

bipartisan action on the part of the Senate, the Congress.

Second, the Energy Policy Act of 2005 did some good things in making us move forward toward energy independence. It embraced an ethic of energy conservation, of which all of us should be proud, and included in that are efficiency standards for the 14 appliances that are most commonly used in our homes. That is an important step for the United States of America to take because we know from the experts at the Department of Energy that we currently waste about 62 percent of the energy we consume.

Second, the 2005 Energy Policy Act also took some major steps forward with regard to renewable energy. We embraced an ethic that said we can start growing our way toward energy independence. We increased the amount of ethanol that will be produced in America so we will have 7.5 billion gallons of ethanol being produced by 2012. That is only 5 years away. That will be very helpful to us as we move toward energy independence.

Third, the new technologies that were embraced in this law are important. When we look at the possibility of coal gasification, we know the huge reserves we have in America can be used in a way to help us fill up that menu board that we must fill up if we are going to find our way toward energy independence.

Finally, there are approaches in the legislation that will help us with the balanced development of our current natural resources, including the appropriate development of oil shale within my State of Colorado.

While I have been a fan of our 2005 legislation, I believe there is more that we must do to set America free from the overdependence on foreign oil. We need to do more. There is a hard winter ahead for many Americans. Gas prices remain very high. Diesel prices remain even higher. This directly affects the pocketbooks of people across America.

In Colorado, as across the Nation, high fuel prices affect everyone, and they also hit our agricultural producers and perhaps hit them the hardest. Farming and ranching equipment uses diesel fuel. When you have to tend to hundreds of acres, you use a lot of it.

Americans are in for a one-two punch on energy prices this winter because home heating prices are going to be high as well. The cost of natural gas is at an unprecedented level and, similar to the high prices at the pump, the resulting high heating costs will affect every American. We should take action.

Back in August I remember traveling around in places where I saw gas prices hit \$3 for the first time around. Yet through the ravages of Katrina and Rita and the escalation of gas prices over the last several months, we in Congress have had a few hearings but we have not taken action to deal more effectively with the crisis at hand. We must do more. We must begin now. I

suggest we start in the following three ways.

First, we should embrace a national price-gouging law. That is a law which was discussed by Senator BINGAMAN and Senator STEVENS in a hearing that was held in the Senate last week. The oil companies should have nothing to be afraid of with respect to price gouging because they say they have not engaged in price gouging. But we need to have a definition of what price gouging is so in the future we can make the determinations as to whether price gouging has occurred on the backs of the American people. We ought to be able to pass a price-gouging law in America today.

Second, we need to immediately embrace conservation emergency efforts for the year 2005 and for this winter. The years of malignant neglect have suddenly caught up with all of us, and we need to conserve energy for this winter. I believe we need to pass an Emergency Energy Conservation Act of 2005. I have promoted a number of proposals on the floor of the Senate, as have several of my colleagues. On the House side, the story is the same. There are many good ideas available to this Congress that will encourage conservation. But we do not have time to wait. We need to act now, before the cold days of winter are upon us.

Finally, we need to continue to put the spotlight on the possibilities and opportunities of renewable energy. Today, the nation of Brazil produces about half of its energy supply from renewable energy. They have truly embraced and achieved a goal of energy independence. If Brazil and other countries that are less prosperous, Third World countries, can in fact achieve energy independence by looking at renewable fuels, why can't we in the United States do the same? I believe we can. More production of renewable fuels combined with more development of wind, solar, biomass, and other renewable resources will move the United States closer to energy independence. At the same time, renewable energy production will directly benefit those agricultural and rural communities hardest hit by high energy prices. Harvesting renewable energy from our Nation's farmlands and wide open spaces is perhaps the most important opportunity to come to rural America in the last 50 years.

A group called the Energy Future Coalition, composed of leading conservatives and leading progressives—from across the political spectrum—is working toward harvesting 25 percent of America's energy demands by the year 2025. I believe we can do even better than that, and there are experts within the Department of Energy who believe that we can do that.

There is a lot of work ahead of us as we deal with what I believe is one of the two most important domestic issues that face America and that is energy and how we get to energy independence. It ought to be at the fore-

front of the work of this Senate and this Congress.

In conclusion, this country has an Energy bill and it is a good first step. However, the Energy Policy Act of 2005 does not do enough to prepare America for the future. The events of the last several months prove that. We can do better with a more comprehensive long-term energy policy that hammers home on two simple points: energy efficiency and developing renewable resources. America can do better. America deserves better. America can do better with true deeds that move us to energy independence, with deeds that transcend the rhetoric of Washington and the stalemate of Washington for the last 30 years.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma is recognized.

#### A REAL WAR

Mr. COBURN. Mr. President, I come to the floor today because, as I travel around Oklahoma, one of the things I find is a lack of recognition of the war we are in, why we are there, what the problems are associated with it. Every one of us has a heavy heart for the fact that we now have troops committed and dying and sacrificing every day in the war on terrorism.

As I thought about what to say to my constituents in Oklahoma but also to the American people, I found that I could not say it as well as retired MG Vernon Chong of the U.S. Air Force. I wish to read, for a few moments, a commentary he has written, dated October 1, 2005. If you would indulge me to read that, I think it will give us some enlightenment to where we are. He says:

To get out of a difficulty, one usually must go through it. Our country is now facing the most serious threat to its existence, as we know it, that we have faced in your lifetime and mine (which includes WWII).

The deadly seriousness is greatly compounded by the fact that there are very few of us who think we can possibly lose this war, and even fewer who realize what losing really means.

First, let's examine a few basics. When did the threat to us start? Many will say September 11, 2001. The answer, as far as the United States is concerned, is 1979—22 years prior to September 2001—with the following attacks on us:

Iran Embassy Hostages, 1979; Beirut, Lebanon, Embassy, 1983; Beirut, Lebanon, Marine Barracks, 1983; Lockerbie, Scotland, Pan-Am flight to New York, 1988; First New York World Trade Center attack, 1993; Dhahran, Saudi Arabia, Khobar Towers Military complex, 1996; Nairobi, Kenya, U.S. Embassy, 1998; Dares Salaam, Tanzania, U.S. Embassy, 1998; Aden, Yeman, USS Cole, 2000; New York, World Trade Center, 2001; Pentagon, 2001; and Shanksville, Pennsylvania, Plane Crash, 2001

Why were we attacked: Envy of our position, our success, and our freedoms. The attacks happened during the administration of Presidents Carter, Reagan, Bush, Clinton, and Bush. We cannot fault either the Republicans or Democrats, as there were no provocations by any of the Presidents or their immediate predecessors, Presidents Ford or Carter.

Who were the attackers? In each case, the attacks on the U.S. were carried out by Muslims. What is the Muslim population of the World? Twenty-five percent. Isn't the Muslim Religion peaceful? Hopefully, but that is really not material. There is no doubt that the predominantly Christian population of Germany was peaceful, but under the dictatorial leadership of Hitler (who was also Christian), that made no difference. You either went along with the administration, or you were eliminated.

Although Hitler kept the world focused on the Jews, he had no hesitancy about killing anyone who got in his way of exterminating the Jews, or of taking over the world—German, Christian, or any others.

Same with the Muslim terrorists. They focus the attention of the world on the U.S., but kill all in the way—their own people, or the Spanish, French, or anyone else. The point here, is that just like the peaceful Germans were of no protection to anyone from the Nazis, no matter how many peaceful Muslims there may be, they are no protection for us from the terrorist Muslim leaders, and what they are fanatically bent on doing—by their own pronouncements—killing all of us “infidels.” I don't blame the peaceful Muslims. What would you do—if the choice was shut up, or die?

So who are we at war with? There is no way we can honestly respond that it is anyone other than the Muslim terrorists. Trying to be politically correct, and avoid verbalizing this conclusion can well be fatal. There is no way to win, if you don't clearly recognize, and articulate who you are fighting.

So with that background, now to the two major questions: Can we lost this war? What does losing really mean? If we are to win, we must clearly answer these two pivotal questions.

We can definitely lose this war, and as anomalous as it may sound, the major reason we can lose is that so many of us simply do not fathom the answer to the second question—“What does losing mean?”

It would appear that a great many of us think that losing the war means hanging our heads, bringing the troops home, and going on about our business, like post-Vietnam. This is as far from the truth as one can get. What losing really means is: We would no longer be the premier country in the world. The attacks will not subside, but rather will steadily increase. Remember, they want us dead, not just quiet. If they had just wanted us quiet, they would not have produced an increasing series of attacks against us, over the past 18 years. The plan was clearly, for terrorists to attack us, until we were neutered, and submissive to them.

We would, of course, have no future support from other nations, for fear of reprisals, and for the reason that they would see that we are impotent, and cannot help them.

They will pick off the other non-Muslim nations, one at a time. It will be increasingly easier for them. They already hold Spain hostage. It doesn't matter whether it was right or wrong for Spain to withdraw its troops from Iraq. Spain did it because the Muslim terrorists bombed their train, and told them to withdraw the troops. Anything else they want Spain to do, will be done.

The next will probably be France. Our one hope on France is that they might see the light and realize that if we don't win, they are finished too, in that they can't resist the Muslim terrorists without us. However, it may already be too late for France.

If we lose the war, our production, income, exports, and way of life will all vanish, as we know it. After losing, who would trade or deal with us, if they are threatened by the Muslims?

If we can't stop the Muslims, how could anyone else?

The Muslims [Islamofascists] fully know what is riding on this war, and therefore, are completely committed to winning, at any cost. We better know it too, and be likewise committed to winning at any cost.

Why do I go on at such lengths about the results of losing? Simple. Until we recognize the costs of losing, we cannot unite, and really put 100 percent of our thoughts and efforts into winning. And, it is going to take that 100 percent effort to win.

So, how can we lose the war?

Again, the answer is simple. We can lose the war by “imploding.” That is, defeating ourselves, by refusing to recognize the enemy and their purpose, and really digging in and lending full support to the war effort. If we are united, there is no way that we can lose. If we continue to be divided, there is no way that we can win!

Let me give you a few examples of how we simply don't comprehend the life-and-death seriousness of this situation.

President Bush selects Norman Mineta as Secretary of Transportation. Although all of the terrorist attacks were committed by Muslim men between 17 and 40 years of age, Secretary Mineta refuses to allow profiling. Does that sound like we are taking this thing seriously?

This is war! For the duration, we are going to have to give up some of the civil rights we have become accustomed to. We had better be prepared to lose some of our civil rights temporarily, or we will most certainly lose all of them, permanently.

And, don't worry that it is a slippery slope. We gave up plenty of civil rights during WWII, and immediately restored them after the victory, and in fact, added many more since then.

Do I blame President Bush or President Clinton before him?

No, I blame us for blithely assuming we can maintain all of our Political Correctness, and all of our civil rights during this conflict, and have a clean, lawful, honorable war. None of those words apply to war. Get them out of your head.

Some have gone so far in their criticism of the war and/or the Administration that it almost seems they would literally like to see us lose. I hasten to add that this isn't because they are disloyal. It is because they don't recognize what losing means. Nevertheless, that conduct gives the impression to the enemy that we are divided and weakening. It concerns our friends, and it does great damage to our cause.

Of more recent vintage, the uproar fueled the politicians and media regarding the treatment of some prisoners of war, perhaps exemplifies best what I am saying.

We have recently had an issue, involving the treatment of a few Muslim prisoners of war, by a small group of our military police.

By the way, all of those have gone to trial or are going to trial, and will be punished.

Again, these are MG Chong's words:

These are the type of prisoners, who just a few months ago, were throwing their own people off buildings, cutting off their hands, cutting out their tongues, and otherwise murdering their own people, just for disagreeing with Saddam Hussein.

And just a few years ago, these same types of prisoners chemically killed 400,000 of their own people for the same reason. They are also the same type of enemy fighters who recently were burning Americans, and dragging their charred corpses through the streets of Iraq.

And still more recently, the same type of enemy that was, and is, providing videos to all news sources internationally, of the beheading of American prisoners they held.

Compare this with some of our press and politicians, who, for several days, have thought and talked about nothing else but the “humiliating” of some Muslim prisoners—not burning them, not dragging their charred corpses through the streets, not beheading them, but “humiliating” them.

Can this be for real?

If this doesn't show the complete lack of comprehension and understanding of the seriousness of the enemy we are fighting, the life and death struggle we are in, and the disastrous results of losing this war, nothing can.

To bring our country to a virtual political standstill over this prisoner issue makes us look like Nero playing his fiddle, as Rome burned—totally oblivious to what is going on in the real world. Neither we, nor any other country, can survive this internal strife.

Again I say, this does not mean that some of our politicians or media people are disloyal. It simply means that they are absolutely oblivious to the magnitude of the situation we are in, and into which the Muslim terrorists have been pushing us, for many years.

Remember, the Muslim terrorists' stated goal is to kill all infidels! That translates into all non-Muslims—not just in the United States, but throughout the world.

We are the last bastion of defense.

We have been criticized, for many years, as being “arrogant.” That charge is valid, in at least one respect. We are arrogant in that we believe that we are so good, powerful, and smart; that we can win the hearts and minds of all those who attack us; and that with both hands tied behind our back, we can defeat anything bad in the world.

We can't.

If we don't recognize this, our Nation as we know it, will not survive, and no other free country in the world will survive, if we are defeated.

And finally, name any Muslim countries throughout the world that allow freedom of speech, freedom of thought, freedom of religion, freedom of the press, equal rights for anyone—let alone everyone, equal status, or any status for women.

This has been a long way of saying that we must be united on this war, or we will be equated in the history books to the self-inflicted fall of the Roman Empire. If, that is, the Muslim leaders will allow history books to be written, or read.

Democracies don't have their freedoms taken away from them by some external military force. Instead, they give their freedoms away, politically correct piece by politically correct piece.

And, they are giving those freedoms away to those who have shown, worldwide, that they abhor freedom, and will not apply it to you, or even to themselves, once they are in power.

They have universally shown that when they have taken over, they then start brutally killing each other, over who will be the few who control the masses. Will we ever stop hearing from the politically correct, about the “peaceful Muslims”?

I close on a hopeful note, by repeating what I said above. If we are united, there is no way that we can lose. I hope the factions in our country will begin to focus on the critical situation we are in, and will unite to save our country. It is your future we are talking about! Do whatever you can to preserve it.

After reading the above, we all must do this not only for ourselves, but our children, our grandchildren, our country, and the World.

Whether Democrat or Republican, conservative or liberal, and that includes the politicians and media of our country, and the free World!

Those are the words of retired MG Vernon Chong, U.S. Air Force.

I think it brings to mind the very important facts that face us today. We are at war. The war is real. The threats to our country and to our freedom are real. We must come together as a nation and recognize this threat, or we stand to lose the very principles, the very freedom, we each cherish so much.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is now closed.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1042, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1042) to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Pending:

Graham amendment No. 2515, relating to the review of the status of detainees of the United States Government.

Warner/Frist amendment No. 2518, to clarify and recommend changes to the policy of the United States on Iraq and to require reports on certain matters relating to Iraq.

Levin amendment No. 2519, to clarify and recommend changes to the policy of the United States on Iraq and to require reports on certain matters relating to Iraq.

Bingaman amendment No. 2523 (to amendment No. 2515), to provide for judicial review of detention of enemy combatants.

Graham amendment No. 2524 (to amendment No. 2515), in the nature of a substitute.

The ACTING PRESIDENT pro tempore. There will be 30 minutes for debate equally divided between the bill's managers.

The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, first, I advise the Senate that last night for a period of 2 hours we had a very thorough debate on amendments of my distinguished colleague from Michigan and amendments that I put in with our distinguished leader, Mr. FRIST, and I believe cosponsors of Senator LEVIN, and we were joined by another colleague, Senator LIEBERMAN. Of course, Senators don't have access to that RECORD yet. But I assure you the merits of both cases were thoroughly stated.

As we have 30 minutes divided between the two of us this morning, my distinguished friend and I talked this morning, and he expressed an interest in having his amendment voted first. As a matter of comity and courtesy, we offer that to the Senator from Michigan. If that is his desire, I ask unani-

mous consent that be the order in which votes be taken.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. LEVIN. Mr. President, that would be acceptable, indeed, and I think preferable from every perspective. It is our understanding there is a suggestion to that effect from the Republican side. Whether it is from the Republican side or our side, I think it is wise. I accept the suggestion and do so with thanks to my good friend from Virginia.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WARNER. Mr. President, to inform the Senate, there are two amendments. Basically, as we will explain momentarily, the amendments are almost identical except in three areas. They are important areas, and we will go into that in some detail here in a moment.

The Levin amendment will go first, and ours will go second. There will be votes on both amendments.

We had the option to draw up an entirely different amendment, to go into many ramifications and many issues that we feel very strongly about on this side of the aisle. I take the responsibility. Or if anyone wishes to share it with me, they may well do so. I felt that it is so critical at this point in history with regard to the United States policy towards Iraq, together with our coalition forces, that the extent to which the Senate could speak with one voice had great merit. Therefore, essentially on this side we looked at the amendment of the Senator from Michigan and made, in my judgment, several minor modifications and one very significant modification. That is the standing.

As Senators vote, they will note the similarity between these amendments. But I felt the Senator from Michigan and I have a very strong feeling that the basic purpose of these amendments—whichever one is voted and survives—is to send the strongest possible message to the Iraqi people, the new government that will be formed subsequent to December 15, that our country, together with our coalition partners, has made enormous efforts, enormous sacrifice of life and limb, contributions by the people not only from our country but a number of other countries, to let them establish for themselves a form of democracy.

I believe we have made great progress with several transitional governments, a referendum vote, and now on the verge of what I perceive—and I think the Senator from Michigan shares the view—of an even stronger and larger vote to elect the permanent government.

The next 120 days, in my judgment, are critical—absolutely critical. Every word that comes from the Congress of the United States will be carefully scrutinized not only by the Iraqi people but by the nations throughout the Mid-

dle East and indeed our coalition partners. We have to be extremely careful in the formulation of those words and messages so they are not misconstrued.

I feel, with all due respect to the amendment originally drawn by my colleague from Michigan and others, that the last paragraph phrases a timetable of withdrawal requiring the President to file a report every 90 days giving specific dates and other factors.

That is the major change between these two amendments. The amendment of the Senator from Virginia strikes that last paragraph. I will go into further detail momentarily as to exactly why. We made the effort to have a bipartisan amendment. It is forward-looking.

Again, it is my intention to have the amendment on this side of the aisle not contain any language that could be misconstrued as a timetable which could establish and set up a fragile situation, particularly on the eve of another election on December 15.

I thank my distinguished colleague from Michigan. I commend him for much of the language he included in the amendment. I was privileged to draw on it. However, it sends that message on which we have absolute unity to the Iraqi people: We mean business. We have done our share. Now the challenge is up to you.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. I yield myself 1 minute, and then I will yield to Senator KENNEDY.

I thank the Senator from Virginia for his words. There is no timetable for withdrawal in the last paragraph. I, like him, urge Members to read that paragraph. It simply says that the same type of schedule which we all agreed to in paragraph 6 should also be proposed with an estimated schedule relative to phased withdrawal if—if—the conditions which we all agree upon should be set forth in the report have been achieved.

That is what it does. That is an important message. It is not a withdrawal timetable in paragraph 7, but each Member will reach their own conclusion on that. It sends an important message, but it is not the one the Senator from Virginia has characterized.

I yield 5 minutes to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I thank the Senator for his strong leadership.

I strongly support the Levin-Biden-Reid amendment on Iraq. Our amendment expresses the clear sense of the Senate that the U.S. military forces should not stay in Iraq indefinitely. Although many disagree with the President about the war, we all honor the service and sacrifice and heroism of our brave men and women in Iraq. Our Armed Forces are serving courageously in Iraq, under enormously difficult circumstances. The policy of our Government must be worthy of their sacrifice. Unfortunately, it is not. The American people know it.