstable and hostile regions of the world.

America consumes a quarter of the world's oil supply while holding a mere 3% of global oil reserves. It is therefore forced to import over 60% of its oil, and this dependency is growing. Since most of the world's oil is controlled by countries that are unstable or at odds with the United States this dependency is a matter of national security.

At the strategic level, it is dangerous to be buying billions of dollars worth of oil from nations that are sponsors of or allied with radical Islamists who foment hatred against the United States. The petrodollars we provide such nations contribute materially to the terrorist threats we face. In time of war, it is imperative that our national expenditures on energy be redirected away from those who use them against us.

Even if the underwriting of terror were not such a concern, our present dependency creates unacceptable vulnerabilities. In Iraq and Saudi Arabia, America's enemies have demonstrated that they can advance their strategic objective of inflicting damage on the United States, its interests and economy simply by attacking critical overseas oil infrastructures and personnel. These targets are readily found not only in the Mideast but in other regions to which Islamists have ready access (e.g., the Caspian Basin and Africa). To date, such attacks have been relatively minor and their damage easily repaired. Over time, they are sure to become more sophisticated and their destructive effects will be far more difficult, costly and time-consuming to undo.

Another strategic factor is China's burgeoning demand for oil. Last year, China's oil imports were up 30% from the previous year, making it the world's No. 2 petroleum user after the United States. The bipartisan, congressionally mandated U.S.-China Economic and Security Review Commission reported that: "China's large and rapidly growing demand for oil is putting pressure on global oil supplies. This pressure is likely to increase in the future, with serious implications for U.S. oil prices and supplies."

Oil dependence has considerable economic implications. Shrinking supply and rising demand translate into higher costs. Both American consumers and the U.S. economy are already suffering from the cumulative effect of recent increases in gas prices. Even now, fully one-quarter of the U.S. trade deficit is associated with oil imports. By some estimates, we lose 27,000 jobs for every billion dollars of additional oil imports. Serious domestic and global economic dislocation would almost certainly attend still-higher costs for imported petroleum and/or disruption of supply.

Finally, environmental considerations argue for action to reduce imports of foreign oil. While experts and policy-makers disagree about the contribution the burning of fossil fuels is making to the planet's temperatures, it is certainly desirable to find ways to obtain energy while minimizing the production of greenhouse gases and other pollutants.

The combined effects of this "perfect storm" require concerted action, at last, aimed at reducing the Nation's reliance on imported oil from hostile or unstable sources and the world's dependence on oil at large. Fortunately, with appropriate vision and leadership, we can make major strides in this direction by exploiting currently available technologies and infrastructures to greatly diminish oil consumption in the transportation sector, which accounts for two thirds of our oil consumption.

The attached Blueprint for Energy Security: "Set America Free" spells out practical ways in which real progress on "fuel choice" can be made over the next four years and beyond. To be sure, full market transformation

will take a longer time. In the case of the transportation sector, it may require 15-20 years. That is why it is imperative to begin the process without delay.

We call upon America's leaders to pledge to adopt this Blueprint, and embark, along with our democratic allies, on a multilateral initiative to encourage reduced dependence on petroleum. In so doing, they can reasonably promise to: deny adversaries the wherewithal they use to harm us; protect our quality of life and economy against the effects of cuts in foreign energy supplies and rising costs; and reduce by as much as 50% emissions of undesirable pollutants. In light of the "perfect storm" now at hand, we simply can afford to do no less.

SIGNATORIES

Gary L. Bauer, President, American Values; Milton Copulos, President, National Defense Council Foundation; Congressman Eliot Engel; Frank Gaffney, President, Center for Security Policy; Bracken Hendricks, Executive director, Apollo Alliance; Bill Holmberg, American Council on Renewable Energy; Anne Korin, Co-Director, Institute for the Analysis of Global Security (IAGS); Deron Lovaas, Natural Resources Defense Council (NRDC); Gal Luft, Co-Director, Institute for the Analysis of Global Security (IAGS); Cliff May, President, Foundation for the Defense of Democracies; Robert C. McFarlane, Former National Security Advisor; Daniel Pipes, Director, Middle East Forum; Professor Richard Smalley, Nobel Laureate Chemistry; Admiral James D. Watkins, former Secretary of Energy; R. James Woolsey, Co-Chairman, Committee on the Present Danger; and Meyrav Wurmser, Hudson Institute.

A BLUEPRINT FOR U.S. ENERGY SECURITY

Introduction

Historically, the United States has pursued a three-pronged strategy for minimizing the vulnerabilities associated with its dependency on oil from unstable and/or hostile nations: diversifying sources of oil, managing inventory in a strategic petroleum reserve and increasing the efficiency of the transportation sector's energy consumption. In recent years, the focus has been principally on finding new and larger sources of petroleum globally.

Rapidly growing worldwide demand for oil, however, has had the effect of largely neutralizing this initiative, depleting existing reserves faster than new, economically exploitable deposits are being brought on line. Under these circumstances, diversification among such sources is but a stop-gap solution that can, at best, have a temporary effect on oil supply and, hence, on national security. Conservation can help, but with oil consumption expected to grow by 60% over the next 25 years, conservation alone will not be a sufficient solution.

The 'Set America Free' Project

Long-term security and economic prosperity requires the creation of a fourth pillar—technological transformation of the transportation sector through what might be called "fuel choice." By leading a multinational effort rooted in the following principles, the United States can immediately begin to introduce a global economy based on next-generation fuels and vehicles that can utilize them:

Fuel diversification: Today, consumers can choose among various octanes of gasoline, which accounts for 45% of U.S. oil consumption, or diesel, which accounts for almost another fifth. To these choices can and should promptly be added other fuels that are domestically produced, where possible from waste products, and that are clean and affordable.

Real world solutions: We have no time to wait for commercialization of immature technologies. The United States should implement technologies that exist today and are ready for widespread use.

Using existing infrastructure: The focus should be on utilizing competitive technologies that do not require prohibitive or, if possible, even significant investment in changing our transportation sector's infrastructure. Instead, "fuel choice" should permit the maximum possible use of the existing refueling and automotive infrastructure.

Domestic resource utilization: The United States is no longer rich in oil or natural gas. It has, however, a wealth of other energy sources from which transportation fuel can be safely, affordably and cleanly generated. Among them: hundreds of years worth of coal reserves, 25% of the world's total (especially promising with Integrated Gasification and Combined Cycle technologies); billions of tons a year of biomass, and further billions of tons of agricultural and municipal waste. Vehicles that meet consumer needs (e.g., "plug-in" hybrids), can also tap America's electrical grid to supply energy for transportation, making more efficient use of such clean sources of electricity as solar, wind, geothermal, hydroelectric and nuclear power.

Environmentally sensible choices: The technologies adopted should improve public safety and respond to the public's environmental and health concerns.

KEY ELEMENTS OF THE 'SET AMERICA FREE' PROJECT

Vehicles

Hybrid electric vehicles: There are already thousands of vehicles on America's roads that combine hybrid engines powered in an integrated fashion by liquid fuel-powered motors and battery-powered ones. Such vehicles increase gas-consumption efficiency by 30-40%.

Ultralight materials: At least two-thirds of fuel use by a typical consumer vehicle is caused by its weight. Thanks to advances in both metals and plastics, ultralight vehicles can be affordably manufactured with today's technologies and can roughly halve fuel consumption without compromising safety, performance or cost effectiveness.

"Plug-in" hybrid electric vehicles: Plug-in hybrid electric vehicles are also powered by a combination of electricity and liquid fuel. Unlike standard hybrids, however, plug-ins draw charge not only from the engine and captured braking energy, but also directly from the electrical grid by being plugged into standard electric outlets when not in use. Plug-in hybrids have liquid fuel tanks and internal combustion engines, so they do not face the range limitation posed by electric-only cars. Since fifty-percent of cars on the road in the United States are driven 20 miles a day or less, a plug-in with a 20-mile range battery would reduce fuel consumption by, on average, 85%. Plug-in hybrid electric vehicles can reach fuel economy levels of 100 miles per gallon of gasoline consumed.

Flexible fuel vehicles (FFVs): FFVs are designed to burn on alcohol, gasoline, or any mixture of the two. About four million FFV's have been manufactured since 1996. The only difference between a conventional car and a flexible fuel vehicle is that the latter is equipped with a different control chip and some different fittings in the fuel line to accommodate the characteristics of alcohol. The marginal additional cost associated with such FFV-associated changes is currently under \$100 per vehicle. That cost would be reduced further as volume of FFVs increases, particularly if flexible fuel designs were to become the industry standard.

Flexible fuel/plug-in hybrid electric vehicles: If the two technologies are combined,

such vehicles can be powered by blends of alcohol fuels, gasoline, and electricity. If a plug-in vehicle is also a FFV fueled with 80% alcohol and 20% gasoline, fuel economy could reach 500 miles per gallon of gasoline.

If by 2025, all cars on the road are hybrids and half are plug-in hybrid vehicles, U.S. oil imports would drop by 8 million barrels per day (mbd). Today, the United States imports 10 mbd and it is projected to import almost 20 mbd by 2025. If all of these cars were also flexible fuel vehicles, U.S. oil imports would drop by as much as 12 mbd.

Fuels

Fuel additives: Fuel additives can enhance combustion efficiency by up to 25%. They can be blended into gasoline, diesel and bunker fuel.

Electricity as a fuel: Less than 2% of U.S. electricity is generated from oil, so using electricity as a transportation fuel would greatly reduce dependence on imported petroleum. Plug-in hybrid vehicles would be charged at night in home garages—a time-interval during which electric utilities have significant excess capacity. The Electric Power Research Institute estimates that up to 30% of market penetration for plug-in hybrid electric vehicles with 20-mile electric range can be achieved without a need to install additional electricity-generating capacity.

Alcohol fuels: ethanol, methanol and other blends:

Ethanol (also known as grain alcohol) is currently produced in the U.S. from corn. The industry currently has a capacity of 3.3 billion gallons a year and has increased on the average of 25% per year over the past three years. Upping production would be achieved by continuing to advance the corn-based ethanol industry and by commercializing the production of ethanol from biomass waste and dedicated energy crops. P-Series fuel (approved by the Department of Energy in 1999) is a more energy-efficient blend of ethanol, natural gas liquids and ether made from biomass waste.

Methanol (also known as wood alcohol) is today for the most part produced from natural gas. Expanding domestic production can be achieved by producing methanol from coal, a resource with which the U.S. is abundantly endowed. The commercial feasibility of coal-to-methanol technology was demonstrated as part of the DOE's "clean coal" technology effort. Currently, methanol is being cleanly produced from coal for under 50 cents a gallon.

It only costs about \$60,000 to add a fuel pump that serves one of the above fuels to an existing refueling station.

Non-oil based diesel: Biodiesel is commercially produced from soybean and other vegetable oils. Diesel can also be made from waste products such as tires and animal by-products, and is currently commercially produced from turkey offal. Diesel is also commercially produced from coal.

Policy Recommendations

Provide incentives to auto manufacturers to produce and consumers to purchase, hybrid vehicles, plug-in hybrid electric vehicles and FFVs across all vehicle models.

Provide incentives for auto manufacturers to increase fuel efficiency of existing, non-FFV auto models.

Conduct extensive testing of next-generation fuels across the vehicle spectrum to meet auto warranty and EPA emission standards.

Mandate substantial incorporation of plug-ins and FFVs into federal, state, municipal and covered fleets.

Provide investment tax incentives for corporate fleets and taxi fleets to switch to plug-ins, hybrids and FFVs.

Encourage gasoline distributors to blend combustion enhancers into the fuel.

Provide incentives for existing fueling stations to install pumps that serve all liquid fuels that can be used in the existing transportation infrastructure, and mandate that all new gas stations be so equipped.

Provide incentives to enable new players, such as utilities, to enter the transportation fuel market, and for the development of environmentally sound exploitation of non-traditional petroleum deposits from stable areas (such as Canadian tar sands).

Provide incentives for the construction of plants that generate liquid transportation fuels from domestic energy resources, particularly from waste, that can be used in the existing infrastructure.

Allocate funds for commercial scale demonstration plants that produce next-generation transportation fuels, particularly from waste products.

Implement federal, state, and local policies to encourage mass transit and reduce vehicle-miles traveled.

Work with other oil-consuming countries towards distribution of the above-mentioned technologies and overall reduction of reliance on petroleum, particularly from hostile and potentially unstable regions of the world.

A NEW NATIONAL PROJECT

In 1942, President Roosevelt launched the Manhattan Project to build an atomic weapon to be ready by 1945 because of threats to America and to explore the future of nuclear fission. The cost in today's prices was \$20 billion. The outcome was an end to the war with Japan, and the beginning of a wide new array of nuclear-based technologies in energy, medical treatment, and other fields.

In 1962, President Kennedy launched the Man to the Moon Project to be achieved by 1969 because of mounting threats to U.S. and international security posed by Soviet space-dominance and to explore outer space. The cost of the Apollo program in today's prices would be well over \$100 billion. The outcome was an extraordinary strategic and technological success for the United States. It engendered a wide array of spin-offs that improved virtually every aspect of modern life, including but not limited to transportation, communications, health care, medical treatment, food production and other fields.

The security of the United States, and the world, is no less threatened by oil supply disruptions, price instabilities and shortages. It is imperative that America provide needed leadership by immediately beginning to dramatically reduce its dependence on imported oil. This can be done by embracing the concepts outlined above with a focus on fuel choice, combined with concerted efforts at improving energy efficiency and the increased availability of energy from renewable sources.

The estimated cost of the 'Set America Free' plan over the next 4 years is \$12 billion. This would be applied in the following way: \$2 billion for automotive manufacturers to cover one-half the costs of building FFV-capability into their new production cars (i.e., roughly 40 million cars at \$50 per unit); \$1 billion to pay for at least one out of every four existing gas stations to add at least one pump to supply alcohol fuels (an estimated incentive of \$20,000 per pump, new pumps costing approximately \$60,000 per unit); \$2 billion in consumer tax incentives to procure hybrid cars; \$2 billion for automotive manufacturers to commercialize plug-in hybrid electric vehicles; \$3 billion to construct commercial-scale demonstration plants to produce non-petroleum based liquid fuels (utilizing public-private cost-sharing partnerships to build roughly 25 plants in order

to demonstrate the feasibility of various approaches to perform efficiently at full-scale production); and \$2 billion to continue work on commercializing fuel cell technology.

Since no major, new scientific advances are necessary to launch this program, such funds can be applied towards increasing the efficiencies of the involved processes. The resulting return-on-investment—in terms of enhanced energy and national security, economic growth, quality of life and environmental protection—should more than pay for the seed money required.

Ms. CANTWELL. Thank you, Mr. President.

Mr. President, I thank the Senator from Louisiana for her comments and for her focus on the fact that the amendment is basically agnostic about where we get future supply. You can get it from more domestic production of oil or natural gas. I have been a big supporter of more natural gas production, particularly from Alaska, because I think it is so important to our country moving ahead.

I appreciate her chart showing what States are involved in energy production because we in Washington State are getting 70 percent of our electricity from a hydro system. She mentioned, yes, you can get energy from damming rivers. Well, that is exactly what we have done in the State of Washington and many parts of the Northwest. It has cost our environment, but yet we get 70 percent of our power from that.

We have one nuclear powerplant in our State. We have one coal plant in our State. We have a few natural gas-fired plants in our State. We have four major refineries that take crude oil and convert it to petroleum products, such as gasoline, jet fuel, diesel, and asphalt. So we in Washington State are involved in all those activities.

The fact is, we do not have significant oil and natural gas off the coast of Washington. I know that is something that is being discussed. But the Minerals Management Service Report that was conducted basically says there is not a lot of natural gas off the coast of Washington. So I am not in the same position as the Senator from Louisiana.

I think you have to take into consideration in this debate what some of my staff call the "accidents of geology;" that is, that Saudi Arabia happens to sit on 25 percent of the world's oil reserves, and we in the United States only sit on 3 percent. That is a fact of geology.

So the fact that Louisiana has oil and gas and Washington does not is another fact of geology. But I tell you that we do play our role in Washington State. We help keep the lights on in California. We were forced to do so by emergency order by the U.S. Government during a drought, at a cost to ratepayers in Washington State. So we do play our part in providing energy supplies around the region.

But this is an issue about regional diversity and about getting off our over-dependence on foreign oil. I think the Senator correctly articulated what this

amendment does; and that is, it basically sets a goal and says it is most important to get off the foreign dependence, to start reducing it. I appreciate that because she came up with the original language and I think is concerned that we do set goals. So I appreciate her comments.

I would like to add to the record, if I could—I know my colleagues from Colorado and Illinois are on the floor and want to speak. But we have had questions about whether we can get a supply of biofuels. I know a lot of my Midwestern colleagues believe in the biofuel section of this bill.

Mr. President, I ask unanimous consent to have printed in the RECORD the Executive Summary of the USDA and Department of Energy report entitled "Biomass as Feedstock for a Bioenergy and Bioproducts Industry: The Technical Feasibility of a Billion-Ton Annual Supply."

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

BIOMASS AS FEEDSTOCK FOR A BIOENERGY AND BIOPRODUCTS INDUSTRY: THE TECHNICAL FEASIBILITY OF A BILLION-TON ANNUAL SUPPLY

EXECUTIVE SUMMARY

The U.S. Department of Energy (DOE) and the U.S. Department of Agriculture (USDA) are both strongly committed to expanding the role of biomass as an energy source. In particular, they support biomass fuels and products as a way to reduce the need for oil and gas imports; to support the growth of agriculture, forestry, and rural economies; and to foster major new domestic industries—biorefineries—making a variety of fuels, chemicals, and other products. As part of this effort, the Biomass R&D Technical Advisory Committee, a panel established by the Congress to guide the future direction of federally funded biomass R&D, envisioned a 30 percent replacement of the current U.S. petroleum consumption with biofuels by 2030.

Biomass—all plant and plant-derived materials including animal manure, not just starch, sugar, oil crops already used for food and energy—has great potential to provide renewable energy for America's future. Biomass recently surpassed hydropower as the largest domestic source of renewable energy and currently provides over 3 percent of the total energy consumption in the United States. In addition to the many benefits common to renewable energy, biomass is particularly attractive because it is the only current renewable source of liquid transportation fuel. This, of course, makes it invaluable in reducing oil imports—one of our most pressing energy needs. A key question, however, is how large a role could biomass play in responding to the nation's energy demands. Assuming that economic and financial policies and advances in conversion technologies make biomass fuels and products more economically viable, could the biorefinery industry be large enough to have a significant impact on energy supply and oil imports? Any and all contributions are certainly needed, but would the biomass potential be sufficiently large to justify the necessary capital replacements in the fuels and automobile sectors?

The purpose of this report is to determine whether the land resources of the United States are capable of producing a sustainable supply of biomass sufficient to displace 30 percent or more of the country's present petroleum consumption—the goal set by the

Advisory Committee in their vision for biomass technologies. Accomplishing this goal would require approximately 1 billion dry tons of biomass feedstock per year.

The short answer to the question of whether that much biomass feedstock can be produced is yes. Looking at just forestland and agricultural land, the two largest potential biomass sources, this study found over 1.3 billion dry tons per year of biomass potential (Figure 1)—enough to produce biofuels to meet more than one-third of the current demand for transportation fuels. The full resource potential could be available roughly around mid-21st century when large-scale bioenergy and biorefinery industries are likely to exist. This annual potential is based on a more than seven-fold increase in production from the amount of biomass currently consumed for bioenergy and biobased products. About 368 million dry tons of sustainably removable biomass could be produced on forestlands, and about 998 million dry tons could come from agricultural lands.

Forestlands in the contiguous United States can produce 368 million dry tons annually. This projection includes 52 million dry tons of fuelwood harvested from forests, 145 million dry tons of residues from wood processing mills and pulp and paper mills, 47 million dry tons of urban wood residues including construction and demolition debris, 64 million dry tons of residues from logging and site clearing operations, and 60 million dry tons of biomass from fuel treatment operations to reduce fire hazards. All of these forest resources are sustainably available on an annual basis. For estimating the residue tonnage from logging and site clearing operations and fuel treatment thinnings, a number of important assumptions were made: all forestland areas not currently accessible by roads were excluded; all environmentally sensitive areas were excluded; equipment recovery limitations were considered; and recoverable biomass was allocated into two utilization groups—conventional forest products and biomass for bioenergy and biobased products.

From agricultural lands, the United States can produce nearly 1 billion dry tons of biomass annually and still continue to meet food, feed, and export demands. This projection includes 428 million dry tons of annual crop residues, 377 million dry tons of perennial crops, 87 million dry tons of grains used for biofuels, and 106 million dry tons of animal manures, process residues, and other miscellaneous feedstocks. Important assumptions that were made include the following: yields of corn, wheat, and other small grains were increased by 50 percent; the residue-to-grain ratio for soybeans was increased to 2:1; harvest technology was capable of recovering 75 percent of annual crop residues (when removal is sustainable); all cropland was managed with no-till methods; 55 million acres of cropland, idle cropland, and cropland pasture were dedicated to the production of perennial bioenergy crops; all manure in excess of that which can be applied on-farm for soil improvement under anticipated EPA restrictions was used for biofuel; and all other available residues were utilized.

The biomass resource potential identified in this report can be produced with relatively modest changes in land use, and agricultural and forestry practices. This potential, however, should not be thought of as an upper limit. It is just one scenario based on a set of reasonable assumptions. Scientists in the Departments of Energy and Agriculture will explore more advanced scenarios that could further increase the amount of biomass available for bioenergy and biobased products.

Ms. CANTWELL. The reason I am asking to do that is because this re-

port, which was done by the Oak Ridge National Laboratory, the Tennessee research facility that is part of our national lab system, has said we currently have enough forestland and agriculture land in our country to produce biofuels to meet more than one-third of our current transportation demand. We are already doing research at these labs. They are already calculating the numbers. They are already saying we have enough forestland and timberland in our country to produce one-third of our current demand for transportation fuels. So I think this report is very telling that we can and are on our way. It is a matter of us setting the goal.

I know my colleagues talked earlier a lot about CAFE standards. One of the charts that was presented was supposedly information from the Energy Information Administration about CAFE standards. The Energy Information Administration does not have any idea where those numbers came from, and they understand this amendment does not say anything about CAFE standards. It says basically we ought to set a national goal.

It is important to set the national goal to get off our overdependence of foreign oil because this is who owns the foreign oil. These are the state-owned facilities. These are the countries: Saudi Arabia, Iran, Iraq, Kuwait, Venezuela, Libya. These are the places that have the majority of the world's oil reserves. So our policies for the future are going to be subject to factors involving these countries, so long as we are so dependent on foreign oil.

Now, it is in our economic and security interests to diversify. I think the underlying bill gives us lots of tools to do that, but it does not set a goal to reduce the amount we are dependent on foreign oil.

My amendment would say, let's reduce the amount so that in future years we actually have a reduction—not the 58 percent we are importing today, and not the 68 percent of foreign fuel we are going to import in 25 years, but actually reduce that down to 56 percent so that the trend line is going in the other direction. Let's become less dependent on foreign oil than we are today. That is the goal of my amendment.

I appreciate that my colleagues from Colorado and Illinois are also here to speak on that, so I yield to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, at the outset of my statement on this energy legislation, I want to provide my laudatory comments to the chairman of the committee, Senator DOMENICI, and the ranking member, JEFF BINGAMAN, for their great work in pulling together what is a great piece of legislation. I also want to say thank you to Alex Flint, Lisa Epifani, Sam Fowler, and Bob Simon for their good work as staff members on the committee.

I believe the Energy legislation is a very good first step, and I think the bi-

partisan nature in which that committee considered the legislation is a good template for other work this Senate Chamber engages in. I believe the keystones of energy conservation, renewable energy, new technologies, and balanced development are all very important parts of this legislation. It is my hope this Senate and the House of Representatives are able to deliver energy legislation to the President for his signature in the near future.

I will speak more broadly about the Energy bill and its importance to America because I do think it is one of the two most important things we are working on on behalf of our Nation today.

I believe the energy challenge we face in America and the health care challenge that is bankrupting America's families and businesses are the two most important things we could be working on as a Senate. But today, and for at least the week, perhaps several weeks ahead, Senators DOMENICI and BINGAMAN will lead us through the discussion on what we are going to do with respect to the energy imperative.

I rise this evening to specifically address the amendment that has been offered by the Senator from Washington to establish a goal to reduce by 40 percent the amount of oil the United States is projected to import in 2025. This amendment requests an annual report be completed that provides information about the progress the United States has made in achieving the goal.

When this goal is met, the United States would be positioned to reduce imports by 1.5 million barrels per day compared to 2005 import numbers. Those savings would be equivalent to the amount of oil the United States is currently importing from Saudi Arabia. Section 151 of the Senate Energy bill as written contains an oil savings provision. That provision would direct the President to implement measures sufficient to reduce by 2015 the country's projected demand for oil by 1 million barrels a day.

Assuming that all those savings came from import reductions, the United States would still be importing 14.4 million barrels a day. That is over a million barrels a day more than we import today. It strikes me as odd to be importing more oil and calling it oil savings. It sounds a bit like Washington doublespeak.

We need to work toward real energy independence, not away from it. We need to import less oil, not more. We have to stop putting so much money in the hands of regimes hostile to the United States in the most unstable regions of the world. We have to do everything we can to set America free from our overdependence on foreign oil.

I rise in support of this amendment because it truly represents oil savings. The amendment would reduce our oil imports by 1.5 million barrels per day less than we are importing right now. This is progress. This is the right kind

of vision for America's future, a vision of energy independence, a vision of an America free of foreign oil. These oil savings can be easily achieved if we have the vision and the courage to do it. More use of renewable fuels, more efficient vehicles, and the intent to actually do something are substantial keys to setting America free through this energy legislation.

I urge my colleagues in the Senate to adopt the Cantwell amendment to the energy legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I rise in support of the Cantwell amendment and ask unanimous consent to be added as a cosponsor.

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

Mr. DURBIN. Mr. President, I thank Senator CANTWELL for her leadership on this amendment. It is going to precipitate a debate which shows the difference in outlook between the two political parties. The goal that Senator CANTWELL has spelled out is to reduce America's dependence on foreign oil. She believes that we are capable as a nation, through our innovation, through hard work and bipartisanship, to come up with ways to conserve energy, to find alternative fuels, to find environmentally responsible places to seek new oil sources in the United States; that it is possible for us to lessen dramatically our dependence on foreign oil, 40 percent in the next 20 years. That is her vision.

Does it mean changing the way we live? Slightly. Of course, it does. But it is not too great a sacrifice. Senator CANTWELL's vision looks to an America that is no longer going hat-in-hand to OPEC saying: Please give us your oil. We cannot survive without it. Understanding that at any given moment they can cut off oil supplies and we could watch prices skyrocket as they recently have. That is her vision. It is one I share. It is a vision that challenges America to look forward in a positive way, look forward to change which lessens our dependence on oil-producing countries around the world.

In 1973, we imported 28 percent of the oil we used. Today, we are up to 58 percent. If we don't change our ways in the next 20 years, we will be up to 68 percent. When we are so dependent on foreign oil, we give up our freedom. We allow other governments that provide the oil to tax our economy, tax our businesses, tax our lives. We give up our freedom to those who turn on and off this energy spigot and make a difference.

When I was a little boy, years and years ago, growing up in East St. Louis, IL, I had a great aunt. She was a wonderful lady who, when I knew her, was very old. She used to tell us stories about growing up in her lifetime. It was Aunt Mame. I always thought it was curious, as a little boy, that she never referred to the vehicles in the

driveway as cars or automobiles. She always called them machines. I thought, who in the world would call that a machine? She explained to me that in her lifetime, these machines had appeared out of nowhere, taking the place of horses and buggies. Getting into a car, which she called a machine, was a big deal for Aunt Mame. I used to laugh, after I left her, with my cousins and say: Can you believe she calls those machines? It reflected her mindset. To her, the concept of a car would always be something new and foreign.

I listened today while Republican Senators, such as the Senator from Missouri, came to the floor and said they cannot visualize or imagine a different kind of car in the future that would be more fuel efficient. They just can't see it. In fact, the Senator from Missouri, when asked what that car would look like, said it would look like a golf cart. That doesn't demonstrate the same kind of vision of our future.

We hear from the other side that the idea of reducing our dependence on foreign oil is a bad idea. They are wedded to the concept that we will continue to be dependent on foreign oil. The idea of challenging America to come up with more fuel-efficient cars and with other ways to save oil is something they don't believe in. They just don't have confidence that American creativity and ingenuity can rise to that challenge. It is a negative and dismal outlook, and they also believe that American drivers and consumers are so selfish they would never consider giving up their Hummers, or their huge cars, if it meant less dependence on foreign oil.

I see the world a lot differently. This Nation comes together time and again, sending our best and brightest and bravest over to fight in wars, rallying around the war on terrorism after 9/11. We do rise to the challenge. That is what we are all about. The Cantwell amendment lays down that challenge.

In the underlying bill, almost 800 pages long, section 151 states:

The President shall develop and implement measures to conserve petroleum and end uses throughout the economy of the United States sufficient to reduce total demand for petroleum in the United States by 1 million barrels per day in the amount projected for calendar 2015.

This is not a new provision. It is a good one, but it is not a new one. It was offered by Senator LANDRIEU of Louisiana the last time we had an energy bill. It passed 99 to 1. Only one Senator thought this was a bad idea. Ninety-nine Senators believed reducing our dependence on foreign oil was a good idea. This amendment was an important first step.

But if the United States reached the savings included in this provision of the bill, we would still be importing 14.4 million barrels per day to sustain the economy. That is over 1 million barrels a day more than we import today, allowing America's foreign oil dependence to continue to grow. We

can do better. We can slow our growth in demands on foreign oil. We can reduce America's use of foreign oil.

First, we have to agree on a national goal. That is what the Cantwell amendment is all about, a goal that recognizes our national security, our economic prosperity, our environmental integrity, and makes sure that Americans have good jobs. Those are our high priorities. We must agree that sending billions of dollars annually to foreign governments to feed our thirst for energy instead of reinvesting that money in the United States shortchanges our own economy and our future. We must agree that sending our daughters and sons, sisters and brothers, fathers, uncles, mothers, and aunts into regions of the world, whether to establish a national presence or to advance freedom or for the sake of securing our future energy supply can be shortsighted and wrong.

To be drawn into a war to protect a foreign source of oil is to say it is too much to ask someone to change the car they drive, but not too much to ask them to send their son into combat. I, frankly, think that is an easy choice. I believe it is wrong for us to see the world in those terms, that we accept this dependence on foreign oil. That is why I strongly support this amendment.

This amendment seeks to establish a goal to reduce our projected foreign imports by 40 percent over the next 20 years, and 7.6 million barrels a day would be saved. Do you know where that gets us? If we meet that goal in 2025 and reduce foreign imports, we will just begin to reduce our foreign imports overall. Today, the United States imports over 13 million barrels per day of foreign petroleum. That is the 4-month average for this year.

In 2025, after reaching this goal, we will import 11.8 million barrels per day, a decrease of only 1.5 million barrels per day of our current imports.

Energy independence is about reducing imports of foreign oil, not slowing the growth of our dependence or toeing the line. As long as oil remains the sole major fuel source for the American economy, dependence on foreign imports will remain a geologic and economic fact of life.

Last year, I participated in a discussion entitled "New Energy for America, Jobs, Security and Prosperity for the 21st Century." The discussion focused on the need to move America in a direction toward more jobs, security, and prosperity. The speakers included labor leaders, business leaders, lawmakers—all with a different message, but basically saying the same thing: We need to move America in a new direction.

I have been encouraged by new coalitions, such as Set America Free, the Energy Futures Coalition, and the Apollo Alliance, which incorporate unique bedfellows into the same common goals. In a bipartisan nature, these groups have shared resources and

ideas because they share the same values: Put America first. Make America secure and less dependent upon foreign oil.

I appreciate the bipartisan fashion in which Senator DOMENICI and Senator BINGAMAN and the members of the committee crafted this bill, and I hope this amendment becomes a bipartisan amendment.

I want to note there are a couple provisions in the bill that take small steps in the right direction, such as the renewable fuels title and the provision to increase the efficiency of heavy-duty trucks by reducing the use of diesel power during idling. These are all good things. But we can do more.

I will offer an amendment on CAFE standards at a later point. That is not what the Cantwell amendment is about. I have heard the argument that the amendment is a backdoor way to increase CAFE, that that is where the Cantwell amendment is headed. But it is not. It is about setting a goal, without a prescribed recipe, understanding that we all may believe there are different means by which America can best meet this goal. We all understand it must be our goal.

How can we be stronger as a Nation while being dependent upon foreign oil? How can we talk about growing our economy if we have to beg the OPEC cartel for the oil we need? It is a fact of life. If you look at the oil resources that are available around the world, it is pretty obvious. Look at this chart. North America. When you look at 2002, we have about 4 percent of the global reserves when it comes to oil. By 2020, it is going to be 1 percent. The lion's share of the global resources is not in America, it is in the Middle East and North Africa. So even if we use all of the current available resources and can bring them forward in an environmentally sensible way, we could not get close to our energy demands. We are always going to be dependent on some other source from some other part of the world. That is why I think we have to move toward those developments in the use of energy which reduce our dependence.

Also, let me say this about China. You cannot talk about the world economy and ignore China. You don't see China on this list of producers. It happens to have a growing economy that also is dependent on foreign oil. But China gets it and the United States does not. Let's take one example. Fuel efficiency in cars. Today, China has higher fuel efficiency in cars and trucks than the United States. They get it. They understand it. If they are dependent on foreign oil, they are going to put vehicles on the road that are more fuel efficient. The United States does not. Why? It is worth a moment's discussion.

I listened to the Senator from Missouri speak earlier about the automobile industry opposing fuel efficiency, opposing this idea of lessening our dependence on foreign oil. There

was a time in my lifetime when American automobile manufacturers led the world—not only in inventing the earliest vehicles, but in developing them, setting the standard for the world. Sadly, that is not the case today. Just a week or so ago, General Motors announced 25,000 employees were being laid off. Last quarter, General Motors lost a billion dollars. When you look at the legacy cost to General Motors, there is a serious concern about whether this former automobile giant can survive. When you also consider the fact that Toyota announced last week that it would raise the prices of cars in the United States so as to allow General Motors to raise its prices and stay in business—think of it, the Japanese automobile manufacturer is going to come to the rescue of General Motors for fear they would go out of business. You wonder why.

How can a country that is so good, with an industry that once led the world, be in such bad shape? I think the answer is fairly clear. Detroit and the automobile manufacturers of our country focus on making more cars this year of the same kind they made last year. They lack the vision to look to the future of what we could do, in terms of making a new generation of automobiles and trucks to serve America's economic and family needs, without sacrificing safety. They think it is an impossible dream. While they sit and puzzle over the future, lamenting the possibility of change, sadly, other automobile manufacturers are doing much more.

My wife and I decided to buy a new car a few months ago. I wanted to buy an American car. We decided we didn't need a big SUV. We joke in our house that if you want to drive a Hummer, you ought to join the Army. We decided to get a modest size car to fit our family needs. We wanted it to be fuel efficient. Do you know what? The choices are pretty limited. There are not many American-made cars that fit the standard. We heard about the Ford Escape hybrid and bought one. It is good, but it is not great. I am glad we are doing a little bit to try to reduce our dependence on gasoline in our family and on oil imports as a Nation. That hybrid was introduced in the market 2 years after the Japanese came out with their car.

At a time when there is overwhelming demand for Japanese hybrid automobiles, Detroit still doesn't get it. They are not building that same type of vehicle to compete. I don't understand it. They seem to always miss the new trend and try to convince us to stick with the old model cars that used to be sold.

One of the aspects about this whole debate is security. In a paper that former CIA Director James Woolsey gave to me at a press conference a day or two ago, he identified six technologies that, with vigorous Government support, could dramatically change the nature of our fuel use in

America over the next 20 years. I will not go through the list, but they are things that are already available. So when some Senators come to the floor and say we cannot imagine how we lessen dependence on foreign oil without dramatically tripling the fuel efficiency of cars, they haven't taken the time to do the research. If they did, they would understand there are plenty of technologies available today to reach those goals. "I am not sure every one of these is going to be implemented," Mr. Woolsey advised, but at least it gives a starting point to make the changes.

The right mix and standards and incentives are out there. I believe we can find the right set of financial incentives and standards that meet our goal. There are a lot of cynics. They probably had a lot around when Henry Ford said you don't need a horse to get around. But the fact is we know we can rise to this challenge as a nation.

I fully appreciate that in 10 years we may make technological advances we cannot fathom today. I didn't think I would be driving a hybrid vehicle a few years ago or carrying around 2,300 songs on an IPOD in my pocket. You cannot think small in America. You have to think big. Sadly, the naysayers and negative voices on the other side of the aisle cannot envision America growing with this technology and becoming more fuel efficient. I think there are creative and visionary people on both sides of the aisle. I hope they will support this amendment.

We can test the innovation of America, and I know we can rise to that challenge. We burn 10,000 gallons of oil per second today in the United States—10,000 gallons per second. We use four times more oil than any other Nation, even though we know that the United States contains just 3 percent of the world's proven oil reserves.

Two-thirds of the world reserves are located in the Persian Gulf region. In fact, the Saudi state-run oil company alone has 30 times the reserves of ExxonMobil, the largest American company. Today, nine out of ten reserve-richest companies in the world are owned by foreign governments.

Do you understand how that makes the United States subservient to these governments when it comes to our economic future? They own the oil we need to exist, and unless we start weaning ourselves from this dependence on foreign oil, it will just get worse.

A study published by the Rocky Mountain Institute found that in 2000, oil imports cost \$109 billion and comprised 24 percent of that year's goods and services trade deficit. In 2003, that figure rose to \$10 billion a month, \$120 billion. What could we do with \$10 billion fed into the U.S. economy instead of into these oil-rich nations around the world?

On the Web site for the Set America Free Coalition, there is a link called, "The True Cost of Oil." This is often a

sensitive subject. Whenever externalities are calculated into the overall cost, there is often wiggle room for debate. However, on this Web site, Set America Free has a link to the National Defense Council Foundation's summary of the hidden cost of imported oil.

The report finds that the economic impact of U.S. dependence on imported oil includes almost \$49 billion in annual defense outlays to maintain the capability to defend the flow of Persian Gulf oil, the equivalent of \$1.17 to the price of every gallon of gasoline; the loss of 828,000 jobs in the U.S. economy because we are depending on foreign oil; and the loss of \$159 billion in GNP, not to mention \$13.4 billion in Federal and State revenues. Total economic penalties from our importation of oil, \$297 billion to \$304 billion every year. And the voices on the other side objecting to this Cantwell amendment are content to let those figures grow. I think that is just plain wrong.

One final striking figure is the cost of periodic oil shocks the U.S. economy has experienced over the last three decades. They estimate they have cost us \$2.2 trillion to \$2.5 trillion.

Today, vulnerabilities in oil infrastructure could easily send oil prices skyrocketing.

We all know about terrorism and terrorism in the Middle East. Unstable governments in Iraq and Saudi Arabia can certainly threaten the U.S. supply, not to mention Iran.

Finally, I would like to note that the money we spend annually in the Middle East to feed our oil thirst goes directly to the production of hate literature throughout the region. So today, while American men and women are fighting in Iraq, the U.S. consumers continue to send billions of dollars overseas funneled off to support operations that completely undermine our service men and women overseas.

Can we not see the connection here, that in this same Middle East, where we are sacrificing and have lost 1,700 American lives in combat, our enemies are being fed by our dependence on foreign oil?

We have seen the dramatic surge in Chinese economic growth at a rate of 7 percent a year. This week's U.S. News & World Report cover story is, "The China Challenge: What the Awakening Giant will Mean for America." China is the world's most populated country, with 1.2 billion. In 2003, China overtook Japan as the second largest oil-consuming nation in the world, and projections are that the Chinese demand for oil will double by 2025.

Mr. President, I see that the majority leader is on the floor. He has asked to be recognized. I yield the floor to the majority leader for whatever purpose and then reclaim my time after he is finished.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, I apologize for the interruption. A number of

people have called asking for the schedule for tonight in terms of voting. We will be voting on the Cantwell amendment sometime tomorrow morning, and we will not have rollcall votes tonight.

I have one unanimous consent request.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: No. 58, David Garman to be Under Secretary of Energy, and Nos. 137, 138, and 139. I further ask unanimous consent that the nominations be confirmed and the motions to reconsider be laid upon the table.

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

The nominations considered and confirmed are as follows:

DEPARTMENT OF ENERGY

David Garman, of Virginia, to be Under Secretary of Energy.

UNITED STATES POSTAL SERVICE

Carolyn L. Gallagher, of Texas, to be a Governor of the United States Postal Service for the remainder of the term expiring December 8, 2009.

Louis J. Giuliano, of New York, to be a Governor of the United States Postal Service for a term expiring December 8, 2005.

Louis J. Giuliano, of New York, to be a Governor of the United States Postal Service for a term expiring December 8, 2014 (Re-appointment).

NOMINATION OF BEN S. BERNANKE TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 151.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read the nomination of Ben S. Bernanke, of New Jersey, to be a member of the Council of Economic Advisers.

Mr. BUNNING. Mr. President, I rise today to state my opposition to the nomination Dr. Ben S. Bernanke to be a member of the President's Council of Economic Advisers.

Mr. Bernanke is a member of the Board of Governors of the Federal Reserve, and he has previously come before the Senate Banking Committee. I voted for his nomination in committee and on the Senate floor to become member of the Board of Governors. I supported him based on our conversation in a private meeting we had in my office. As Members of the Senate and those who follow the Senate know, I have had some concerns about the Federal Reserve.

One of my biggest concerns is that the Federal Open Market Committee—FOMC—suffers from group think which seems to have no cure—because it seems to me that no one ever challenges Chairman Alan Greenspan.

I think for the FOMC to function properly, members must be true to their convictions and challenge the chairman. No chairman should be able to dominate without dissent. There must be intellectual sparring so all of the committee members are heard and the FOMC can come up with the best decision for our country. The FOMC needs independent voices.

Governor Bernanke promised me he would be an independent voice. He promised me he would stand up to the chairman if he thought he was wrong or was being rolled. He promised that he would be that independent voice on the FOMC that would challenge the chairman if he thought he was wrong.

Sadly, I have not seen very much evidence of his independence—or anyone else's independence for that matter. I have not seen him ever vote against the chairman. I have not seen him use his bully pulpit to challenge the chairman. As far as I can tell, they have not had a major disagreement. I find it hard to believe that he and Chairman Greenspan think exactly the same about all of these diverse and important opinions within the FOMC.

I As important as I think it is for a member of the FOMC to be independent, it is more important for the head of the President's Council of Economic Advisors—CEA—to be independent. The chairman of the CEA must stand up to the President when he believes the President is wrong. He must challenge him. And based on his performance at the FOMC, I am not convinced that Mr. Bernanke will do that.

Because he has not convinced this Senator that he will be an independent voice, I regretfully cannot support his nomination.

Mr. FRIST. Mr. President, I know of no further debate on this nomination, and we are ready for the Chair to put the question. However, I note for the RECORD that Senator BUNNING is opposed to this nomination and would have voted in the negative. We appreciate him allowing us to go forward and duly note his opposition.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Ben S. Bernanke, of New Jersey, to be a member of the Council of Economic Advisers?

The nomination was confirmed.

Mr. FRIST. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. FRIST. Mr. President, I ask unanimous consent that the President be immediately notified of the Senate's actions and that the Senate then return to legislative session.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

Mr. FRIST. Mr. President, I thank the distinguished Senator from Illinois. Let me ask—because I know the Senator from Kansas is going to want to follow the Senator from Illinois—about how long he will be?

Mr. DURBIN. Ten minutes.

Mr. FRIST. Mr. President, I thank the Senator again.

ENERGY POLICY ACT OF 2005— Continued

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I see the Senator from Kansas waiting patiently. I do not want him to sit here and miss the picnic. I will just speak for a few minutes more.

The point I was trying to make when I yielded to the majority leader is there is dramatic growth in the Chinese economy, and with that growth, there will be an increase in their demand for oil. They will be competing with the United States around the world.

We will find the old laws of supply and demand will not work. Increased demand without increasing supply means higher prices. So we will be in competition for this foreign oil, paying more for it, watching our economy strangled by this dependence on foreign oil.

Obviously, there are some who say that is fine, that is the way life is, get ready for it. We do not see it that way. On the Democratic side of the aisle, the Cantwell amendment sets a goal of reducing this dependence on foreign oil by 40 percent over the next 20 years. It is an achievable goal. People who follow this closely will tell you there are variety of ways to achieve it. The measures that can be used, short of changing CAFE standards, which I support personally—but if you do not want to change CAFE standards, there is market growth in hybrid vehicles, industrial, residential, and aviation efficiency, heavy-duty truck efficiency gains, replacement tires—that sounds like a small thing but it turns out to be a large element in increasing fuel efficiency—transportation choices, such as mass transit and growth in biofuels.

All of these are here. The National Commission on Energy Policy has come up with these recommendations and have given us things we can point to, to reduce our dependence on foreign oil.

Some on the other side of the aisle just do not want to concede this point. They are obviously prepared to accept this indefinitely, that our dependence on foreign oil will grow. But how can that make us stronger as a Nation, how

can that make us more secure? It moves us in the wrong direction.

There may be some who profit from our dependence on foreign oil, but it is not the American economy, and it is certainly not the American taxpayers, nor the sons and daughters who are serving overseas defending America's interests.

Furthermore, unstable governments, in Iraq, in Saudi Arabia also threaten U.S. supply.

Finally, I would like to note that the money that we spend annually in the Middle East to feed our oil thirst, goes directly to the production of hate literature throughout the region. So today, while American men and women are fighting in Iraq, the U.S. continues to send billions of dollars overseas that are funneled off to support operations that completely undermine our service people's efforts there.

In the past few years we have witnessed China's surging economic growth. China's real gross domestic product is growing at a rate of 7 percent a year. In the U.S. News and World Report this week, the cover story is, "The China Challenge, What the awakening giant will mean for America."

China is the world's most populated country with 1.2 billion people.

In 2003, China overtook Japan as the second largest oil consuming nation in the world and projections are that Chinese demand for oil will double by 2025, nearly meeting current U.S. imports. The US News reports notes that China's economy is expected to surpass Japan's by 2020, making it the second largest in the world.

Recent data indicates that the number of automobiles in China has grown 19 percent annually, surpassing Germany with the number of cars they have on their roads. By the year 2010 China is expected to have 90 times more cars than in 1990. Consequently, China could surpass the total number of cars in the U.S. by 2030.

China's oil consumption has grown by 7.5 percent per year reaching a current daily demand of about 6.4 million barrels a day, yet China's oil production is flat at around 3.4 million barrels per day.

Currently, 58 percent of China's oil imports come from the Middle East and it is projected that by 2015, the share of Middle East oil will reach 70 percent.

With projected growth in automobiles, projected oil demand in China could increase to 15 million barrels a day by 2020.

This growth in demand will increase global competition for oil resources, likely to increase, not decrease the price of crude oil.

While China is attempting to diversify its oil interests, like the United States, China recognizes that the world's most substantial oil reserves are in the Middle East.

If we look at this chart, we can clearly see that in 2020, 83 percent of projected global reserves based on current

production rates will be in the Middle East. The United States and China will be in very similar positions with regard to domestic oil reserves.

A story last week's Washington Post reported that nationally, daily production of oil and natural gas liquids dropped last year to an average of 7.2 million barrels a day, a 36 percent decrease since peaking in 1970. And at Prudhoe Bay, average daily production last year was about 450,000 barrels a day, a 72 percent drop from its peak, and production is expected to continue to drop.

What does this mean for the U.S.? Our increasing decline in domestic production and growing global demand on Middle East oil supply could have serious implications on foreign policy. A report by the U.S.-China Security Review Commission, a group created by Congress, warned:

A key driver in China's relations with terrorist-sponsoring governments is its dependence on foreign oil to fuel its economic development. This dependency is expected to increase over the coming decade.

China is already competing with us for world supply, and this competition is—not may—is going to increase.

It is very clear from China's economic growth, with India emerging as well, that the United States, if it continues on the current course, feeding its thirst for energy using foreign oil, will face increasing pressures caused by increasing demand and tightening supply.

Inevitably the production decisions of foreign nations and organizations like OPEC, will determine the price of our energy, and in turn control of our economy and America's national security.

Earlier this year, in April, the price of a barrel of oil rose above \$55, today it is hovering around \$53. With the increase in crude prices in the spring, gas prices jumped too, increasing 40 or more cents per gallon in many parts of the country since that time last year. While we have witnessed a slow drop in gas prices, they still remain over \$2 per gallon in much of the country.

An AP report noted yesterday that oil prices rose yesterday on news that OPEC may increase production quotas, and that oil prices will remain high well into 2006, even if the production ceiling is raised.

In this same report, a group of finance ministers from the Group of Eight industrialized nations, over the weekend, called for greater investment in increased energy efficiency and alternative sources of energy. They noted that sustained high energy prices "are of significant concern since they hamper global economic growth."

Not only do high oil prices hamper global economic growth, they hamper America's economic growth.

Back when oil was \$43 per barrel, the International Air Transport Association estimated that the airlines would lose \$5.5 billion. Yesterday's oil price, however was \$10 higher than this, \$53.47

per barrel, pushing this overall figure even higher. Fuel costs are the second biggest cost for our nation's airlines.

The chief of the IATA said that each dollar rise in the cost of oil boosts the industry's total fuel costs by about a billion dollars annually.

Airlines, many on the verge of bankruptcy like United Airlines in my State, cannot afford this. Workers and retirees are impacted with wage and benefits cuts. United Airlines reported that their fuel costs soared \$200 million in just the first quarter of 2005.

And in this industry, where fuel makes up such a large portion on the companies operating budget, fuel efficiency is leading purchase decisions.

For instance, the next Boeing jetliner, the 787, is projected to be 20 percent more fuel efficient than its predecessors, key factor being cited by airlines like Air Canada and others who have placed orders for the new model.

The economic toll that rising energy costs has on the industrial sector is also large. For instance a \$1 increase in the price of oil costs U.S. companies and consumers about \$828 million in trucking costs each year.

And families are impacted too, making hard decisions as the money gasoline they pump into their gas tanks eats at a bigger portion of their paycheck.

I raise these issues because I think we can help move America in a direction whereby reducing demand will help to insulate our economy, our jobs and our national security from oil prices spikes brought on by either production quotas, infrastructure delivery implications or instability in foreign countries.

There is potential job growth if America embraces a new vision. For instance, a report completed by the Renewable Fuels Association estimated that doubling the production of ethanol could create 234,840 new jobs in all sectors of the U.S. economy—help communities grow and rejuvenate cities.

Advancing technological innovation can encourage our traditionally robust manufacturing sectors provide new parts and products that we will need to meet our goals. Cynics point to what we know, increasing fuel economy standards, visionaries embrace new ideas, advancing engineering design, alternative fuels, hybrids, hydrogen—and who knows what next.

Building new infrastructure or retooling factories are jobs that will be in America—not overseas. These jobs will provide stronger markets for goods and labor—reinvigorating some cities across the U.S.

Yesterday, Mr. Woolsey noted in our press conference that the U.S. borrows \$4 billion annually to buy foreign oil. If each billion spent abroad were spent in the United States, we could create 10,000–20,000 American jobs, many in rural communities.

Technological change and advancement has always been a recipe for success for America. From the Wright

brother's flier to the creation of the personal computer, we have created ways to advance and provide jobs for Americans while doing so.

But America needs to agree that we have to move in this direction. The Cantwell "40 in 20" Amendment establishes the goal that moves the U.S. forward.

Earlier on the floor today, I heard one of my colleagues say that it is not possible to reach the goal established by this amendment. First, how do we know if we do not try. Second, I challenge American's to do so—because it is our Nation's best interest.

The AP story yesterday noted that an energy analyst cautioned that, what is the so-called "global depletion midpoint"—the point at which roughly half of oil reserves have been tapped and production can no longer be increased—could come by the end of the decade.

For me, I believe that we have no choice but to turn around before it's too late.

In May 1961, President John F. Kennedy set the goal of landing an American on the moon. He did not prescribe to scientists how to get an American to the Moon; he set the goal, and provided the resources to meet that goal. Only nine years later, Neil Armstrong and Edwin Aldrin made the first human steps on the Moon. I know there were skeptics at the time—I wasn't one of them, but there were—thinking a man couldn't walk on the Moon. But we did, and we've done so much more since.

When American's are challenged they have proven that they can and will rise to the occasion.

I encourage each one of my colleagues to think long and hard about this amendment and what vision they have for America.

If you want an America whose economy is strapped to the whims of foreign governments and supply shocks of foreign oil, then vote no on this amendment.

If you believe that America's great thinkers, innovators, scientists and businesses cannot create the solutions that we need to reach this goal then you should vote no on this amendment.

If you believe that we cannot create more jobs by increasing domestically produced fuels, then you should vote no on this amendment.

But if you want a different America, one where your children or grandchildren can don a lab-coat instead of a flack-jacket; where energy solutions can create jobs, protect the environment and safeguard public health and believe that America's economic prosperity and national security are our highest priority, I encourage you to vote yes on the Cantwell energy security amendment.

In keeping with the bipartisan nature of this bill to date, I encourage all my colleagues to pass this amendment and move America toward an energy independent future.

The Cantwell amendment moves us in the right direction, reducing our de-

pendence on foreign oil and reducing our dependence on the nations that supply that oil.

Critics have come to the Senate floor and said: Well, she does not spell out how to do it. This bill spells out many ways that we could move toward less dependence on foreign oil, and because it is a good bipartisan bill, I am looking forward to supporting it.

These things which I have noted are already existing technology that can be used to move us toward this goal. For those of us who have a positive, optimistic view of the creativity and freedom in America, the Cantwell amendment sets us on a goal that America should achieve on a bipartisan basis.

I urge my colleagues on both sides of the aisle to join me in supporting the amendment.

I yield the floor.

Mr. CRAPO. Mr. President, during Senate vote No. 139, pertaining to amendment No. 779, I was necessarily absent. Had I been present, I intended to vote "yes." I ask that the RECORD reflect this.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I ask unanimous consent that I may proceed as if in morning business.

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

JOHN BOLTON NOMINATION

Mr. ROBERTS. Mr. President, I rise today in an attempt once again to resolve an intelligence-related issue with regard to the nomination of Under Secretary John Bolton to be the U.S. Representative to the United Nations. As my colleagues are probably aware, for some time I have been engaged in an effort to assist my colleagues on the Senate Foreign Relations Committee with some concerns they have with regard to Mr. Bolton and his request for U.S. person identities that are contained in certain intelligence reports.

The last time I came to the floor of the Senate, I spoke at length about Mr. Bolton's requests. After reviewing the actual reports and examining the process whereby he was provided the information that he sought, it was apparent to me that Mr. Bolton's requests were not only appropriate but very routine. As far as I was concerned, that was the end of the matter, and I so indicated in my response to the chairman of the Foreign Relations Committee, Senator LUGAR, in a letter.

Based on statements by some of my colleagues, concerns about Mr. Bolton's requests for identities have apparently expanded to include whether the Under Secretary sought these identities to exert some form of retribution against certain Government officials. Although the Foreign Relations Committee's minority views and statements made by minority members seem to indicate that the universe of these officials, or their concerns about

these officials, is very small, it is now very clear that this universe is indeed expanding, if not exploding. In fact, in a response I received from the distinguished ranking member, Senator BIDEN, and Senator DODD, we have gone from the innermost planets in our solar system of their concern to include the entire Milky Way. I have informed my colleagues that I could not support such a request because it appears to be more of an effort to preserve this issue, this stalemate, this what some people call a filibuster, than an effort to resolve it.

I also informed Senators BIDEN and DODD, however, that I could recommend a more focused request that is consistent with their public statements in their minority views. I believe that such a request could be a basis for moving this process forward, a goal I hoped we all shared to get the process moving.

In the interest of moving forward, I urged my colleagues to reconsider the scope of their request. The response quite frankly was, no, thank you. That is probably the nicest way I can put it. I believe their bottom line is now: Give us all of the names we have now put in play or no deal.

As members of the legislative branch, we have all been in the position of requesting information from the executive branch and being told no. That is not pleasant. That is not what we would like to hear from the executive branch. But we do understand—I think, I hope—that there are limits to what we can demand and expect to receive. That is just a fact of life as we negotiate the separation of powers between the two branches of Government.

My colleagues know full well that an absolutist will inevitably lead to a stalemate, and that is what has happened. That is why we tried to work in good faith to address our concerns while recognizing each branch's responsibility and their prerogatives.

In my experience, a middle ground is usually achievable. It may take time, but usually we can achieve it. In this case, I believe the administration was willing to meet my colleagues halfway. In other words, if they would provide a reasonable list of names based on actual findings by the committee, perhaps they could be assured that those names were not contained in the reports and their concerns would be simply allayed, while at the same time it would permit the executive to preserve its prerogative to control the dissemination of very sensitive information.

Let me just say that signals intelligence and intercepts is in the highest compartmented criteria in regards to intelligence information. So this is very sensitive.

Once again, I think that the middle ground, unfortunately, proved very elusive. I am sympathetic to my colleagues' desire to see information they deem necessary to their consideration of Mr. Bolton's nomination. I do not believe, however, that they should be

imposing their standard on the entire Senate. The last cloture vote clearly demonstrated that a clear majority believes that the Senate does possess the sufficient information to vote on Mr. Bolton's nomination, and vote we should.

With that said, I am prepared to go one step further, in one last good-faith effort, to try to alleviate the concerns expressed by my colleagues across the aisle. Because my colleagues would not share their list of names with me, I have taken what may be viewed as the somewhat unorthodox step of compiling a list of names that I believe do actually reflect the universe of individuals who fall within the parameters set by my colleagues' public statements and their minority views.

I am not doing this with temerity. I am trying to make a good-faith effort, and I hope people appreciate my intent in the doing of this. I want my colleagues to know that I have done this in a sincere effort to move this process forward. I do not in any way wish to substitute my judgment for my colleagues', but I do hope we can reach some sort of an accommodation. So I have submitted my list of names to the Director of National Intelligence, John Negroponte, and he has assured me that none of them are among the names requested by Under Secretary Bolton.

The names I submitted included Carl Ford, Assistant Secretary of State for Intelligence and Research, his name is not in the intercepts; Christian Westermann of the INR, State Department intelligence branch, not in the intercepts; the individual known as Mr. Smith, not in the intercepts; Rexon Ryu, State Department official, not in the intercepts; Charles L. Pritchard, special envoy for negotiations with North Korea, not in the intercepts.

There were two other individuals referenced in the minority views whose names have not been made public, and I will not do so now. However, I did submit their names, and they were not in the intercepts. I am more than willing to share the two names with my colleagues on the Foreign Relations Committee, but I will not discuss them publicly.

Finally, the Foreign Relations Committee's minority views also referenced two other unnamed individuals. I understand, however, that the committee itself is not aware of who these people are, and therefore it is highly unlikely that those names would be part of anybody's list. They were certainly not on mine.

I strongly believe this compromise represents the best middle ground and should more than satisfy the concerns of my colleagues. These are the names that were mentioned in the minority views. These are the names that were mentioned in regard to the people who were interviewed. These are the names that have been referred to in the press and the media over and over again. That is what this universe is about.

I am very hopeful that this should more than satisfy the concerns of my colleagues, unless, of course, they are not interested in being satisfied, and if that is the case, there is really nothing further anybody can do to move this process forward.

I believe it is high time that we vote on this nomination, up or down, whichever way the chips fall. I urge my colleagues on both sides of the aisle to take the next step, whether they are in favor of Mr. Bolton's nomination or not, whether they are for him or they are opposed. We have made some strides recently, it seems to me, in moving nominations to a vote. It seems to me we should continue that trend with Mr. Bolton's nomination and get on with the business of the Senate.

I hope I have been helpful. I hope people do not take my actions in the wrong way. I am acting in good faith in the very best way I know how to reach a compromise to alleviate the concerns of my friends across the aisle. I hope that has been the case in regards to my remarks this evening.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant 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.

MORNING BUSINESS

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

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

TRIBUTE TO THE LATE SENATOR JIM EXON OF NEBRASKA

• Mr. HARKIN. Mr. President, with the passing of former Senator Jim Exon on Friday, a giant oak in the forest of public service has fallen. Political historians will remember him as a dominant force in Nebraska politics across nearly 3 decades, serving two terms as Governor and three as Senator. Those of us who were privileged to be his friend remember him, first and foremost, as a man of enormous decency, integrity, and common sense. We remember his quick mind; his slow, gravely voice; his Midwestern directness and unpretentiousness.

Here on the Senate floor, I am privileged to sit at the same desk that Senator Exon used during the last of his 18 years in the Senate. I inherited it upon his retirement in 1996, and I have always considered it a special honor to carry on where he left off.

Of course, for people in Iowa, Jim Exon was a next-door neighbor. Over the years, Iowans got to know him well

as a stalwart friend of family farmers; as a tireless promoter of rural economic development; and, a time when the bioeconomy was in its infancy, as a true believer in the future of ethanol and other home-grown, renewable sources of energy.

Jim Exon was not just present at the creation of the ethanol industry, he was an important midwife of that industry. He took office as Governor in 1970, and in 1971 he created the Nebraska Ethanol Board. In the ensuing years of ethanol's infancy, it was Nebraska and Iowa that led the way in establishing this industry. At every step, Jim Exon was there as an advocate and champion.

I will always remember my partnership with Senator Exon and Senator John Melcher of Montana on the 1985 farm bill. We fought long and hard to fend off attacks on safety-net programs for family farmers. Night after night, we kept the Senate in session into the early hours of the morning. And, thanks to Jim's leadership and sheer relentlessness, we carried the day.

Throughout his political career, Jim Exon prided himself on reaching across party lines and forging bipartisan consensus. This is very much a Nebraska tradition, going back to the legendary George Norris, who founded the State's unicameral Legislature. Jim succeeded as a Democrat in an overwhelmingly Republican State because he knew how to reach out, how to unite people around shared interests. Senator BEN NELSON, a long-time friend and protégé of Jim Exon, prides himself on continuing this tradition of bipartisanship and bridge-building.

They didn't call him Big Jim for nothing. He was big physically, tall and imposing. He was big politically—the only Nebraskan since George Norris to win five consecutive statewide elections. And Jim was big-hearted, a tough, relentless man, but also a compassionate person who cared deeply about other people and their wellbeing.

As a public official, he was an old-fashioned fiscal conservative. He railed against what he called "wild-eyed spenders." As Governor, he repeatedly vetoed the Legislature's spending bills, 141 vetoes in all. And, here in the Senate, he took on Republicans and Democrats alike who, in his eyes, were being reckless with the taxpayer's dollar.

Senator Jim Exon has been lying in state in the Rotunda of the Nebraska Capitol. Funeral services will be held this afternoon at the same location. So, today, the Senate says farewell to a truly distinguished former member. Jim was a good friend to me, and he was much beloved in this body. Today, our thoughts are with him, his family, and the people of Nebraska. May Jim rest in peace.●

AGAINST RACE-BASED GOVERNMENT IN HAWAII, PART II

Mr. KYL. Mr. President, I rise today to ask unanimous consent that the fol-

lowing analysis of S. 147, the Native Hawaiian Government Reorganization Act, prepared by constitutional scholar Bruce Fein, be entered into the RECORD following my present remarks.

Mr. Fein's analysis of the act builds on his analysis of the 1993 apology resolution, which was printed in the RECORD yesterday. Mr. Fein's present analysis ably demonstrates why the Native Hawaiian Government Act is at war with the U.S. Constitution's guarantees of rights and its limits on governmental power. The bill is particularly offensive to the fundamental principle of equal protection of the laws. I commend Mr. Fein's analysis of the act to my colleagues.

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

[From the Grassroot Institute of Hawaii
June 1, 2005]

(By Bruce Fein)

HAWAII DIVIDED AGAINST ITSELF CANNOT STAND—AN ANALYSIS OF THE AKAKA BILL

The Akaka Bill pivots generally on the same falsehoods and mischaracterizations as the Apology. It further celebrates a race-based government entity in flagrant violation of the non-discrimination mandates of the Fifth, Fourteenth and Fifteenth Amendments.

Section 1 misleads by naming the Act the "Native Hawaiian Government Reorganization Act of 2005." As amplified above, there has never been a government in Hawaii for Native Hawaiians alone since Kamehameha established the Kingdom in 1810. Something that has never been cannot be reorganized.

Section 2 makes twenty-three findings that are either false or misleading.

Finding (1) asserts that Congress enjoys constitutional authority to address the conditions of the indigenous, native people of the United States. But the finding fails to identify the constitutional source of that power, or how it differs from the power of Congress to address the conditions of every American citizen. Congress does not find that Native Hawaiians were ever subjugated or victimized by racial discrimination or prevented from maintaining and celebrating a unique culture. Moreover, the United States Supreme Court explicitly repudiated congressional power to arbitrarily designate a body of people as an Indian tribe in *United States v. Sandoval* 231 U.S. 28, 45 (1913). As Alice Thurston unequivocally stated arguing for Interior Secretary Babbitt in *Connecticut v. Babbitt* 228 F.3d, 82 (2nd Cir. 2000) "When the Department of the Interior recognizes a tribe, it is not saying, 'You are now a tribe.' It is saying, 'We recognize that your sovereignty exists.' We don't create tribes out of thin air." [Footnote: Jeff Benedict, *Without Reservation* (New York: HarperCollins Publishers, 2000) 349.]

Finding (2) asserts that Native Hawaiians are indigenous, native people of the United States. The finding is dubious. Native Hawaiians probably migrated to the Islands from other lands and remained as interlopers.

Finding (3) falsely asserts that the United States "has a special political and legal responsibility to promote the welfare of the native people of the United States, including Native Hawaiians." No such responsibility is imposed by the Constitution or laws of the United States. No decision of the United States Supreme Court has ever recognized such a responsibility. Indeed, Congress would be acting constitutionally if it abolished all tribal sovereignty that it has extended by unilateral legislation.

Finding (4) recites various treaties between the Kingdom of Hawaii and the United States from 1826 to 1893. The finding is as irrelevant to the proposed legislation as the heliocentric theory of the universe.

Finding (5) falsely declares that the Hawaiian Homes Commission Act (HHCA) set aside approximately 203,500 acres of land to address the conditions of Native Hawaiians in the then federal territory. In fact, the HHCA established a homesteading program for only a small segment of a racially defined class of Hawaii's citizens. Its intended beneficiaries were not and are not now "Native Hawaiians" as defined in the Akaka bill (i.e., those with any degree of Hawaiian ancestry, no matter how attenuated), but exclusively those with 50 percent or more Hawaiian "blood"—a limitation which still applies with some exceptions for children of homesteaders who may inherit a homestead lease if the child has at least 25 percent Hawaiian "blood."

The HHCA was enacted by Congress in 1921 based on stereotyping of "native Hawaiians" (50% blood quantum) as characteristic of "peoples raised under a communist or feudal system" needing to "be protected against their own thriftlessness". The racism of *Plessy v. Ferguson*, 163 US 537, (1896) was then in its heyday. If that derogatory stereotyping were ever a legitimate basis for Federal legislation, *Adarand Constructors v. Peña*, 515 U.S. 200 (1995) and a simple regard for the truth deprive it of any validity today.

Finding (6) asserts that the land set aside assists Native Hawaiians in maintaining distinct race-based settlements, an illicit constitutional objective under *Buchanan* and indistinguishable in principle from South Africa's execrated Bantustans.

Finding (7) notes that approximately 6,800 Native Hawaiian families reside on the set aside Home Lands and an additional 18,000 are on the race-based waiting list. These racial preferences in housing are not remedial. They do not rest on proof of past discrimination (which does not exist). The preferences are thus flagrantly unconstitutional. See *Richmond v. J.A. Croson Co.*, 488 U.S. 469 (1989); *Adarand Constructors*, supra.

Finding (8) notes that the statehood compact included a ceded lands trust for five purposes, one of which is the betterment of Native Hawaiians. As elaborated above, the 20 percent racial set aside enacted in the 1978 statute violates the general color-blindness mandate of the Constitution.

Finding (9) asserts that Native Hawaiians have continuously sought access to the ceded lands to establish and maintain native settlements and distinct native communities throughout the State. Those objectives are constitutionally indistinguishable from the objectives of whites during the ugly decades of Jim Crow to promote an exclusive white culture exemplified in *Gone with the Wind* or *The Invisible Man*. The United States Constitution protects all cultures, except for those rooted in racial discrimination or hierarchies.

Finding (10) asserts that the Home Lands and other ceded lands are instrumental in the ability of the Native Hawaiian community to celebrate Native Hawaiian culture and to survive. That finding is generally false. The United States Constitution fastidiously safeguards Native Hawaiians like all other groups in their cultural distinctiveness or otherwise. There is but one exception. A culture that demands racial discrimination against outsiders is unconstitutional and is not worth preserving. Further, as Senator Inouye himself has proclaimed, Native Hawaiians and other citizens are thriving in harmony as a model for other racially diverse communities under the banner of the United States Constitution.

Finding (11) asserts that Native Hawaiians continue to maintain other distinctively native areas in Hawaii. Racial discrimination in housing, however, is illegal under the Fair Housing Act, the Civil Rights Act of 1871, and the Equal Protection Clause of the Fourteenth Amendment if state action is implicated.

Finding (12) notes the enactment of the Apology Resolution, which is riddled with falsehoods and mischaracterizations as amplified above.

Finding (13) repeats falsehoods in the Apology Resolution. Contrary to its assertions, the Monarchy was overthrown without the collusion of the United States or its agents; the Native Hawaiian people enjoyed no more inherent sovereignty under the kingdom than did non-Native Hawaiians; in any event, sovereignty at the time of the overthrow rested with Queen Lilioukalani, not the people; the public lands of Hawaii belonged no more to Native Hawaiians than to non-Native Hawaiians; and, there was never a legal or moral obligation of the United States or the Provisional Government after the overthrow to obtain the consent of Native Hawaiians to receive control over government or crown lands. No Native Hawaiian lost a square inch of land by the overthrow.

Finding (14) repeats the Apology Resolution's nonsense of a need to reconcile with Native Hawaiians when there has never been an estrangement, as testified to by the 1994 remarks of Senator INOUE.

Finding (15) corroborates the obvious: namely, that the United States Constitution fully protects Native Hawaiians in celebrating their culture, just as it does the Amish or any other group desiring to depart from the mainstream.

Findings (16), (17), and (18) similarly corroborates that the United States Constitution guarantees religious or cultural freedom to Native Hawaiians as it does for any other distinctive group. On the other hand, the finding falsely asserts that Native Hawaiians enjoy a right to self-determination, i.e., a right to establish an independent race-based nation or sovereignty. The Civil War definitively established that no individual or group in the United States enjoys a right to secede from the Union, including Native American Indian tribes.

Finding (19) falsely asserts that Native Hawaiians enjoy an "inherent right" to reorganize a Native Hawaiian governing entity to honor their right to self-determination. The Constitution denies such a right of self-determination. A Native Hawaiian's lawsuit to enforce such a right would be dismissed as frivolous. Further, there has never been a race-based Native Hawaiian governing entity. An attempt to reorganize something that never existed would be an exercise in futility, or folly, or both.

Finding (20) falsely insinuates that Congress is saddled with a greater responsibility for the welfare of Native Hawaiians than for non-Native Hawaiians. The Constitution imposes an equal responsibility on Congress. Race-based distinctions in the exercise of congressional power are flagrantly unconstitutional. See *Adarand Constructors, supra*.

Finding (21) repeats the false insinuation that the United States is permitted under the Constitution to create a racial quota in the administration of public lands, contrary to *Adarand Constructors, supra*.

Finding (22) also brims with falsehoods. Subsection (A) falsely asserts that sovereignty in the Hawaiian Islands rested with aboriginal peoples that pre-dated Native Hawaiians, i.e. that the aboriginals were practicing and preaching government by the consent of the governed long before Thomas Jefferson's Declaration of Independence. But there is not a crumb of evidence anywhere in

the world that any aboriginals believed in popular sovereignty, no more so than King Kamehameha I who founded the Kingdom of Hawaii by force, not by plebiscite.

Subsection (B) falsely insinuates that Native Hawaiians as opposed to non-Native Hawaiians enjoyed sovereignty or possessed sovereign lands. The two were uniformly equal under the law. In any event, sovereignty until the 1893 overthrow rested with the Monarch. Sovereign lands were employed equally for the benefit of Native Hawaiians and non-Native Hawaiians. [See Appendix page 3 paragraphs 3, 4]

Subsection (C) falsely asserts that the United States extends services to Native Hawaiians because of their unique status as an indigenous, native people. The services are extended because Native Hawaiians are United States citizens and entitled to the equal protection of the laws. The subsection also falsely insinuates that Hawaii previously featured a race-based government.

Subsection (D) falsely asserts a special trust relationship of American Indians, Alaska Natives, and Native Hawaiians with the United States arising out of their status as aboriginal, indigenous, native people of the United States. The United States has accorded American Indians and Alaska Natives a trust relation in recognition of existing sovereign entities and a past history of oppression and subjugation. The trust relationship, however, is voluntary and could be ended unilaterally by Congress at any time. Native Hawaiians, in contrast, have never featured a race-based government entity. They have never suffered discrimination. They voted overwhelmingly for statehood. And they have flourished since annexation in 1898, as Senator INOUE confirms. If Native Hawaiians alleged a constitutional right to a trust relationship, they would be laughed out of court.

Finding (23) falsely insinuates that a majority of Hawaiians support the Akaka Bill based on politically correct stances of the state legislature and the governor. The best polling barometers indicate that Hawaiian citizens oppose creating a race-based governing entity with unknown powers. If the proponents of the Akaka Bill genuinely believed Finding (23), they would readily accede to holding hearings and a plebiscite in Hawaii as a condition of its effectiveness on the model of the statehood plebiscite. But they are adamantly opposed because they fear defeat.

Section 3's definition of "Native Hawaiian" in subsection (8)(A) falsely insinuates that Native Hawaiians exercised popular sovereignty in Hawaii on or before 1893. Sovereignty rested with the Monarch; and, Native Hawaiians never operated a race-based government.

Section 4 is replete with falsehoods. Subsections (a)(1) and (2) falsely maintain that the United States has a special political and legal relationship with Native Hawaiians. No such special relationship is recognized in the United States Constitution, which requires equality among citizens. Subsection (a)(3) falsely maintains that the congressional power to regulate commerce "with the Indian Tribes" empowers Congress to create a race-based government for Native Hawaiians. Creating a race-based government is not a regulation of commerce; and, Native Hawaiians, unlike Indian Tribes, never organized a government exclusively for Native Hawaiians. No court has ever sanctioned the subsection's far-fetched interpretation of the Indian Commerce Clause. Article IV of the Constitution provided the congressional authority for the Hawaiian Homes Commission Act of 1920 and for Hawaiian statehood. The many several federal laws addressing the conditions of Native Hawaiians are not based

on the Indian Commerce Clause. To the extent they embrace racial distinctions, they are unconstitutional.

Subsection (a)(4) falsely asserts that Native Hawaiians sport an inherent right to autonomy in their internal affairs; an inherent right to self-determination and self-governance; the right to reorganize a Native Hawaiian governing entity; and, a right to become economically self-sufficient. None of these asserted rights is recognized by the Constitution or federal statutes. All have been concocted by proponents of the Akaka Bill with no more legitimacy than the right of the Confederacy to secede from the Union.

Subsection (b) falsely asserts that the purpose of the Akaka Bill is to provide a process for the "reorganization" of the Native Hawaiian governing entity. As explained above, there has never been a race-based Native Hawaiian governing entity. Something that has never been cannot be reorganized.

Section 7 is flagrantly unconstitutional in its erection of a race-based government in violation of the non-discrimination mandates of the Fifth, Fourteenth and Fifteenth Amendments. It directs the Secretary of Interior to appoint nine Native Hawaiian Commissioners to prepare and maintain a roll of Native Hawaiians to participate in the bogus "reorganization" of a Native Hawaiian government. The race-based appointments violate the equal protection component of the Fifth Amendment. Preparing and maintaining a race-based electoral roll violates the same equal protection command. See *Rice v. Cayetano, supra*. As Justice Anthony Kennedy explained in that case:

"The ancestral inquiry mandated by [Hawaii] is forbidden by the Fifteenth Amendment for the further reason that the use of racial classifications is corruptive of the whole legal order democratic elections seek to preserve. The law itself may not become the instrument for generating the prejudice and hostility all too often directed against persons whose particular ancestry is disclosed by their ethnic characteristics and cultural traditions. 'Distinctions between citizens solely because of their ancestry are by their very nature odious to a free people whose institutions are founded upon the doctrine of equality.' *Hirabayashi v. United States*, 320 U.S. 81 (1943). Ancestral tracing of this sort achieves its purpose by creating a legal category which employs the same mechanisms, and causes the same injuries, as laws or statutes that use race by name." *Cayetano, at 517*.

Under Section 7, the enrolled race-based members are empowered to elect an Interim Governing Council from one of their own, another race-based voting distinction that violates the Fifteenth Amendment and equal protection. The Fifteenth Amendment (which promises the right to vote shall not be denied on account of race) includes any election in which public issues are decided or public officials selected. The Council establishes race-based criteria for citizenship in the Native Hawaiian governing entity, subject to a race-based plebiscite, and otherwise cobbles together an organic governing document. The Secretary of Interior then certifies the organic race-based charter under which race-based elections are held to the Native Hawaiian governing entity. That certification would violate the Secretary's solemn oath to protect and defend the Constitution without mental reservation. It seems highly improbable that the Native Hawaiian commissioners would allow an electoral role for non-native Hawaiians. The bill itself anticipates a "native Hawaiian governing entity" which would be a misnomer if non-native Hawaiians were included.

Section 8 establishes an open-ended negotiating agenda between the United States, the

State of Hawaii, and the unconstitutional Native Hawaiian governing entity to fix the powers and immunities of the latter. Nothing is excluded. For example, the Native Hawaiian entity might exercise criminal and civil jurisdiction over non-Native Hawaiians. It might be exempt from all federal, state, and local taxes. It might be shielded from all federal, state, and local regulatory, health, welfare, labor, zoning, and environmental laws. It might be free of restraints imposed by the United States Constitution, and violate freedom of speech, press, religion, or association with impunity. It might be empowered to exercise eminent domain over land both within and without its geographical boundaries. It might be authorized to exempt Native Hawaiians from military service and to evict the United States Navy and Army from their current Hawaiian bases. Proponents of the Akaka Bill adamantly refuse to exclude these horrors by explicit language.

CHARLES TAYLOR AND NIGERIAN DEBT RELIEF

Mr. LEAHY. Mr. President, I want to call attention to an important, yet often overlooked, provision of law that governs the relationship of the United States with nations that harbor individuals who have been indicted by the Special Court for Sierra Leone or the International Criminal Tribunal for Rwanda. This provision, section 585 of the Foreign Operations Appropriations Act, which was signed into law by President Bush in January 2004 and reauthorized about a year later, makes it clear that the United States stands for the rule of law in Africa. This is not a partisan issue. Democrats and Republicans understand the importance of the rule of law, which is a cornerstone for peace, democracy, justice and development in Africa—and around the world. In fact, Senator JUDD GREGG, a Republican from New Hampshire, co-authored this provision with me.

I see my friend from Illinois, Senator OBAMA, on the floor and am wondering if he agrees.

Mr. OBAMA. I agree with the senior Senator from Vermont about the importance of upholding the rule of law in Africa and around the world. I would also like to add my support for the efforts of the Special Court for Sierra Leone to bring to justice some of the worst war criminals of the 20th century. While the Special Court has not been perfect, there is no question that the Court is doing vitally important work of promoting peace and reconciliation, increasing accountability, and strengthening the rule of law throughout West Africa. I also want to discuss a related issue—the case of Charles Taylor. I know the Senator from Vermont has been working for years on this issue.

I will simply say that Charles Taylor is an indicted war criminal, and he needs to be transferred to the Special Court to stand trial as soon as possible. The Government of Nigeria has allowed Charles Taylor to live in exile, within its borders, with the support of the international community, including

the United States, since August 2003. While we owe Nigeria a debt of gratitude for helping prevent further bloodshed in Liberia, it is time for Mr. Taylor to be transferred to the Special Court.

No nation should be permitted to willfully ignore an indictment issued by this tribunal. Moreover, there are credible reports that Mr. Taylor has broken the terms of his exile, is a threat to the Liberian peace process, and continues to meddle in the internal affairs of Liberia—just a few months before the Liberian elections.

I wonder if the Senator from Vermont shares my views?

Mr. LEAHY. I absolutely share the Senator's views of the situation. Charles Taylor's actions are a breach of his promises to Nigerian President Obasanjo. And, I believe that if Nigeria does not hand over Charles Taylor for trial, it could constitute a threat to Liberian peace, justice in Sierra Leone, and the rule of law throughout West Africa. This is why the provision of law that I mentioned earlier is so important. It is the law of the United States that there shall be no assistance to the central government—including debt relief—for countries harboring fugitives from the Special Court for Sierra Leone. There is strong bipartisan support in the U.S. Congress to reauthorize this provision in fiscal year 2006, which means that unless President Bush issues a waiver, Nigeria will not be eligible for U.S. debt relief or military assistance, or any other assistance to the central government, until it sends Charles Taylor to the Special Court for trial.

I would point out that President Bush can exercise the waiver authority in the law by simply submitting a plan in writing on how the Administration will get Mr. Taylor to the Special Court to stand trial.

Mr. President, it is not in the interests of the people of West Africa, including Nigeria, or the United States, to continue to shelter Charles Taylor from justice. As a strong supporter of debt relief, I believe there is a strong case to be made that Nigeria's debt should be forgiven—but not until President Obasanjo again demonstrates leadership and hands over Charles Taylor for trial. At that point, I will strongly support debt relief for Nigeria and actively lobby the administration and Congress to make it a reality.

Mr. OBAMA. I thank the Senator from Vermont, the ranking member of the Appropriations Subcommittee on State, Foreign Operations, because he makes a crucial point. Debt relief from the United States is not automatic. In the past, debt relief has come with conditions, including making progress in fighting corruption and on economic reform, to ensure that this relief achieves the maximum results.

For Nigeria, this means turning over Charles Taylor—an indicted war criminal who has the blood of thousands on his hands and threatens, once again, to

destabilize the region—to the Special Court. Like the Senator from Vermont, I strongly believe that Nigeria is a worthy candidate for debt relief and a key U.S. partner in West Africa. When Charles Taylor is turned over, there is no doubt in my mind that I will be a forceful advocate for debt relief for Nigeria. I would also like to praise the Government of Nigeria for its leadership on other issues, especially their efforts to lead the African Union force in Darfur. I want nothing more than to see the Taylor issue successfully resolved so we can focus our attention on other important issues with the Nigerians.

I would also reiterate what the Senator said about the waiver authority contained in section 585. The President can waive these restrictions, including those pertaining to Nigerian debt relief, by formulating a plan to get Mr. Taylor to the Court.

Mr. LEAHY. I thank the Senator from Illinois and refer all Senators to section 585, entitled "War Crimes in Africa," of Public Law 108-447, the Foreign Operations Appropriations Act, 2005. I yield the floor.

NATIONAL HISTORY DAY

• Mr. BOND. Mr. President, I rise to recognize June 15, 2005 as National History Day. The National History Day Program is an annual celebration to recognize the importance of a strong history curriculum in schools in Missouri and across the country. This celebration is also a showcase for students across the Nation to present their knowledge and interest in particular events in history through performances, documentaries, and exhibits.

This year, Missouri has 5 exemplary students selected from a group 2,000 finalists to perform and present their projects at the Smithsonian American Art Museum. Kate LaRose, a student at Jefferson Junior High School in Columbia, MO, was recognized for her project "Martha Graham: The Power of Communication through Dance." Robert Adams, Raheed Chowdhury, Rui Du, and Yun-Han Huang, all students at Rolla High School in Rolla, MO, were also recognized for their exhibit titled "Controversial Art: Thomas Hart Benton's Communication Tool."

I congratulate Katie, Robert, Raheed, Rui, and Yun-Han for this honor and commended them for their dedication, commitment, and hard work. •

Mr. LIEBERMAN. Mr. President, I rise to take note of the 25th annual National History Day and express my strong support for the goals of the National History Day program. A basic knowledge of history is essential for our Nation's children to become informed participants in our democracy. National History Day promotes history education in Connecticut and throughout the Nation.

The National History Day Program encourages students to think critically

and create dramatic performances, exhibits, documentaries, and research papers by exploring a variety of resources beyond classroom textbooks. Students in grades 6-12 engage in this challenging year-long program in order to gain a better understanding of the importance of studying history. I believe that a fundamental understanding of history is imperative in order to appreciate the present world situation. Fifty students from Connecticut have demonstrated their proficiency in the subject area by having been selected as National History Day finalists from our State.

As a Senator from the State of Connecticut, I am pleased to congratulate the students from Connecticut who have been selected to represent our State at this year's National History Day competition. It also gives me great pleasure to pay special tribute to Sadie Hartell and Elizabeth Kelly. Sadie Hartell and Elizabeth Kelly, both students at Hall Memorial School in Willington, CT, were among the 19 students chosen out of more than half a million across America to display and present their history projects at the Smithsonian American Art Museum. Sadie's project is titled "The Beatles: Communicating to their Generation." Elizabeth's project is titled "The Second American Revolution: Elizabeth Cady Stanton and her Fight."

I applaud all 50 delegates from the State of Connecticut for having been selected to represent our State as finalists in the National History Day competition and commend these students for their diligence and creativity. I join with the citizens of the State of Connecticut in wishing them well in all their future endeavors.

Mrs. DOLE. Mr. President, I am delighted to come to the floor today to congratulate Nathan Przechowski of Swannanoa, NC and Stephen Gordon of Fletcher, NC on being selected to present their award-winning history projects at the Smithsonian National Museum of American History and the Smithsonian American Art Museum in celebration of National History Day.

For 25 years the National History Day Program has brought history to life for students across our country. By combining creativity with scholarship, students are finding a new appreciation for the past while developing valuable skills in writing and analytical reasoning. Most importantly, this program focuses on inspiring each child to reach his or her full potential, and in doing so provides a great service by increasing their confidence and ability to succeed.

This year the National History Day Program asked students to present projects on the theme "Communication in History: the Key to Understanding." Students were asked to explore the role communication plays in history and its significance in helping shape how historical changes have been understood.

Let me share with you the two wonderful projects Nathan and Stephen presented.

Nathan presented his exhibit entitled, "The History of Spring Training: Communication is the Key to Understanding the Merger of Athletic Preparation with Market Magic." His project explores how baseball's spring training has grown from traditionally being a means for athletic preparation to today becoming a multi-million dollar industry expressed through business marketing. Nathan was able to incorporate his love of sports, his interest in business, and his appreciation of history to better understand how this tradition evolved over time.

Stephen also presented his project, a documentary entitled, "Telling Tales: The Appalachian Oral Tradition." His work depicts how the people of Appalachia have communicated ideas, history, heritage, and values through the use of nothing more than oral tradition. Stephen was able to trace stories from the mountains of North Carolina back over hundreds of years and show how fundamental concepts were passed from generation to generation.

Through their hard work and dedication, these young historians show that discovering, understanding, and interpreting history is not only important, but exciting.

Today is a proud day for Nathan, Stephen, and their families. We are proud of these student's hard work, dedication, and tremendous achievements. I believe passionately that education is the foundation for success, and I am encouraged to see students so active in the learning process. I hope Nathan and Stephen have enjoyed this experience and I wish them continued success in the years ahead.

Mr. DEWINE. Mr. President, the importance of learning and appreciating history cannot be understated. Men and women—young and old—benefit from learning about the past as a way to shape the future. Today, the National History Day Program is honoring students from around our Nation who have displayed excellence in the study of history, and I am pleased to recognize five students from my home State of Ohio who are participating in this important program.

The National History Day Program actually originated in Ohio at Case Western Reserve University in Cleveland. The National History Day Program allows students to create exhibits, documentaries, and performances by using their critical thinking and research skills in the subject of history. This year is a special year, as the National History Day organization is celebrating its 25th Anniversary of training students and teachers to incorporate libraries, museums, and archives into their learning plans.

I would like to take a moment to recognize the Ohioans who are participating this year. Megan Daines, a student at Hannan Trace Elementary in Crown City, OH, presented her project, titled "The Underground Railroad: Communication between Two Worlds," at the Smithsonian National Museum

of American History. Holly Anderson, a student at Canton County Day School in Massillon, OH, was one of 19 students chosen from over 2,000 finalists to perform her original work, "All of a Flutter: The Secret Language of the Fan," in the Grand Salon in the Renwick Gallery of the Smithsonian American Art Museum.

Ian Shaw of Sylvania, Michael Kreuz of Swanton, and Ben Spang of Toledo are three Ohio home-schooled students, who have been selected to present their project at the National Museum of Health and Medicine. Ian, Michael, and Ben joined Isaac Skaggs of Michigan to complete a documentary titled, "A Voice in the Darkness: Dr. Jonathan Mann, Uniting the World Against AIDS."

I congratulate all of these students for their presentations and performances. Their dedication to the pursuit of excellence in the study of history sets a great example for our Nation's youth. I join all Ohioans in wishing them all the best in their future endeavors.

Mr. HAGEL. Mr. President, I rise to congratulate Michael Walsh of Omaha, NE, an outstanding student and young history scholar whose National History Day project has been chosen out of half a million in America to be presented today at the White House Visitor Center. Michael's documentary, "Let the Word Go Forth: JFK's New Frontier," highlights President Kennedy's unique ability to communicate effectively with both Americans and leaders throughout the world, especially during the Cuban missile crisis, a critical time in America's history. His project shows that young Americans can take important historical events and share them with us in an interesting and educational way. Michael is a student at Lewis and Clark Middle School in Omaha.

National History Day is a unique approach to teaching and learning history in our Nation's classrooms. It allows students to create exhibits, documentaries and performances by using their critical thinking and research skills in the subject of history. This year marks the 25th anniversary of the National History Day organization.

All of Nebraska is proud of Michael's commitment to scholarship. This young Nebraskan understands that history shapes our future and influences the world we live in today. I ask my colleagues to join me and all Americans in honoring Michael Walsh and all students who participated in National History Day.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

• Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any

kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

Last year, a 19-year-old gay man was bludgeoned with a pipe while standing on a street corner in Queens, NY.

I believe that the Governments first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.●

THE FIFTY CALIBER SNIPER WEAPON REGULATION ACT

Mr. LEVIN. Mr. President, in recent years, there has been numerous reports regarding .50-caliber sniper rifles and the danger they pose to our communities and homeland security. It is important that we take action to prevent potential terrorists and violent criminals from having easy access to these dangerous weapons.

The .50-caliber sniper rifle is a favorite weapon of militaries around the world. According to a report released by the Violence Policy Center last year, a .50-caliber sniper rifle is capable of accurately hitting a target over 1,500 yards away, and the ammunition available for the rifle includes armor-piercing, incendiary, and explosive bullets. The report also cites the U.S. Army's manual on urban combat, which states that .50-caliber sniper rifles are designed to attack bulk fuel tanks and other high-value targets from a distance using "their ability to break through all but the thickest shielding material." According to the Brady Campaign to Prevent Gun Violence, one of the leading manufacturers of the .50-caliber sniper rifle has also promoted their rifle's ability to destroy "multimillion dollar aircraft with a single hit delivered to a vital area."

While these capabilities may be desirable for military purposes, the .50-caliber sniper rifle provides the same capabilities to terrorists who may use them to bring down civilian aircraft, attack critical infrastructure, or kill innocent Americans. Currently, these powerful weapons are subject to only minimal Federal regulation and are treated the same as other long rifles including shotguns, hunting rifles, and smaller target rifles. A loophole in the law, commonly known as the "gun show loophole," also allows for .50-caliber sniper rifles to be purchased without even a minimum background check.

I have cosponsored the Fifty-Caliber Sniper Weapon Regulation Act introduced by Senator FEINSTEIN. This bill would reclassify .50-caliber rifles under the National Firearms Act, NFA, treating them the same as other high-powered or especially lethal firearms like machine guns and sawed off shotguns.

Among other things, reclassification of .50-caliber sniper rifles under the NFA would subject them to new registration requirements. Future transfers or sales of .50-caliber sniper rifles would have to be conducted through a licensed dealer with an accompanying background check. In addition, the rifle being sold would have to be registered with Federal authorities. The additional requirements would help ensure that these dangerous weapons do not fall into the hands of potential terrorists or violent criminals.

We should recognize the extraordinary capabilities of .50-caliber sniper rifles and the danger they pose to our homeland security. I urge my colleagues to take up and pass the Fifty-Caliber Sniper Weapon Regulation Act to help protect our Nation from those who may wish to do us harm.

CHUCK LUDLAM

Mr. LIEBERMAN. Mr. President, I rise to express my gratitude and, truly, this country's gratitude, to Chuck Ludlam of my staff, for his 33-year career in government service and public policy. He's retiring on June 24, 40 years to the month after his first job on Capitol Hill as a "Stanford in Government" intern in the House of Representatives.

Thomas Jefferson once asked the question: What duty does a citizen owe to the government that secures the society in which he lives?

Answering his own question, Jefferson said: "A nation that rests on the will of the people must also depend on individuals to support its institutions if it is to flourish. Persons qualified for public service should feel an obligation to make that contribution."

Chuck has answered that call—a call as old as our Republic—with dedicated service to our Nation and continued service to our world.

Chuck began his public service as a Peace Corps volunteer in Nepal in 1968–1970. After his Senate retirement, he and his wife, Paula Hirschhoff, also a 1960's Peace Corps volunteer, in Kenya, will serve again as Peace Corps volunteers, in Senegal. This full circle expresses well their commitment to service.

The professionalism and accomplishments of congressional staff are often unsung and even unappreciated. While it is difficult to summarize a career as varied and distinguished as Chuck's, let me touch on a few highlights.

I have known Chuck since I arrived in the Senate in 1989, and he has served as my economic counsel since 2001. Following the anthrax attack on the Senate in October 2001, Chuck went to work on biodefense and infectious disease policy issues. BioShield I, enacted last July, was in significant part due to his work, and he has now helped Senator HATCH, Senator BROWNBACK, and me fashion BioShield II, S. 975, a visionary tour de force on the full range of issues we must address to prepare

for a bioterror attack or infectious disease outbreak. This bill provides a prescription for how to prepare ourselves for these threats to our national health and well being. Now it is incumbent on us to enact it. It is hard to describe the importance to our country of moving this legislation. It is an area of extreme future risk not only for ourselves but for all nations. Chuck developed a profound view of what must be done to deter this nightmare, a nightmare not only of bio attacks but of infectious disease in general, and has been relentlessly pressing this problem and its solutions onto our national policy agenda since 2001. It has been an exceptionally dedicated and unique legislative effort and it underscores the kind of remarkable role talented and driven Senate staff like Chuck can play assisting Senator policymakers.

Chuck had a long and very special working education that has enabled him to serve in this Senate policy-developer role. Before his service in my office, Chuck served as chief tax counsel on the Senate Small Business Committee, 1985–1993, with Senator Dale Bumpers; as legal counsel on the Joint Economic Committee, 1982–1985, with Congressman Gillis Long; as legal counsel on the Carter White House Domestic Policy Staff, 1979–1981, working with Si Lazarus and Stu Eizenstat; as counsel to the Subcommittee on Administrative Practice and Subcommittee on Separation of Powers of the Senate Judiciary Committee, 1975–1979, with Senator James Abourezk; and as a trial attorney in the Bureau of Consumer Protection of the Federal Trade Commission, 1972–1975. In addition, he served as vice president for Government Relations, Biotechnology Industry Organization, 1993–2000, and Counsel, Musick, Peeler and Garrett, 1981–1982).

During his long career on Capitol Hill, Chuck has brought his strong talents to bear on a wide range of legislative issues. While on my staff, these ranged from Federal fiscal responsibility and honest government accounting, S. 1915; to building assets for the poor, S. 476; to promoting U.S.–China educational and cultural engagement; S. 1117; to U.S. economic competitiveness policy, S. 2747; and, as I mentioned, to enacting Project BioShield, Public Law 108–276.

Long before joining me, Chuck worked to establish the Office of Senate Legal Counsel, Public Law 95–521; to defeat problematic Airline Noise legislation in 1978; to enact the first law on the subject of organizational conflict of interest, Public Law 95–70; to enact the Regulatory Flexibility Act, Public Law 96–354; to save the tax exemption for the bonds for non-profit hospitals and schools, Public Law 97–248; enact the Patent Reform Act of 1999, Public Law 106–113; to enact the first law banning genetic discrimination, Public Law 104–191; to make permanent the Orphan Drug Tax Credit, Public Law 104–188 and 105–34; and to

defeat attempts to criminalize some stem cell research in 1997–1998.

We know Chuck to be a passionate and tenacious advocate, a dedicated mentor to the talented legislative fellows who have worked for him, an adventurer who continues to trek over some of the most forbidding and fascinating parts of the planet, a loyal friend to many in our office, someone who is always searching for the “big idea-big picture” as a visionary policy developer, and a generous human being with a sense of humor. As a Congressional Staffer, he has always kept his focus on the public interest, undistracted by partisan concerns, and I found I could always count on hearing his frank and perceptive perspective on what would be the right policy for the country.

Chuck is completing an oral history of his unusual and remarkable Senate career, based on interviews with the Office of the Senate Historian, which has been transcribed and will be available on line. This history describes the challenges, skills and tactics of a Capitol Hill staffer who has fought in the political trenches over forty years.

Chuck hopes that this history will encourage young people to consider careers in public service. He’s served as the principal advisor and mentor for 25 years to the “Stanford in Government” program. He was one of 100 alumni awarded medallions to honor their service to Stanford University during centennial celebrations of the University’s founding in 1991; the headquarters for “Stanford in Government” at the Haas Center for Public Service is named after him.

We wish Chuck and Paula well in their venture in Africa. We will miss Chuck in the office but we know that he’s following one of his great dreams, and starting on a remarkable and courageous new round of public service. My office and I are grateful for his dedicated service to our office, to the Senate, and to our Nation, as well as for his friendship.

Somewhere right now Jefferson and our Founding Fathers are looking down and smiling proud that our Nation still produces men and women like Chuck and Paula.

Congratulations Chuck. Keep in touch and keep teaching us. We eagerly await your reports from Africa.

ADDITIONAL STATEMENTS

NEW MEXICO JUNIOR COLLEGE BASEBALL TEAM

• Mr. BINGAMAN. Mr. President, I rise today to congratulate the New Mexico Junior College baseball team from Hobbs, NM on winning the 2005 National Junior College World Series. This is a tournament that involves baseball teams from junior colleges across the United States. The Thunderbirds swept to the national title with a perfect record of 5-0 in tournament

play. Their hard work and dedication is a perfect example of what it takes to win a national championship. This is the first national championship in New Mexico Junior College history.

I would also like to recognize Coach Ray Birmingham for winning the Coach of the Year award, his seventh in 15 years. The loyalty that Coach Birmingham engenders in his players is both heart-warming and inspiring. Several of Coach Birmingham’s players won awards as well. Among the outstanding honors were Renny Osuna, who was chosen for the Preston Walker MVP Award; Brian Flores, who was selected as Outstanding Pitcher; and Corey Zimmerman, who was named as Best Defensive Player.

Mr. President, fans lined the streets in Lovington and Tatum as the bus carrying the team passed through. A large group of proud supporters met the team when the bus rolled onto the campus in Hobbs on Monday. It was that kind of community support, along with the determination, skill and work ethic of the team, that swept the Thunderbirds to victory. I congratulate New Mexico Junior College on its great accomplishment.●

HONORING MARY BARDEN

• Mr. CHAFEE. Mr. President, I rise today to pay special tribute to Mary Barden, as she is recognized for her scholastic achievements on National History Day.

Mary, a student at Coventry High School in Coventry, RI, was one of 17 students chosen out of a half million across America, to display and present her history project at the Smithsonian’s National Museum of American History. Mary’s project is titled “Cesar Chavez: Understanding the Chicano Farmworkers Need for Justice.” The National History Day program allows students to create exhibits, documentaries, and performances, by using their critical thinking and research skills in the subject of history.

I strongly support the National History Day program. A basic knowledge of history is essential for our Nation’s children to become informed participants in our democracy, and this national observance promotes history education in Rhode Island and throughout the Nation. This year, National History Day celebrates its 25th anniversary as a national organization.

I congratulate Mary as she is honored for her presentation, and commend her for her dedication and commitment. I join with the citizens of Rhode Island in wishing Mary well in all her future endeavors.●

100TH ANNIVERSARY OF TOLLEY, NORTH DAKOTA

• Mr. CONRAD. Mr. President, today I honor a community in North Dakota that is celebrating its 100th anniversary. On June 26, the residents of Tolley, ND, will celebrate a proud history.

Tolley is a small town in the northwest part of the State, with a population of 41. Despite its size, Tolley holds an important place in North Dakota’s history. It was founded in 1905 by Eli C. Tolley, a prominent developer and official with the Soo Line Railroad Company. As one report from the period indicates, people were so excited to start the town that they moved in 15 buildings without even having purchased lots on which to place them. Soon after, rail lines were laid through Tolley, and the town began to prosper. Within a year and a half, the residents of Tolley had built general stores, blacksmiths, restaurants, hotels, churches, and hardware stores.

Through the years, Tolley has exemplified true North Dakota perseverance. Despite suffering from a scarcity of water, countless fires, and outbreaks of smallpox and the Spanish flu, the people of Tolley have always remained loyal to this great community. During World War I, many of the men left their families and farms to fight for our country. Sadly, many did not return, yet the community remained strong. In 1920, the boys high school basketball team held its first practice, and in 1921 the homes and businesses in Tolley were lit by electricity for the first time. In 1951, through the generous efforts of local residents, the first organized fire department began serving the community. These stories from the history of Tolley serve as a remarkable example of ingenuity and perseverance for all of us.

I ask the U.S. Senate to join me in congratulating Tolley, ND, and its residents on their first 100 years and in wishing them well through the next century. By honoring Tolley and all the other historic small towns of North Dakota, we keep the pioneering frontier spirit alive for future generations. It is places such as Tolley that have helped to shape this country into what it is today, which is why this fine community is deserving of our recognition.

Tolley has had a proud past and a bright future.●

125TH ANNIVERSARY OF AMENIA, NORTH DAKOTA

• Mr. CONRAD. Mr. President, today I honor a community in North Dakota that is celebrating its 125th anniversary. On June 10 and 11, the residents of Amenia, ND, celebrated their community’s founding.

Amenia is a small town in the eastern part of North Dakota, with a population just under 100. Despite its size, Amenia holds an important place in the State’s history. Amenia in 1880 when the Northern Pacific Railroad established a station and a settlement grew around it. Eban Chaffee of the Amenia Sharon Land Co., on whose home the station was actually built, called the new settlement Amenia.

The post office was established on January 20, 1880, and Edwin McNeil became the first postmaster of the newly

formed community. At a special election held December 27, 1927, the village of Amenia was incorporated by a vote of 14 to 1. The Amenia Sharon Land Co. rigidly controlled Amenia until it disbanded in 1928 and as a result the townsite was not platted until late in 1928. In 1967, Amenia officially became a city.

The word Amenia comes from the Latin word meaning pleasant and today that is more appropriate than ever. Amenia now has a city park, a bar and grill, a city beauty shop and an elevator. Under the leadership of Mayor Donna Myers, Amenia remains a delightful community in which to live and work.

I ask the U.S. Senate to join me in congratulating Amenia, ND, and its residents on their first 125 years and in wishing them well in the future. By honoring Amenia and all the other historic small towns of North Dakota, we keep the great tradition of the pioneering frontier spirit alive for future generations. It is places such as Amenia that have helped to shape this country into what it is today, which is why Amenia is deserving of our recognition.

Amenia has a proud past and a bright future.●

125TH ANNIVERSARY OF LISBON, NORTH DAKOTA

● Mr. CONRAD. Mr President, today I honor a community in North Dakota that is celebrating its 125th anniversary. On June 16-19, 2005, the residents of Lisbon, ND will celebrate its history and founding.

Lisbon is a small town in the southeast part of North Dakota, with a population of about 2,500. Lisbon's history began in 1880 when Joseph L. Colton founded the town-site. Colton selected land here in 1878 and built a flourmill. The new town-site was platted on both sides of the beautiful Sheyenne River at the foot of its bordering hills. In September 1880, he laid out the official town-site and appointed the first postmaster, George Murray on January 23, 1880. His wife, Diana Robinson was from Lisbon Center, NY, and the city was named for that.

Lisbon became the county seat in 1881, and the Northern Pacific Railroad reached the site in 1882. It was incorporated as a city in 1883, and G.B. Green was appointed the first mayor of the new budding community. Less than a decade later, in 1891, the North Dakota Soldiers Home was built in Lisbon. Throughout the following years, Lisbon maintained steady growth developing into the delightful community that it is today.

Today, Mayor Morris Saxerud leads this enthusiastic community. The citizens of Lisbon enjoy fine recreation including an exceptional nine-hole golf course, a beautiful park with tennis courts, a ball park, an RV park, a gazebo, swings for youngsters and even a swimming pool. The Lisbon elemen-

tary, middle and high school system maintain a high academic program with outstanding teachers, administrators and support staff for approximately 750 students. The city has clearly flourished throughout the past 125 years!

I ask the U.S. Senate to join me in congratulating Lisbon, ND, and its residents on their first 125 years and in wishing them well through the next century. By honoring Lisbon and all the other historic small towns of North Dakota, we keep the great tradition of the pioneering frontier spirit alive for future generations. It is places such as Lisbon that have helped to shape this country into what it is today, which is why the community of Lisbon is deserving of our recognition.

Lisbon has a proud past and a bright future.●

TRIBUTE TO MAJOR GENERAL BARBARA C. BRANNON, UNITED STATES AIR FORCE NURSE CORPS, ON THE OCCASION OF HER RETIREMENT

● Mr. INOUE. Mr. President, today I wish to recognize a great American and a true military heroine who has honorably served our country for over 30 years in the U.S. Air Force Nurse Corps: MG Barbara C. Brannon. Major General Brannon began her career as a staff nurse in the Intensive and Coronary Care Unit at Malcolm Grow Medical Center, Andrews Air Force Base, MD, and subsequently served throughout the world in Nebraska, California, Texas, Florida, Alabama, England, Wyoming, Oklahoma, Italy, and the District of Columbia.

In each assignment, General Brannon excelled and overcame every challenge, accompanied by reward with greater responsibilities and opportunities. An expert educator and clinician, she assumed instructor and coordinator positions at the School of Health Care Sciences and in aeromedical evacuation, and served as assistant chief nurse, quality assurance coordinator, and director of ambulatory services at Tyndall AFB, FL. Serving as a nurse executive management fellow at Air University Regional Hospital, Maxwell AFB, AL, prepared her to lead the 7520th Air Base Squadron Medical Aid Station in Wycombe, England. Another unmatched performance led to her competitive selection as the nursing executive management fellow for the Office of the Surgeon, Strategic Air Command, Offutt AFB, NE, and was followed by her selection as the chief nurse executive, 90th Medical Group, Francis E. Warren AFB, WY.

Below-the-zone promotions to both lieutenant colonel and colonel illuminated her path to command the 382nd Technical Training Squadron, Sheppard AFB, TX, the 71st Medical Group, Vance AFB, OK and the 31st Medical Group, Aviano Air Base, Italy. She was later appointed as the director, Air Force Medical Readiness and

Nursing Services, Office of the Surgeon General, Bolling AFB, DC. Serving briefly in this capacity, she returned to Andrews AFB where she became the first Nurse Corps officer to command the 89th Medical Group, concurrently served as the Assistant Air Force Surgeon General for Nursing, and became the first Air Force nurse promoted to major general in 2003.

Her career culminates in a dual role as Assistant Air Force Surgeon General, Medical Force Development and Assistant Air Force Surgeon General for Nursing, through which she established and appraised personnel policy and force development actions for over 40,000 active duty officer, enlisted, and civilian medical personnel. I extend my deepest appreciation to Major General Brannon for her 30-plus years of dedicated military service and offer her my congratulations on a phenomenal and inspirational career.●

HONORING THE COMMUNITY OF BRIDGEWATER, SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, I rise today to honor and publicly recognize the 125th anniversary of the founding of the city of Bridgewater, SD. In addition to celebrating our nation's independence, we are called today to commemorate 125 years of Bridgewater's proud history.

Like many towns in South Dakota, the railroad played an influential role in the founding of Bridgewater. In early 1880, Bridgewater received its original name, Nation City, from the first settlers and townsite owners, Robert and John B. Nation. In late November of that year, however, the town's first train depot was built to accommodate the Chicago, Milwaukee and St. Paul Railroad, and the town's name changed from Nation City to Bridgewater. In fact, it was the rail workers who ultimately renamed the city, having been forced to carry their drinking water across a bridge near town.

One of early Bridgewater's unique traditions was the chatauqua, a summer festival under a tent loaded with singers, bands, orchestras, lectures, and plays. Adults paid \$2 and children \$1.10 for an entire week of star-studded, cultural entertainment. While this yearly ritual was a town favorite, it quickly lost popularity once roads and cars were improved and movies became more accessible. Unfortunately, Bridgewater's last chatauqua ended prematurely, as a cyclone hit and interrupted the festivities.

Bridgewater's first newspaper, the Times, was established in 1880 by Adin F. Terrill. The publication lasted for about 10 years, until it merged with the Bridgewater Brieflet in 1890 and was renamed the Bridgewater Tribune, which still exists to this day.

One of Bridgewater's notable landmarks is the city park. Created in 1960 with the help of the Green Thumb organization, the park came to fruition following the purchase of four acres of

J.J. Bollinger's property. This community park, a cherished Bridgewater amenity, is host to countless family picnics and outdoor activities.

In the twelve and a half decades since its founding, Bridgewater has provided its citizens with a rich and diverse atmosphere. Bridgewater's 600 proud residents will celebrate the town's 125th anniversary on July 4, 2005, and it is with great honor that I share with my colleagues this community's unique past.●

HONORING THE CITY OF SALEM, SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, I rise today to honor and publicly recognize the 125th anniversary of the city of Salem, SD. I would like to recognize this outstanding prairie community as an example of the extraordinary work ethic and perseverance of the remarkable people all across the state of South Dakota.

Salem, the county seat of McCook County in southeastern South Dakota, was named by Oliver S. Pendar. Pendar, the town's first postmaster, named the town for his former home of Salem, Massachusetts. Pendar first moved to McCook County in 1878 and eventually settled in Salem in 1880. Platted in July of that year, Salem's location was chosen by the railroad companies, as it provided an excellent spot for trains to stop and reload supplies as they made their way west. The town was incorporated in 1885, which is the same year residents chose W.D. Roberts as Salem's first mayor.

Early Salem experienced a great deal of economic prosperity during the peak railroad years of the late nineteenth century. The town grew rapidly in its first decade and boasted a number of businesses, including several hotels, a lumberyard, a furniture store, several banks, real estate brokers, livery barns, and other services vital to a growing community on the frontier.

At its zenith, Salem was home to five fine hotels, including the Lewis House, the Commercial Hotel, the Irish House of Parliament, the Depot Hotel, and the Lucerne, all of which flourished during the railroad years. Sadly, many of these hotels have come and gone, but their legacy remains.

Salem's first school, a two-story frame building located on the site of the present high school, was built by J.E. Miller in 1881 and opened in 1882. The first floor consisted of county administrative offices and classrooms. The building's second floor accommodated church services, a courthouse, and a public hall.

Since its founding, Salem has been home to three newspapers, the first of which was the Pioneer Register, started by Mr. Jonas Rutan in 1880. In 1883, Mr. C.F.M. Schenckler established Salem's second paper, the McCook County News, which Mr. J.E. Patten purchased three years later and renamed the Salem Special. This semi-weekly

paper, published on Wednesdays and Saturdays, kept the community informed of important events in the area.

Through the years, the residents of Salem have demonstrated great flexibility and perseverance in their ability to flourish despite overwhelming heartbreak. Since Salem's founding in the late nineteenth century, the town experienced several destructive fires and floods, destroying grain elevators, hundreds of homes, and numerous businesses. Still, this resilient community always managed to recover, rebuild and prosper.

The pioneer men and women of early Salem also exhibited a remarkable propensity for using the resources and riches of the frontier to make a wonderful life for themselves on the plains of the Dakotas. Richard F. Kneip was a local milk equipment businessman who went on to serve as Governor of South Dakota, and later as Ambassador to Singapore. The sense of community, moral fortitude, perseverance, and enduring work ethic that is evident in the people and the history of Salem, stands as a testament to the integrity of South Dakotans. It is my honor to acknowledge the proud residents of Salem, SD as they celebrate 125 years of vibrant history on July 2-4, 2005.●

TRIBUTE TO ANTHONY ATHANAS

● Mr. KERRY. Mr. President, today I recognize and celebrate the life of a great American and a gracious host to all who crossed his threshold, Mr. Anthony Athanas. Everyone in Massachusetts, along with restaurateurs and past patrons across the country, was saddened to learn of his passing earlier this month.

Today, however, I am honored to join with the countless people who were touched by his graciousness and charm in celebrating Anthony's unique American journey. Anthony Athanas came to the United States in 1915 to pursue a dream and through hard work and perseverance, along with his instinctual hospitality and keen business sense; Anthony came to embody that dream.

His entry into the world of restaurants was by way of working on lighting and the maintenance of stoves. With a rapidly growing love of the pace and hustle of the hospitality business, Anthony opened his first restaurant, "Anthony of Hawthorn," in Lynn, MA, in 1937. This endeavor was quickly followed by four more restaurants; Hawthorne by the Sea, General Glover House, Anthony's Cummaquid Inn and Pier 4. Of the 5, Anthony's Pier 4, opened in 1963, would be his most famous and enduring.

Anthony's Pier 4 became famous for serving quality New England seafood to visitors from all over the world and by the late-1960's Anthony's Pier 4 was the port of call for movie stars, signers, performers of all sorts and athletes. Irrespective of name recognition or social standing, every guest received the same gracious reception from Anthony.

To walk in his door was to be regarded and treated as someone special. This hospitable approach had practical applications as well, proven by the restaurant's ranking as the fifth most successful restaurant in the country in 1984.

The embrace he received from his peers in the restaurant community was complete and sustained. He received the Silver Plate Award from the International Foodservice Manufacturers Association, the Ivy Award of Distinction from Institutions/VFM Magazine, the Golden Door Award from the International Institute of Boston, the Restaurant of the Year Award in 1976 from the National Restaurant Association amongst many others.

The best business leaders in our country are people who not only excel in commerce but also embrace the larger needs of their community. Anthony embraced this notion with the same passion and determination that defined his professional life. He contributed time, energy and resources to preserving our national history at the USS Constitution Museum Foundation, reached out to other entrepreneurs through the Greater Boston Chamber of Commerce, brought comfort to suffering families through his work with the American Cancer Society, and helped create the next generation of restaurateurs through his support of the American Institute of Food and Wine.

Anthony breathed real life and meaning into the American Dream by not only maximizing its possibilities for him and his family but by expanding those very same opportunities for others.

The last time I walked into Anthony's Pier 4 I was greeted in the same way I have been for years; with a smile and handshake from a true gentleman. Anthony Athanas was a great man, one who sought the American Dream and through hard work and his love of people ended up defining it. We mourn his passing, but we are deeply grateful for his time on earth.●

ARIZONA STUDENT'S HISTORY PROJECT CHOSEN FOR WHITE HOUSE VISITOR'S DISPLAY

● Mr. KYL. Mr. President, I congratulate Miriam Strauss of Apache Middle School in Sierra Vista, AZ for her National History Day Project entitled, "Franklin D. Roosevelt's Fireside Chats." Miriam's project, along with seven others from around the Nation, was chosen from among more than 2,000 finalists for presentation and display at the White House Visitor's Center on June 15, 2005. Her project was part of this year's National History Day theme, "Communication: The Key to Understanding." The National History Day program includes half a million students in grades six through twelve in all 50 States and the District of Columbia, so the selection of Miriam's project for presentation is a

tremendous honor. I wish this budding historian the best of luck in the future.●

ANDREW IVY

● Mrs. MURRAY. Mr. President, I rise today to recognize Mr. Andrew Ivy, an exceptional history teacher and role model from Kirkland, WA. Mr. Ivy has been named Teacher of the Year by the Richard T. Farrell Teacher of Merit Award for outstanding success in teaching history. This national award is presented every year to an educator who develops and uses innovative and creative teaching methods that interest students in history and help them make exciting discoveries about the past. As a teacher at International Community School in Kirkland, WA, Mr. Ivy has shown exemplary commitment to making history education engaging and exciting, while involving his students in the National History Day Program.

National History Day is a yearlong program in which students explore historical topics related to an annual theme. Participants qualify for national competition after competing in several local and State competitions. In preparing his students for the program, Mr. Ivy's work ethic and research skills provided students with the tools necessary to be successful in competition.

Teachers like Mr. Ivy play an important role in education. By teaching about the nations past they keep our history a part of our current lives. When children question, and discuss our history, teachers are doing something profoundly patriotic; they are helping students understand who we are as a nation—the importance of our common heritage and the values that make us unique.

Andrew Ivy has proven exceptional. His drive to offer his students the best education possible has led him to invest a great deal of personal study in his curriculum. He regularly attends training classes to ensure that the material he teaches is accurate and current. Additionally, Mr. Ivy often tries new approaches to his teaching method in order to keep his classroom interested and challenged. His curriculum often changes to meet his very own high standards and his students greatly benefit from all of his efforts.

Mr. President, I find it heartening that there are educators in this country who devote so much time and effort to shaping the minds of our young people. I hope you and our colleagues will join me in recognizing Mr. Andrew Ivy for his dedication to educating the potential leaders of tomorrow.●

AMERICAN AMBULANCE ASSOCIATION STAR OF LIFE AWARD RECIPIENTS

● Mr. SMITH. Mr. President, I am pleased to rise today to announce seven Star of Life award recipients from the State of Oregon.

The Star of Life is awarded each year by the American Ambulance Association recognizing America's top paramedics.

The reliable responsiveness and medical and safety expertise performed by paramedics throughout the neighborhoods and communities of our country deserves high recognition and praise.

Paramedics are the first to respond to the urgent health and safety needs of our Nation's citizens, providing an invaluable contribution to our society. The men and women of this profession truly are dedicated to helping others as they perform a myriad of vital services from delivering babies to rescuing the lives of individuals in harm's way.

Mr. President, I would like to recognize the following Oregonians who received the 2005 Star of Life Award: Victor Hoffer, Elizabeth Fullmer, Greg Sorenson, Michael Beaulieu, Shelly Solum, David Landstrom, and Brett LaCroix.

I want to congratulate each of these individuals for their esteemed service and recognition in receiving this prestigious award.

Oregon is proud and privileged to call Victor, Elizabeth, Greg, Michael, Shelly, David and Brett its own.

These Star of Life award recipients exemplify their extraordinary performance among a profession that provides critical services to our communities and our Nation. I am most grateful for their service.●

TRIBUTE TO HAZEL HANON AND GRACE SIERS

● Mr. THUNE. Mr. President, today I rise in honor of two exceptional women. Hazel Hanon and Grace Siers, both of Britton, SD, are the last two active charter members of Marshall Post No. 3507 Ladies Auxiliary in Britton for the Veterans of Foreign Wars Lady Auxiliary.

Hazel, now 87 years old, joined for her husband and brother who both served during World War II in the U.S. Navy and Air Force respectively.

Grace, now 90 years old, has many family members who served in the military. Her husband served in World War I, and her three brothers in World War II. She has also had five sons, a grandson, and a granddaughter serve our country.

Hazel and Grace have devoted their time and energy to the group by holding banquets, selling poppies, and even compiling a dessert cookbook. It is a privilege for me to honor them today for their past dedication and their continuing support of our veterans of foreign wars.●

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2626. A communication from the Chairman and President, Export-Import Bank of

the United States, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the Republic of Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC-2627. A communication from the Chairman and President, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to transactions involving exports to Qatar; to the Committee on Banking, Housing, and Urban Affairs.

EC-2628. A communication from the Deputy Secretary, Division of Market Regulation, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Regulation NMS" ((RIN3235-AJ18) (Release No. 34-51808)) received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-2629. A communication from the Deputy General Counsel for Equal Opportunity and Administrative Law, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary for Housing/Federal Housing Commissioner, received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-2630. A communication from the Deputy General Counsel for Equal Opportunity and Administrative Law, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a vacancy in the position of President, Government National Mortgage Association, received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-2631. A communication from the Assistant General Counsel (Banking and Finance), Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Terrorism Risk Insurance Program—Additional Claims Issues; Insurer Affiliates" (RIN1505-AB09) received on June 8, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-2632. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations (70 FR 29633)" ((Docket No. FEMA-D-7571) (44 CFR 65)) received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-2633. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "List of Communities Eligible for the Sale of Flood Insurance (70 FR 21159)" ((Docket No. FEMA-7776) (44 CFR 64)) received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-2634. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (70 FR 25787)" ((Docket No. FEMA-7877) (44 CFR 64)) received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-2635. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (70 FR 20299)" ((Docket No. FEMA-7875) (44 CFR Part 64)) received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-2636. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations (70 FR 29637)" (44 CFR

67) received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-2637. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations (70 FR 29638)" (44 CFR 67) received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-2638. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations (70 FR 29639)" (44 CFR 67) received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-2639. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations (70 FR 29634)" (44 CFR 67) received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-2640. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Child Welfare Outcomes 2002: Annual Report"; to the Committee on Health, Education, Labor, and Pensions.

EC-2641. A communication from the Deputy Executive Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Parts 4022 and 4044) received on June 14, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-2642. A communication from the Chairman, International Trade Commission, transmitting, pursuant to law, the report of an investigation entitled "The Impact of Trade Agreements Implemented Under Trade Promotion Authority"; to the Committee on Finance.

EC-2643. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Appeals Settlement Guidelines: Sports Industry Media Rights Acquired in Connection with a Sports Franchise" (UIL: 167. 03-03) received on June 14, 2005; to the Committee on Finance.

EC-2644. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Charitable Contributions of Certain Motor Vehicles, Boats, and Airplanes" (Notice 2005-44) received on June 14, 2005; to the Committee on Finance.

EC-2645. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Supplemental Information for Notice 2003-47 and Announcement 2005-19, Executive Stock Option Transaction and Settlement Initiative" (Announcement 2005-39) received on June 14, 2005; to the Committee on Finance.

EC-2646. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 965—Limitations on Dividends Received Deductions" (Notice 2005-38) received on June 14, 2005; to the Committee on Finance.

EC-2647. A communication from the Chief, Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "American Indian Livestock Feed Program" (RIN0560-AH26) received on June 14, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2648. A communication from the Assistant Administrator, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Shark Quotas and Season Lengths" ((RIN0648-AT07) (I.D. No. 020205F)) received on June 14, 2005; to the Committee on Commerce, Science, and Transportation.

EC-2649. A communication from the Acting White House Liaison, Technology Administration, Department of Commerce, transmitting, pursuant to law, the report of a vacancy in the position of Under Secretary for Technology, received on June 14, 2005; to the Committee on Commerce, Science, and Transportation.

EC-2650. A communication from the Acting White House Liaison, International Trade Administration, Department of Commerce, transmitting, pursuant to law, the report of a vacancy in the position of Under Secretary for International Trade, received on June 14, 2005; to the Committee on Commerce, Science, and Transportation.

EC-2651. A communication from the Acting White House Liaison, International Trade Administration, Department of Commerce, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary and Director General, received on June 14, 2005; to the Committee on Commerce, Science, and Transportation.

EC-2652. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's monthly report on the status of its licensing and regulatory duties; to the Committee on Environment and Public Works.

EC-2653. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "GEORGIA SIP: Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Georgia, Redesignation of Atlanta Severe 1-Hour Ozone Nonattainment Area to Attainment for Ozone; Maintenance Plan; Motor Vehicle Emission Budgets; Revisions to Rules for Air Quality" (FRL No. 7924-7) received on June 14, 2005 to the Committee on Environment and Public Works.

EC-2654. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "GEORGIA SIP. 1-Hour Severe Ozone Nonattainment Area and Severe Area Vehicle Miles Traveled" (FRL No. 7924-2) received on June 14, 2005; to the Committee on Environment and Public Works.

EC-2655. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "OHIO SIP. 1-Hour Ozone Standard for Ozone Maintenance" (FRL No. 7925-3) received on June 14, 2005 to the Committee on Environment and Public Works.

EC-2656. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hazardous Waste Management System; Identification and Listing of Hazardous

Waste; Dyes and/or Pigments, Production Waste; Land Disposal Restrictions for Newly Identified Waste; CERCLA Hazardous Substance Designation and Reportable Quantities" (FRL No. 7924-9) received on June 14, 2005; to the Committee on Environment and Public Works.

EC-2657. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hazardous Waste Management System; Modification of the Hazardous Waste Manifest System; Correction" (FRL No. 7925-1) received on June 14, 2005; to the Committee on Environment and Public Works.

EC-2658. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC-2659. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC-2660. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC-2661. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC-2662. A communication from the Director, Federal Judicial Center, transmitting, pursuant to law, the Center's annual report for the 2004 calendar year; to the Committee on the Judiciary.

EC-2663. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Clarifying of Release Gratuities—Release Transportation Regulations to More Closely Conform to Statutory Provisions" (RIN1120-AB21) received on June 14, 2005; to the Committee on the Judiciary.

EC-2664. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Over-The-Counter (OTC) Medications: Technical Correction" (RIN1120-AB29) received on June 14, 2005; to the Committee on the Judiciary.

EC-2665. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Infectious Disease Management: Voluntary and Involuntary Testing" (RIN1120-AB03) received on June 14, 2005; to the Committee on the Judiciary.

EC-2666. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Bureau of Prisons Emergencies" (RIN1120-AB07) received on June 14, 2005; to the Committee on the Judiciary.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. LUGAR for the Committee on Foreign Relations.

*Jorge A. Plasencia, of Florida, to be a Member of the Advisory Board for Cuba Broadcasting for a term expiring October 27, 2006.

*Jay T. Snyder, of New York, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2007.

*Christopher J. Hanley, of Maryland, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2006.

*Craig Roberts Stapleton, of Connecticut, to be Ambassador to France.

*Eduardo Aguirre, Jr., of Texas, to be Ambassador to Spain, and to serve concurrently and without additional compensation as Ambassador to Andorra.

*Roger Dwayne Pierce, of Virginia, to be Ambassador to Republic of Cape Verde.

*Donald E. Booth, of Virginia, to be Ambassador to the Republic of Liberia.

*Molly Hering Bordonaro, of Oregon, to be Ambassador to the Republic of Malta.

*Julie Finley, of the District of Columbia, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador.

*Richard J. Griffin, of Virginia, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador during his tenure of service.

*Robert Johann Dieter, of Colorado, to be Ambassador to Belize.

*Zalmay Khalilzad, of Maryland, to be Ambassador to Iraq.

*Rodolphe M. Vallee, of Vermont, to be Ambassador to the Slovak Republic.

*Pamela E. Bridgewater, of Virginia, to be Ambassador to the Republic of Ghana.

*Ann Louise Wagner, of Missouri, to be Ambassador to Luxembourg.

*Terence Patrick McCulley, of Oregon, to be Ambassador to the Republic of Mali.

Mr. LUGAR. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Foreign Service nominations beginning with Donald B. Clark and ending with Michael T. Fritz, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2005.

Foreign Service nominations beginning with Christine Elder and ending with Samantha Carl Yoder, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2005.

Foreign Service nominations beginning with Todd B. Avery and ending with John P. Yorro, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2005.

Foreign Service nominations beginning with Michael Hutchinson and ending with Marie Zulueta, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2005.

Foreign Service nominations beginning with Charles W. Howell and ending with Hector U. Zuccolotto, which nominations were received by the Senate and appeared in the Congressional Record on May 9, 2005.

*Nomination was reported with recommendation that it be confirmed subject to

the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

Nominee: Craig R. Stapleton.
Post: Ambassador to France.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: \$2,000, 7/17/03, Bush-Cheney '04; \$25,000, 12/28/03, Bush/Cheney Victory 2004; \$1,000, 2/13/04, John Graves for Congress; \$1,000, 5/28/04, Friends of Jack Orchulli; \$2,000, 5/28/04, Shays for Congress; \$25,000, 6/21/04, RNC Presidential Trust; \$500, 8/21/04, Republican Majority for Choice; \$1,000, 9/15/04, Peter Coors for Senate; \$2,000, 3/26/04, Simmons for Congress.

2. Spouse: Dorothy W. Stapleton \$2,000, 8/19/03, Bush-Cheney '04; \$1,000, 3/26/04, Simmons for Congress; \$1,000, 8/13/04, Fed PAC; \$1,000, 10/8/04, Coors for Senate.

3. Children and Spouses: Walker Stapleton \$500, 9/24/02, Beauprez for Congress; \$2,000, 8/20/03, Bush-Cheney '04; \$1,000, 5/24/04, \$500, 10/08/04, Coors for Senate.

4. Parents: Katharine H. Stapleton, \$2,000, 8/20/03, Bush-Cheney '04.

5. Grandparents: No contributions.

6. Brothers and Spouses: Benjamin F. Stapleton III (Jane) \$208, 10/13/04, Coburn for Senate; \$208, 10/29/04, Coors for Senate; \$500, 8/06/04, Udall for Congress; \$1,000, 8/26/03, Bush-Cheney '04; \$1,000, 6/15/04, Bush-Cheney '04; \$1,000, 5/28/04, Shelby for Senate; \$1,000, 8/04/04, Coors for Senate; \$2,496, 10/13/04, Majority Fund For America's Future Committee.

*Eduardo Aguirre, Jr., of Texas, to be Ambassador to Spain, and to serve concurrently and without additional compensation as Ambassador to Andorra.

Nominee: Eduardo Aguirre, Jr.

Post: United States Ambassador to Spain.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: \$1,000, 01/2001, George W. Bush for President.

2. Spouse: Maria Teresa P. Aguirre: none.

3. Children and Spouses: Eduardo Aguirre, III: none; Maria Teresa Aguirre: none.

4. Parents: Eduardo L. Aguirre—deceased; Altigracia Reyes: none.

5. Grandparents: Juan Aguirre—deceased; Isabel Leon-Aguirre—deceased; Jose Reyes—deceased; Matilde Perez-Reyes—deceased.

6. Brothers and Spouses: Louise G. Aguirre: none; Anne Marie Aguirre: none.

7. Sisters and Spouses: none.

*Roger Dwayne Pierce, of Virginia, to be Ambassador to Republic of Cape Verde.

Nominee: Roger Dwayne Pierce.

Post: Praia, Cape Verde.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: 0.

2. Spouse: 0.

3. Children and Spouses: Lisa Marie Markel 0; Howard Markel 0; Christopher Pierce 0; Michael Pierce 0.

4. Parents: Reuben Pierce—Deceased; Ardieth Hamilton 0.

5. Grandparents: Claude Pierce—Deceased; Eugenia Pierce—Deceased; Lewis Davidson—Deceased; Willia Davidson—Deceased.

6. Brothers and Spouses: R. Darryl Pierce 0; Mark D. Pierce 0; Katherine S. Pierce 0.

7. Sisters and Spouses: Robin L. Pierce 0; Margo W. Pierce 0.

*Donald E. Booth, of Virginia, to be Ambassador to the Republic of Liberia.

Nominee: Donald E. Booth.

Post: Ambassador to Liberia.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse—Anita S. Booth: None.

3. Children and Spouses: Alison L. Booth, None; Peter R. Booth, None; David I. Booth, None.

4. Parents: John E. Booth, Deceased—None; Eileen R. Booth, Deceased—None.

5. Grandparents: Ernest Ford, Deceased—None; Lena Ford, Deceased—None; Edward Booth, Deceased—None; Margaret Booth, Deceased—None.

6. Brothers and Spouses: John L. Booth (step-brother) None; Tibby Booth, None.

7. Sisters and Spouses: Camilla Noyes (step-sister), None; George Noyes, None.

*Molly Hering Bordonaro, of Oregon, to be Ambassador to the Republic of Malta.

Nominee: Molly Hering Bordonaro.

Post: Ambassador to Malta.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: Molly Bordonaro—(see attached).

2. Spouse: Matthew Bordonaro—(see attached).

3. Children and Spouses: Brooke A. Bordonaro, No contributions (under 18); Coulter M. Bordonaro, No contributions (under 18).

4. Parents: J. Clayton Hering—see attached; Susan "Sudee" Hering, No contributions in the past four years.

5. Grandparents: Betty Boyd—(see attached); John Boyd—Deceased; Anita Hering—Deceased; Jack Hering—Deceased.

6. Brothers and Spouses: No Brothers.

7. Sisters and Spouses: Lisa Handley, No contributions; Kristin Yaker, No contributions; James Yaker, No contributions.

Contribution, amount, date, and donee:

1. Molly H. Bordonaro, \$250, 2/4/2005, Mike Simpson for Congress; \$500, 3/4/2004, Friends of Gordon Smith; \$250, 9/23/2004, Walden for Congress; \$500, 3/8/2004, Craig Schelske for Congress; \$300, 9/21/2000, Charles Starr for Congress; \$1,000, 10/27/1999, Gordon Smith for U.S. Senate; \$400, 11/15/2001, Gordon Smith for U.S. Senate; \$1,000, 6/30/1999, George W. Bush for President; \$250, 8/29/2000, Rick Lazio 2000; \$1,000, 9/30/2003, Bush-Cheney '04' Primary; \$1,000, 1/14/2004, Oregon Republican Party; \$500, 6/28/2002, Gordon Smith Oregon Victory; \$327, 8/30/2002, Gordon Smith Oregon Victory; \$500, 6/28/2002, Gordon Smith for U.S. Senate.

2. Matthew Bordonaro, \$790, 8/30/2000, George W. Bush for President; \$627, 8/30/2002, Gordon Smith Oregon Victory; \$627, 9/24/2002, Gordon Smith for U.S. Senate.

3. J. Clayton Hering, \$1,000, 7/28/2004, Oregon Republican Party; \$500, 9/30/2003, Jim

Zupancic for Congress; \$250, 7/27/2004, Jim Zupancic for Congress; \$250, 9/13/2004, Jim Zupancic for Congress; \$250, 8/19/2002, Greg Walden for Congress; \$1,000, 6/27/2003, Phillips for Congress; \$250, 6/20/2002, Gordon Smith Oregon Victory; \$1,000, 8/28/2002, Gordon Smith Oregon Victory; \$250, 9/9/2004, Jim Feldkamp for Congress; \$500, 6/30/2004, Jim Feldkamp for Congress; \$500, 2/26/2004, Phillips for Congress; \$300, 4/17/2004, Phillips for Congress; \$2,000, 8/29/2003, Bush-Cheney '04 Primary.

4. Betty Boyd, \$500, 1/26/2000, McCain 2000; \$500, 1/11/2000, Bill Bradley For President.

*Julie Finley, of the District of Columbia, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador.

Nominee: Julie Finley.

Post: U.S. Ambassador to the O.S.C.E.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

Self: \$1,000, 7/04, John Thune for U.S. Senate; \$4,000, 8/04, D.C. Republican Committee; \$1,500, 6/04, D.C. Republican Committee; \$2,500, 5/04, D.C. Republican Committee; \$3,750, 5/04, Leadership Circle PAC; \$2,000, 10/04, Bush-Cheney '04 Compliance Committee; \$32,500, 9/04, 2004 Joint Candidate Committee II; \$5,000, 9/03; D.C. Republican Committee; \$1,000, 5/03, D.C. Republican Committee; \$2,000, 6/03, Bush-Cheney '04 (Primary); \$2,000, 10/03, Citizens for Arlen Specter; \$25,000, 9/03, Republican National Committee; \$1,000, 4/03, The Wish List; \$1,000, 5/02, Alexander for Senate Inc.; \$5,000, 10/02, Dole North Carolina Victory Committee Inc.; \$1,000, 10/02, Forrester Victory Committee; \$500, 8/02, Friends of Connie Morella for Congress; \$1,000, 5/02, The Wish List; \$1,000, 10/02, John Thune for South Dakota; \$1,000, 2/02, D.C. Republican Committee (Federal Account); \$1,000, 3/02, Raye for Congress; \$1,000, 7/02, Team Sununu; \$1,000, 8/02, Norm Coleman for U.S. Senate; \$1,000, 3/02, Dole 2002 Committee; \$1,000, 8/02, Cole for Congress; \$1,750, 10/02, The Wish List; \$1,000, 5/02, Over-the-Hill PAC; \$500 6/02, National Conservative Campaign Fund; \$25,000, 3/02, RNC Republican National State Elections Committee; \$500, 3/02, Johnson for Congress; \$1,000, 3/02, Lindsey Graham for Senate; \$1,000, 6/02, Friends of George Allen; \$2,500, 10/01, New Jersey Republican State Committee; \$500, 11/01, Greenwood for Congress; \$500, 10/01, Friends of Katherine Harris; \$1,000, 11/01, Norm Coleman for U.S. Senate; \$1,000, 3/01, The Wish List; \$500, 11/01, Hagel for Senate Committee; \$1,000, 6/01, Forbes for Congress; \$1,000, 11/01, Talent for Senate Committee; \$1,000, 6/01, Cathy Keating for Congress; \$5,000, 1/25/01, D.C. Republican Committee (RNC Republican, National state Elections Committee).

Spouse: William Thompson Finley, deceased.

Children/Sons: Benjamin E. Finley, II: \$500, 6/04, Bill Manger for Congress, Inc.; \$500, 9/4, Bill Manger for Congress, Inc.; \$2,000, 6/03, Bush-Cheney '04.

Abner M. Finley: \$2,000, 6/03, Bush-Cheney '04.

Parents: Joy Elizabeth Fairman Hamm, deceased; Edward Frederick Hamm, Jr., deceased.

Grandparents: Edward Frederick Hamm, deceased; Sarah Meek Hamm, deceased; Frederick Wilson Fairman, deceased; Florence Joys Fairman, deceased.

Brother and Spouses: Thornton Edward Hamm, none.

Sisters and Spouses: Martha Hamm Spencer, none; Harold R. Spencer, None.

*Richard J. Griffin, of Virginia, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador during his tenure of service.

*Robert Johann Dieter, of Colorado, to be Ambassador to Belize.

Nominee: Robert Johann Dieter.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self; 2. Spouse; 3. Children and Spouses Names: Information for 1.-3. is provided on the attached sheet.

4. Parents: Both parents deceased in 1970's.

5. Grandparents: All grandparents deceased prior to 1970.

6. Brothers and Spouses: No brothers.

7. Sisters and Spouses: Barbara L. Dieter, sister, not married; no contributions.

FEDERAL CAMPAIGN CONTRIBUTION REPORT—

ROBERT JOHANN DIETER

JANUARY 1, 2001 TO MARCH 7, 2005

1. Self: Robert J. Dieter.

Amount, date, and donee:
\$250, 3-3-01, Elect Francisco Committee; \$100, 3-06-01, Boulder County Republicans; \$2,500, 4-22-01, Bill Owens for Governor; \$50, 5-05-01, Citizens for Bill Owens; \$100, 8-28-01, Mike Francisco for Congress; \$250, 9-17-01, Wayne Allard for U.S. Senate Committee; \$750, 3-39-02, Wayne Allard for U.S. Senate Committee; \$250, 4-09-02, Elect Francisco Exploratory Committee; \$1,000, 4-24-02, Allard Leadership Committee; \$350, 5-16-02, Bob Beauprez for Congress Committee; \$250, 9-09-02, Bob Beauprez for Congress Committee; \$500, 10-14-02, Bob Beauprez for Congress Committee; \$100, 4-12-03, Beauprez for Congress; \$2,000, 11-07-03, Bush-Cheney '04; \$1,000, 11-14-03, Bob Beauprez for Congress Committee; \$1,000, 11-10-03, Campbell for Colorado; \$1,000 (refund), 5-03-04, Campbell for Colorado; \$250, 1-18-04, Bob Beauprez for Congress Committee; \$150, 1-27-04, National Republican Congressional Committee; \$50, 2-03-04, Republican National Committee; \$5,000, 6-04-04, Republican National Committee; \$2,000, 6-14-04, Pete Coors for Senate; \$2,000, 6-14-04, Pete Coors for Senate; \$650, 6-28-04, Bob Beauprez for Congress Committee; \$500, 9-15-04, Walcher for Congress; \$50, 9-17-04, South Dakota Republican Party; \$85, 10-18-04, Colorado Republican Committee; \$150, 10-26-04, National Republican Congressional Committee; \$500, 11-01-04, Walcher for Congress.

2. Spouse: Gwynneth A.E. Dieter.

Amount, date, and donee:
\$75, 6-12-03, Republican National Committee; \$2,000, 8-14-03, Bush-Cheney '04; \$25, 4-01-04, Republican National Committee; \$25, 5-02-04; Republican National Committee; \$112, 9-15-04, Beauprez for Congress Committee; \$1,000, 10-08-04, Pete Coors for Senate.

3. Children and spouses: Megan E. Dieter (not married); no contributions.

Alexis A. Dieter (not married):

Amount, date, and donee:
\$2,000, 8-14-03, Bush-Cheney '04.
Nicholas D. Dieter (not married); no contributions.

*Zalmay Khalilzad, of Maryland, to be Ambassador to Iraq.

Nominee: Zalmay M. Khalilzad.

Post: Iraq.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the in-

formation contained in this report is complete and accurate.

Contributions, amount, date, and donee:
1. Self: None.
2. Spouse: None.
3. Children and Spouses: Cheryl C. Benard; Alexander Khalilzad Benard; Maximilian Khalilzad Benard.
4. Parents: Zahra Khalilzad: None; Khalilullah (deceased): None.
5. Grandparents (deceased): None.
6. Brothers and Spouses: David Khalilzad: None; Vicky Khalilzad: None; Tory Khalilzad: None.
7. Sisters and Spouses: Aziza Monawar: None; Malika Monawar: None; Ashan Monawar: None; Basima Khalilzad: None.

*Rodolphe M. Vallee, of Vermont, to be Ambassador to the Slovak Republic.

Nominee: Rodolphe Meaker Vallee.

6. Political Contributions: List all financial contributions made by you, your spouse or other members of your immediate family, or any organization, corporation, or subsidiary thereof, in which you or your spouse has a controlling interest to any local, state or national party committee, to any individual candidate or to any multi-candidate committee during this calendar year and during the four preceding calendar years.

Contributions, amount, date, and donee:

1. Self: Rodolphe M. Vallee:
State contribution: \$400, 07/11/01, Jim Douglas for Governor; \$400, 05/20/02, Bruce Hyde for Auditor; \$400, 07/12/03, Jim Douglas for Governor; \$400, 08/12/04, Randy Brock for Auditor; \$100, 09/18/04, Wendy Schroeder for State Representative; \$200, 09/24/04, George Schiavone; \$2,000, 01/30/04, Bill Cobey for Governor; \$300, 08/30/04, Kate Purcell for VT Senate.

Federal contributions: (\$1,000), 07/17/01, Jeffords for Vermont Committee; \$2,020, 02/08/01, Republican National State Elections Committee; \$2,020, 02/08/01, Republican National State Elections Committee; \$3,000, 07/11/01, VT Republican Committee; \$1,000, 10/15/02, Meub for Congress; \$5,000, 09/16/02, VT Republican Committee; \$1,500, 06/10/03, Bush-Cheney '04; \$500, 06/30/03, Bush-Cheney '04; \$10,000, 05/16/03, VT Republican Committee; \$25,000, 05/19/04, Republican National Committee; \$10,000, 02/17/04, VT Republican Committee; *\$12,500, 08/02/04, RNC Joint State Victory Committee; *\$25,000, 05/21/04, RNC Joint Candidate Committee; *\$10,500, 08/02/04, RNC Joint Candidate Committee; \$743.75, 08/24/04, Arizona Republican Party; \$2,000, 08/02/04, BC-04 Compliance Committee; \$1,468.75, 08/02/04, CO-03 Congressional Victory Committee; \$2,000, 08/02/04, Friends of Mel Martinez; \$1,468.75, 08/02/04, KY-04 Congressional Victory Committee; \$1,468.75, 08/02/04, LA-03 Congressional Victory Committee; \$1,468.75, 08/02/04, LA-07 Congressional Victory Committee; \$297.50, 08/31/04, Maine Republican Party; \$1,265, 08/24/04, Michigan Republican State Committee; \$818.75, 08/18/04, Missouri Republican State Committee; \$372.50, 08/31/04, Nevada Republican State Central Committee; \$297.50, 08/27/04, New Hampshire Republican State Committee; \$1,487.50, 08/24/04, Ohio Central & Executive Committee; \$521.25, 08/24/04, Oregon Republican Party; \$1,468.75, 08/02/04, PA-15 Congressional Victory.com; \$2,008.75, 08/02/04, Republican Party of Florida; \$521.25, 08/24/04, Republican Party of Iowa; \$632.50, 08/18/04, Republican Party of Minnesota; \$1,562.50, 08/02/04, Republican Party of Pennsylvania; \$372.50, 08/02/04, Republican Party of West Virginia; \$743.75, 08/02/04, Republican Party of Wisconsin; \$1,468.75, 08/02/04, WA-05 Congressional Victory Committee; \$1,468.75, 08/02/04, WA-08 Congressional Victory Committee; \$408.75, 08/24/04, Washington State Republican Party; \$1,468.75, 09/30/04, Bob Beauprez for Congress;

\$1,468.75, 08/02/04, Max Burns for Congress; \$2,000, 08/02/04, Richard Burr Committee; \$446.25, 08/02/04, Arkansas State Committee; \$2,000, 09/17/04, George Nethercutt for Senate; \$1,468.75, 09/30/04, Randy Neugebauer Congressional Committee; \$1,468.75, 08/02/04, Anne Northup for Congress; \$1,468.75, 09/20/04, Jon Porter for Congress; \$1,468.75, 08/02/04, Richard Renzi for Congress; \$1,468.75, 09/29/04, Pete Sessions for Congress; \$1,468.75, 09/29/04, Rob Simmons for Congress; \$2,000, 08/02/04, John Thune for U.S. Senate; \$2,000, 09/30/04, David Vitter for U.S. Senate; \$1,468.75, 09/30/04, Heather Wilson for Congress.

*Joint Committee Contributions to Candidates also shown.

R.L. Vallee, Inc.: State contributions: \$400, 07/12/01, Jim Douglas for Governor; \$2,000, 02/27/01, Vermont Republican Party; \$300, 08/07/02, Brian Dubie for Lt. Governor; \$400, 05/20/02, Bruce Hyde for Representative; \$400, 09/25/02, John V. LaBarge; \$300, 08/07/02, Purcell for Senate; \$300, 08/07/02, Friends of Scott Shumski; \$300, 08/07/02, Diane Snelling for Senate; \$300, 08/22/02, Cathy Voyer for Representative; \$400, 07/02/03, Jim Douglas for Governor; \$2,000, 05/15/03, Vermont Republican Committee; \$400.00, 08/06/04, Randy Brock for Auditor.

Twin State Environmental, Inc.: State contributions: \$400, 07/12/01, Jim Douglas for Governor; \$2,000, 04/18/01, Vermont Republican Committee.

Twin State Holding, Inc.: State contribution: \$2,000, 10/11/02, Franklin County Republican Committee; \$400, 08/07/02, Bruce Hyde for Auditor; \$400, 09/25/02, John V. LaBarge for Treasurer; \$300, 08/07/02, Purcell for Senate; \$300, 08/07/02, Diane Snelling for Senate; \$2,000.00, 12/16/03, Vermont Republican Party.

Verterre Group, Inc.: State contributions: \$300, 08/07/02, Brian Dubie for Lt. Governor; \$400, 05/20/02, Bruce Hyde for Treasurer; \$400, 09/25/02, John V. LaBarge for Treasurer; \$300, 08/07/02, Purcell for Senate; \$300, 09/30/02, Friends of Scott Shumski; \$300, 08/07/02, Diane Snelling for Senate; \$300, 08/22/02, Cathy Voyer for Representative; \$400, 07/05/03, Jim Douglas for Governor; \$2,000, 05/15/03, Vermont Republican Party.

Twin State Fuels, Inc: State contributions: \$400, 07/12/01, Jim Douglas for Governor.

Vallee Holdings, LLC: State contributions: \$400, 07/12/01, Jim Douglas for Governor; \$2,000, 07/12/01, Vermont Republican Party; \$300, 08/22/02, Cathy Voyer for Representative; \$2,000, 12/16/03, Vermont Republican Party.

2. Spouse: Denise Vallee: State contributions: \$400, 07/11/01, Jim Douglas for Governor; \$400, 05/20/02, Bruce Hyde for Treasurer; \$300, 09/10/02, Diane Snelling for Senate; \$400, 07/12/03, Jim Douglas for Governor; \$400, 08/12/04, Randy Brock for Auditor; \$300, 08/25/04, Kate Purcell for Senate; \$100, 09/18/04, Wendy Schroeder for State Representative; \$200, 09/24/04, George Schiavone; \$300, 09/04/04, Diane Snelling for Senate.

Federal Contributions: (\$1,000, 07/17/01, Jeffords for Vermont Committee; \$2,500, 01/09/01, Vermont Republican Committee; \$1,000, 10/01/02, John Sununu (Team Sununu); \$5,000, 09/16/02, Vermont Republican Committee; \$2,000, 06/10/03, Bush-Cheney '04; \$10,000, 01/09/03, Vermont Republican Committee; \$2,000, 10/20/04, Bush-Cheney '04 Compliance; \$25,000, 09/22/04, National Republican Committee; \$10,000, 10/19/04, Vermont Republican Committee; \$12,500, 09/16/04, RNC Joint State Victory Committee; \$35,500, 09/17/04, RNC Joint Candidate Committee; \$1,075, 09/15/04, LA-03 Congressional Victory Committee; \$1,075, 09/15/04, LA-07 Congressional Victory Committee; \$1,265, 10/04/04, Michigan Republican State Committee; \$818.75, 10/01/04, Missouri Republican State Committee-Federal; \$372.50, 10/07/04, Nevada Republican State Central Committee; \$1,487.50, 10/04/04, Ohio State Central & Executive Committee; \$743.75, 10/01/04, Republican Party of Arizona; \$1,562.50, 09/30/04,

Republican Federal Com. of Pennsylvania; \$2,008.75, 09/15/04, Republican Party of Florida; \$521.25, 09/15/04, Republican Party of Iowa; \$297.50, 09/15/04, Republican Party of Maine; \$632.50, 10/01/04, Republican Party of Minnesota; \$297.50, 09/15/04, Republican Party of New Hampshire; \$521.25, 09/15/04, Republican Party of Oregon; \$743.75, 09/15/04, Republican Party of Wisconsin; \$1,075, 09/15/04, WA-05 Congressional Victory Committee; \$1,075, 09/15/04, WA-08 Congressional Victory Committee; \$408.75, 10/04/04, Washington State Republican Party; \$372.50, 10/04/04, WV Republican State Executive Committee; \$1,075, 10/29/04, Roy Ashburn Congress Committee; \$2,000, 11/02/04, Richard Burr Committee; \$2,000, 11/24/04, Thomas Coburn for Senate Committee; \$1,075, 10/18/04, Geoffrey Davis for Congress; \$1,075, 09/15/04, Charlie Dent; \$1,075, 11/22/04, Larry Diechrich for Congress; \$446.25, 10/15/04, Arkansas State Committee; \$1,075, 10/15/04, Michael Fitzpatrick for Congress; \$1,075, 10/15/04, Jeff Fortenberry; \$1,075, 11/01/04, Jim Gerlach for Congress Committee; \$1,075, 10/17/04, Louis Gohmert for Congress Committee; \$1,075, 09/15/04, Kobach for Senate; \$2,000, 09/25/04, Friends of Mel Martinez; \$1,075, 11/01/04, Nancy Naples for Congress; \$2,000, 11/02/04, George Nethercutt for Senate; \$1,075, 09/15/04, Ted Poe; \$1,075, 11/02/04, Jon Porter for Congress; \$1,075, 11/02/04, Rick Renzi; \$1,075, 09/17/04, John Swallow for Congress, Inc.; \$2,000, 11/01/04, John Thune for U.S. Senate; \$2,000, 09/17/04, David Vitter for U.S. Senate; \$1,075, 09/17/04, Greg Walcher for Congress; \$1,075, 10/25/04, Arlene Wohlgenuth for Congress.

*Joint Committee Contributions to Candidates also shown.

3. Children and Spouses:

4. Names: Theodore Vallee (son), Charlie Vallee (son), (no contributions).

5. Parents: Rodolphe J. Vallee (father): State contributions: \$400, 08/01/02, Jim Douglas for Governor; \$250, 05/25/04, Jim Douglas for Governor.

Federal contributions: \$1,000, 06/19/03, Bush-Cheney '04; \$1,000, 01/20/04, Bush-Cheney '04.

Elizabeth Vallee (mother): State contributions: \$400, 10/07/02, Jim Douglas for Governor; \$400, 05/24/04, Jim Douglas for Governor.

Federal contributions: \$1,000, 06/19/03, Bush-Cheney '04; \$500, 08/27/03, Bush-Cheney '04; \$500, 01/20/04, Bush-Cheney '04.

Mitchell Mack (father in-law): State contributions: \$25, 04/15/02, Committee to Elect Sara H. Tice; \$200, 10/10/02, Vinroot for Governor; \$25, 01/18/03, Karen Ray for State Representative; \$100, 07/01/04, Committee to elect Sara H. Tice.

Dolores Mack (mother in-law): No contributions.

6. Grandparents: Grandmother Ruth White, deceased; Grandfather Robert White, deceased; Grandmother Shirley Vallee, deceased; Grandfather Rodolphe L. Vallee, deceased.

7. Brothers and Spouses: Timothy Vallee (brother): State contributions: \$400, 08/22/02, Jim Douglas for Governor; \$400, 08/12/04, Jim Douglas for Governor; \$200, 10/18/04, Brian Dunsmore Election Committee.

Federal contributions: \$2,000, 01/20/04, Bush-Cheney '04; \$1,000, 09/10/04, Bush-Cheney '04 Compliance Committee, Inc.

Lynn Vallee (sister-in-law): State contributions: \$200, 09/18/04, Randy Brock for Auditor; \$400, 08/12/04, Jim Douglas for Governor.

Federal contributions: \$2,000, 06/16/03, Bush-Cheney '04.

8. Sisters and Spouses (no contributions): Amy Norris (sister), Kevin Norris (brother in-law); Lisa Driver (sister), Jim Driver (brother in-law); Andrea Dukas (sister), Tom Dukas (brother in-law).

Nominee: Rodolphe M. Vallee.
Post: Ambassador to the Slovak Republic.
The following is a list of all members of my immediate family and their spouses. I

have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: Federal contributions: (\$1,000, 07/17/01, Jeffords for Vermont Committee; \$2,020, 02/08/01, Republican National State Elections Committee; \$2,020, 02/08/01, Republican National State Elections Committee; \$3,000, 07/11/01, VT Republican Committee; \$1,000, 10/15/02, Meub for Congress; \$5,000, 09/16/02, VT Republican Committee; \$1,500, 06/10/03, Bush-Cheney '04; \$500, 06/30/03, Bush-Cheney '04; \$10,000, 05/16/03, VT Republican Committee; \$25,000, 05/19/04, Republican National Committee; \$10,000, 02/17/04, VT Republican Committee; \$12,500, 08/02/04, RNC Joint State Victory Committee; \$25,000, 05/21/04, RNC Joint Candidate Committee; \$10,500, 08/02/04, RNC Joint Candidate Committee; \$743.75, 08/24/04, Arizona Republican Party; \$2,000, 08/02/04, BC-04 Compliance Committee; \$1,468.75, 08/02/04, CO-03 Congressional Victory Committee; \$2,000, 08/02/04, Friends of Mel Martinez; \$1,468.75, 08/02/04, KY-04 Congressional Victory Committee; \$1,468.75, 08/02/04, LA-03 Congressional Victory Committee; \$1,468.75, 08/02/04, LA-07 Congressional Victory Committee; \$297.50, 08/31/04, Maine Republican Party; \$1,265, 08/24/04, Michigan Republican State Committee; \$818.75, 08/18/04, Missouri Republican State Committee; \$372.50, 08/31/04, Nevada Republican State Central Committee; \$297.50, 08/27/04, New Hampshire Republican State Committee; \$1,487.50, 08/24/04, Ohio Central & Executive Committee; \$521.25, 08/24/04, Oregon Republican Party; \$1,468.75, 08/02/04, PA-15 Congressional Victory Com.; \$2,008.75, 08/02/04, Republican Party of Florida; \$521.25, 08/24/04, Republican Party of Iowa; \$632.50, 08/18/04, Republican Party of Minnesota; \$1,562.50, 08/02/04, Republican Party of Pennsylvania; \$372.50, 08/02/04, Republican Party of West Virginia; \$743.75, 08/02/04, Republican Party of Wisconsin; \$1,468.75, 08/02/04, WA-05 Congressional Victory Committee; \$1,468.75, 08/02/04, WA-08 Congressional Victory Committee; \$408.75, 08/24/04, Washington State Republican Party; \$1,468.75, 09/30/04, Bob Beauprez for Congress; \$1,468.75, 08/02/04, Max Burns for Congress; \$2,000, 08/02/04, Richard Burr Committee; \$446.25, 08/02/04, Arkansas State Committee; \$2,000, 09/17/04, George Nethercutt for Senate; \$1,468.75, 09/30/04, Randy Neugebauer Congressional Committee; \$1,468.75, 08/02/04, Anne Northup for Congress; \$1,468.75, 09/20/04, Jon Porter for Congress; \$1,468.75, 08/02/04, Richard Renzi for Congress; \$1,468.75, 09/29/04, Pete Sessions for Congress; \$1,468.75, 09/29/04, Rob Simmons for Congress; \$2,000, 08/02/04, John Thune for U.S. Senate; \$2,000, 09/30/04, David Vitter for U.S. Senate; \$1,468.75, 09/30/04, Heather Wilson for Congress.

*Joint Committee Contributions to Candidates also shown.

2. Spouse: Denise Vallee: Federal contributions: (\$1,000, 07/17/01, Jeffords for Vermont Committee; \$2,500, 01/09/01, Vermont Republican Committee; \$1,000, 10/01/02, John Sununu (Team Sununu); \$5,000, 09/16/02, Vermont Republican Committee; \$2,000, 06/10/03, Bush-Cheney '04; \$10,000, 01/09/03, Vermont Republican Committee; \$2,000, 10/20/04, Bush-Cheney '04 Compliance; \$25,000, 09/22/04, National Republican Committee; \$10,000, 10/19/04, Vermont Republican Committee; \$12,500, 09/16/04, RNC Joint State Victory Committee; \$35,500, 09/17/04, RNC Joint Candidate Committee; \$1,075, 09/15/04, LA-03 Congressional Victory Committee; \$1,075, 09/15/04, LA-07 Congressional Victory Committee; \$1,265, 10/04/04, Michigan Republican State Committee; \$818.75, 10/01/04, Missouri Republican State Committee-Federal; \$372.50, 10/07/04, Nevada

Republican State Central Committee; \$1,487.50, 10/04/04, Ohio State Central & Executive Committee; \$743.75, 10/01/04, Republican Party of Arizona; \$1,562.50, 09/30/04, Republican Federal Com. of Pennsylvania; \$2,008.75, 09/15/04, Republican Party of Florida; \$521.25, 09/15/04, Republican Party of Iowa; \$297.50, 09/15/04, Republican Party of Maine; \$632.50, 10/01/04, Republican Party of Minnesota; \$297.50, 09/15/04, Republican Party of New Hampshire; \$521.25, 09/15/04, Republican Party of Oregon; \$743.75, 09/15/04, Republican Party of Wisconsin; \$1,075, 09/15/04, WA-05 Congressional Victory Committee; \$1,075, 09/15/04, WA-08 Congressional Victory Committee; \$408.75, 10/04/04, Washington State Republican Party; \$372.50, 10/04/04, WV Republican State Executive Committee; \$1,075, 10/29/04, Roy Ashburn Congress Committee; \$2,000, 11/02/04, Richard Burr Committee; \$2,000, 11/24/04, Thomas Coburn for Senate Committee; \$1,075, 10/18/04, Geoffrey Davis for Congress; \$1,075, 09/15/04, Charlie Dent; \$1,075, 11/22/04, Larry Diedrich for Congress; \$446.25, 10/15/04, Arkansas State Committee; \$1,075, 10/15/04, Michael Fitzpatrick for Congress; \$1,075, 10/15/04, Jeff Fortenberry; \$1,075, 11/01/04, Jim Gerlach for Congress Committee; \$1,075, 10/17/04, Louis Gohmert for Congress Committee; \$1,075, 09/15/04, Kobach for Senate; \$2,000, 09/25/04, Friends of Mel Martinez; \$1,075, 11/01/04, Nancy Naples for Congress; \$2,000, 11/02/04, George Nethercutt for Senate; \$1,075, 09/15/04; Ted Poe; \$1,075, 11/02/04, Jon Porter for Congress; \$1,075, 11/02/04, Rick Renzi; \$1,075, 09/17/04, John Swallow for Congress, Inc.; \$2,000 11/01/04, John Thune for U.S. Senate; \$2,000, 09/17/04, David Vitter for U.S. Senate; \$1,075, 09/17/04, Greg Walcher for Congress; \$1,075, 10/25/04, Arlene Wohlgenuth for Congress.

*Joint Committee Contributions to Candidate also shown.

3. Children and Spouses: (No contributions): Theodore Vallee (son); Charlie Vallee (son).

4. Parents: Rodolphe J. Vallee (father); Federal contributions: \$1,000, 06/19/03, Bush-Cheney '04; \$1,000, 01/20/04, Bush-Cheney '04.

Elizabeth Vallee (mother): Federal contributions: \$1,000, 06/19/03 Bush-Cheney '04; \$500, 08/27/03 Bush-Cheney '04; \$500, 01/20/04 Bush-Cheney '04.

Mitchell Mack (father in-law): No Contributions.

Dolores Mack (mother in-law): No Contributions.

5. Grandparents: Grandmother Ruth White—deceased; Grandfather Robert White—deceased; Grandmother Shirley Vallee—deceased; Grandfather Rodolphe L. Vallee—deceased.

6. Brothers and Spouses: Timothy Vallee (brother): Federal contributions: \$2,000, 01/20/04, Bush-Cheney '04; \$1,000, 09/10/04, Bush-Cheney '04 Compliance Committee, Inc.

Lynn Vallee (sister-in-law): Federal contributions: \$2,000, 06/16/03, Bush-Cheney '04.

7. Sisters and Spouses (No contributions): Amy Norris (sister), Kevin Norris (brother in-law); Lisa Driver (sister), Jim Driver (brother in-law); Andrea Dukas (sister), Tom Dukas (brother in-law).

*Pamela E. Bridgewater, of Virginia, to be Ambassador to the Republic of Ghana.

Nominee: Pamela Ethel Bridgewater.
Post: Republic of Ghana.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee

1. Se: None other than on U.S. Fed tax return for Presidential elections.

2. Spouse: No spouse.

3. Children and Spouses: No children.

4. Parents: Mrs. Mary H. Bridgewater none; Mr. Joseph N. Bridgewater, Jr: (deceased) (1977).

5. Grandparents: Mrs. Blanche Hester (deceased); Reverend B.H. Hester, (deceased); Mr. Joseph N. Bridgewater (deceased); Mrs. Ethel Bridgewater (deceased).

Brothers and Spouses: Joseph N. Bridgewater III (adopted step brother), none to my knowledge.

Sisters and Spouses: Mrs. Claudia Walton, step sister, none to my knowledge.

*Ann Louise Wagner, of Missouri, to be Ambassador to Luxembourg.

Nominee: Ann L. Wagner.

Post: United States Ambassador.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: \$375, 02/24/2001, MO Republican State Cmte.; \$1,000, 10/19/2001, Talent, James; \$1,000, 12/31/2001, Akin, Todd; \$1,000, 03/25/2002, Talent, James; \$1,000, 06/06/2003, Bond, Kit; \$1,850, 07/07/2003, Bush, George W.; \$150, est. 04/2004, Bush, George W.

2. Spouse: Raymond Thomas Wagner, Jr., \$500, 02/01/2001, RNC Nat'l St. Elections Cmte.; \$225, 02/03/2001, ERAC PAC*; \$500, 07/20/2001, ROYB Fund*; \$500, 12/31/2001, ERAC PAC*; \$1,000, 12/09/2002, ERAC PAC*; \$2,000, 09/30/2003, Bush, George W.; \$250, 12/25/2003, Bond, Kit; \$1,250, 12/31/2003, ERAC PAC*; \$1,250, 08/2004, ERAC PAC*.

*Enterprise Rent-A-Car Political Action Committee.

**Rely On Your Beliefs Political Action Committee (Roy Blunt).

3. Children and Spouses: Raymond Thomas Wagner, III, None (unmarried minor); Stephen Earl Wagner, None (unmarried minor); Mary Ruth Wagner, None (unmarried minor).

4. Parents: Ruth Ann Trousdale, None; Charles Earl Trousdale, \$100, 03/25/2002, Talent, James.

5. Grandparents: Ruth Ann Sinnett—deceased; Charles Joseph Sinnett—deceased; Delma Brown—deceased; Delma Brown—deceased; S. Earl Trousdale—deceased.

6. Brothers and Spouses: David Earl Trousdale, None; Jennifer Trousdale, None.

7. Sisters and Spouses: Karen Marie Wright, None; Marshall Wright, None.

*Terence Patrick McCulley, of Oregon, to be Ambassador to the Republic of Mali.

Nominee: Terence P. McCulley.

Post: Mali.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self, none, (except for annual check-off on joint federal Income tax return);

2. Spouse, none, (except for annual check-off on joint federal Income tax return).

3. Children and Spouses: Sean P. McCulley (12), none; Liam T. McCulley (8), none.

4. Parents: William M. McCulley, None; Doris J. McCulley, none.

5. Grandparents: Roy Millage—deceased (1961); Grace Millage Smith, deceased (1997); Elzie McCulley, deceased (1985); Jessie McCulley, deceased (1990).

6. Brothers and Spouses: Larry A. McCulley, none; Karen McCulley (sister-in-law), none; Stephen W. McCulley, none; Christine McCulley (sister-in-law), none.

7. Sisters and Spouses: None.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CORZINE (for himself, Mr. KENNEDY, Mrs. CLINTON, and Mr. REED):

S. 1249. A bill to require the Secretary of Education to rebate the amount of Federal Pell Grant aid lost as a result of the update to the tables for State and other taxes used in the Federal student aid need analysis for award year 2005-2006; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for Mr. JEFFORDS (for himself, Mrs. MURRAY, Mr. LAUTENBERG, Mr. LIEBERMAN, and Mr. CHAFEE)):

S. 1250. A bill to reauthorize the Great Ape Conservation Act of 2000; to the Committee on Environment and Public Works.

By Mr. ALLARD:

S. 1251. A bill to authorize the Secretary of Energy to purchase certain essential mineral rights as part of a comprehensive natural resource damage settlement; to the Committee on Armed Services.

By Mr. AKAKA (for himself and Mr. SALAZAR):

S. 1252. A bill to amend section 1922A of title 38, United States Code, to increase the amount of supplemental insurance available for totally disabled veterans; to the Committee on Veterans' Affairs.

By Mr. COLEMAN (for himself, Mr. PRYOR, Mr. DEWINE, Mr. GRAHAM, and Mr. NELSON of Florida):

S. 1253. A bill to amend the Internal Revenue Code of 1986 to allow a credit to holders of qualified bonds issued to finance certain rural development projects, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. OBAMA (for himself and Mr. LEVIN):

S. Con. Res. 42. A concurrent resolution recognizing the historical significance of the Juneteenth Independence Day, and expressing the sense of Congress that history should be regarded as a means for understanding the past and solving the challenges of the future; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 51

At the request of Mr. BROWNBACK, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 51, a bill to ensure that women seeking an abortion are fully informed regarding the pain experienced by their unborn child.

S. 58

At the request of Mr. INOUE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 58, a bill to amend title 10, United States Code, to permit former members of the Armed Forces who have a service-connected disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces are entitled to travel on such aircraft.

S. 59

At the request of Mr. INOUE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 59, a bill to amend title 10, United States Code, to authorize certain disabled former prisoners of war to use Department of Defense commissary and exchange stores.

S. 146

At the request of Mr. INOUE, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 146, a bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

S. 155

At the request of Mrs. FEINSTEIN, the names of the Senator from Pennsylvania (Mr. SPECTER) and the Senator from Pennsylvania (Mr. SANTORUM) were added as cosponsors of S. 155, a bill to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to reform and facilitate prosecution of juvenile gang members who commit violent crimes, to expand and improve gang prevention programs, and for other purposes.

S. 241

At the request of Ms. SNOWE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 241, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 340

At the request of Mr. LUGAR, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 340, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 471

At the request of Mr. SPECTER, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 471, a bill to amend the Public Health Service Act to provide for human embryonic stem cell research.

S. 472

At the request of Mr. LEAHY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 472, a bill to criminalize Inter-

net scams involving fraudulently obtaining personal information, commonly known as phishing.

S. 512

At the request of Mr. SANTORUM, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 512, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 521

At the request of Mrs. HUTCHISON, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 521, a bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services to establish, promote, and support a comprehensive prevention, research, and medical management referral program for hepatitis C virus infection.

S. 619

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 619, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 635

At the request of Mr. SANTORUM, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 635, a bill to amend title XVIII of the Social Security Act to improve the benefits under the medicare program for beneficiaries with kidney disease, and for other purposes.

S. 647

At the request of Mrs. LINCOLN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 647, a bill to amend title XVIII of the Social Security Act to authorize physical therapists to evaluate and treat medicare beneficiaries without a requirement for a physician referral, and for other purposes.

S. 695

At the request of Mr. COCHRAN, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from South Dakota (Mr. THUNE), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from California (Mrs. FEINSTEIN) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. 695, a bill to suspend temporarily new shipper bonding privileges.

S. 714

At the request of Mr. SMITH, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 714, a bill to amend section 227 of the Communications Act of 1934 (47 U.S.C. 227) relating to the prohibition on junk fax transmissions.

S. 722

At the request of Mr. SANTORUM, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 722, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level.

S. 760

At the request of Mr. INOUE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 760, a bill to amend the Public Health Service Act to provide a means for continued improvement in emergency medical services for children.

S. 784

At the request of Mr. THOMAS, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 784, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the medicare program, and for other purposes.

S. 861

At the request of Mr. ISAKSON, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 861, a bill to amend the Internal Revenue Code of 1986 to provide transition funding rules for certain plans electing to cease future benefit accruals, and for other purposes.

S. 876

At the request of Mr. HATCH, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 876, a bill to prohibit human cloning and protect stem cell research.

S. 911

At the request of Mr. CONRAD, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 911, a bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse-midwife services.

S. 1002

At the request of Mr. GRASSLEY, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1002, a bill to amend title XVIII of the Social Security Act to make improvements in payments to hospitals under the medicare program, and for other purposes.

S. 1034

At the request of Mr. ALEXANDER, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 1034, a bill to provide for local control for the siting of windmills.

S. 1046

At the request of Mr. KYL, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 1046, a bill to amend title 28, United States Code, with respect to the jurisdiction of Federal courts over certain cases and controversies involving the Pledge of Allegiance.

S. 1081

At the request of Mr. KYL, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1081, a bill to amend title XVIII of the Social Security Act to provide for a minimum update for physicians' services for 2006 and 2007.

S. 1112

At the request of Mr. GRASSLEY, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1112, a bill to make permanent the enhanced educational savings provisions for qualified tuition programs enacted as part of the Economic Growth and Tax Relief Reconciliation Act of 2001.

S. 1120

At the request of Mr. DURBIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1120, a bill to reduce hunger in the United States by half by 2010, and for other purposes.

S. 1138

At the request of Mr. ALLEN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 1138, a bill to authorize the placement of a monument in Arlington National Cemetery honoring the veterans who fought in World War II as members of Army Ranger Battalions.

S. 1157

At the request of Mr. CRAPO, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 1157, a bill to amend the Internal Revenue Code of 1986 to treat gold, silver, platinum, and palladium, in either coin or bar form, in the same manner as equities and mutual funds for purposes of maximum capital gains rate for individuals.

S. 1172

At the request of Mr. SPECTER, the name of the Senator from Missouri (Mr. TALENT) was added as a cosponsor of S. 1172, a bill to provide for programs to increase the awareness and knowledge of women and health care providers with respect to gynecologic cancers.

S. 1240

At the request of Mr. SMITH, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1240, a bill to amend the Internal Revenue Code of 1986 to allow an investment tax credit for the purchase of trucks with new diesel engine technologies, and for other purposes.

S.J. RES. 18

At the request of Mrs. FEINSTEIN, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S.J. Res. 18, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. RES. 31

At the request of Mr. COLEMAN, the names of the Senator from New York (Mrs. CLINTON), the Senator from California (Mrs. FEINSTEIN) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. Res. 31, a resolution expressing the sense of the Senate that the week of August 7, 2005, be designated as "National Health Center Week" in order to raise awareness of health services provided by community, migrant, public housing, and

homeless health centers, and for other purposes.

S. RES. 39

At the request of Mr. GRASSLEY, his name was added as a cosponsor of S. Res. 39, a resolution apologizing to the victims of lynching and the descendants of those victims for the failure of the Senate to enact anti-lynching legislation.

At the request of Ms. LANDRIEU, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. Res. 39, supra.

S. RES. 42

At the request of Mr. LUGAR, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Res. 42, a resolution expressing the sense of the Senate on promoting initiatives to develop an HIV vaccine.

S. RES. 134

At the request of Mr. SMITH, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 134, a resolution expressing the sense of the Senate regarding the massacre at Srebrenica in July 1995.

S. RES. 154

At the request of Mr. BIDEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. Res. 154, a resolution designating October 21, 2005 as "National Mammography Day".

S. RES. 155

At the request of Mr. BIDEN, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. Res. 155, a resolution designating the week of November 6 through November 12, 2005, as "National Veterans Awareness Week" to emphasize the need to develop educational programs regarding the contributions of veterans to the country.

AMENDMENT NO. 783

At the request of Mr. NELSON of Florida, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 783 intended to be proposed to H.R. 6, a bill Reserved.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORZINE (for himself, Mr. KENNEDY, Mrs. CLINTON, and Mr. REED):

S. 1249. A bill to require the Secretary of Education to rebate the amount of Federal Pell Grant aid lost as a result of the update to the tables for State and other taxes used in the Federal student aid need analysis for award year 2005–2006; to the Committee on Health, Education, Labor, and Pensions.

Mr. CORZINE. Mr. President, I join with Senator KENNEDY and others today in introducing an urgent and critical piece of legislation, the Student Fairness Act.

This bill would provide rebates to the many college students who will be re-

ceiving a dramatic reduction in their Federal financial aid come the return of classes this September. Due to an obscure change made in December of 2004 to a complicated and little-known formula used by the Department of Education to determine Pell Grant eligibility and allotment, many students will see a surprising increase in their expected family contribution, EFC, and a decrease in their Pell Grants. We must act now to prevent these decreases in aid from pricing our students out of college, forcing them to postpone their education and put their career goals on hold.

These changes to the tax tables, at the behest of the Administration, have the effect of cutting \$300 million from the successful Pell grant program, upon which more than 5 million students nationwide rely. It is projected that, as a result of these cuts, 1.3 million students will see a reduction in their Pell grants and a projected 90,000 more will become ineligible entirely for Pell grant assistance. According to a survey performed by the New York Times, some students could lose up to \$6,000 in financial aid and the average family will have to pay an extra \$1,700 before clearing the eligibility bar.

Although the situation is imminent, this is not the first time the Senate has acted to block such changes to the Pell Grant award formula. I successfully secured language in the FY04 Omnibus Appropriations bill that blocked the administration from carrying out a similar plan for the 2004–2005 school year. The same provision, however, was dropped during the conference deliberations of the FY05 Omnibus Appropriations bill. In response, I, along with 31 of my Senate colleagues, introduced S. 187, the Ensuring College Access for All Americans Act, which would have prevented the new calculations from reducing Pell Grants for the 2005–2006 academic year. Alas, the Senate has not acted with enough haste, and by now many financial aid departments have already determined their student aid packages based on the new figures. Students are beginning to realize the harsh reality of rising college tuitions matched by a government unwilling to support its own future leaders. Our only remaining option is to provide these students with these rebates so that they will not lose their financial aid for the coming school year.

This bill calls on the Secretary of Education to calculate the increase in a student's expected family contribution due to the tax table modifications and then provides each such student with a rebate equal to that increase. The legislation would hold harmless any student whose expected family contribution decreased or stayed the same as a result of the changes. Furthermore, the rebate would be treated in the same manner as other financial assistance for tax purposes and would not affect future Pell Grant eligibility.

In addition, our bill has recently received the endorsement of the Campaign for America's Future, an organization that has been a great advocate for students and has been actively collecting stories from American students about the incredible impact of financial aid on their lives.

I thank the National Association of Student Financial Aid Administrators for their help in crafting this bill and their support in helping students receive the financial aid they deserve.

I urge my colleagues to pass the Student Fairness Act immediately to prevent any student from putting off college because their financial aid has suddenly and mysteriously disappeared.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1249

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Student Fairness Act".

SEC. 2. REBATE REQUIRED.

(a) **CALCULATION OF EXPECTED FAMILY CONTRIBUTION.**—Beginning 60 days after the date of enactment of this Act, the Secretary of Education (referred to in this Act as the "Secretary") shall, for each student who submits a completed Free Application for Federal Student Aid described in section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090) for the 2005–2006 award year, calculate—

(1) the expected family contribution, as determined for such student for such award year on the basis of the allowance for State and other taxes as adjusted by the updated tax tables published in the Federal Register on Thursday, December 23, 2004 (69 Fed. Reg. 76926–76927); and

(2) the expected family contribution that would apply to such student if such calculation was based upon the allowance for State and other taxes used for the 2004–2005 award year.

(b) **REBATE THE DIFFERENCE IN THE PELL GRANT AWARD.**—

(1) **IN GENERAL.**—For each student for whom the amount determined under subsection (a)(1) exceeds the amount determined under subsection (a)(2), the Secretary shall—

(A) determine the amount (if any) by which—

(i) the Federal Pell Grant aid under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.) that would have been provided to such student if such calculation was based upon the allowance for State and other taxes for the 2004–2005 award year, exceeds

(ii) the Federal Pell Grant aid provided to such student for award year 2005–2006, based upon the updated tax tables described in subsection (a)(1); and

(B) not later than 30 days after the date of the determination under subparagraph (A), provide directly to such student a rebate equal to the amount of such excess.

(2) **NO REDUCTION.**—If the amount determined under subsection (a)(1) for a student is equal to or less than the amount determined under subsection (a)(2), the Secretary shall not reduce the amount of the Federal Pell Grant under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C.

1070a et seq.) available for such student based on the updated tax tables described in subsection (a)(1) for award year 2005–2006.

(c) **TREATMENT OF REBATE.**—Any rebate amount provided to a student under this section shall not be—

(1) treated as a resource or estimated financial aid for determining an overaward;

(2) adjusted based upon the student's attendance status during the 2005–2006 payment period;

(3) included as assistance provided to such student under section 484B of the Higher Education Act of 1965 (20 U.S.C. 1091b);

(4) considered as income received when completing any form required by the Secretary under section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090); and

(5) treated as other financial aid, assets, or income for purposes of determining the need for financial assistance for any award year subsequent to award year 2005–2006.

(d) **AUTHORITY TO USE CONTRACTORS FOR ADMINISTRATION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the Secretary may provide by contract for the administration of the requirements of this section.

(2) **INSTITUTIONS NOT REQUIRED TO PERFORM ADMINISTRATIVE TASKS.**—Any institution that is eligible to participate in programs under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.) shall not be required to perform any administrative requirement under this Act.

(e) **USE OF FAFSA DATA PERMITTED.**—The Secretary may use information provided on the Free Application for Federal Student Aid to comply with the requirements of this section.

(f) **REQUIRED PAYMENTS OF REBATE.**—The Secretary shall transfer any unobligated funds available to the Secretary under the Consolidated Appropriations Act, 2005 (Public Law 108–447) as may be necessary to carry out this Act.

Mr. KENNEDY. Mr. President, today I join Senators CORZINE, CLINTON, and REED to introduce legislation to ease the harsh effects of the implementation of changes in the State and local tax tables on college students receiving need-based financial aid.

When a decision is made by any administration that affects what families pay for college, it is important for Congress to understand the factors that led to the decision and the impact of the decision on the Nation's families.

In light of the slumping economy, State budget crises, and rising college costs, the Department's proposed changes come at a very difficult time for students and their families. Raising the cost of tuition by a few hundred dollars may force a student to leave school, and it is our responsibility to ensure that these changes are being made for sound reasons.

The Department is authorized to make annual revisions in the State and local tax tables, but for years the lag in the data has made administrations reconsider making changes. We need to look for better ways to make sure that the data reflect the taxes that are currently being paid by families before we adjust the tables.

I urge the Department of Education to work with Congress to decide if these data are indeed the best information that we have. We can use the opportunity of the reauthorization of the

Higher Education Act this year to find a data source that provides timely, accurate information. Until we have done so, I urge my colleagues to support the Kennedy-Corzine bill, so that thousands of students who are harmed by these changes can retain their grants of aid and continue their college education.

By Mr. REID (for Mr. JEFFORDS (for himself, Mrs. MURRAY, Mr. LAUTENBERG, Mr. LIEBERMAN, and Mr. CHAFEE)):

S. 1250. A bill to reauthorize the Great Ape Conservation Act of 2000; to the Committee on Environment and Public Works.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

● Mr. JEFFORDS. Mr. President, today I introduce the Great Ape Conservation Reauthorization Act of 2005. Over the past decade I have sponsored legislation to establish and reauthorize programs designated for the conservation of several multinational species including African elephants, Asian elephants, rhinoceros and tigers, and marine turtles.

Throughout my years in Congress, endangered species conservation has been among my highest priorities, but the recent birth of my first grandson lends new strength to my commitment to preserve the natural world for future generations.

The great apes—chimpanzees, gorillas, bonobos, orangutans, and gibbons—constitute a group of 14 primate species that share a high percentage of genetic characteristics with human beings. Among them, certain species have demonstrated the ability to learn human behaviors. Left unharmed, they may live for 30 to 50 years and form complex social relationships. As Dr. Jane Goodall said in a BBC News article in 2002, "All [great ape species] have minds that can solve simple problems and all have feelings. So it's a moral responsibility to save them from extinction."

The United Nations Environment Programme estimates that fewer than 100,000 Western lowland gorillas currently remain worldwide. Only 30,000 orangutans remain in Southeast Asia. According to the U.S. Fish and Wildlife Service, whereas more than one million chimpanzees populated the dense forests of Africa in 1960, fewer than 200,000 survive in the wild today.

In regions of Western and Central Africa and Southeast Asia, where populations of these captivating creatures still remain, the continued existence of great ape species will depend upon finding solutions to various complicated threats including habitat destruction, disease, and poaching.

One problem of elevated concern for scientists is the alarming number of new outbreaks of the ebola virus in Africa. As we have become increasingly aware of the substantial risk to human life that ebola and similar viruses pose

in parts of Central and Western Africa, few understand the serious impact that these diseases have on great ape populations. A study published in the journal *Nature* in 2003 reports that when an ebola outbreak affects a given area, more than 80 percent of all great apes living in that area will die of the disease.

In August 2004, the International Primatological Society released preliminary evidence that suggests that as many as 20,000 Western lowland gorillas may be at risk as the result of a new outbreak of the ebola virus in the Republic of Congo.

Developing vaccines and techniques to prevent the decimation of great ape populations as a result of ebola will require a coordinated effort among conservationists, wildlife biologists, and those responding to human outbreaks. Supported in part by the Great Ape Conservation Fund, the U.S. Fish and Wildlife Service recently convened a meeting of experts to begin the process of developing a research and intervention plan. This meeting typifies this kind of collaborative conservation effort that the Great Ape Conservation program was designed to undertake.

The Great Ape Conservation Fund has also played an invaluable role in protecting habitat. One of the first such projects to receive support from the Fund, the Goulougo Triangle Chimpanzee Project in the Republic of Congo, is a success story that stands out among what can often be disheartening news from the frontlines of chimpanzee conservation.

In 1993, scientists first discovered a small population of chimpanzees in the Goulougo Triangle that had never been hunted and were therefore not afraid of humans. The presence of such chimps is extraordinary given that their habitat coincides with a region that is rife with logging and bushmeat hunting.

With help from the Great Ape program, scientists from the Wildlife Conservation Society produced scientific evidence to document 272 individual chimps and acquired rare video footage of their social interactions. As a result of this study, conservationists convinced the government of Congo to protect the Goulougo chimps and their habitat from the eminent threat of logging and hunting and to cede the Goulougo Triangle to a national park.

Over the course of merely 5 years, the Great Ape Conservation Fund has provided financial assistance for 94 research and restoration projects in 22 countries and leveraged millions of dollars in additional matching and in-kind funds.

My legislation reauthorizes the Great Ape Conservation Fund, which receives its annual appropriation through the Multinational Species Conservation Fund, for 5 years and gradually raises the funding authorization from \$5 million for each year to \$7 million for fiscal year 2008 and \$10 million for fiscal years 2009 and 2010. The bill raises the

top threshold cap on administrative expenses from \$80,000 to \$150,000, though I should note that over the past five years, Federal appropriations have yet to bring the cap on administrative expenses to the top threshold amount.

Additional provisions of the bill will expand the variety of conservation projects eligible for assistance to include those that address the root causes of threats to great apes in range states, including the illegal bushmeat trade, diseases, lack of regional or local capacity for conservation and habitat loss due to natural disasters.

The bill also amends an existing requirement in the law that requires that the U.S. Fish and Wildlife Service annually convene a panel of experts. My bill exempts expert panels under this law from the Federal Advisory Committee Act and provide the administrator with greater flexibility to determine when it is appropriate to convene an expert panel.

I remain hopeful that despite the overwhelming challenges that jeopardize the continued survival of great apes, we can do our part to sustain efforts to halt their unnecessary extinction.

Federal assistance for the conservation of rare, threatened and endangered international species through the use of species conservation funds has received bipartisan support from Congress for nearly 15 years. I ask you to please join me in maintaining this longstanding commitment to wildlife protection.

Mr. President, I ask that the text of the bill be printed in the RECORD.

The text of the bill is as follows:

S. 1250

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. GREAT APE CONSERVATION ASSISTANCE.

Section 4 of the Great Ape Conservation Act of 2000 (16 U.S.C. 6303) is amended—

- (1) in subsection (d)—
 - (A) in paragraph (4)(C), by striking “or” after the semicolon at the end;
 - (B) in paragraph (5), by striking the period at the end and inserting “; or”; and
 - (C) by adding at the end the following:
 - “(6) address root causes of threats to great apes in range states, including illegal bushmeat trade, diseases, lack of regional or local capacity for conservation, and habitat loss due to natural disasters.”; and
- (2) in subsection (i)—
 - (A) by striking “Every” and inserting the following:
 - “(1) IN GENERAL.—Every”;
 - (B) in paragraph (1) (as designated by subparagraph (A)), by striking “shall” and inserting “may”; and
 - (C) by adding at the end the following:
 - “(2) APPLICABILITY OF FACIA.—The Federal Advisory Committee Act (5 App. U.S.C.) shall not apply to a panel convened under paragraph (1).”.

(A) by striking “Every” and inserting the following:

“(1) IN GENERAL.—Every”;

(B) in paragraph (1) (as designated by subparagraph (A)), by striking “shall” and inserting “may”; and

(C) by adding at the end the following: “(2) APPLICABILITY OF FACIA.—The Federal Advisory Committee Act (5 App. U.S.C.) shall not apply to a panel convened under paragraph (1).”.

SEC. 2. GREAT APE CONSERVATION FUND.

Section 5(b)(2) of the Great Ape Conservation Act of 2000 (16 U.S.C. 6304(b)(2)) is amended—

- (1) by striking “expand” and inserting “expand”;
- (2) by striking “\$80,000” and inserting “\$150,000”.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

The Great Ape Conservation Act of 2000 is amended by striking section 6 (16 U.S.C. 6305) and inserting the following:

“SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Fund—

“(1) \$5,000,000 for each of fiscal years 2006 and 2007;

“(2) \$7,000,000 for fiscal year 2008; and

“(3) \$10,000,000 for each of fiscal years 2009 and 2010.”.

By Mr. COLEMAN (for himself, Mr. PRYOR, Mr. DEWINE, Mr. GRAHAM, and Mr. NELSON of Florida):

S. 1253. A bill to amend the Internal Revenue Code of 1986 to allow a credit to holders of qualified bonds issued to finance certain rural development projects, and for other purposes; to the Committee on Finance.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1253

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE.

(a) SHORT TITLE.—This Act may be cited as the “Rural Renaissance Act of 2005”.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 2. CREDIT TO HOLDERS OF RURAL RENAISSANCE BONDS.

(a) IN GENERAL.—Part IV of subchapter A of chapter 1 (relating to credits against tax) is amended by adding at the end the following new subpart:

“Subpart H—Nonrefundable Credit to Holders of Rural Renaissance Bonds

“Sec. 54. Credit to holders of rural renaissance bonds.

“SEC. 54. CREDIT TO HOLDERS OF RURAL RENAISSANCE BONDS.

“(a) ALLOWANCE OF CREDIT.—In the case of a taxpayer who holds a rural renaissance bond on a credit allowance date of such bond, which occurs during the taxable year, there shall be allowed as a credit against the tax imposed by this chapter for such taxable year an amount equal to the sum of the credits determined under subsection (b) with respect to credit allowance dates during such year on which the taxpayer holds such bond.

“(b) AMOUNT OF CREDIT.—

“(1) IN GENERAL.—The amount of the credit determined under this subsection with respect to any credit allowance date for a rural renaissance bond is 25 percent of the annual credit determined with respect to such bond.

“(2) ANNUAL CREDIT.—The annual credit determined with respect to any rural renaissance bond is the product of—

“(A) the credit rate determined by the Secretary under paragraph (3) for the day on which such bond was sold, multiplied by

“(B) the outstanding face amount of the bond.

“(3) DETERMINATION.—For purposes of paragraph (2), with respect to any rural renaissance bond, the Secretary shall determine

daily or caused to be determined daily a credit rate which shall apply to the first day on which there is a binding, written contract for the sale or exchange of the bond. The credit rate for any day is the credit rate which the Secretary or the Secretary's designee estimates will permit the issuance of rural renaissance bonds with a specified maturity or redemption date without discount and without interest cost to the qualified issuer.

“(4) CREDIT ALLOWANCE DATE.—For purposes of this section, the term ‘credit allowance date’ means—

- “(A) March 15,
- “(B) June 15,
- “(C) September 15, and
- “(D) December 15.

Such term also includes the last day on which the bond is outstanding.

“(5) SPECIAL RULE FOR ISSUANCE AND REDEMPTION.—In the case of a bond which is issued during the 3-month period ending on a credit allowance date, the amount of the credit determined under this subsection with respect to such credit allowance date shall be a ratable portion of the credit otherwise determined based on the portion of the 3-month period during which the bond is outstanding. A similar rule shall apply when the bond is redeemed or matures.

“(c) LIMITATION BASED ON AMOUNT OF TAX.—

“(1) IN GENERAL.—The credit allowed under subsection (a) for any taxable year shall not exceed the excess of—

“(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

“(B) the sum of the credits allowable under this part (other than subpart C thereof, relating to refundable credits).

“(2) CARRYOVER OF UNUSED CREDIT.—If the credit allowable under subsection (a) exceeds the limitation imposed by paragraph (1) for such taxable year, such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such taxable year.

“(d) RURAL RENAISSANCE BOND.—For purposes of this section—

“(1) IN GENERAL.—The term ‘rural renaissance bond’ means any bond issued as part of an issue if—

“(A) the bond is issued by a qualified issuer,

“(B) 95 percent or more of the proceeds from the sale of such issue are to be used for capital expenditures incurred for 1 or more qualified projects,

“(C) the qualified issuer designates such bond for purposes of this section and the bond is in registered form, and

“(D) the issue meets the requirements of subsections (e) and (g).

“(2) QUALIFIED PROJECT; SPECIAL USE RULES.—

“(A) IN GENERAL.—The term ‘qualified project’ means 1 or more projects described in subparagraph (B) located in a rural area.

“(B) PROJECTS DESCRIBED.—A project described in this subparagraph is—

- “(i) a water or waste treatment project,
- “(ii) an affordable housing project,
- “(iii) a community facility project, including hospitals, fire and police stations, and nursing and assisted-living facilities,
- “(iv) a value-added agriculture or renewable energy facility project for agricultural producers or farmer-owned entities, including any project to promote the production, processing, or retail sale of ethanol (including fuel at least 85 percent of the volume of which consists of ethanol), biodiesel, animal waste, biomass, raw commodities, or wind as a fuel,
- “(v) a distance learning or telemedicine project,

“(vi) a rural utility infrastructure project, including any electric or telephone system,

“(vii) a project to expand broadband technology,

“(viii) a rural teleworks project, and

“(ix) any project described in any preceding clause carried out by the Delta Regional Authority.

“(C) SPECIAL RULES.—For purposes of this paragraph—

“(i) any project described in subparagraph (B)(iv) for a farmer-owned entity may be considered a qualified project if such entity is located in a rural area, or in the case of a farmer-owned entity the headquarters of which are located in a nonrural area, if the project is located in a rural area, and

“(ii) any project for a farmer-owned entity which is a facility described in subparagraph (B)(iv) for agricultural producers may be considered a qualified project regardless of whether the facility is located in a rural or nonrural area.

“(3) SPECIAL USE RULES.—

“(A) REFINANCING RULES.—For purposes of paragraph (1)(B), a qualified project may be refinanced with proceeds of a rural renaissance bond only if the indebtedness being refinanced (including any obligation directly or indirectly refinanced by such indebtedness) was originally incurred after the date of the enactment of this section.

“(B) TREATMENT OF CHANGES IN USE.—For purposes of paragraph (1)(B), the proceeds of an issue shall not be treated as used for a qualified project to the extent that a borrower takes any action within its control which causes such proceeds not to be used for a qualified project. The Secretary shall prescribe regulations specifying remedial actions that may be taken (including conditions to taking such remedial actions) to prevent an action described in the preceding sentence from causing a bond to fail to be a rural renaissance bond.

“(e) MATURITY LIMITATIONS.—

“(1) DURATION OF TERM.—A bond shall not be treated as a rural renaissance bond if such bond is issued as part of an issue and—

“(A) the average maturity of bonds issued as a part of such issue, exceeds

“(B) 120 percent of the average reasonable expected economic life of the facilities being financed with the proceeds from the sale of such issue.

“(2) DETERMINATION OF AVERAGES.—For purposes of paragraph (1), the determination of averages of an issue and economic life of any facility shall be determined in accordance with section 147(b).

“(3) RATABLE PRINCIPAL AMORTIZATION REQUIRED.—A bond shall not be treated as a rural renaissance bond unless it is part of an issue which provides for an equal amount of principal to be paid by the qualified issuer during each calendar year that the issue is outstanding.

“(f) CREDIT INCLUDED IN GROSS INCOME.—Gross income includes the amount of the credit allowed to the taxpayer under this section (determined without regard to subsection (c)) and the amount so included shall be treated as interest income.

“(g) SPECIAL RULES RELATING TO EXPENDITURES.—

“(1) IN GENERAL.—An issue shall be treated as meeting the requirements of this subsection if—

“(A) at least 95 percent of the proceeds from the sale of the issue are to be spent for 1 or more qualified projects within the 5-year period beginning on the date of issuance of the rural renaissance bond,

“(B) a binding commitment with a third party to spend at least 10 percent of the proceeds from the sale of the issue will be incurred within the 6-month period beginning on the date of issuance of the rural renaissance

bond or, in the case of a rural renaissance bond, the proceeds of which are to be loaned to 2 or more borrowers, such binding commitment will be incurred within the 6-month period beginning on the date of the loan of such proceeds to a borrower, and

“(C) such projects will be completed with due diligence and the proceeds from the sale of the issue will be spent with due diligence.

“(2) EXTENSION OF PERIOD.—Upon submission of a request prior to the expiration of the period described in paragraph (1)(A), the Secretary may extend such period if the qualified issuer establishes that the failure to satisfy the 5-year requirement is due to reasonable cause and the related projects will continue to proceed with due diligence.

“(3) FAILURE TO SPEND REQUIRED AMOUNT OF BOND PROCEEDS WITHIN 5 YEARS.—To the extent that less than 95 percent of the proceeds of such issue are expended within such 5-year period (and no extension has been obtained under paragraph (2)), the qualified issuer shall redeem all of the nonqualified bonds on the earliest call date subsequent to the expiration of the 5-year period. If such earliest call date is more than 90 days subsequent to the expiration of the 5-year period, the qualified issuer shall establish a yield-restricted defeasance escrow within such 90 days to retire such nonqualified bonds on the earlier of the date which is 10 years after the issue date or the first call date. For purposes of this paragraph, the term ‘nonqualified bonds’ means the portion of the outstanding bonds in an amount that, if the remaining bonds were issued on the fifth anniversary of the date of the issuance of the issue, at least 95 percent of the proceeds of the remaining bonds would be used to provide qualified projects.

“(h) SPECIAL RULES RELATING TO ARBITRAGE.—

“(1) IN GENERAL.—A bond which is part of an issue shall not be treated as a rural renaissance bond unless, with respect to the issue of which the bond is a part, the qualified issuer satisfies the arbitrage rebate requirements of section 148 with respect to gross proceeds of the issue (other than any amounts applied in accordance with subsection (g)). For purposes of such requirements, yield over the term of an issue shall be determined under the principles of section 148 based on the qualified issuer's payments of principal, interest (if any), and fees for qualified guarantees on such issue.

“(2) EXCEPTION.—Amounts on deposit in a bona fide debt service fund with regard to any rural renaissance bond are not subject to the arbitrage rebate requirements of section 148.

“(i) QUALIFIED ISSUER.—For purposes of this section—

“(1) IN GENERAL.—The term ‘qualified issuer’ means any not-for-profit cooperative lender which has as of the date of the enactment of this section received a guarantee under section 306 of the Rural Electrification Act and which meets the requirement of paragraph (2).

“(2) USER FEE REQUIREMENT.—The requirement of this paragraph is met if the issuer of any rural renaissance bond makes grants for economic and community development projects on a semi-annual basis every year that such bond is outstanding in an annual amount equal to ½ of the rate on United States Treasury bills of the same maturity multiplied by the outstanding principal balance of rural renaissance bonds issued by such issuer.

“(j) SPECIAL RULES RELATING TO POOL BONDS.—No portion of a pooled financing bond may be allocable to loan unless the borrower has entered into a written loan commitment for such portion prior to the issue date of such issue.

“(k) OTHER DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

“(1) BOND.—The term ‘bond’ includes any obligation.

“(2) POOLED FINANCING BOND.—The term ‘pooled financing bond’ shall have the meaning given such term by section 149(f)(4)(A).

“(3) RURAL AREA.—The term ‘rural area’ means any area other than—

“(A) a city or town which has a population of greater than 50,000 inhabitants, or

“(B) the urbanized area contiguous and adjacent to such a city or town.

“(4) PARTNERSHIP; S CORPORATION; AND OTHER PASS-THRU ENTITIES.—Under regulations prescribed by the Secretary, in the case of a partnership, trust, S corporation, or other pass-thru entity, rules similar to the rules of section 41(g) shall apply with respect to the credit allowable under subsection (a).

“(5) BONDS HELD BY REGULATED INVESTMENT COMPANIES.—If any rural renaissance bond is held by a regulated investment company, the credit determined under subsection (a) shall be allowed to shareholders of such company under procedures prescribed by the Secretary.

“(6) TREATMENT FOR ESTIMATED TAX PURPOSES.—Solely for purposes of sections 6654 and 6655, the credit allowed by this section to a taxpayer by reason of holding a rural renaissance bond on a credit allowance date shall be treated as if it were a payment of estimated tax made by the taxpayer on such date.

“(7) REPORTING.—Issuers of rural renaissance bonds shall submit reports similar to the reports required under section 149(e).

(b) REPORTING.—Subsection (d) of section 6049 (relating to returns regarding payments of interest) is amended by adding at the end the following new paragraph:

“(8) REPORTING OF CREDIT ON RURAL RENAISSANCE BONDS.—

“(A) IN GENERAL.—For purposes of subsection (a), the term ‘interest’ includes amounts includible in gross income under section 54(f) and such amounts shall be treated as paid on the credit allowance date (as defined in section 54(b)(4)).

“(B) REPORTING TO CORPORATIONS, ETC.—Except as otherwise provided in regulations, in the case of any interest described in subparagraph (A), subsection (b)(4) shall be applied without regard to subparagraphs (A), (H), (I), (J), (K), and (L)(i) of such subsection.

“(C) REGULATORY AUTHORITY.—The Secretary may prescribe such regulations as are necessary or appropriate to carry out the purposes of this paragraph, including regulations which require more frequent or more detailed reporting.”

(c) CLERICAL AMENDMENTS.—

(1) The table of subparts for part IV of subchapter A of chapter 1 is amended by adding at the end the following new item:

“Subpart H. Nonrefundable credit to holders of rural renaissance bonds.”

(2) Section 6401(b)(1) is amended by striking “and G” and inserting “G, and H”.

(d) ISSUANCE OF REGULATIONS.—The Secretary of Treasury shall issue regulations required under section 54 of the Internal Revenue Code of 1986 (as added by this section) not later than 120 days after the date of the enactment of this Act.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 42—RECOGNIZING THE HISTORICAL SIGNIFICANCE OF THE JUNETEENTH INDEPENDENCE DAY, AND EXPRESSING THE SENSE OF CONGRESS THAT HISTORY SHOULD BE REGARDED AS A MEANS FOR UNDERSTANDING THE PAST AND SOLVING THE CHALLENGES OF THE FUTURE

Mr. OBAMA (for himself and Mr. LEVIN) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 42

Whereas news of the end of slavery did not reach frontier areas of the United States, and in particular the Southwestern States, for more than 2 years after President Lincoln's Emancipation Proclamation of January 1, 1863, and months after the conclusion of the Civil War;

Whereas on June 19, 1865, Union soldiers led by Major General Gordon Granger arrived in Galveston, Texas, with news that the Civil War had ended and that the enslaved were free;

Whereas African Americans who had been slaves in the Southwest celebrated June 19, commonly known as Juneteenth Independence Day, as the anniversary of their emancipation;

Whereas African Americans from the Southwest continue the tradition of Juneteenth Independence Day as inspiration and encouragement for future generations;

Whereas for more than 135 years, Juneteenth Independence Day celebrations have been held to honor African American freedom while encouraging self-development and respect for all cultures;

Whereas although Juneteenth Independence Day is beginning to be recognized as a national, and even global, event, the history behind the celebration should not be forgotten; and

Whereas the faith and strength of character demonstrated by former slaves remains an example for all people of the United States, regardless of background, religion, or race: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That—

(1) Congress—

(A) recognizes the historical significance of Juneteenth Independence Day to the Nation;

(B) supports the continued celebration of Juneteenth Independence Day to provide an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped the Nation; and

(C) encourages the people of the United States to observe Juneteenth Independence Day with appropriate ceremonies, activities, and programs; and

(2) it is the sense of Congress that—

(A) history should be regarded as a means for understanding the past and solving the challenges of the future; and

(B) the celebration of the end of slavery is an important and enriching part of the history and heritage of the United States.

Mr. LEVIN. Mr. President, this week there will be celebrations in observance of the date upon which slavery finally came to an end in the United States, June 19, 1865, also known as “Juneteenth Independence Day.” It was on this date that slaves in the Southwest finally learned of the end of

slavery. Although passage of the 13th amendment in January 1863, legally abolished slavery, many African Americans remained in servitude due to the slow dissemination of this news across the country. Since that time, over 130 years ago, the descendants of slaves have observed this anniversary of emancipation as a remembrance of one of the most tragic periods of our nation's history. The suffering, degradation and brutality of slavery cannot be repaired, but the memory can serve to ensure that no such inhumanity is ever perpetrated again on American soil.

Throughout the Nation, we also celebrate the many important achievements of former slaves and their descendants. We do so because in 1926, Dr. Carter G. Woodson, son of former slaves, proposed such a recognition as a way of preserving the history of African Americans and recognizing the enormous contributions of a people of great strength, dignity, faith and conviction—a people who rendered their achievements for the betterment and advancement of a Nation once lacking in humanity towards them. Every February, nationwide, we celebrate African American History Month. And, every year on June 19 we celebrate “Juneteenth Independence Day.”

I am happy to join with my colleague, Senator BARACK OBAMA, in commemorating Juneteenth Independence Day with the submission of S. Con. Res. 42, in recognition of the end of slavery and to never forget even the worst aspects of our Nation's history.

AMENDMENTS SUBMITTED AND PROPOSED

SA 784. Ms. CANTWELL (for herself, Mrs. FEINSTEIN, Mr. REID, and Mr. DURBIN) proposed an amendment to the bill H.R. 6, Reserved.

SA 785. Mr. FRIST (for Ms. MURKOWSKI) submitted an amendment intended to be proposed by Mr. FRIST to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 786. Mr. FRIST (for Ms. MURKOWSKI) submitted an amendment intended to be proposed by Mr. FRIST to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 787. Mr. FRIST (for Ms. MURKOWSKI) submitted an amendment intended to be proposed by Mr. FRIST to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 788. Mr. DEWINE (for himself, Mr. KOHL, Mr. SPECTER, Mr. LEAHY, Mr. GRASSLEY, Mr. FEINGOLD, Mr. COBURN, Mr. LEVIN, Ms. SNOWE, Mrs. BOXER, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 789. Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 6, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 784. Ms. CANTWELL (for herself, Mrs. FEINSTEIN, Mr. REID, and Mr. DURBIN) proposed an amendment to the bill H.R. 6, Reserved; as follows:

Beginning on page 120, strike line 23 and all that follows through page 122, line 14, and insert the following:

SEC. 151. REDUCTION OF DEPENDENCE ON IMPORTED PETROLEUM.

(a) FINDINGS.—Congress finds that—

(1) based on the reports of the Energy Information Administration entitled “Annual Energy Outlook 2005” and “May 2005 Monthly Energy Review”—

(A) during the period beginning January 1, 2005, and ending April 30, 2005, the United States imported an estimated average of 13,056,000 barrels of oil per day; and

(B) the United States is projected to import 19,110,000 barrels of oil per day in 2025;

(2) technology solutions already exist to dramatically increase the productivity of the United States energy supply;

(3) energy efficiency and conservation measures can improve the economic competitiveness of the United States and lessen energy costs for families in the United States;

(4) United States dependence on foreign energy imports leaves the United States vulnerable to energy supply shocks and reliant on the willingness of other countries to provide sufficient supplies of oil;

(5) while only 3 percent of proven oil reserves are located in territory controlled by the United States, advances in fossil fuel extraction techniques and technologies could increase United States energy supplies; and

(6) reducing energy consumption also benefits the United States by lowering the environmental impacts associated with fossil fuel use.

(b) GOAL.—It is a goal of the United States to reduce by 40 percent the amount of foreign oil projected to be imported during calendar year 2025 in the reference case contained in the report of the Energy Information Administration entitled “Annual Energy Outlook 2005”.

(c) MEASURES TO REDUCE IMPORT DEPENDENCE.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every two years thereafter, the President shall—

(A) develop and implement measures to reduce dependence on foreign petroleum imports of the United States by reducing petroleum in end-uses throughout the economy of the United States sufficient to reduce total demand for petroleum in the United States by 1,000,000 barrels per day from the amount projected for calendar year 2015; and

(B)(i) subject to clause (ii), develop and implement measures to reduce dependence on foreign petroleum imports of the United States by reducing petroleum in end-uses throughout the economy of the United States sufficient to reduce total demand for petroleum in the United States by 7,640,000 barrels per day from the amount projected for calendar year 2025.

(ii) If the President determines that there are insufficient legal authorities to achieve the target for calendar year 2025 in clause (i), the President shall develop and implement measures that will reduce dependence on foreign petroleum imports of the United States by reducing petroleum in end-uses throughout the economy of the United States to the maximum extent practicable and shall submit to Congress proposed legislation or other recommendations to achieve the target.

(2) REQUIREMENTS.—In developing measures under paragraph (1), the President shall—

(A) ensure continued reliable and affordable energy for the United States, consistent with the creation of jobs and economic growth and maintaining the international competitiveness of United States businesses, including the manufacturing sector; and

(B) implement measures under paragraph (1) under existing authorities of the appropriate Federal agencies, as determined by the President.

(3) PROJECTIONS.—The projections for total demand for petroleum in the United States under paragraph (1) shall be those contained in the Reference Case in the report of the Energy Information Administration entitled “Annual Energy Outlook 2005”.

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the President shall submit to Congress a report, based on the most recent edition of the Annual Energy Outlook published by the Energy Information Administration, assessing the progress made by the United States toward the goal of reducing dependence on imported petroleum sources by 2025.

(2) CONTENTS.—The report under paragraph (1) shall—

(A) identify the status of efforts to meet the goal described in subsection (b);

(B) assess the effectiveness of any measure implemented under subsection (c) during the previous fiscal year in meeting the goal described in subsection (b); and

(C) describe plans to develop additional measures to meet the goal.

SA 785. Mr. FRIST (for Ms. MURKOWSKI) submitted an amendment intended to be proposed by Mr. FRIST to the bill H.R. 6, Reserved; which was ordered to lie on the table; as follows:

On page 49, between lines 4 and 5, insert the following:

SEC. 12. YOUTH ENERGY CONSERVATION CORPS.

(a) PURPOSES.—The purposes of this section are to—

(1) provide a local, low-cost source of labor for energy conservation projects;

(2) allow service and conservation corps to enter into agreements with the Department to carry out projects to increase energy efficiency in communities of the United States, particularly low-income communities;

(3) offer young people, ages 16 through 25, particularly those who are at-risk or economically disadvantaged, the opportunity to gain productive employment and experience in the field of energy conservation; and

(4) give those young people the opportunity to serve their communities and to participate in energy conservation activities in their communities.

(b) DEFINITIONS.—In this section:

(1) ALASKA NATIVE CORPORATION.—The term “Alaska Native Corporation” means a Regional Corporation or Village Corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

(2) CORPS.—The term “Corps” means the Youth Energy Conservation Corps established under subsection (c).

(3) HAWAIIAN HOME LANDS.—The term “Hawaiian home lands” has the meaning given the term in section 203 of Public Law 91-378 (16 U.S.C. 1722).

(4) INDIAN LANDS.—The term “Indian lands” has the meaning given the term in section 203 of Public Law 91-378 (16 U.S.C. 1722).

(5) SERVICE AND CONSERVATION CORPS.—The term “service and conservation corps” means any organization established by a State or local government, nonprofit organization, Indian tribe, or Alaska Native Corporation that—

(A) has a research-validated demonstrable capability to use the corps model to provide productive work to individuals;

(B) gives participants a combination of work experience, basic and life skills, education, training, and support services;

(C) provides participants with the opportunity to develop citizenship values through

service to their communities and the United States; and

(D) is accredited by a national or regional body with expertise in service and conservation corps.

(6) STATE.—The term “State” means—

(A) each of the several States of the United States;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands;

(G) the Federated States of Micronesia;

(H) the Republic of the Marshall Islands;

(I) the Republic of Palau; and

(J) the United States Virgin Islands.

(c) ESTABLISHMENT.—There is established a Youth Energy Conservation Corps.

(d) PARTICIPANTS.—The Corps shall consist of young adults who are enrolled as members of a service or conservation corps covered by a contract or cooperative agreement entered into under subsection (e).

(e) CONTRACTS OR AGREEMENTS.—The Secretary may enter into contracts or cooperative agreements directly with—

(1) any service or conservation corps to carry out a project described in subsection (f); or

(2) a department of energy of any State that has entered into a contract or cooperative agreement with a service or conservation corps to carry out an energy conservation project described in subsection (f).

(f) AUTHORIZED PROJECTS.—For purposes of this section, an authorized project is an energy conservation project authorized under section 801 of the National Energy Conservation Policy Act (42 U.S.C. 8287).

(g) PRIORITY PROJECTS.—In entering into a contract or cooperative agreement under subsection (e), the Secretary shall give priority to projects that will—

(1) result in the most energy conservation;

(2) result in training for a career in the energy conservation industry;

(3) instill in members of the corps a work ethic and sense of personal responsibility;

(4) be labor intensive; and

(5) be planned and initiated promptly.

(h) SUPPORTIVE SERVICES.—The Secretary may provide to the Corps such services as the Secretary considers necessary to carry out this section, including technical assistance, oversight, monitoring, and evaluation to or for—

(1) State departments of energy (or equivalent agencies);

(2) service and conservation corps;

(3) in the case of Indian lands, the applicable Indian tribe;

(4) in the case of Hawaiian home lands, the applicable State agency in the State of Hawaii; and

(5) in the case of land under the jurisdiction of an Alaska Native Corporation, the applicable Alaska Native Corporation.

(i) OTHER USES OF FUNDS.—Funds made available under this section may be used to support implementation, monitoring, training, technical assistance, and administrative work of service and conservation corps covered by a contract or cooperative agreement entered into under subsection (e).

(j) NONDISPLACEMENT.—The nondisplacement requirements of section 177(b) of the National and Community Service Act of 1990 (42 U.S.C. 12637(b)) shall apply to activities carried out under this section.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SA 786. Mr. FRIST (for Ms. MURKOWSKI) submitted an amendment intended to be proposed by Mr. FRIST to

the bill H.R. 6, Reserved; which was ordered to lie on the table; as follows:

On page 130, line 24, insert "ocean (tidal, wave, current, and thermal)," after "wind."

On page 134, line 3, insert "ocean (tidal, wave, current, and thermal)," after "biomass."

SA 787. Mr. FRIST (for Ms. MURKOWSKI) submitted an amendment intended to be proposed by Mr. FRIST to the bill H.R. 6, Reserved; which was ordered to lie on the table; as follows:

On page 131, lines 18 and 19, strike "or an Indian tribal government or subdivision thereof," and insert "an Indian tribal government or subdivision thereof, or a Native Corporation (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)),".

SA 788. Mr. DEWINE (for himself, Mr. KOHL, Mr. SPECTER, Mr. LEAHY, Mr. GRASSLEY, Mr. FEINGOLD, Mr. COBURN, Mr. LEVIN, Ms. SNOWE, Mrs. BOXER, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill H.R. 6, Reserved; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . NO OIL PRODUCING AND EXPORTING CARTELS.

(a) **SHORT TITLE.**—This section may be cited as the "No Oil Producing and Exporting Cartels Act of 2005" or "NOPEC".

(b) **SHERMAN ACT.**—The Sherman Act (15 U.S.C. 1 et seq.) is amended by adding after section 7 the following:

"SEC. 7A. OIL PRODUCING CARTELS.

"(a) **IN GENERAL.**—It shall be illegal and a violation of this Act for any foreign state, or any instrumentality or agent of any foreign state, to act collectively or in combination with any other foreign state, any instrumentality or agent of any other foreign state, or any other person, whether by cartel or any other association or form of cooperation or joint action—

"(1) to limit the production or distribution of oil, natural gas, or any other petroleum product;

"(2) to set or maintain the price of oil, natural gas, or any petroleum product; or

"(3) to otherwise take any action in restraint of trade for oil, natural gas, or any petroleum product;

when such action, combination, or collective action has a direct, substantial, and reasonably foreseeable effect on the market, supply, price, or distribution of oil, natural gas, or other petroleum product in the United States.

"(b) **SOVEREIGN IMMUNITY.**—A foreign state engaged in conduct in violation of subsection (a) shall not be immune under the doctrine of sovereign immunity from the jurisdiction or judgments of the courts of the United States in any action brought to enforce this section.

"(c) **INAPPLICABILITY OF ACT OF STATE DOCTRINE.**—No court of the United States shall decline, based on the act of state doctrine, to make a determination on the merits in an action brought under this section.

"(d) **ENFORCEMENT.**—The Attorney General of the United States and the Federal Trade Commission may bring an action to enforce this section in any district court of the United States as provided under the anti-trust laws."

(c) **SOVEREIGN IMMUNITY.**—Section 1605(a) of title 28, United States Code, is amended—

(1) in paragraph (6), by striking "or" after the semicolon;

(2) in paragraph (7), by striking the period and inserting "; or"; and

(3) by adding at the end the following:

"(8) in which the action is brought under section 7A of the Sherman Act."

SA 789. Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 6, Reserved; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . EXCLUSION FOR CERTAIN FUEL COSTS OF RURAL COMMUTERS.

(a) **IN GENERAL.**—Section 132(f)(1) (defining qualified transportation fringe) is amended by adding at the end the following new subparagraph:

"(D) In the case of an eligible rural commuter, the cost of fuel for a highway vehicle of the taxpayer the primary purpose of which is to travel between the taxpayer's residence and place of employment."

(b) **LIMITATION ON EXCLUSION.**—Section 132(f)(2) (relating to limitation on exclusion) is amended by striking "and" at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting "; and", and by adding at the end the following new subparagraph:

"(C) \$50 per month in the case of the benefit described in subparagraph (D)."

(c) **ELIGIBLE RURAL COMMUTER.**—Section 132(f)(5) (relating to definitions) is amended by adding at the end the following new subparagraph:

"(F) **ELIGIBLE RURAL COMMUTER.**—The term 'eligible rural commuter' means any employee—

"(i) who resides in a rural area (as defined by the Bureau of the Census),

"(ii) who works in an area which is not accessible by a transit system designed primarily to provide daily work trips within a local commuting area, and

"(iii) who is not eligible to claim any qualified transportation fringe described in subparagraph (A) or (B) of paragraph (1)."

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to expenses incurred on and after the date of the enactment of this Act and before January 1, 2006.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, June 15, 2005 at 9:30 a.m. to hold a hearing on Nominations.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, June 15, 2005 at 9:30 a.m. to hold a business meeting.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to

meet on Wednesday, June 15, 2005, at 10 a.m. for a hearing titled, "Is the Federal Government Doing Enough to Secure Chemical Facilities and Is More Authority Needed?"

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Wednesday, June 15, 2005, at 2:30 p.m. to consider the nominations of Linda M. Springer to be Director of the U.S. Office of Personnel Management, Laura A. Cordero to be Associate Judge of the Superior Court of the District of Columbia, and Noel Anketell Kramer to be Associate Judge of the District of Columbia Court of Appeals.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. THOMAS. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, June 15, 2005, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct an oversight hearing on Youth Suicide Prevention. Those wishing additional information may contact the Indian Affairs Committee on 224-2251.

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

COMMITTEE ON FINANCE

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Wednesday, June 15, 2005, at 10 a.m., to hear testimony on "The Future of Medicaid: Strategies for Strengthening America's Vital Safety Net".

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

SUBCOMMITTEE ON NATIONAL OCEAN POLICY STUDY

Mr. THOMAS. Mr. President, I ask unanimous consent that the Subcommittee on National Ocean Policy Study be authorized to meet on Wednesday, June 15, 2005, at 9:30 a.m., on Coral Reef Ballast Water, at 9:30 a.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. THOMAS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 15, 2005 at 2:30 p.m. to hold a briefing.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions meet in executive session during the session of the Senate on Wednesday, June 15, 2005 at 9:50 a.m. in SD-430.

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

COMMITTEE ON THE JUDICIARY

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on "Detainees" on Wednesday, June 15, 2005 at 9:30 a.m. in Dirksen Senate Office Building, Room 226. The tentative witness list is attached.

Panel I: Brigadier General Thomas L. Hemingway, Department of Defense Office of Military Commissions, United States Department of Defense, Washington, DC; Rear Admiral James M. McGarrah, Director of Administrative Review of the Detention of Enemy Combatants, Department of the Navy, Washington, DC; the Honorable J. Michael Wiggins, Deputy Associate Attorney General, United States Department of Justice, Washington, DC; the Honorable Glenn A. Fine, Inspector General, United States Department of Justice, Washington, DC.

Panel II: Lieutenant Commander Charles D. Swift, Defense Counsel, Office of Chief Justice Counsel, United States Department of Defense, Washington, DC; the Honorable William P. Barr, Executive Vice-President and General Counsel, Verizon Corporation, Washington, DC; Joseph Margulies, Esq., Principal, Margulies & Richman, Minneapolis, MN; Stephen Schulhofer, Esq., Professor, New York University School of Law, New York City, NY.

SPECIAL COMMITTEE ON AGING

Mr. THOMAS. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet Wednesday, June 15, 2005 from 3 p.m.-5 p.m. in Hart 216 for the purpose of conducting a hearing.

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

PRIVILEGE OF THE FLOOR

Mr. BINGAMAN. Mr. President, I ask unanimous consent request that Lauren Mical, a fellow with Senator JEFFORDS's Environment and Public Works Committee staff, Margaret McCarthy, Katie Gallagher and Matthew Kireker, three interns on Senator JEFFORDS's staff, be granted the privilege of the floor during consideration of H.R. 6.

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

Mr. DORGAN. Mr. President, I ask unanimous consent that Jerry Hinkle, a fellow in my office, be granted the privileges of the floor through the pendency of the Energy bill.

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

Mr. SALAZAR. Mr. President, I ask unanimous consent that John Plumb, a fellow in my office, be granted floor privileges for the duration of the consideration of this bill.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Ken Ende,

a fellow in Senator BUNNING's office, be given privilege of the floor during consideration of the Energy bill.

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

THE CALENDAR

Mr. MCCONNELL. I ask unanimous consent that it be in order for the Senate to proceed en bloc to the consideration of the following calendar items: No. 122 and No. 123.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent the bills be read three times and passed, the motion to reconsider be laid upon the table en bloc, the consideration of these items appear separately in the RECORD, and any statements be printed in the RECORD.

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

SENATOR WILLIAM V. ROTH, JR.
BRIDGE

The bill (S. 1140) to designate the State Route 1 Bridge in the State of Delaware as the "Senator William V. Roth, Jr., Bridge," was considered, read the third time, and passed, as follows:

S. 1140

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF SENATOR WILLIAM V. ROTH, JR. BRIDGE.

The State Route 1 Bridge over the Chesapeake and Delaware Canal in the State of Delaware is designated as the "Senator William V. Roth, Jr. Bridge".

SEC. 2. REFERENCES.

Any reference in a law (including regulations), map, document, paper, or other record of the United States to the bridge described in section 1 shall be considered to be a reference to the Senator William V. Roth, Jr. Bridge.

REYNALDO G. GARZA AND
FILEMON B. VELA UNITED
STATES COURTHOUSE

The bill (H.R. 483) to designate a United States courthouse in Brownsville, TX, as the "Reynaldo G. Garza and Filemon B. Vela United States Courthouse," was considered, read the third time, and passed.

Mr. LEAHY. I am pleased that the Senate today has taken action on H.R. 483, a bill that designates a courthouse in Brownsville, TX, as the "Reynaldo G. Garza and Filemon B. Vela United States Courthouse" in honor of these two judges, including the first Mexican-American named to a Federal judge. Unfortunately, the Senate has repeatedly delayed action on this bill. Congressman SOLOMON P. ORTIZ first introduced a similar bill honoring these judges in 1998. It is now 7 years later and months after both these Judges' deaths in 2004.

Both this Congress and last, I have introduced a companion bill with Congresswoman NORTON that designates the new annex to the E. Barrett Prettyman United States Courthouse in Washington, DC, the "William B. Bryant Annex." This historic figure should be honored, and that honor should occur during his lifetime. Regrettably, the Senate has yet to act on this bill, S. 478, which I introduced on March 1, 2005.

In order to prevent repeating the regrettable timing of the Judge Garza and Vela Courthouse naming, I urge that the Senate move ahead on this worthy commendation of Judge Bryant's lifetime of public service.

Judge Bryant continues to perform his duties as a senior Federal judge at the age of 93. His commitment to ending racial segregation and his belief in public service and the law has carried him through a historic career. He was the first African-American Chief Judge for the United States District Court in DC. The current Chief Judge Thomas F. Hogan and all of Judge Bryant's fellow judges recognize his truly remarkable lifetime achievements and have unanimously requested naming the newly constructed annex in his honor.

Naming the new annex to the E. Barrett Prettyman Courthouse after Judge Bryant is long overdue. I urge the Senate to take this action without further delay and allow Judge Bryant the commendation he deserves.

ORDERS FOR THURSDAY, JUNE 16,
2005

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. tomorrow, Thursday, June 16. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then resume consideration of H.R. 6, the Energy bill.

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

PROGRAM

Mr. MCCONNELL. Tomorrow, the Senate will resume consideration of the Energy bill. Pending is the Cantwell amendment on consumption reduction. We expect to lock in a time certain for a vote on that amendment in the morning. Following the disposition of the Cantwell amendment, we will continue working through other amendments to the bill. Rollcall votes should be expected throughout the day tomorrow.

As was announced this morning, we will complete action on this important legislation next week; therefore, Senators who wish to offer an amendment should contact the bill managers as soon as possible.

I also remind everyone there will be no rollcall votes on Friday in order to accommodate the Democrat retreat.

There being no objection, the Senate at 6:35 p.m., adjourned until Thursday, June 16, 2005, at 9:30 a.m.

THE REMAINDER OF THE TERM EXPIRING DECEMBER 8, 2009.

LOUIS J. GIULIANO, OF NEW YORK, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2005.

LOUIS J. GIULIANO, OF NEW YORK, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2014.

CONFIRMATIONS

Executive nominations confirmed by the Senate Wednesday, June 15, 2005:

DEPARTMENT OF ENERGY

DAVID GARMAN, OF VIRGINIA, TO BE UNDER SECRETARY OF ENERGY.

UNITED STATES POSTAL SERVICE

CAROLYN L. GALLAGHER, OF TEXAS, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR

EXECUTIVE OFFICE OF THE PRESIDENT

BEN S. BERNANKE, OF NEW JERSEY, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.