only two countries, Cyprus and South Africa.

In writing, 75 percent of U.S. school children cannot compose a well-organized, coherent essay, according to the National Assessment for Education Progress in September 1999.

We have to put a stop to this bad news. Fortunately, the bill before us takes some strong steps and with this amendment, it will take even more.

While it is difficult to ascertain how Title I funds are always being used, we do know of a few examples that raise questions in my mind:

In Alabama, according to the Citizens' Commission on Civil Rights, ''dipped into Title 1 to pay the electric bill and for janitorial services.''

While most of Title I's $8 billion appear to be spent on instruction, the Los Angeles Times, in a March 12, 2000 editorial, said, ''About half that amount is wasted on unskilled though well-meaning teacher aides, who are often more babysitter than instructor.''

Title I has been used ''to pay for everything from playground supervisors and field trips to more time for nurses and counselors,'' according to the San Diego Union-Tribune, March 16, 2000.

California school officials have told my staff that Title I has been used for pay for clerical assistants in school administrative offices, payroll staff, truant officers, schoolyard duty personnel, school bus loading assistants, ''curriculum coordinators,'' ''compliance,'' attending conferences, and home visits.

By offering this amendment, I am not suggesting that Title I funds are being wasted across the board.

In fact, an August 2000 report by the Department of Education says, ''Most—77 percent—of Title I funds were used for instructional resources,'' for example, to hire teachers and to provide instructional materials. That is good.

But that report also says, that 12 percent of funds or $835 million in 1998, were used for ''program administration.'' Since this report does not provide more specificity, it is difficult to tell exactly what these funds were used for, but I do think we have to question whether we want $835 million spent on administration of this program.

Another report, a draft by the Citizen Commission on Civil Rights, found that in the Fresco, California, school districts, ''15 percent [of Title I funds remains in the district office.'' It goes on to say that funds are also used for ''supplies, two case workers, Saturday schools, and breakfast and lunch programs for about 800 homeless students.'' This is just one example and while these uses probably most certainly contribute to a child's education, it is my view that Title I cannot do everything.

That is why I am trying to better focus Title I funds on academic instruction, teaching the fundamentals and helping disadvantaged children achieve.

Federal funding is only seven percent of total funding for elementary and secondary education and Title I is even a smaller percentage of total support for public schools. We must get the most that we can educationally for our limited dollars. It is time to better direct Title I funds to the true goal of education: to help students learn. This is one step toward that goals.

I urge my colleagues to support this amendment.

I yield the floor.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. JEFFORDS. Mr. President, I have no request for time on the amendment.

I ask unanimous consent the amendment be set aside.

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

MORNING BUSINESS

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

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

Mr. JEFFORDS. Mr. President, I make a point of order that there is not a quorum present.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. DORGAN. Mr. President, I ask consent to speak in morning business for 15 minutes.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 15 minutes.

ENERGY POLICY

Mr. DORGAN. Mr. President, tomorrow I believe Vice President CHENEY will be releasing details of an energy plan he has worked on for some long while. All of us anxiously await release of that plan, so we can begin discussing what kind of an energy policy this country needs.

I think it is the case that with respect to both Republican and Democratic administrations, for many years this country has not had a satisfactory energy plan. We have become more and more reliant on foreign sources of energy. We seem not to have a consistent plan that tracks over a long period of time relating to production and conservation and renewables.

So I think it is quite clear we need a new plan. We need a new strategy, one that works for this country. We have Americans today who discover, when they drive up to the gasoline pumps, that the price of gas has increased dramatically. In some parts of the country, people are now paying over $2 a gallon for gasoline. In other parts of the country, the price of gasoline, they say, will probably move to $3 a gallon at some point. Lord only knows what the new projections will be.

Those who are trying to heat their homes with natural gas, or family farmers who are going into the field with anhydrous ammonia fertilizer, 80 percent of which is natural gas, are discovering the price of natural gas has spiked and skyrocketed. In many parts of the country, the price of natural gas is double what it used to be, and in some cases is much more than that.

If you happen to live in California at the moment, you discover that the price of electricity has dramatically increased. We know that 2 years ago, the price of power in California cost consumers $7 billion. Two years later, it is $70 billion in California, which is nearly a tenfold increase. Those price increases have spread to other parts of the west, as well.

We know that in California the use of natural gas to produce power in electric generating plants, in a deregulated wholesale market, has created, in my judgment, a broken market, one in which unregulated sellers sell into a regulated market in California, and in 24 hours the price of an MCF of natural gas can double, triple, or quadruple—in just a 24-hour period. And all of it is non-transparent. No one can see what the pricing is, who made the money, how much money was made. That is what is happening in California today.

I have been very critical of the Federal Energy Regulatory Commission that is supposed to be regulating some of these activities, but instead has done its best imitation of a potted plant for a couple years. They have essentially done nothing because they apparently view markets as some sort of sacrosanct device which will be fair to all.

In fact, the market in California is broken. The market for power in California does not work. This is a failed experiment in deregulation. Any lesson we should take from this for the rest of the country—and, I would say, for my home State of North Dakota, is: let us not follow this example of deregulation. They call it restructuring. That is just a fancy name of saying deregulation.

In North Dakota, we have been deregulated with airlines, deregulated with railroads, and now they talk about the deregulation of electricity. Every time we have been deregulated, we have been hurt badly. The California experience of deregulation and restructuring ought to send shivers down the backs of the rest of the people in this country who have not yet had this experience.

My point is, we have an energy situation that is in chaos in this country: it is at the gasoline pumps in the eastern part of the country, and all the rest of the country; it is in electricity prices in California; natural gas prices for farmers who are about to go into the field; and for people trying to heat their homes.

What do we do about all that? First, I happen to think we ought to investigate pricing policies. When you have concentration of power in the hands of a few—I would say, in the oil industry, with the kinds of mergers we have had in recent years—we have larger and larger enterprises that have the capability, that have the economic power and the muscle to impose high prices and to manipulate supply. I do not allege they do it in all cases. I do allege the possibility exists. And we would do the public and this country some good by shining light on pricing policies in many of these energy streams. I suggest we do that by creating a select committee—a joint House and Senate committee—to investigate energy prices.

Let me be quick to say, there also are other reasons for the spike in some energy prices. When the price of oil went to $10 a barrel, frankly, there was very little incentive for the energy industry to look for oil and natural gas. I understand that. I accept that.

Then the price of oil spiked to $35 a barrel, and we began to see more drilling rigs; more people are looking for oil. We will have more supply coming on line. I accept the fact that there is an imbalance in supply and demand. That is not permanent. That is temporary. I also accept the fact we would be better off as a country not having that kind of roller coaster ride on energy prices.

We would be much better, in my judgment, having a more stable pricing structure that would provide incentives for people to search for coal, oil and natural gas, not just sometimes, but all of the time.

So I accept that as part of the reason for some of the pricing disparities that exist in this country. But I do not accept that that represents the entire answer for what is happening in this country.

I believe there is evidence of price manipulation and supply manipulation, and I think this Congress, which seems to be willing to investigate almost anything in the last 10 years or so, would do the American public a service by creating a select committee of the House and the Senate to investigate energy prices. If there is nothing there, we will not find anything. If we find something, we will do the American public a service by shining light on it, and finding it, and stopping it, with respect to price manipulation.

Having said all that, let me say that we welcome the submission by Vice President CHENEY tomorrow. It is time—high past the time—that this Congress begin deliberating on a new energy policy.

What should that policy be? In my judgment, that policy needs to have incentives and the kinds of mechanisms that will encourage production. Yes, we need more production; no question about it. We need to find more coal, more oil, and more natural gas. So production is a part of it.

In fact, there is a substantial amount of production opportunity around this country. The are 32 trillion cubic feet of natural gas up in Alaska that we know is there. It is leased. That could be brought down here, if we could only build a pipeline. So in terms of production, we need pipelines. And, we also need facilities to transmit electricity.

There are a whole series of infrastructure issues, in addition to the production incentives, that ought to be in a good, sound energy plan. But let me say, with respect to the news report about energy policy that we are likely to get tomorrow, when they say production is the overwhelming urge in this new energy plan, production is an important part of it, but it is not the only part of it. A balanced energy plan that is good for this country will include production. There is no question about that. But a balanced energy plan will especially also include conservation.

This country needs to be more conservation-minded. We can conserve much more energy than we do, if we have the kind of leadership that we ought to have, and if we have the incentives for conservation that we ought to put in place.

In addition to conservation, we need efficiency. There is no reason that we ought not require more efficiency in appliances and a range of other activities in this country. We know from experience that requiring greater efficiency works, that the manufacturers can develop products to be more efficient and produce these products for our consumers in this country. Efficiency must be a part of a balanced energy plan.

Then, finally, a balanced energy plan must—and I emphasize must—include renewable sources of energy. I know the oil companies have never liked some of them. The oil industry has never liked the production of ethanol. What is ethanol? Taking a kernel of corn, extracting a drop of alcohol from that kernel of corn, and using that alcohol to extend our energy supply makes great sense to me. It is renewable. You can produce that corn over and over again. Once you take the drop of alcohol from the kernel of corn, you have protein feed stock left that you can use to feed animals. What a terrific bargain for this country: Extend your energy supply by using a renewable source of energy and have the protein from the feed stock left for animals.

But the oil companies have never much liked ethanol, and I understand why. Because it is a competitor, albeit a small competitor, but it ought to be a much bigger competitor. We ought to develop renewable resources. Ethanol is one renewable source. Another is biomass; still another is wind power.

It may surprise some to know that the Department of Energy says the wind power capital of the world is North Dakota. We do not have any wind devices in North Dakota to collect this power and distribute it. The new wind energy turbines are very efficient. They are wonderful devices that can take the wind and create from that wind, and from the spinning of the propeller into a turbine, electricity.

North Dakota, they say, is the ''Saudi Arabia'' of wind. Some listening to me from time to time on the floor of the Senate might understand I contribute to that. But if North Dakota is the ''Saudi Arabia'' of wind—and the Department of Energy says it is—then we ought to, not just in North Dakota, but around the country, use this new wind energy, which itself is renewable.

We have a substantial amount of new wind energy activity in Iowa, in Minnesota, and, of course, there has been a substantial amount in California. But the new turbines for wind energy are highly efficient. We owe it to this country to use these new renewable sources of energy to extend our country's energy supply.

So the point I am trying to make tonight is this: If we get an energy policy from the administration tomorrow that says, look, this is a simple solution, all we have to do is go find more oil and natural gas, and maybe crank up another nuclear plant or two, I say that is an answer that would have come 20 years ago or 40 years ago or 60 years ago. We need to do a lot of things, and a lot of things well, in order to resolve this country's energy problems.

Let me just digress for a moment to say, one of the interesting things about this country, and about energy, is this: Almost everything in the world has changed in the last century—almost everything. You name an area, and you will find a significant change—except, we still use gasoline in automobile engines.

I was a very young boy when I got my first car. My father actually found it in an elevator out on an abandoned farm. He knew who owned the abandoned farm, and he said: Why don't you write to him in Milwaukee and see if you can buy this car? I was a young boy.

My dad said: It is a 1924 Model T Ford. You can buy it and restore it. What a great project for a young fellow; and I did.

I wrote to the guy in Milwaukee. He wrote back and said: Gosh, I would love to let you have that car. It's sitting there in this little elevator on the farm that is abandoned. Send me $25.

I sent him $25, and he sent me the owners manual that he saved all those years and the key that he had saved all those years, as well. I pulled the Model T Ford into my father's service station. I worked on it for a year and restored the little old Model T Ford. It was a 1924 antique automobile.

Do you know something? You provided energy for that car—that 1924 car—exactly the same way you provide energy for a car produced in 2001. You stick a gas hose in the tank, and pump a little gas in. Nothing has changed.

Nothing has changed in all of these intervening years. Isn't that interesting? Almost everything else has changed, but we still stick a gas pump in a gas tank of a car—80 years ago, or today, you pump the same gasoline. Quite remarkable.

We can do better in this country. I am not suggesting we wean ourselves off gasoline in a short period of time, but there is a car sitting out in front of this Capitol from time to time, owned by our friend from Utah, Senator BENNETT, that runs on both gasoline and electricity. It is one of the new hybrid cars. I think that is kind of interesting. I would like to see a whole fleet of them in this country. I would like to see that kind of technology. Perhaps this is just the first step toward the fuel cell, and taking the hydrogen out of water and using it as a fuel, as some say will happen with the new fuel cells.

The point is this, we can do a lot of things. This country has the technological capability to do a lot of wonderful things. But here we are, sitting on the edge of this spin in this energy crisis, with the price of natural gas doubling, the price of gasoline $2 at the pump and going north, and the price of electricity in California going through the roof, and blackouts occurring at a time when California is only at about two-thirds of its ultimate power needs for the hot weather.

We have a mess on our hands. In order to get out of this mess, all of us, Republicans and Democrats, need to figure out how we construct a strategy on energy that is balanced—that includes production, conservation, efficiency, and renewables. A good energy policy that has all of those elements, that represents the best of all of the ideas brought to the table in this Chamber, will serve this country well.

Feuding and fussing with an energy strategy, then coming up with the same tired old strategy we have had in the past, just simply street-corner chanting ''production, production, production''—thinking that somehow that will solve this country's problem, is, in my judgment, a road to nowhere.

I am anxious to see, and interested in seeing, what the Vice President has produced. Most of us in this Chamber should be ready and willing to begin working immediately with the Vice President, the administration, and all others, to both construct and demand a balanced energy policy for this country.

The American consumers have long deserved it and have never received it. Americans don't deserve to be held hostage by foreign energy supplies over which we have little control. They don't deserve to be held hostage with respect to electric costs we can't control and, therefore, have rolling blackouts in one of our largest States. They don't deserve to have been held hostage by gas pump prices over which they have no control and very little understanding.

Tomorrow will be an interesting day. I hope it is the first step on a journey to begin constructing between Republicans and Democrats an energy policy that will really serve this country well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

(The remarks of Ms. COLLINS and Mr. WARNER pertaining to the introduction of S. 904 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

DOUBTS ABOUT THE DEATH PENALTY

Mr. FEINGOLD. Mr. President, I rise to speak on the disclosure late last week that the Government had failed to share thousands of pages of evidence with defense attorneys in the case of Timothy McVeigh.

Let me first say that my thoughts and prayers are with the victims and families who lost loved ones as a result of this horrific, cowardly act. My heart goes out to them. For them, this cannot help but be a very difficult time.

Sadly, their ordeal has only been aggravated by the national spectacle surrounding McVeigh's planned execution and now this latest revelation of the mishandling of his case. This latest unforeseen turn must only add to their anger, their pain, and their grief.

There is no question that McVeigh should be punished severely for this heinous crime. On that, there can be no disagreement.

But the FBI's belated release of these thousands of documents highlights the fact that the Federal Government's administration of the death penalty, even in the most highly scrutinized of cases, is fallible.

At his press conference Friday, President Bush said:

> Any time we're preparing to carry out the death penalty, we have a solemn obligation to make sure that the case has been handled in full accordance with all the guarantees of our Constitution. The very foundations of our democracy depend on our ability to assure our citizens that in all criminal cases, and especially in the death penalty, defendants have been treated fairly.

I agree with President Bush.

But if this kind of gross failure can occur in a case managed by the most competent, professional law enforcement agency of which we know, doubts must arise with regard to the Government's ability in every capital case ''to assure . . . that defendants have been treated fairly.''

And if this kind of dereliction occurs in a case vigilantly observed under the television klieg lights, doubts must arise that this Nation has made sure that other capital defendants' cases have ''been handled in full accordance with all the guarantees of our Constitution.''

And if this kind of deficiency can take place when dedicated and well-trained counsel have labored and diligently applied themselves to ensure fairness for this defendant, doubts must arise that this Nation is in all death penalty cases delivering the justice on which ''[t]he very foundations of our democracy depend.''

To honor ''the guarantees of our Constitution,'' we must ensure the fairness of the entire process by which the Government applies the death penalty—from arraignment, to trial, to sentencing.

And to ensure that ''defendants have been treated fairly,'' we must ensure equity in treatment for all defendants, regardless of where in the Nation they live or what the color of their skin.

In these respects, the case of Timothy McVeigh does not present the Bush administration its most difficult test. For the McVeigh case lacks the questions of innocence, regional disparity, and discrimination that haunt so much of death row.

After McVeigh's, the next scheduled Federal execution is that of Juan Raul Garza. Because of questions raised about regional and racial disparities in the Federal death penalty system, his execution was stayed until June 19. When he stayed the execution, President Clinton instructed the Justice Department to conduct a study to determine the causes of those regional and racial disparities.

Observers of justice in America will await how the Justice Department and the President review these questions. Until these questions are resolved, and until we are certain of the fairness of the process, the Government should not execute Juan Raul Garza. These questions may provide the weightiest test of Attorney General Ashcroft and President Bush in the weeks to come.

TAX CREDITS FOR HYBRID VEHICLES

Mr. BIDEN. Mr. President, tomorrow the administration will unveil its energy plan. From the early reports we have been given, I am concerned that the proposals are too heavily weighted on the production side and fail to adequately address the need for conservation. One bright note that I have found is a general support for hybrid vehicles, the topic that I wish to address briefly today.

Specifically, I want to voice my support for legislation creating a hybrid vehicle tax credit. A hybrid vehicle combines an electric motor and battery pack with an internal combustion engine. The engine and the electric motor work in tandem, with either system providing primary or secondary power depending on driving conditions. For example, when stopped at a light, the vehicle shifts from an internal combustion engine to electric power and then back again upon acceleration. In addition, the batteries are re-charged during operation, eliminating the need for an external charger. This is new technology and the result of years of hard work.

I would like to see my colleagues join me in passing legislation to create a tax credit that would encourage consumers to purchase hybrid vehicles. I