Schumer	Snowe	Sununu
Smith	Stabenow	Wyden

NAYS—52

Alexander	Crapo	McConnell
Allard	DeWine	Murkowski
Allen	Domenici	Nelson (NE)
Baucus	Ensign	Pryor
Bennett	Enzi	Roberts
Bingaman	Frist	Salazar
Bond	Grassley	Santorum
Brownback	Gregg	Sessions
Bunning	Hagel	Shelby
Burns	Hatch	Specter
Byrd	Hutchison	Stevens
Carper	Inhofe	Talent
Chambliss	Isakson	Thomas
Coburn	Kyl	Vitter
Cochran	Landrieu	Voinovich
Conrad	Lincoln	Warner
Cornyn	Lott	
Craig	Lugar	

NOT VOTING—4

Dorgan	Kerry
Johnson	Thune

The amendment (No. 783) was rejected.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. DEWINE. 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 11:30 having arrived, the Senate will stand in recess until 2:15 p.m.

Thereupon, the Senate, at 11:34 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

ENERGY POLICY ACT OF 2005—Continued

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. Mr. President, I ask unanimous consent that the pending amendment be laid aside so I may be permitted to offer an amendment.

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

AMENDMENT NO. 817

(Purpose: To provide for the conduct of activities that promote the adoption of technologies that reduce greenhouse gas intensity in the United States and in developing countries and to provide credit-based financial assistance and investment protections for projects that employ advanced climate technologies or systems in the United States)

Mr. HAGEL. Mr. President, I now send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nebraska [Mr. HAGEL], for himself and Mr. PRYOR, Mr. ALEXANDER, Ms. LANDRIEU, Mr. CRAIG, Mrs. DOLE, Ms. MURKOWSKI, Mr. VOINOVICH, and Mr. STEVENS, proposes an amendment numbered 817.

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

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

(The amendment is located in today's RECORD under ''Text of Amendments.'')

Mr. HAGEL. Mr. President, I understand under a previous agreement the Senator from Minnesota wishes to offer an amendment. I will withhold further comments until the Senator from Minnesota has had an opportunity to propose an amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. DAYTON. Mr. President, I ask that the pending business be set aside.

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

AMENDMENT NO. 790

Mr. DAYTON. I call up Senate amendment 790.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. DAYTON] proposes an amendment numbered 790.

Mr. DAYTON. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require that gasoline contain 10 percent ethanol by volume by 2015)

On page 159, after line 23, add the following:

SEC. 211. ETHANOL CONTENT OF GASOLINE.

(a) DEFINITIONS.—In this section:

(1) CELLULOSIC BIOMASS ETHANOL.—The term ''cellulosic biomass ethanol'' means ethanol derived from any lignocellulosic or hemicellulosic matter that is available on a renewable or recurring basis, including—

(A) dedicated energy crops and trees;

(B) wood and wood residues;

(C) plants;

(D) grasses;

(E) agricultural residues; and

(F) fibers.

(2) WASTE DERIVED ETHANOL.—The term ''waste derived ethanol'' means ethanol derived from—

(A) animal wastes, including poultry fats and poultry wastes, and other waste materials; or

(B) municipal solid waste.

(3) ETHANOL.—The term ''ethanol'' means cellulosic biomass ethanol and waste derived ethanol.

(b) RENEWABLE FUEL PROGRAM.—Notwithstanding any other provision of law, not later than 1 year after the date of enactment of this section, the Secretary shall promulgate regulations ensuring that each gallon of gasoline sold or dispensed to consumers in the contiguous United States contains 10 percent ethanol by 2015.

Mr. DAYTON. Mr. President, we have been talking about the laudable goals of recycling, our Nation's dependency on foreign oil, and developing alternative sources of energy. The old saying goes, actions speak louder than words. Our current energy program and practices are taking this country in the opposite direction—toward increased imports of foreign oil.

Even with the renewable fuel standard in the Senate bill, which some want to eliminate, the projected gasoline consumption in our country will increase from 135 billion gallons this year to 168 billion gallons in 2012. That is a 26-percent increase in America's use of gasoline in just 7 years. At a time that worldwide demand is also expected to increase significantly, where we will get the increased supplies? How much will we have to pay for them?

As my colleague, Senator CANTWELL from Washington State, courageously warned last week, even with the adoption of the Senate's renewable fuel standard, our imports of foreign oil would increase from 59 percent currently to 62 percent in 2012. Without adopting the Senate renewable fuel standard, our oil imports would be over 67 percent in just 7 years.

Taking yesterday's world price for oil, which was over $59 a barrel, we will spend $220 billion this year for foreign imports of oil, and we would spend $243 billion in 2012, even with the renewable fuel standard. Anyone who believes the world price of oil in 2012 will not be higher than it is today is beyond optimistic.

Of course, if we can continue to get all the oil we need at today's prices or lower, we would have no need to develop alternatives. That has been our national energy strategy today. People say we do not have an energy policy. I respectfully disagree. Our policy has been and continues to be to maintain the status quo for as long as possible. We continue to depend almost entirely upon oil and oil products, natural gas and its products, coal, nuclear, and hydroelectric power for over 97 percent of our total energy needs nationwide, just as we did in 1970 before our so-called energy crisis began.

The so-called alternative fuels provided less than 2 percent of our country's energy in 1970. They provide less than 3 percent today. None of them are likely to provide significantly more of our total supply 10 or even 20 years from now except for ethanol and other biofuels such as biodiesel. That is why we do not see full-page ads attacking solar, wind, or geothermal energy by the Petroleum Institute or other major energy sources, because they know the alternatives are no threat to replace them anytime soon.

The only alternative source of energy the American Petroleum Institute is attacking is ethanol. Why is that huge industry, oil and gas special interest, spreading misinformation about a business competitor? Because they recognize that ethanol has the ability—not just potential but the ability now, not 10, 20, or 40 years from now but right now—to replace gasoline, to replace not just MTBE, the—3 percent additive to regular gasoline, but to replace the gasoline itself.

I know that from my own experience driving a Ford Explorer that has run on a blend of 85 percent ethanol and 15 percent gasoline all over Minnesota during the past 3 years. My Senate office leased a van that has run on the 85 percent fuel for the last 4 years. Both vehicles have factory-made flexible-fuel engines which can run on the 85-

percent ethanol or on regular unleaded gasoline or any mixture of the two. However, for the past 9 years, every car, SUV, or pickup truck in Minnesota has run on a blend of 90 percent gasoline and 10 percent ethanol.

The courageous Republican Governor, Arne Carlson, and the Minnesota Legislature passed a 10-percent ethanol mandate law. Back then, the oil and gas industries tried the same scare tactics they are using on Capitol Hill now: More ethanol will be prohibitively expensive, unsafe, and unreliable. But for the last 9 years, every motorist in Minnesota has put a gasoline containing 10 percent ethanol into every vehicle at every service station with no problems and at prices that are lower than our neighboring States. Just 2 weeks ago, I bought E85 fuel in 11 Minnesota cities at prices ranging from 25 to 70 cents a gallon less than regular unleaded gasoline. Unleaded gas costs between $1.90 and $2.05 a gallon and E85 between $1.35 and $1.65 a gallon.

I have introduced legislation that will require all of the gasoline-consuming cars, SUVs, and trucks sold in America after 2008 to have these flex-fuel engines which would give their owners the choice between ethanol and gasoline every time they fueled up. Every time, consumers could choose the lower priced option, and that consumer choice would provide healthy competition for both fuels.

Certainly there are other good reasons to buy ethanol instead of gasoline, such as putting that money into the pockets of American farmers rather than Arab sheiks or using a cleaner burning ethanol fuel that is better for engines and the environment. However, the automobile industry will not support such an engine requirement because not enough consumers ask for it or insist upon those flex-fuel engines, even though on most models there is no difference to consumers in the sticker price. Without consumer demand, most service stations do not yet carry E85 fuel.

When I visited Ford and General Motors plants recently to better understand their challenges and costs in designing, producing, and selling vehicles with flex-fuel engines, I told their engineer and executives that the transition to fleets with flex-fuel engines could only occur with their support, not over their opposition. After all, they make the engines, warranty them, and service them. I was greatly impressed with their success in designing and manufacturing those engines that can measure the ethanol content in a fuel tank from 0 to 85 percent and adjust the fuel intake and carburetor to burn a more dense 87 octane gasoline or a less dense 104 octane ethanol, or any blend of the two, and then produce the same acceleration efficiency and other performances from either fuel.

If E85, without its tax subsidies, now equivalent to 43 cents a gallon, and after accounting for its 15-percent fewer miles per gallon because of its lesser density, is still cheaper than regular unleaded gas, which it is at its current price in many parts of Minnesota, then savvy consumers, of whom there are now 100,000 in Minnesota, will decide they, too, are sick of ever higher and higher gasoline prices and they, too, want to take advantage of ethanol's lower cost and equal, if not better, performance in their engines. Then when consumers ask for and insist upon flex-fuel engines at no additional cost in the vehicles they buy, automobile manufacturers will produce them. A marketplace will drive that transition. My bill would accelerate it, but this Congress and this country are not yet ready for that conversion.

My other legislation, Senate amendment No. 790, would have an even greater impact on our country's energy independence, on reducing our imports of foreign oil, on putting more of that $220 billion we now send out of our country to import that foreign oil into our U.S. economy instead.

This bill would require that in 10 years, the rest of America would do what Minnesota has done for the past 9 years—require that every gallon of gasoline contain at least 10 percent ethanol. Right now, the nationwide use of ethanol is about 2.5 percent of gasoline. The Senate's renewable fuel standard in this bill would raise nationwide ethanol consumption to almost 5 percent of gasoline by 2012—an amount of gasoline which I said earlier is expected to be 26 percent more than what we are consuming this year nationwide.

For the gasoline that is refined from that oil, 62 percent of which would be imported foreign oil with our renewable fuel standard, replacing 5 percent of that gasoline with ethanol is real progress, but it is small progress. It is only half of what we could achieve by a 10-percent ethanol mandate nationwide. Ten percent of the 168 billion gallons of gasoline that Americans are projected to consume in 2012 would be 16.8 billion gallons of fuel. If gasoline remained at $2 a gallon, substituting ethanol for 10 percent would shift almost $34 billion each year from a nonrenewable fuel, over half of it foreign, to annually rely on American grown and American manufactured oil that could supply over half of all that oil and gasoline.

Now we see why the American Petroleum Institute is attacking ethanol and why, regrettably, it has convinced some of my Senate colleagues to do the same. I am deeply dismayed by accusations made in the Senate that I and other ethanol proponents are trying to foist some huge additional costs on American motorists in order to increase the profits of one company or to create some profits for our Midwestern farmers. I am beholden to no company or industry. I certainly support policies that benefit Minnesota farmers, but I would never, ever try to advance their economic interests at the expense of all other Americans.

Americans are almost certain to be plagued by higher energy prices in the years ahead. They do not deserve any congressional action that would cause those prices to go even higher. Americans do, however, want congressional leadership to redirect our country away from our continued reliance on the same energy sources—oil, natural gas, coal, and nuclear—and they know we cannot replace something with nothing.

It is true that conservation—using less energy—remains our best energy alternative. Individually and collectively, Americans will need to conserve more and consume less energy in the future. That conservation is essential, but it is not enough. If we are to reduce our national consumption of oil and oil products, we will have to replace them with something else. Electric cars, hydrogen cells, and hybrids may sound good, but they are years away from being able to replace gasoline. Ethanol can replace gasoline today.

Ethanol is cheaper than gasoline in Minnesota today. That may not yet be true on the west coast or the east coast due to transportation costs because most ethanol is transported in relatively small amounts by truck or by rail rather than in large quantities by pipelines.

A nationwide commitment to increased use of ethanol would involve developing a transportation system or, better yet, producing ethanol locally, as Minnesota farm co-ops are doing today.

Ethanol can be made from many different sources, including wood chips, corn stalks, organic garbage, and even animal waste. I will rejoice when California, New York, and other farmers and small business entrepreneurs begin to produce ethanol and sell it locally or regionally. They can make decent profits while still offering consumers lower fuel prices for cleaner burning fuels. If they fail to do so, consumers can continue to buy gasoline, but they will have a choice.

Again, none of this would be necessary if we could continue to get all the oil and gasoline we need at prices no higher than they are today. In the past, we have taken that gamble, and most of the time we have come out ahead. That is evidently what we will continue to do, despite the benefits of this legislation, even if those benefits survive a conference with the House and the administration and if they survive all the efforts to defeat them by the American Petroleum Institute and the other established energy interests because they will still make their profits, no matter how much their energy prices increase, as long as Americans have no alternatives.

They profit and the rest of us pay. That will not change unless we take action to change it. We cannot, and we will not, change our dependence on foreign oil or on any of our current energy sources by wishing them away or by making speeches about alternatives or by waiting for the next energy crisis to demand them. We have to take actions—and sustain those actions—to

make the transition to using significant amounts of other sources of energy and to use enough of them for long enough to enable new entrepreneurs and expanding businesses to produce those supplies, transport them, sell them, and service them.

There is no magic wand. There is no overnight cure. There is not even a guaranteed success. There is only the choice to try to maintain the same old energy supplies and pay for them or to develop real alternatives. Ethanol is ready now. And when America is ready, I will offer my amendments again.

AMENDMENT NO. 790 WITHDRAWN

Mr. President, I ask unanimous consent to withdraw amendment No. 790.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. DAYTON. Mr. President, I yield the floor. I thank my colleague from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska.

AMENDMENT NO. 817

Mr. HAGEL. Mr. President, I rise today with my colleagues, Senators PRYOR, ALEXANDER, LANDRIEU, CRAIG, DOLE, MURKOWSKI, VOINOVICH, and STEVENS, to offer an amendment to H.R. 6, the Energy Policy Act of 2005.

This amendment incorporates two bills I introduced earlier this year, the Climate Change Technology Deployment Act and the Climate Change Technology Deployment in Developing Countries Act. Taken together, these bills propose a comprehensive, effective U.S. global climate change policy.

The climate change debate is not a debate about who is for or against the environment. No one wants dirty air, dirty water, prolonged drought or declining standards of living for their children or grandchildren. We all agree on the need for a clean environment and stable climate.

The debate is not about whether we should take action but, rather, what kind of action we should take. A sound energy policy must include sensible and effective climate policies reflecting the reality that strong economic growth and abundant clean energy supplies go hand in hand.

The amendment my colleagues and I are offering is comprehensive and practical. Bringing in the private sector, creating incentives for technological innovation, and enlisting developing countries as partners will all be critical to real progress on global climate policy. This amendment seeks to do exactly that, by authorizing new programs, policies, and incentives to reduce greenhouse gas intensity.

It focuses on expanding clean energy supplies, enhancing the role of technology, establishing partnerships between the public and private sectors and between the U.S. and developing countries. Innovation and technology are the building blocks for an effective and sustainable climate policy.

This amendment uses greenhouse gas intensity as a measure of success. Greenhouse gas intensity is the measurement of how efficiently a nation uses carbon-emitting fuels and technology in producing goods and services. It best captures the links between energy efficiency, economic development, and the environment.

The first section of this amendment supports establishing domestic public-private partnerships for demonstration projects that employ greenhouse gas intensity reduction technologies. These provisions are similar to those of title XIV of H.R. 6 but are tied more directly to climate policy. This plan provides credit-based financial assistance and investment protection for American businesses and projects that deploy advanced climate technologies and systems. Federal financial assistance includes direct loans, loan guarantees, standby interest coverage, and power production incentive payments.

We are most successful in confronting the most difficult and complicated issues when we draw on the strength of the private sector. Public-private partnerships meld together the institutional leverage of the Government with the innovation of industry.

This amendment directs the Secretary of Energy to lead an interagency process to develop and implement a national climate technology strategy developed by the White House Office of Science and Technology Policy. It establishes an executive branch Climate Coordinating Committee and Climate Credit Board to assess, approve, and fund these projects.

The second section of this amendment provides the Secretary of State with new authority for coordinating assistance to developing countries for projects and technologies that reduce greenhouse gas intensity. Current international approaches to global climate change overlook the role of developing countries as part of either the problem or the solution. That is, at best, unrealistic and shortsighted.

According to the Congressional Research Service, China is already the world's second largest consumer of oil, with its demand projected to more than double over the next 25 years. It is estimated that coal-burning emissions by China alone, over the next 25 years, would be twice the emissions reductions that would be achieved if all nations that ratified the Kyoto Protocol met their obligations. China and other developing nations will not be able to achieve greenhouse gas reductions until they achieve higher standards of living. They lack clean energy technology, and they cannot absorb the economic impact of necessary changes to reduce emissions reductions. New policies will require recognition of the limitations of developing nations to meet these standards and the necessity of including them in future emission-reduction initiatives.

This amendment works with those limitations by supporting the development of a U.S. global climate strategy to expand the role of the private sector, develop public-private partnerships, and encourage the deployment of greenhouse gas intensity reducing technologies in developing countries.

Further, this amendment directs the Secretary of State to engage global climate change as a foreign policy issue. It directs the U.S. Trade Representative to identify trade-related barriers to the export of greenhouse gas intensity reducing technologies and establishes an interagency working group to promote the export of greenhouse gas intensity reducing technologies and practices from the United States.

Finally, the amendment authorizes fellowship and exchange programs for foreign officials to visit the United States and acquire the expertise and knowledge to reduce greenhouse gas intensity in their countries.

The action we take must be as comprehensive as possible in order to be effective in reducing international greenhouse gas emissions. That means any climate change initiatives we adopt must capture the links between energy use, the environment, and economic development in a global context.

Climate change does not recognize national borders. It is an international issue. It is a shared responsibility for all nations. Focusing on solutions that are too narrow may resolve one problem just to create or exacerbate another problem somewhere else in the world.

Consider, for example, the U.S. manufacturing sector. According to one recent study written for the National Association of Manufacturers, this sector accounts for some 15 million jobs in the United States, producing everything from semiconductors to food products. It is a cornerstone of our economy, and it is the largest consumer of energy in our country.

Rising energy costs and shrinking supply, especially of natural gas, are already a factor in the loss of U.S. manufacturing jobs today. These rising costs, in part a result of regulations and other self-imposed limitations, contribute to a less competitive position for U.S. companies around the world—just as the world economy is becoming increasingly more and more competitive.

Some of these companies are going out of business. Others are going offshore to locations with lower costs and more accessible energy sources. In the end, long-term success will come from stimulating increased energy efficiency and new lower carbon systems, not from actions that set up a system to continually constrain energy supplies.

There are viable policy options for protecting the environment without sacrificing economic performance in manufacturing and other sectors here in this country or in other nations. That will involve ensuring adequate supplies of energy at globally competitive prices. By promoting new energy supplies and clean energy technologies, we could potentially add millions of new jobs and improve our economic performance, as well as the economic

performance of all nations, increasing all standards of living across the globe, assuring more stability and secure living environments around the world, with less conflict, less war around the world.

At the same time, there are policies under discussion today that would restrict energy supplies either now or in the future. These policies would hurt our economic performance without necessarily improving environmental quality. Too often, such policies are considered in isolation of other real-life factors instead of comprehensively and internationally.

America's climate policy needs to be a comprehensive policy that captures the links between our energy use and our economic and environmental well-being. That will mean expanding the availability of cleaner fuels and improving the efficiency of our energy use and production through new technologies. Right now, fuel substitution possibilities are limited, and the rate of innovation is not fast enough to keep pace with our demand.

Natural gas supplies in the U.S. are constricted. No new nuclear powerplants have been constructed in many years. Renewables are promising but not at an adequate level of development for the needs of our growing dynamic economy.

Achieving reductions in greenhouse gas emissions is one of the more important challenges of our time. We recognize that. In developing a sound energy policy, however, America has an opportunity and a responsibility for global climate policy leadership. But it is a responsibility to be shared by all nations.

Mr. President, I look forward to working with my colleagues; the Bush administration, which has done a significant amount in dealing with this issue, especially in market-based, technology-driven projects; the private sector, from which innovation comes; the public interest groups that help focus our attention; and America's allies—American's allies—key to any achievable climate change policies. I look forward to working with all of these individuals, institutions, bodies, and nations to achieve a climate change policy that is workable, sustainable.

By harnessing our many strengths, we can help shape a worthy future for all people in the world.

I encourage my colleagues to review this amendment, and I ask for their consideration and support.

Mr. President, I thank you and yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, let me say how proud I am to speak in behalf of and in favor of the climate change amendment we have just heard thoroughly explained by Senator HAGEL and to thank him and Senator PRYOR for joining in a bipartisan way to provide for us the underpinnings of a path forward on the issue of climate change and to meet both this Nation's and the global needs that are obvious when we talk about climate change and, in that context, economic progress.

In addition, this legislation will provide a sound basis for productive engagements with our friends and allies in sharing a need to cooperatively work literally around the globe on this issue. If we are talking about climate change, we are not talking about it only in the United States. It is literally the climate of the world we are talking about and a concern about those elements that are introduced by man into the environment that make the change or could make the change.

An essential element in this legislation is an active engagement of developing countries. My views on this point are not new, but I do believe they are worth repeating as we begin this important debate on national energy policy and as we step into the arena of climate change.

Our policy must recognize the legitimate needs of our bilateral trading partners to use their resources and meet their needs for their people. For too long, the climate policy debate has been about fixing and assigning blame and inflicting pain. This is most harmful. It is counterproductive. When the climate change community said to the world, save the world by turning out your lights and turning off your economies, the world in large part said: Wait a moment. We don't think we can do that. We have to look at this issue differently.

Our best technological advances, our research activities, all are focusing on how we become cleaner. And as we become cleaner, we immediately provide and send that technology to the world, and we meet their needs while they grow and develop and provide for their own people.

Senator HAGEL, Senator PRYOR, and those of us who support this amendment have made it clear that there are important issues we ought to be about when we talk about climate change. Above all, this legislation is a true acknowledgment that climate variability and change is a top priority of the United States and of all nations, and we have not shirked from that. There can be an honest debate about whether the United States should do more or whether too much reliance is being placed on voluntary initiatives. But to claim that the United States is not acting seriously reflects at best a lack of knowledge or at worst political posturing.

An objective review of government and private sector programs to reduce increases in greenhouse gases now and in the future would have to conclude that the United States is doing at least as much, if not more, than countries that are part of the Kyoto Protocol which went into effect last February. The best evidence of this is our domestic rate of improvement in greenhouse gas intensity relative to improvements in other countries. The term I just used—and it is one we ought to all become familiar with because it is the true measurement of this issue, not the politics of the issue, it is in fact the scientific measurement—''greenhouse gas intensities'' is defined in the legislation Senator HAGEL has just offered as the ratio of greenhouse gas emissions to economic output. This is a far wiser measure of progress because it compliments rather than conflicts with a nation's goal of growing its economy and meeting the needs of its aspiring citizens.

Too much attention has been paid to the mandatory nature of Kyoto, and too little is resulting from it because nations simply can't go there. Most of the countries that ratified Kyoto will not meet the greenhouse gas reduction targets by the deadlines required by Kyoto. So why did they ratify it? Was it the politics of the issue or were they really intent on meeting the goals? We did not ratify it because we knew that it couldn't be done in this country. Yet we are the most technologically advanced country of the world.

Why couldn't it be done here? Simple reason: When we stated on the floor some years ago that we would have to take a hit of at least 3 million jobs in our country to dial ourselves down to meet the Kyoto standards, we were right. In fact, at the depths of this last recession we have just come out of, with 2.9 million people unemployed, we met the standards that we were supposed to meet under Kyoto. Most fascinating is the recent news that Great Britain needs more allocation of credits to meet its targets under Kyoto.

Imagine this, the most aggressive advocate of Kyoto, the nation best positioned to meet the requirements of the treaty, is now backsliding because they can't hit their targets. They need more relief.

At a recent COP–10—that is a climate change conference in Buenos Aires I attended along with many of our colleagues—delegates from a variety of countries came up to us and said very clearly, we need the intensity approach in order to avert harsh, clearly unmanageable, unattainable consequences of Kyoto. Indeed, a conference delegate from Italy informed me and others attending COP–10 that Italy will bow out—they were early to ratify Kyoto—by 2012 because they couldn't comply with phase 2 of the treaty. Remarkable stuff? No. Real stuff. Now that the politics have died down, in every country except this one, where we still want some degree of political expression—now that the politics have died down in these other countries that have ratified the treaty, they don't know what to do because they can't get there.

Let me tell you what they can do. They can follow the guidance and direction of the Hagel-Pryor amendment that I hope will become law. In that law we will engage with them in the use of our technology to advance a cleaner fuel system and systems for the world and not have to ask them to turn their economy down.

The United States is currently spending in excess of $5 billion annually on scientific and technological initiatives. That is far more than any other nation in the world. In fact, I believe we are spending more as a nation than all of the other nations combined on the issue of cleaner emissions—therefore, proclimate change, pro-Kyoto. But nobody talks about it because it wasn't one bill. It wasn't one vote. It wasn't a great big press conference. It is a collective initiative on the part of our Government with some of our direction over the course of a decade to become better at what we do and cleaner in how we do it.

The Bush administration has entered into more than a dozen bilateral agreements with other countries to improve their energy efficiencies and reduce greenhouse gas growth rates and has received compliments from major industries and worked with them to make improvements in the use and the effective efficiencies of their energy sources. These programs are designed to advance our state of knowledge, accelerate the development and deployment of energy technologies, aid developing nations in using energy more efficiently, and achieve the 18-percent reduction in energy intensity by 2012, as our President laid out.

Domestically, the United States continues to make world-leading investments in climate change and climate science technology. The United States has also implemented a wide range of national greenhouse gas control initiatives, carbon sequestration, and international collaborative agreements.

Let me cite from a summary of what we have done: The climate change technology program, a $3 billion program; the climate change science program, a $2 billion program; DOE's registry for greenhouse gas reporting, another major program; DOE's climate vision partnership for industry reductions that includes 12 major industry sectors and the Business Roundtable.

Here are some examples: Refineries committed to improve energy efficiency by 10 percent between 2002 and 2012. The chemical industry will improve greenhouse gas intensity by 18 percent between 1990 and 2012. Mining sites committed to increase efficiency by 10 percent. That is in that initiative alone.

EPA'S climate leaders for individual company reductions: Over 60 major corporate-wide reduction goals are in place, including GM, Alcoa, British Petroleum, IBM, Pfizer, and the list goes on and on.

We could spend an hour talking about the initiatives that are underway in this country. What I told the chairman of the Energy Committee last night as we discussed the issue of climate change was: Mr. Chairman, we ought to take this whole bill and call it the climate change bill of 2005. Why? Clean coal, wind, solar, nuclear, hydrogen—all kinds of incentives and new technologies all designed to keep this economy roaring and to keep the economy greener, if you want to say it that way, certainly to keep it cleaner.

Remember the term that I used a few moments ago when I talked about the term in the legislation, to dramatically improve our greenhouse gas intensity as it relates to emissions per units of economic output. That is where the Hagel-Pryor bill goes. That is where this Senate ought to be going. But we still have an attitude around here that you have to point fingers and you have to inflict pain because that is the only way you can sell an idea to the American people. That is wrong. We have already proven that if we were to walk the walk and talk the talk of Kyoto, there would be 3 million Americans not working today. How would we deal with that? A wink and a nod and simply say we did it because it makes the world cleaner? I know what my young sons would say who might be out of work as a result of that. They would say: Dad, we are the smartest country in the world. We are the most technologically advanced. We can't figure out a way to do it better?

Yes, we can. And we are. The Hagel bill does it. That is why we ought to be supporting it. The key issue is not whether there is any human influence effect on the globe today. Instead the issue is how large any human influence may be as it compares with natural variabilities in our climate; how costly and how effective human intervention may be in reversing, justifying, moderating any form of variability that exists out there; if, in fact, we could possibly do it. What technologies may be required over the near and long term is to determine all that they relate to as it relates to intensity and the climate change issue itself.

It is an important issue for the Senate to address. I believe it has been brought to us today in the proper format, not only to drive technologies at home but to embrace other countries around the world. Why in the air high over Ohio today do we find carbon not from the United States but from China? And we do. Gases, carbon-containing gases, high in the atmosphere over the United States today are coming from the largest burner of coal as a nation in the world. And they are outside Kyoto, and we don't do anything about it. The Hagel bill does. It embraces them. It begins to work with them.

It begins to recognize that if we are going to clean up the world beyond where it is today, if we did it alone, it would be but a moment of time. We must engage our colleagues from all over the world in a comprehensive fashion that deals with technology, that causes the world to be relatively transparent in all that they do, for the developing nations of the world not to say to them, Just turn your lights out and stay where you are. They won't. They haven't. And now we need to work with them to make sure that in our pursuit of a cleaner world, we allow our technology to embrace their problems along with our problems. That is recognized and understood by the Hagel-Pryor amendment. I am pleased to be a cosponsor of it.

I urge my colleagues in the final analysis of this debate, this is the right direction to go. We ought to take it and be happy we are moving in this direction.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. PRYOR. Mr. President, I rise today in support of the Hagel-Pryor climate change amendment and to discuss the reality of global warming. I also thank my colleagues for some of the kind comments on the Senate floor and the kind comments I have heard in the last few days just in the hallways around the Senate. They have been encouraging.

Climate change is not a new issue to this body, to the scientific community, or to the public at large. This issue has been discussed, dissected, and debated for years—with little or no action. I believe this is because the complexities and uncertainties about the magnitude, the timing, and the rate of climate change have led to a stalemate on policy recommendations.

Mr. President, Senator HAGEL and I, as well as the other cosponsors, are trying to move past this stalemate. We bring to the table a market-driven, technology-based approach that will begin to address this controversial yet pressing matter.

Our amendment—also cosponsored by Senators ALEXANDER, CRAIG, DOLE, MURKOWSKI, VOINOVICH, and STEVENS—does not dump all of the responsibility on industry, nor does it force a one-size-fits-all mandate. Over and over again, we have watched such approaches result in failure on the Senate floor. We can no longer afford to do nothing.

The business and the environmental sectors do not have to be mutually exclusive. With this amendment, we treat them as partners brought together through innovation for the common and necessary good.

A third partner in this relationship is the Government, with institutional leverage and funding mechanisms that will help spur industry to create new technologies targeted at reducing greenhouse gas emissions.

In a nutshell, we are encouraging American ingenuity, partnerships and, above all, progress.

This comprehensive climate change amendment has two main components. It identifies what must be accomplished domestically and internationally to reduce greenhouse gas emissions.

The domestic component of our amendment would authorize the Federal Government to make financial commitments for research and development and technology.

The Hagel-Pryor amendment authorizes direct loans, loan guarantees, standby default and interest coverage

for projects which deploy technologies that reduce greenhouse gas emissions.

Additionally, we are asking for an authorization of $2 billion over 5 years in tax credits to support these technologies and to create a new investment and construction tax credit for nuclear power facilities.

In Little Rock, we have a small company called ThermoEnergy, which is developing technology that eliminates most air emission from new fossil fuel powerplants. They use a process that increases plant efficiency but also eliminates adverse environmental and health effects associated with the use of fossil fuels, especially coal. I know there are many other companies all over this country that have great potential to achieve a broad range of energy security and environmental goals. They simply need the resources to expand their capabilities into the marketplace.

Under this amendment, a wide variety of greenhouse gas-reducing technologies would be eligible for tax credits or loans, ranging from renewable energy products, lower emission transportation, carbon sequestration, coal gasification and liquefaction, and other energy efficiency enhancements.

This amendment also establishes a climate coordinating committee and climate credit board to assess, approve, and fund projects; and it directs the Secretary of Energy to lead an interagency process to implement a national climate change strategy. While we deal with climate change here in the United States, let us not forget that people in other parts of the world are already experiencing the effects of global warming.

I have heard quite a bit about the 11,000 residents of Tuvalu, who live on a 10-mile square scattered over the Pacific Ocean near Fiji. Tuvalu has no industry, burns little petroleum, and creates less carbon pollution than a small town in America. This tiny place, nevertheless, is on the front line of climate change. The increasing intensity of weather and rising sea level could soon wash away this tiny island. Other low-lying countries, such as Sri Lanka and Bangladesh, are experiencing similar phenomena.

The United States is a contributor to climate change, and we must take action to reduce greenhouse gas emissions, but we cannot prevent global warming on our own. That is why we have included an international component to this amendment to encourage developing countries to adopt U.S. technologies. In doing so, we have asked the Secretary of State and the U.S. Trade Representative to assume additional roles.

First, we provide the Secretary of State with new authority to work with developing countries on deployment and demonstration projects and technologies that reduce greenhouse gas emissions.

Second, the U.S. Trade Representative is directed to negotiate the removal of trade-related barriers to the export of greenhouse gas-reducing technologies.

Furthermore, this amendment would establish an interagency working group to promote the exports of certain technologies and practices.

It is in the shared interests of the United States and industrialized nations to help other countries by sharing cleaner technology.

Mr. President, this amendment is not the solution for all of our climate change problems. It is meant to serve as a catalyst in bringing the necessary technology to the marketplace. I am hopeful that with the resources provided through this amendment, private industry will swiftly create or adopt cleaner technologies as they become available and move us in the right direction.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, I rise for a moment to commend the Senator from Nebraska and the Senator from Arkansas for their leadership on this amendment and, in particular, for their approach. As a freshman Member of this body, I have looked forward with anticipation to the great debate on the Energy bill. I know that for basically a decade we have been without an energy policy and desperately in need of one.

As a member of the Environment and Public Works Committee, and because of earlier legislation this year, I am critically aware of the climate change concerns and the desires by some to establish absolute standards on carbon. Senator HAGEL and Senator PRYOR have done precisely the right thing—precisely the thing America has done over and over again to address problems and bring about positive solutions.

As Senator PRYOR just outlined, there is no reason for the business and development community of America and the environmental community's interests to be mutually exclusive. In fact, they should be mutually inclusive. Legislation such as this, which promotes incentives to find solutions to greenhouse gases, carbon emissions, develop alternative energy sources and new mechanisms of taking old sources such as coal and making them clean technologies, is absolutely correct.

I rise for one purpose, and that is to talk about a prime example of what Senators PRYOR and HAGEL are proposing. A number of years ago, the Department of Energy put out competition to ask private sector electric generation companies to bid on doing a demonstration project to see if coal gasification was possible and through its generation electricity could be produced at an economically viable and competitive rate.

In my neighboring State of Alabama, next to my home of Georgia, in Wilsonville, AL, such a project took place in the Southern Company. The Department of Energy began a joint project and invested money and developed technology that today leads to the construction of a plant in Orlando, FL, in conjunction with the Orlando Utility Company, where, through the new technique of coal gasification, electricity will be generated and retailed in that part of middle Florida without the emission of greenhouse gases.

That is what America is all about—positive incentives to do the right thing and to find solutions. This amendment by the Senators from Nebraska and Arkansas will do just that. I rise happily to give it my endorsement and my support.

One final comment. As we talk about the need to protect our environment and ensure that greenhouse gases don't run away from us and that we preserve all that we have, we have to understand that we have to incentivize every part of the energy sector and the energy segment, and as we develop new technologies, we also ought to reuse and reintroduce those great technologies of nuclear and others that have produced clean, efficient, reliable energy without the production either of carbon or the greenhouse gases.

So I commend the Senator from Nebraska and the Senator from Arkansas on their leadership. I support the Hagel-Pryor amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I thank the Senator from Georgia for his good example and his leadership in this legislation. I especially salute the Senator from Nebraska for having the unerring good judgment to suggest to us the right next step.

This Energy bill we have been debating in the last 2 weeks and working on for the last several months is really a no-carbon, low-carbon energy bill. Since carbon in the air is the principal contributor to the worry about global climate change, this bill is the solution to that problem.

There is still a lot of work to do, and there are a lot of minds that are changing, studying, assessing the science, and trying to make certain we make good policy judgments here. But anyone who watches this debate or reads it closely should understand that, in my view, the Senate is developing a clean energy bill. The Senator from Idaho said it was a climate change energy bill. But it represents, to me, a recognition that it is time to take a more significant step toward putting us on a path of transforming the way we create electricity in this country and use energy so that we can produce less carbon. A big part of that is the concern we have about what we might be doing as human beings to cause global climate change.

So the Senate is like a big train: it is hard to get started, but once it gets going, it moves steadily down the track. We are moving steadily down the track toward a completely different emphasis on the production of

electricity and the use of energy, and the whole focus is no-carbon and low-carbon.

Sometimes we elected officials have a way of saying things like that, and they just turn into little programs that don't amount to much. That is not the case here. This is the whole core of this piece of legislation. If you are really trying to create a way to produce electricity in a country that uses 25 percent of all the energy in the world—and that is what we do—you have to start with conservation.

This legislation, the Domenici-Bingaman legislation that is before us, begins with provisions about efficiency, and it has in it provisions that will shave off between 20 and 40 percent of the anticipated growth of energy demand by 2015.

It would save the equivalent of building 170 300-megawatt plants. So we begin with conservation and we begin with efficiency.

No. 2, the bill—before we get to the Hagel amendment of which I am glad to be a cosponsor—puts a focus on the one way today that we create carbon-free electricity far and above everything else, and that is nuclear power. If we are worried about global warming, the solution is nuclear power. Nuclear power produces 70 percent of our carbon-free electricity. We know how to do it, we invented it. We have never had a single reactor accident in the dozens of Navy vessels that are powered by nuclear reactors that we have used since the 1950s. We have shipped this technology to France which now is nearly 80 percent in terms of supplying its electricity from nuclear power. Japan builds new nuclear powerplants every year.

If we care about low-carbon, no-carbon electricity, after we have aggressive conservation, we should make it easier to produce nuclear power, and in a variety of ways this legislation does that.

Waiting in the wings, if we care about low-carbon, no-carbon power, is an example of what the Senator from Georgia talked about. We call that coal gasification with carbon sequestration. That is such a long-sounding title that nobody could possibly imagine what it is. But what it does is it simply takes this hundreds and hundreds of years' supply of coal that we have and turns it, by burning it, into gas, and then we burn the gas. That gets rid of the sulfur, the nitrogen, and the mercury, but it leaves the carbon.

The technology of carbon sequestration is to take that carbon and store it in the ground or do something else with it.

As the Senator from Nebraska has said, if through his initiative, his incentive program, we are able to encourage the science and technology capacity of the United States and the world to advance through demonstration coal gasification, reduce its costs somewhat, and then to solve the problem of carbon sequestration, that is the single best way, after nuclear power, to create clean air in the world. Many in the environmental community prefer it to nuclear power because of their concerns about storage of spent fuel and about proliferation.

So conservation, nuclear power, and coal gasification with carbon sequestration are the ways to solve any concerns we might have about global warming because, especially with the Hagel-Pryor provisions, we are able to accelerate that technology not just for ourselves but for the world.

We also have in this legislation important support for solar power which has basically been left out of our renewable production tax credit. It has not gotten any of the money—almost any of the money. Biomass, which is becoming more important, wind power—many of my colleagues know I think we have gone overboard on wind power, but there are substantial generous provisions in here.

Add up all those renewable fuels and they are a few percent. They are important, but we have to put them in their proper perspective.

There is an oil savings amendment in this bill that reduces the amount of carbon in the air. And then there is the tax title to the Energy bill that we will be considering later this week which Senator GRASSLEY, Senator BAUCUS, and their committee have produced which—with a couple of exceptions, which I will talk about at another time—I think is a great step forward. It would have to be considered a low-carbon, no-carbon tax title with clean energy bonds for certified coal property, with consumer incentives for hybrid and diesel vehicles.

There is an amendment being discussed, of which I hope to be a part, that would add incentives to retooling automobile plants so that we can see that those hybrid cars and advanced diesel vehicles are built in the United States and not in Yokohama.

There is in the tax title energy-efficient proposals to support energy-efficient appliances and buildings. There is in the tax title support for investment tax credits for the coal gasification plants I mentioned.

There is in the Energy and Natural Resources bill a new financing procedure that Senator DOMENICI has envisioned which would be loan guarantees for all of these forms of clean energy.

There is support for solar deployment, and then there is support for advanced nuclear power facilities so that we can build smaller, less expensive nuclear power facilities.

All this adds up to a clean Energy bill that puts its focus on low-carbon and no-carbon electricity. What Senator HAGEL has done is say that is a good direction, but let's accelerate it by encouraging technology. It is not a top-down idea. It is to say to someone in Tennessee or Minnesota who might be producing carbon in their business or a utility: Bring us your baseline. Tell us how much carbon you have been producing. Tell us how much less you plan to produce. Then this board would create the incentives for that, and we would see where we go with that.

There are other important steps, and we are about to debate one of them. Senators MCCAIN and LIEBERMAN have worked hard to take us to what I would call the next generation or the next step, which would be mandatory caps on carbon.

I have supported one version of legislation that has a mandatory cap on carbon. It was the bill introduced by Senator CARPER last year. I did it primarily because I care about clean air, and I wanted less sulfur, nitrogen, and mercury in the air, and it had more aggressive standards than the President's proposals. But it also included a carbon cap and that fitted my understanding of where the technology is.

The more I have studied this I think the Hagel approach is the better approach because it fits with the low-carbon legislation which we have. It accelerates it, gives it some juice. Then I like what Senator DOMENICI said last night in his statement about the discussions we have been having with Senator BINGAMAN about his proposal for the possibility of caps.

Senator DOMENICI said we should begin immediately, in July, holding hearings on the Hagel legislation and on whatever the next steps might be. In other words, this is not just passing an energy bill and then wait 10 to 15 years and pass another one. This is recognizing we have created a completely different direction for production of energy and electricity in the United States; that we are adding to it with the Hagel amendment; that we have serious proposals from Senators MCCAIN and LIEBERMAN, and Senator BINGAMAN has made some. The National Commission on Energy Policy, many of whose suggestions are a part of this bill, have made some.

So my hope is that Chairman DOMENICI and Senator BINGAMAN, if we should adopt the Hagel amendment, will take us to the next step in July and August and let us see how we might implement it and where we might go.

Speaking as one Senator, this is a significant shift of direction. I am not willing to go further with mandates at this point. I like the concepts, but I am leery of applying such a complex, detailed set of mandates as some have proposed to such a big complex economy as we have today.

I prefer the Hagel approach. It is the right next step. It fits easily into this no-carbon, low-carbon Energy bill. I salute the Senator from Nebraska and the Senator from Arkansas for their leadership. I look forward to voting for it.

The PRESIDING OFFICER (Mr. COLEMAN). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, on behalf of the leader, I have a unanimous consent request which has been cleared on both sides.

I ask unanimous consent that there now be 60 minutes of debate in relation to the pending amendment with the following Senators recognized: Senator VOINOVICH, 15 minutes; Senator REID or his designee, 15 minutes; Senator INHOFE, 15 minutes; Senator HAGEL, 15 minutes. I further ask unanimous consent that following the use or yielding back of the time the Senate proceed to a vote in relation to the Hagel amendment, with no second-degree amendments in order to the amendment prior to that vote.

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

Mr. DOMENICI. Mr. President, I understand that this is satisfactory with Senator HAGEL.

Mr. HAGEL. Mr. President, it is. I thank the chairman.

The PRESIDING OFFICER. Who yields time?

Mr. DOMENICI. Mr. President, I know we just set this in motion, but I ask Senator HAGEL if I could use 2 minutes of his time now.

Mr. HAGEL. I yield as much time as the chairman needs.

Mr. DOMENICI. Mr. President, before we are finished with the votes on global warming—and I will have a little to say; I will get time from somebody—I will present to the Senate a detailed summary of the bill that is pending before the Senate in terms of what it does to move the United States of America toward a reduction in the so-called greenhouse gases led by carbon.

This bill we are going to vote out of here hopefully tomorrow or the next day that we worked so hard on in the Committee on Energy and Natural Resources, with Senator BINGAMAN, my ranking member, and Senators such as LAMAR ALEXANDER who have worked very hard, it does take some giant steps toward the reduction of carbon in the American economy. It does so in ways that if our business communities want to spend money and use innovative technology, the opportunities are there.

If our scientists want to make breakthroughs to clean up, it is there. If people want to move with nuclear power, which is the cleanest—right now, as my friend from Tennessee has reminded me, 70 percent of the carbon-free emissions in America come from the nuclear powerplants. That is rather astounding. We run around thinking we have done so much cleanup, but these very old—old in that we have not built one in 23 years—these nuclear powerplants are the ones that are cleaning up right now.

All I am saying is, this bill says if we are right, we are going to build some nuclear powerplants during the era of trying to reduce carbon. That is going to be part of our world, both economic and cleanup world, as provided in this bill.

We will summarize that. There is no attempt to delude the efficacy of the other bills, be it Hagel or McCain, but merely to say we recognized this in our committee, but we just did not think we ought to do global warming per se. That is where we are.

The Senate is confronted with the unanimous consent agreement which we have just laid before it.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. HAGEL. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that time that elapses during the quorum call be charged equally to all sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. VOINOVICH. Mr. President, I rise as a cosponsor of the bipartisan amendment proposed by Senators HAGEL and PRYOR to add a climate change title to the Energy bill. I commend them for their leadership on this very important issue.

Man's relationship with the world's climate has long been a focus of scientists and policymakers. Thirty years ago, there was great concern about global cooling, as evidenced by articles in Science Digest in February, 1973, entitled ''Brace Yourself for an Ice Age'' and Time Magazine in June, 1974, entitled ''Another Ice Age?''

Today, many are worried instead about global warming, with claims that urgent and dramatic actions are needed to avoid catastrophic impacts. As the chairman of the Environment and Public Works Clean Air, Climate Change, and Nuclear Safety Subcommittee, I have spent a great deal of time studying this issue, as our committee has held numerous hearings on climate change.

The chairman of the committee, Senator INHOFE from Oklahoma, has spent countless hours personally examining climate change science. He has recently given several speeches on the Senate floor, pointing out serious flaws in the four principal beliefs underlying what some call a consensus on global warming. His work points out very clearly that we are far from a consensus and many questions remain.

I am hopeful today he will take the floor some time to go into more of the details on that, as he has in the past.

Despite the scientific debate, the issue of global warming and proposals to address this perceived threat have received a lot of attention lately in the Senate. On one side of this debate, there are proposals to create a mandatory domestic program to reduce greenhouse gas emissions, such as the amendment that will be proposed by Senator MCCAIN, to my understanding, and I strongly urge my colleagues to vote against this amendment.

It is my understanding that the amendment, according to Charles Rivers Associates, which analyzed its provisions, would cause the loss of 24,000 to 47,000 Ohio jobs, in 2010, and energy-intensive industries to shrink by 2.3 to 5.6 percent in 2020. We are talking about manufacturing industries, energy-intensive manufacturing and chemical and many others.

The McCain amendment will put coal out of business by forcing fuel switching to natural gas. This might even be why some organizations are pushing this amendment. Last year, I was shocked to read that a Sierra Legal Defense Fund staff lawyer said:

> In general, our long-term objective is to make sure that coal-fired plants get closed.

This is an unacceptable outcome for my State and our Nation. Nearly 90 percent of Ohio's electricity comes from coal. For the Nation, it is about 50 percent. Companies depend on this low-cost energy to compete in the global marketplace. We do not live in a cocoon. Companies are moving overseas because of increased health care costs, litigation costs, and energy costs are also a major factor.

According to a recent survey of industrial executives, the No. 1 barrier to U.S. manufacturing growth in the coming year is high energy prices. It becomes even more costly for companies to operate in this country when you consider the new air quality standards for ozone and particulate matter. States and localities have yet to fully understand how difficult and expensive it will be to come in compliance with the standards.

Over the last decade, the use of natural gas in electricity generation has risen significantly, while domestic supplies of natural gas have fallen.

That is why we are trying to do something about more natural gas in this Energy bill. The results are predictable: Tightening supplies of natural gas, higher natural gas prices, and higher electricity prices.

Because of this situation, U.S. natural gas prices are the highest in the developed world. Families that use natural gas to heat their homes, farmers that use it to make fertilizer, and the manufacturers who use it as a feed stock are getting hammered due to these higher costs.

The chemical industry's 8-decade run as a major exporter ended in 2003 with a $19 billion trade surplus in 1997 becoming a $9.6 billion deficit.

So we have lost the chemical industry for all intents and purposes because of the high cost of natural gas.

The President of one major pharmaceutical company that employs 22,000 people in the United States called me recently and said unless we do something about natural gas prices, his company will be forced to move many of its operations overseas.

The bottom line is, if you kill coal with a mandatory cap on carbon, you force more people to go to natural gas to produce electricity. We just add to the crisis that we already have.

The energy bill tries to address this crisis, but the amendment we are going

to be getting later on would reverse those efforts and cause an even worse situation than what exists today. The U.S. has a responsibility to develop a policy that harmonizes the needs of our economy and our environment. These are not competing needs. A sustainable environment is critical to a strong economy, and a sustainable economy is critical to providing the funding necessary to improve our environment.

If we kill the golden goose, we will not have the money for the technology to do the things that we need to do, to improve the environment. A carbon cap—and that is what we are going to be hearing more about—means fuel switching, the end of manufacturing in my State, enormous burdens on the least of our brethren, and moving jobs and production overseas.

It is already happening. We have a $162 billion trade deficit with China and almost all of it is in the manufacturing area. These are people who are moving out because of the high cost of producing here in the United States.

Ironically, a carbon cap, a cap on carbon, as I say, is going to have a dramatic negative impact on our manufacturing. A couple of years ago, when Senator JEFFORDS was promoting a bill that would put a cap on carbon, I said to him: Senator, those jobs that you are killing in Ohio are not going to Vermont. They are going to China, and they are going to go to India.

I have also discussed this issue twice with British Prime Minister Tony Blair, who has made climate change one of the focuses of the upcoming G8 meeting. I think he understands that Kyoto is not working, and we need to do something else.

Furthermore, many of the countries that did ratify the Kyoto treaty are not expected to meet their commitments. According to a Washington Times article of May 16 entitled ''Broken Promises, Hot Air,'' 12 of the 15 European Union countries are currently 20 to 70 percent above their emissions target levels.

I think the Senator from Idaho mentioned earlier in his remarks that the Italians have basically said they are not going to be able to meet their commitments that they made when they signed the Kyoto treaty.

So last week I became a cosponsor of three pieces of legislation that comprehensively address climate change by focusing on tax incentives, technology development, and international deployment.

The amendment that we have proposed today contains the domestic and international proposal. It does not include the tax incentives because the Energy bill now includes an amendment by the Finance Committee to add over $14 billion, over 10 years, in tax incentives.

I will only briefly explain the amendment since it has been explained by colleagues. It proposes the adoption of technologies that reduce greenhouse gas intensity by creating a Climate Coordinating Committee and Climate Credit Board to assess, approve, and fund projects. Addressing climate change must be accomplished through the development of new technologies, as there currently is no technology available to capture and control carbon dioxide emissions.

Many people today are promoting combined gas—integrated gas combined cycle technology, which will reduce NOx and SOx and deal with mercury. The fact of the matter is, in terms of greenhouse gases, it does not get the job done.

Second, the amendment focuses on the notion that all nations must be part of this effort. It directs the Department of State to work with the top 25 greenhouse gas-emitting developing countries to reduce their greenhouse gas intensity. It also promotes the export of greenhouse gas intensity reducing technologies.

I really think, if this amendment to the Energy bill is agreed to, it is something the President, when he goes to the G8 meeting, can refer to in terms of its importance, getting everybody at the table to start to do something realistic about the problem of greenhouse gases.

I am concerned that the very nature of this amendment is misleading; that is, that we are adding a climate title to the Energy bill, which means that maybe it does not address climate change. This is not true.

I commend Senators DOMENICI and BINGAMAN for putting together a bipartisan energy bill that deals with climate change in several ways. In other words, the underlying bill already deals with climate change.

First, the bill provides research and development funding for long-term zero- or low-emitting greenhouse technologies. These include fuel cells, hydrogen cells, coal gasification—with the greatest potential to capture and control carbon dioxide emissions.

Second, the bill includes extensive provisions to increase energy conservation.

Third, the bill promotes the use of nuclear power, which is emissions-free power. There is no greenhouse gas with nuclear power.

I restate this for my colleagues: The Energy bill already addresses climate change. For all those concerned about climate change, the underlying bill deals with it. The Hagel-Pryor amendment simply adds to these provisions. Let me restate this for my colleagues: This bill, without any amendments, including ours, addresses climate change.

Some might be further misled to think that our country is currently not doing anything because the Energy bill does all of this to address a climate change. However, this is far from the truth. In fact, our Nation is taking so many actions on this front that I am going to try to run through them very quickly. In other words, we are doing an enormous amount in our country in terms of greenhouse gases and dealing with this whole issue of carbon emissions.

The President established a climate change policy to reduce the greenhouse gas intensity of our economy by 18 percent over the next 10 years through voluntary measures. This is more than most of the countries involved in the Kyoto Protocol. Unlike the rest of the world, we are on target to meet our goal—not like the Europeans, 12 to 70 percent away from meeting their goals.

We have the Climate VISION Partnership which involves 12 major industrial sectors and the members of the Business Roundtable who have committed to work with Cabinet agencies to reduce greenhouse gas emissions in the next decade.

We have the climate leader's program, an EPA partnership encouraging individual companies to develop long-term comprehensive climate change strategy. Sixty-eight corporations are already participating in the program.

The administration's budget for 2006 is $5.5 billion for extensive climate change technology and science programs and energy tax incentives.

The United States is also taking a lead internationally—and again, we get no credit. There is $198 million included in the President's fiscal year 2006 budget for international climate change.

The PRESIDING OFFICER. The time of the Senator is expired.

Mr. HAGEL. Mr. President, I extend the time of the Senator from Ohio by another 3 minutes if that would assist the Senator.

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

Mr. VOINOVICH. As I mentioned, we are taking a lead internationally. The United States is by far the largest funder of activities under the United Nations Framework Convention on Climate Change and the Intergovernmental Panel on Climate Change. Also, despite complaints to the contrary, the United States remains fully engaged in multilateral negotiations under the United Nations Framework Convention on Climate Change.

Announced by EPA in July of 2004, along with 13 other countries, the Methane-to-Markets partnership is a new and innovative program to help promote energy security, improve environmental quality, and reduce greenhouse gas emissions throughout the world.

The United States hosted the first Ministerial Meeting of the International Partnership for Hydrogen Economy, the Carbon Sequestration Leadership Forum and Earth Observation Summit. We never hear anything about this. It is as if we are doing nothing.

Despite all that we are doing and all that is contained in the Energy bill, we can even do more by passing this amendment proposed today by Senators HAGEL and PRYOR. I strongly urge my colleagues to vote against any amendments that contain mandatory

programs which work against the very purpose of the Energy bill and cause substantial harm to our economy, its workers, and our families. Instead, I urge the support of this bipartisan amendment which builds on all we are doing and will do under the Energy bill to address climate change responsibly and comprehensively.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. It is my understanding I have 13 minutes.

Mr. President, first of all, let me commend Senator HAGEL for the work he has done and for the realistic approach he is taking. Right now, there is so much misinformation out there in conjunction with the whole issue of climate change.

Someone said the other day that climate change is not a scientific discussion, it is a religion. People have such strong feelings about it or they want to believe so badly. If my staff had the charts, I would show a few of them, but I will wait until we are debating the McCain-Lieberman bill to show them.

I vividly remember not too long ago the front page of Time magazine, the front page of Science magazine, huge pictures: Another ice age is coming; we are all going to die. If some people cannot be hysterical and think the end is coming, they are not happy.

One important area in this debate is to recognize, as I think the Senator from Idaho and the Senator from Ohio both did, that this President has done quite a bit more than science would justify in pursuing the notion, first of all, is there a warming trend that is outside of natural variances; No. 2, if that is the case, is it due to anthropogenic gasses—methane, CO_2. I suggest science does not show that either is true. It is not just me saying this. I don't know why people totally ignore the fact that we had the Heidelburg accords, when 4,000 scientists questioned that there is any major change.

By the way, this morning's Wall Street Journal plots out the changes in the Earth's surface since 1000 A.D. and what has perhaps caused these changes. They have come to the conclusion that it could not be anthropogenic gases because at that time there were not any. There were not human-induced gases until about 1940.

In 1940, what happened? In 1940, there was a cooling period that went all the way to the end of the 1970s. That is when you saw all the articles saying the ice age is coming. The largest increase in anthropogenic gases came right around 1940 and following World War II. You know, instead of precipitating a warming period, it precipitated a cooling period. So just the opposite of what they are saying seems to be true.

We have the Heidelburg accords, 4,000 scientists say there is not a relationship between manmade gases and climate change. Then we have the Oregon Petition and 17,000 scientists coming to the same conclusion. We have the Smithsonian-Harvard peer-reviewed study that evaluated everything done so far and came to that same conclusion.

Since 1999, science has been on the other side refuting the fact that, No. 1, climate is changing; and No. 2, it is due to manmade gases or to anthropogenic gases.

People do not realize what this President has done. One would think by reading some of the magazines, publications, and watching TV that this President is not doing a good job with the environment. He is doing everything he can to determine if there is a relationship between these anthropogenic gases and climate change. If anyone does not believe it, look at the amount of money being spent. His 2006 budget proposed $5.5 billion for climate change programs, energy tax incentives, and these types of things. I see the Hagel bill as extending what the President is doing right now and is actually addressing what is happening internationally.

I was very pleased to be part of the 95-to-0 vote on the Hagel-Byrd amendment some time ago that said that if you go to Kyoto meeting, we should oppose signing on to any kind of a treaty that does not treat developing countries the same as developed nations. That is exactly what happened.

Now, at least in the Hagel approach, we are looking internationally. It is true, what the Senator from Idaho said a few minutes ago. Over the State of Ohio, if you get high up, that which is up there originated in China. The pollution—not that that is pollution, because it is not, it is a fertilizer. But in terms of SOx, NOx, mercury, they do not stop at State lines.

We have a President giving the benefit of the doubt to the fact there might be something there. He is putting money into research. The Hagel bill is carrying that on to a logical conclusion.

Quite frankly, when the Hagel bill first came up, I was a little concerned because the price tag, as I calculated it—and I would certainly stand to be corrected if it is not accurate—would have been $4 billion over a 5-year period; around $800 million a year. To add that to what is already being expended—perhaps we are talking about too much money. He has changed it and said such sums ''as necessary.'' This is a little bit disturbing to me. We do not know who will be in the White House. We do not know who will control Congress. We do not know what will happen in the future. I hate to leave it open-ended like that.

When we look at the arguments out there, we will have ample time to debate when the next amendment comes up—the McCain Lieberman amendment—that the science clearly has turned around and is in favor right now of refuting some of the earlier suggestions.

This whole thing started in 1998 when Michael Mann from Virginia came out with his hockey stick theory. He plotted out all the temperatures and came through the 20th century. Temperatures started going up as of late on the hockey stick. What he neglected to realize, prior to that time, the medieval warming period, which was around 1000 to 1300 A.D., the temperatures were actually higher at that time than they were in the 20th century.

All these things are going to be discussed in the next amendment. I believe that reason is prevailing in this approach. I applaud the Senator from Nebraska for coming up with something measured and reasonable that will help convince a lot of the people that are right now participating in this religion called global warming to realize maybe this is something for which we shouldn't have to suffer economically.

A lot of people have asked the question, If the science is not there and if we know as a result of the Wharton Econometric Survey that it will cause a dramatic increase in the cost of energy—it will cost each average family of four $2,700 a year—if the science is not there, what is the motivation? I suggest there are people outside of the United States who would love to see us become partners and sign on to the Kyoto treaty.

Jacques Chirac said global warming is not about climate change but for leveling the playing field for big business worldwide. The same thing was stated by Margot Wallstrom, the Environmental Minister for the European Union, that it is leveling that playing field.

Cooler heads are prevailing, and in this amendment we have a chance to look at this, study this as time goes by, and take whatever actions are necessary in the future but not react to fictitious science and to science that just flat is not there.

I applaud the Senator from Nebraska for the fine work he has done. I believe this will be a good approach to making this through the current debate.

I yield the floor.

The PRESIDING OFFICER (Mr. MARTINEZ). The Senator from New Mexico.

Mr. DOMENICI. Parliamentary inquiry, Mr. President; is there a quorum call?

The PRESIDING OFFICER. No, there is not.

Mr. DOMENICI. Further parliamentary inquiry; what is the regular order at this point?

The PRESIDING OFFICER. The time is divided between three speakers on the Hagel amendment, and each have time remaining. Senator INHOFE has 1 minute, Senator HAGEL has 6 minutes, and Senator REID or his designee has 10 minutes.

Mr. DOMENICI. Further parliamentary inquiry: Is there any other time on behalf of any other Senators on either side?

The PRESIDING OFFICER. No, there is not.

Mr. DOMENICI. Might I ask, when those are finished, what is the regular order after that?

The PRESIDING OFFICER. The Senate will then vote on the Hagel amendment.

Mr. DOMENICI. Mr. President, have the yeas and nays been ordered on the Hagel amendment?

The PRESIDING OFFICER. No, they have not.

Mr. DOMENICI. I ask the Senator, would you like to get the yeas and nays on your amendment?

Mr. HAGEL. I say to the chairman, I am waiting for one additional sponsor.

Mr. DOMENICI. We can get the yeas and nays now?

Mr. HAGEL. Yes.

Mr. DOMENICI. Mr. President, I ask for the yeas and nays at this time.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. Mr. President, I yield myself 5 minutes. I ask unanimous consent that I be permitted to speak for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from New Mexico is recognized for 5 minutes.

Mr. DOMENICI. Mr. President, I have a very detailed analysis I would like put in the RECORD which relates to provisions within the Bingaman-Domenici bill that is before the Senate which would promote responsible progress on climate change.

What I tried to do here was to say to the Senate: Please understand that your Energy and Natural Resources Committee, from the inception, was worried about climate change and the gases that have an impact on climate change according to scientists in the United States. Now, there are some who contest that, but let me just follow through.

The bill before us might even have been called the Clean Energy Act because so much of it is directed at producing, in the future, for these United States, energy that will have little or no effect in terms of emitting carbon that is the principal problem with global warming. Having said that, the statement goes into detail. Indeed, it is a detailed statement.

So I would, just for summary, say there is an entire title which we chose to call Incentives For Innovative Technology, title XIV of the bill. This is a very different section than you find in most technology-promoting or science-promoting bills because it says this entire provision is aimed at new technologies that will produce energy sources that have no global warming emissions.

Then it says, in order to do that, the Secretary of Energy—we put all this in the Energy Department so there is no mixup as to who is doing what—it allows so-called guaranteed loans to be issued for the purpose of building clean energy-producing plants, mechanisms, or activities. It says the Secretary shall analyze them. If they are feasible, he can use whatever peer review he would like.

Then they ask of the Congressional Budget Office: How much should this loan require by way of insurance, insurance for the risk? If they say 10 percent, then the company asking for the money to build the new technology, which will produce clean energy, has to put up 10 percent of the cost in cash. And then we lend them the money, on an 80–20 basis, and they proceed, under the direction of the Secretary, to produce this new facility.

We believe this is going to say to our Federal Government for the first time: Take a look out there and see what we can do in the next decade to move new technology along that will take the carbon out of coal, perhaps even move with the very first generation of pilot projects for the sequestration of coal and of carbon—meaning get rid of it, putting it in the ground or whatever. At the same time, who knows, that technology may take the mercury and other pollutants out of it.

But we are going to put in place an opportunity for the Secretary to do this so long as he thinks they are moving in the right direction. And the right direction is the same direction as the technology-laden proposal by Senator HAGEL.

We also have in this bill expanded research and development for bioenergy which concentrates on solar. We expanded R&D for nuclear power. Now, for anybody interested in that, that is completely different than the incentives to build nuclear powerplants soon. This is research and development in what we call Generation IV. It is the next, next generation of nuclear powerplants. And we start moving on that. Why? Because there is a lot of money and a lot of hope that we will be moving toward a hydrogen economy. I am not predicting that will be the case but many are.

In any event, it is sufficiently important. The President moved in that direction. This bill and the appropriators have spent money in that way. And what we are saying in this bill is that we should spend money for the next-two-generations-out nuclear powerplants because that kind of powerplant may be the source of heat that will produce hydrogen.

At this point hydrogen must be produced. But the other day Senator BINGAMAN and I were on a television show and somebody asked: How are we going to produce hydrogen? My friend from New Mexico said right now we could produce it from natural gas. I had forgotten about that. That is true. But natural gas is in short supply, and it takes a lot of it to produce hydrogen. So we need another source. That R&D for a new generation of powerplants is aiming in the same direction as everything I have spoken of. It is seeking a way to get away from carbon-laden energy and move with more hydrogen potential.

This bill has an 8 billion gallon renewable fuel standard, which means ethanol. Many people around here and some in the country have said ethanol isn't any good. We should not be doing it. Maybe when the price of crude oil was $8 or $7—I can remember when Senator Henry Bellmon from Oklahoma was here, it was $6. He used to say the arithmetic doesn't work. At $6 it is not worth producing ethanol. But at the price now, it is worth it. I don't know if eight is the right number, but we did that here because we said if we can produce ethanol, we will have had a dramatic effect on the prospect of contributing more carbon, which is what Senator HAGEL is trying to do in his technology-pushing amendment, is to produce less carbon, thus less pressure on what many believe is the human contributor to global warming. There is another one that is in this bill. Senator HAGEL doesn't have to have ethanol in his bill because ethanol is in this bill.

We also require alternative fuel use, dual fuel in all Federal vehicles. We have reforms for alternative fuel programs. We have some incentives for hybrid cars. On the nuclear side, we all think that new nuclear powerplants is one of the best ways to address the issue of carbon in the atmosphere and global warming. I think my friend from Nebraska would agree. Right now in America 70 percent of the carbon-clean smokestack gases, 70 percent that is totally free of carbon comes from nuclear powerplants. So the underlying bill says: Let's build some nuclear powerplants. And it does everything possible, extending Price Anderson. So I would assume that if you had a tax-promoting bill that didn't have this underlying bill that we produced in our committee, say it was a standalone Hagel bill, he might even put Price Anderson in there because in a sense it would surely be moving the technology ahead by providing some of the security necessary for nuclear power.

Beyond that, we have changes in the geothermal leasing to get more geothermal. Everywhere we turn in the bill we have produced we have moved in the direction of trying to produce carbon-free energy for the future.

As I understand it, the distinguished Senator from Nebraska and his sponsors want to move in that direction with loan guarantees and other kinds of consortia arrangements to move ahead with technology. They have an international feature to their bill. Obviously, we don't have an international feature to our bill, but Senator HAGEL has chosen to put some provisions in that would move us in the right direction if they can become law. It says that the world has a problem, not just America, and that the international community, with America as part of it, ought to do some things to move ahead with global warming contributors that will come from outside the United States, which is a very good idea.

I ask that my full analysis of the bill before us, before the Hagel amendment, which will be amplified if the Hagel

amendment is agreed to—this statement shows everything we are doing in this bill to contribute to cleaner energy sources for the future in terms of our electricity production which will greatly minimize carbon production—I ask unanimous consent that summary be printed in the RECORD.

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

THE SENATE ENERGY BILL ADDRESSES CLIMATE CHANGE

Support for the provisions in the energy bill passed by the Senate Energy Committee would promote responsible progress on climate change.

HIGHLIGHTS

The Bingaman RPS floor amendment that requires at least 10% of electricity in 2020 to be generated from low-emission renewable sources, such as solar, wind, geothermal and biomass. EIA estimates that such an RPS would result in a reduction of greenhouse gases of nearly 3 percent by 2025.

In addition, the energy efficiency improvements embodied in Title I is estimated by ACEEE to reduce carbon dioxide emissions by 433 million metric tons by 2020 and reduce electricity demand by 23 quadrillion Btus.

The incentive provisions contained in Titles IV (Coal), IX (R&D), and XIV (Incentives) are designed to improve efficiency performance and reduce carbon emissions from electric generating stations, industrial power and gasification applications and to encourage the development of new clean energy sources such as advanced nuclear power and renewable energy.

LONG TERM TECHNOLOGIES

Research in the energy bill could lead to fundamental reductions in GHG emission trends even with a healthy growing economy. The new technologies could be used in developing countries where greenhouse gas emissions are growing most rapidly. R&D on Long-term zero-greenhouse gas (GHG) and low-GHG technologies include:

Hydrogen Fuels—funding enhances the potential for practical use of hydrogen fuels by addressing everything from safe delivery to the codes and standards for hydrogen use.

Coal Gasification, Carbon Sequestration and Efficiency Improvements—could allow coal to be used to generate carbon-free or low-carbon electricity.

Fuel Cell Research—will address technical and cost issues and potentially speed fuel cell use in residential, commercial and transportation applications.

Energy Conservation and Efficiency—the Next Generation Lighting Initiative and initiatives like advanced electric motor control device research could significantly reduce overall energy use, further reducing GHG emissions.

NEAR-TERM TECHNOLOGIES

The energy bill promotes or requires actions to improve energy efficiency and reduce greenhouse gas emissions throughout the economy. Research and incentives for near- and medium-term zero and low-GHG intensive technologies include:

National Requirements for increased ethanol use and decreased petroleum use;

Federal Agency Requirements covering metering, percentage reduction schedules and new options for contracting to reduce energy use and GHG emissions;

Communities and States have new funding for energy efficient appliance programs, weatherization assistance and state energy conservations plans;

Efficiency Standards and Incentives for Public Housing will improve energy efficiency;

Efficiency Standards and Incentives for Individuals and Businesses adds energy conservation standards for a wide range of commercial appliances and other products.

NEAR TERM ENERGY SOURCES

Incentives and improved flexibility for near- and medium-term expansion of zero and low-GHG energy sources include:

Renewable Energy options for increased production of renewable energy on federal lands;

Natural Gas incentives and reduction of barriers to marginal or unconventional natural gas and installation of LNG terminals will increase supplies of this lowest-carbon fossil fuel;

Nuclear Power options improve, promoting continued use of carbon-free nuclear power, development of new modular nuclear reactors.

DETAILS ON THE ENERGY BILL'S CONTRIBUTION TO ENERGY EFFICIENCY AND RESPONSIBLE CLIMATE POLICY

The energy bill advances the following significant actions on potential climate change.

CRITICAL RESEARCH, DEVELOPMENT AND DEMONSTRATION OF ZERO OR LOW-GHG TECHNOLOGY OPTIONS

HYDROGEN

Authorizes $12.5 billion over 10 years for the Next Generation Nuclear Plant Project for research, development, design, construction and operation of an advanced, next-generation, nuclear energy system leading to alternative approaches to reactor-based generation of hydrogen. (Title VI—Nuclear Matters, Sec. 631–635—6/8/05)

Authorizes $3.2 billion over five years for programs enhancing the potential for using as an energy source in the U.S. economy. Program elements address:

Hydrogen and Fuel Cell Technology Research and Development ($1.9 billion);

Hydrogen Supply and Fuel Cell Demonstration Program ($1.3 billion);

Development of Safety Codes and Standards ($38 million);

Reports ($7.5 million); (Title VIII—Hydrogen—6/8/05)

ENERGY EFFICIENCY

Authorizes $1.8 billion over nine years for the Clean Coal Power Initiative for projects that advance efficiency, environmental performance or cost competitiveness of coal gasification and related projects. Establishes a 60% thermal efficiency target for coal gasification technologies and 7% improvements in thermal efficiencies of existing units. (Title IV-Coal, Sec. 401, 402, 405, 406, 407—6/8/05)

Authorizes $2.8 billion over eight years for energy efficiency and conservation research, development, demonstration and commercial applications including:

Minimum $400 million over eight years for the Next Generation Lighting Initiative for energy efficient advanced solid-state lighting technologies. (Title IX: Research and Development, Sec. 911, 912—6/8/05)

Creates National Building Performance Initiative to, in part, energy conservation. (Title IX: Research and Development, Sec. 913—6/8/05)

Minimum $21 million over three years for research, development and demonstration for improving performance, service life and cost of used vehicle batteries in secondary applications. (Title IX: Research and Development, Sec. 911, 914—6/8/05)

Minimum $105 million over three years for Energy Efficiency Science Initiative. (Title IX: Research and Development, Sec. 915—6/8/05)

$825 million over three years to promote distributed energy and electric energy systems including:

High Power Density Industry Program to improve the energy efficiency of data centers, server farms and telecommunications facilities; (Title IX: Research and Development, Sec. 921—6/8/05)

Micro-Cogeneration Energy Technology for increased efficiency in small-scale combined heat and power for residential applications; (Title IX: Research and Development, Sec. 923—6/8/05)

Distributed Energy Technology Demonstration Program to accelerate utilization of efficient and low-emitting technologies such as fuel cells, micro-turbines and combined heat and power systems. (Title IX: Research and Development, Sec. 924—6/8/05)

Electric Transmission and Distribution Programs to ensure in part, energy efficiency of electrical transmission and distribution systems. (Title IX: Research and Development, Sec. 925—6/8/05)

Authorizes $140 million over five years for fuel cell research on proton exchange membrane technology for commercial, residential and transportation applications. (Title IX: Research and Development, Sec. 951, 952—6/8/05)

Authorizes $891 million over three years for R&D and commercial application programs to facilitate systems including integrated gasification combined cycle, advanced combustion systems, turbines for synthesis gas derived from coal, carbon capture and sequestration research and development. (Title IX: Research and Development, Sec. 951, 955—6/8/05)

Establishes a Federal/State cooperative program for research, development, and deployment of energy efficiency technologies. (Title I—Energy Efficiency, Sec. 126—6/8/05)

Authorizes $110 million over three years to establish a research partnership to develop and demonstrate railroad locomotive technologies that, in part, increase fuel economy. (Title VII—Vehicles and Fuels, Sec. 721—6/8/05)

Mandates a study of feasibility and effects of reducing the use of fuel for automobiles. (Title XIII—Studies, Sec. 1309—6/8/05)

Calls for a study of how to measure energy efficiency. (Title XIII—Studies, Sec. 1323—6/8/05)

RENEWABLE ENERGY

Authorizes $20 billion over three years for renewable energy research, development and demonstration including:

Biofuels research aimed at making fuels that are price-competitive with gasoline or diesel in internal combustion or fuel- cell-powered vehicles; (Title IX: Research and Development, Sec. 931, 932—6/8/05)

Concentrating Solar Power Research Program for the production of hydrogen including cogeneration of hydrogen and electricity. (Title IX: Research and Development, Sec. 931, 933—6/8/05)

Hybrid Solar lighting R&D for novel lighting that combines sunlight and electrical lighting. (Title IX: Research and Development, Sec. 934—6/8/05)

Evaluation of other technologies including ocean, wave, wind, and coal gasification technologies; (Title IX: Research and Development, Sec. 935—6/8/05)

Establishes a Federal/State cooperative program for research, development, and deployment of renewable energy technologies. (Title I—Energy Efficiency, Sec. 126—6/8/05)

Establishes the Advanced Biofuel Technologies Program to demonstrate advanced technologies for the production of alternative transportation fuels. (Title II—Renewable Energy, Sec. 209—6/8/05)

Requires a study of the Energy Policy Act of 1992 and its impact on alternative fueled vehicle technology, availability of technology and cost of alternative fueled vehicles. (Title XIII—Studies, Sec. 1305—6/8/05)

Requires a strategy for a research, development, demonstration, and commercial application program to develop hybrid distributed power systems that combine one or more renewable electric power generation technologies. (Title XIII—Studies, Sec. 1310—6/8/05)

NUCLEAR

Authorizes $1.6 billion over 3 years for Nuclear Energy research, development, demonstration and commercial application activities including:

Research to examine reactor designs for large-scale production of hydrogen using thermochemical processes. (Title IX: Research and Development, Sec. 942—6/8/05)

Nuclear Energy Plant Optimization Program to address productivity, reliability, and availability of nuclear plants. (Title IX: Research and Development, Sec. 942—6/8/05)

Generation IV Nuclear Energy Systems initiative to advance understanding of efficiency and cost opportunities for next generation nuclear power plants. (Title IX: Research and Development, Sec. 942—6/8/05)

SEQUESTRATION

Establishes grant program to encourage projects that sequester carbon dioxide as part of enhanced oil recovery. (Title III—Oil and Gas, Sec. 327—6/8/05)

Mandates research on technologies to capture carbon dioxide from pulverized coal combustion units. (Title IX—Research and Development, Sec. 956—6/8/05)

Institutes loan guarantees for projects that avoid, reduce, or sequester anthropogenic emissions of greenhouse gases and employ new or significantly improved technologies. (Title XIV—Incentives for Innovative Technologies, Sec. 1401–1404—6/8/05)

SCIENCE

Authorizes $13.7 billion over three years for basic science research that could have significant implications for long-term trends in the nation's greenhouse gas emissions. (Title IX: Research and Development, Sec. 961—6/8/05). These programs include:

Fusion Energy Science Program (Sec. 962);

Fusion and Fusion Energy Materials Research Program (Sec. 969);

Catalysis science research that may contribute to new fuels for energy production and more efficient material fabrication processes (Sec. 964);

Nanoscale science and engineering research (Sec. 971);

Advanced scientific computing for energy missions (Sec. 967);

Genomes to Life Program with a goal of developing technologies and methods that will facilitate production of fuels, including hydrogen, and convert carbon dioxide to organic carbon (Sec. 968).

USE OF HIGH-EFFICIENCY TECHNOLOGIES AND ZERO OR LOW-GHG ENERGY SOURCES

NATIONAL

Mandates that motor vehicle fuel sold in U.S. contains 4 billion gallons of renewable fuel in 2006, rising to 8 billion gallons in 2012. (Title II—Renewable Energy, Sec. 204—6/8/05)

Establishes a self-sustaining national public energy education program which will cover, among other things, conservation and energy efficiency, and the impact of energy use on the environment. (Title I—Energy Efficiency, Sec. 133—6/8/05)

Authorizes $450 million over five years to create a comprehensive national public awareness program regarding the need to reduce energy consumption, the benefits of reducing energy consumption during peak use periods, and practical, cost-effective energy conservation measures. (Title I—Energy Efficiency, Sec. 134—6/8/05)

Requires the President to implement measures to reduce U.S. petroleum consumption by one million barrels per day in 2015 as compared to 2005 EIA reference case. (Title I—Energy Efficiency, Sec. 151—6/8/05)

FEDERAL AGENCIES

Directs Secretary of Energy to revise Federal building energy efficiency performance standards to require, if life-cycle cost-effective, that new Federal buildings achieve energy consumption levels at least 30 percent below the most recent version of ASHRAE or the International Energy Conservation Code. (Title I—Energy Efficiency, Sec. 107—6/8/05)

Promotes plans for energy and water savings measures in Congressional buildings as well as reductions in energy consumption in federal buildings nationwide. Authorizes $10 million over five years for the Architect of the Capitol to carry out the Master Plan Study. (Title: I—Energy Efficiency, Sec. 101—6/8/05)

Establishes percentage reduction schedule for fuel use per gross square foot of Federal buildings for 2006 through 2015. (Title: I—Energy Efficiency, Sec. 102—6/8/05)

Calls for all Federal buildings to be metered or sub-metered to promote efficient energy use and reduce electricity costs. (Title I—Energy Efficiency, Sec. 103—6/8/05)

Directs federal agencies to procure Energy Star or FEMP designated-energy efficient products. (Title I—Energy Efficiency, Sec. 104—6/8/05)

Permanently extends and expands existing federal agency authority to contract with energy service companies to assume the capital costs of installing energy and water conservation equipment and renewable energy systems in federal facilities, and recover lifecycle energy cost savings over the term of the contract. (Title I—Energy Efficiency, Sec. 105—6/8/05)

Authorizes the Secretary of Energy to enter into voluntary agreements with energy intensive industrial sector entities to significantly reduce the energy intensity of their production activities. (Title I—Energy Efficiency, Sec. 106—6/8/05)

Promotes increased use of recovered mineral component in Federally funded projects involving procurement of cement or concrete. (Title I—Energy Efficiency, Sec. 108—6/8/05)

Amends the Energy Policy Act of 1992 to require Federal agencies to purchase ethanol-blended gasoline and biodiesel. (Title II—Renewable Energy, Sec. 205—6/8/05)

Amends Energy Policy and Conservation Act to promote Federal agencies' use of alternative fuels in duel-fuel vehicles. (Title VII—Vehicles and Fuels, Sec. 701—6/8/05)

Requires energy savings goals for each Federal agency and requires the use of fuel cell vehicles, hydrogen energy systems, and stationary, portable, and micro fuel cells. Authorizes $450 million over five years to achieve these goals. (Title VII—Vehicles and Fuels, Sec. 732, 733—6/8/05)

Mandates a study on energy conservation implications of widespread adoption of telecommuting by Federal employees. (Title XIII—Studies, Sec. 1324—6/8/05)

Requires a study on the amount of oil demand that could be reduced by oil bypass filtration technology and total integrated thermal systems and feasibility of using the technologies in Federal motor vehicle fleets. (Title XIII—Studies, Sec. 1325, 1326—6/8/05)

COMMUNITIES AND STATES

Amends the Energy Conservation and Production Act and reauthorizes $1.2 billion over three years for weatherization assistance. (Title I—Energy Efficiency, Sec. 121—6/8/05)

Authorizes $325 million over three years and amends the Energy Policy and Conservation Act to promote State review their energy conservation plans, with a state energy efficiency goal of a 25 percent or more improvement by 2012 compared to 1992. (Title I—Energy Efficiency, Sec. 122—6/8/05)

Authorizes $250 million over five years for State energy efficient appliance rebate programs. (Title I—Energy Efficiency, Sec. 123—6/8/05)

Authorizes $150 million over five years for grants to State agencies to assist local governments in constructing new energy efficient public buildings that use at least 30 percent less energy than comparable public building meeting the International Energy Conservation codes. (Title: Energy Efficiency, Sec. 124—6/8/05)

Authorizes $100 million over five years for grants to local government, private, and non-profit community development organizations, and Indian tribes to improve energy efficiency, develop alternative renewable energy supplies, and increase energy conservation in low income rural and urban communities. (Title I—Energy Efficiency, Sec. 125—6/8/05)

Authorizes $1.25 billion worth of grants over five years to States to develop and implement building codes that exceed the energy efficiency of the most recent building energy codes. (Title I—Energy Efficiency, Sec. 127—6/8/05)

Calls for a study of State and regional policies that promote utilities to undertake cost-effective programs reducing energy consumption. (Title I—Energy Efficiency, Sec. 139—6/8/05)

Authorizes $25 million for States to carry out programs that encourage energy efficiency and conservation of electricity or natural gas. (Title I—Energy Efficiency, Sec. 140—6/8/05)

EFFICIENCY STANDARDS AND INCENTIVES FOR PUBLIC HOUSING

Encourages increased energy efficiency and water conservation through amendments to the U.S. Housing Act of 1937 by promoting installation of equipment conforming to new standards. (Title I—Energy Efficiency, Sec. 161—6/8/05)

Requires public housing agencies to purchase energy-efficient appliances that are Energy Star products or FEMP-designated products when purchasing appliances unless these products are not cost-effective. (Title I—Energy Efficiency, Sec. 162—6/8/05)

Includes energy efficiency standards in amendments to the Cranston-Gonzalez National Affordable Housing Act. (Title I—Energy Efficiency, Sec. 163—6/8/05)

Directs the Secretary of Housing and Urban Development to develop and implement an integrated strategy to reduce utility expenses at public and assisted housing through cost-effective energy conservation, efficiency measures, as well as energy efficient design and construction. (Title I—Energy Efficiency, Sec. 164—6/8/05)

EFFICIENCY STANDARDS AND INCENTIVES FOR INDIVIDUALS AND BUSINESSES

Creates energy conservation standards for commercial clothes washers, ice makers, refrigerators, freezers, air conditioners, and heaters. (Title I—Energy Efficiency, Sec. 136—6/8/05)

Authorizes $6 million for pilot projects designed to conserve energy resource by encouraging use of bicycles in place of motor vehicles. (Title VII—Vehicles and Fuels, Sec. 722—6/8/05)

Authorizes $95 million over three years to reduce energy use by reducing heavy-duty vehicle long-term idling. (Title VII—Vehicles and Fuels, Sec. 723—6/8/05)

Authorizes $15 million over three years for a biodiesel testing partnership with engine, fuel injection, vehicle and biodiesel manufacturers to test and improve biodiesel technologies. (Title VII—Vehicles and Fuels, Sec. 724—6/8/05)

Authorizes $10 million over five years for CAFE enforcement obligations. (Title VII—Vehicles and Fuels, Sec. 711—6/8/05)

Establishes a DOE/EPA voluntary Energy Star Program under the Energy Policy and Conservation Act to identify and promotes energy-efficient products and buildings. (Title I—Energy Efficiency, Sec. 131—6/8/05)

Directs the Secretary of Energy in cooperation with EPA to undertake an educational program for homeowners and small businesses on energy savings from properly maintained air conditioning, heating, and ventilating systems. (Title I—Energy Efficiency, Sec. 132—6/8/05)

Adds energy conservation standards definitions for additional products (e.g. lamps, battery chargers, refrigerators, external power supply, illuminated exit sign, low-voltage, transformer, traffic signal module) to the Energy Policy and Conservation Act. (Title I—Energy Efficiency, Sec. 135—6/8/05)

Initiates a rulemaking under the Energy Policy and Conservation Act to evaluate and improve the effectiveness of current energy efficiency labeling on consumer products. (Title I—Energy Efficiency, Sec. 138—6/8/05)

Requires natural gas and electric utilities to evaluate energy efficiency or other demand reduction programs and, if beneficial and feasible, to adopt them. (Title I—Energy Efficiency, Sec. 141—6/8/05)

SUPPLY OF HIGH-EFFICIENCY TECHNOLOGIES AND ZERO OR LOW-GHG ENERGY SOURCES

RENEWABLE ENERGY AND INCREASED EFFICIENCY

Authorizes study of the potential for increasing hydroelectric power production capability at federally owned or operated water regulation, storage, and conveyance facilities. (Title XIII—Studies, Sec. 1302—9/29/03)

Prioritizes funds for renewable energy production incentives, placing emphasis on solar, wind, geothermal and closed-loop biomass technologies. (Title II—Renewable Energy, Sec. 202, 9/29/03)

Establishes goals for the share of federal government purchases of electricity from renewable sources to the extent economically feasible and technically practicable. (Title II—Renewable Energy, 203, 9/29/03)

Authorizes $36 million for the establishment of a Sugar Cane Ethanol Program to promote the production of ethanol from sugar cane. (Title II—Renewable Energy, Sec. 207—6/8/05)

Expands the scope of the Commodity Credit Corporation Bioenergy Program. (Title II—Renewable Energy, Sec. 208—6/8/05)

Authorizes $125 million over 5 years for grants to facilities that use biomass to produce electricity, sensible heat, transportation fuels or substitutes for petroleum-based products. (Title II—Renewable Energy, Sec. 232, 9/29/03)

Authorizes $125 million over 5 years for grants to persons researching ways to improve the use of biomass or add value to biomass utilization. (Title II—Renewable Energy, Sec. 233, 9/29/03)

Improves geothermal energy leasing procedures, terms and conditions to increase use of geothermal energy. (Title II—Renewable Energy, Subtitle D, 9/29/03)

Facilitates use of the OCS for alternative energy sources such as wind power and ocean thermal energy. (Title III—Oil and Gas, Sec. 321, 9/29/03)

Calls for a study of the potential for renewable energy on Federal land and make recommendations for statutory and regulatory mechanisms for developing these resources. (Title XIII—Studies, Sec. 1304—6/8/05)

NATURAL GAS SUPPLIES

Provides incentives to continue natural gas production on low-yield (marginal) properties by reducing the royalty rate when prices fall. (Title III—Oil and Gas, Sec. 313, 9/29/03)

Provides incentives for natural gas production from deep wells in the shallow water of the Gulf of Mexico. (Title III—Oil and Gas, Sec. 314, 9/29/03)

Extends royalty relief for natural gas production in the deepwater of the Gulf of Mexico. (Title III—Oil and Gas, Sec. 315, 9/29/03)

Authorizes $125 million over five years to reduce fugitive methane emissions by establishing a program to properly plug and abandon orphaned, abandoned, or idled wells on federal land. (Title III—Oil and Gas, Sec. 319, 9/29/03)

Authorizes $350 million over five years to facilitate timely action on natural gas leases and permits and creation of Best Management Practices for processing permits. (Title III—Oil and Gas, Sec. 342, 9/29/03)

Requires the creation of a Memorandum of Understanding between the Department of Interior and Department of Agriculture to facilitate natural gas development on National Forest lands. (Title III—Oil and Gas, Sec. 343, 9/29/03)

Establishes a Federal Permit Streamlining Pilot Project to expedite processing of natural gas permits. (Title III—Oil and Gas, Sec. 344—6/8/05)

Facilitates the building of LNG terminals thereby increasing the supply of natural gas. (Title III—Oil and Gas, Sec. 381, 9/29/03)

Authorizes $165 million over 5 years for research aimed at facilitating production of natural gas from Methane Hydrates. (Title IX—Research and Development, Sec. 953—6/8/05)

NUCLEAR ENERGY TECHNOLOGIES

Reauthorizes for 20 years the Price-Anderson Act, the long-standing liability insurance system for all nuclear operations in the country. This system has existed for more than 40 years and never required payment from the federal government. (Title VI—Nuclear Matters, Sec. 602—6/8/05)

Improves the regulatory treatment modular reactors, facilitating the installation of new, more cost effective nuclear power reactor designs. (Title VI—Nuclear Matters, Sec. 608—6/8/05)

Mr. DOMENICI. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Nebraska has 6 minutes remaining.

Mr. HAGEL. Mr. President, let me summarize the Hagel-Pryor climate change amendment. This amendment offers a comprehensive voluntary approach to addressing the issue of climate change by connecting domestic and international economic, environmental, and energy policies. It takes a market-driven, technology-based approach to climate change by using public-private partnerships to meld together the institutional leverage of the Government with the innovation of industry.

With that, I ask unanimous consent that all time be yielded back.

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

Mr. HAGEL. I thank the Chair and yield the floor.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 817.

The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from South Dakota (Mr. THUNE).

Mr. DURBIN. I announce that the Senator from North Dakota (Mr. DORGAN), the Senator from Vermont (Mr. JEFFORDS), the Senator from South Dakota (Mr. JOHNSON), and the Senator from Massachusetts (Mr. KERRY) are necessarily absent.

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

The result was announced—yeas 66, nays 29, as follows:

[Rollcall Vote No. 144 Leg.]

YEAS—66

Alexander	DeWine	Mikulski
Allard	Dole	Murkowski
Allen	Domenici	Murray
Baucus	Ensign	Nelson (NE)
Bayh	Enzi	Pryor
Bennett	Feinstein	Reid
Bingaman	Frist	Roberts
Bond	Graham	Rockefeller
Brownback	Grassley	Salazar
Burns	Hagel	Santorum
Burr	Hatch	Schumer
Chambliss	Hutchison	Sessions
Clinton	Inhofe	Shelby
Coburn	Isakson	Smith
Cochran	Kyl	Specter
Coleman	Landrieu	Stabenow
Conrad	Levin	Stevens
Cornyn	Lincoln	Talent
Craig	Lott	Thomas
Crapo	Lugar	Vitter
Dayton	Martinez	Voinovich
DeMint	McConnell	Warner

NAYS—29

Akaka	Dodd	Lieberman
Biden	Durbin	McCain
Boxer	Feingold	Nelson (FL)
Bunning	Gregg	Obama
Byrd	Harkin	Reed
Cantwell	Inouye	Sarbanes
Carper	Kennedy	Snowe
Chafee	Kohl	Sununu
Collins	Lautenberg	Wyden
Corzine	Leahy	

NOT VOTING—5

Dorgan	Johnson	Thune
Jeffords	Kerry	

The amendment (No. 817) was agreed to.

Mr. HAGEL. I move to reconsider the vote.

Mr. DOMENICI. 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.

Mr. DOMENICI. Mr. President, I hope the Senator from Colorado, Mr. SALAZAR, will find his way to the Senate Chamber because he asked us to get him some time, and we are doing that right now in this request.

The suggestion I have for the Senate is as follows: I understand Senator SALAZAR from Colorado would like to speak for 3 minutes as in morning business about a deceased general in his State. Then Senator MCCAIN will offer a climate change amendment along with his cosponsor, Senator LIEBERMAN. That will be debated tonight, and we will set some additional

debate time for tomorrow if required by the distinguished Senators or anybody in opposition.

We may, however, have an additional vote tonight. I want everybody to know this. We might have a vote tonight. It will not be on the McCain amendment, but we will set that amendment aside, without objection from the Senator from Arizona, and take up this other amendment.

We have a number of amendments that are pending, besides the one I just indicated. One of those is a DeWine-Kohl amendment. We are going to try to work that in here and that would be without a rollcall vote. The Voinovich amendment is the one on which we will be voting.

We will proceed, as I have indicated, and recognize the Senator from Colorado, if he is here. If he is not here, we are going right to Senator MCCAIN. If he comes, maybe the Senator from Arizona can accommodate Senator SALAZAR. If not, we will let Senator MCCAIN proceed.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, may I ask unanimous consent to speak for 30 seconds as in morning business while we are waiting?

Mr. DOMENICI. We are not waiting. Senator MCCAIN is yielding time.

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

Ms. LANDRIEU. Mr. President, I thank my colleagues from New Mexico and Arizona. I thank my colleague from New Mexico for moving this Energy bill forward and making such progress.

(The remarks of Ms. LANDRIEU and Ms. STABENOW are printed in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER. The Senator from Arizona is recognized.

AMENDMENT NO. 826

Mr. MCCAIN. Mr. President, I have an amendment at the desk on behalf of myself and Senator LIEBERMAN. I ask unanimous consent the pending amendment be set aside, and the amendment on behalf of myself and Senator LIEBERMAN be considered.

The PRESIDING OFFICER. Without objection, the amendment is set aside. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for himself and Mr. LIEBERMAN, proposes an amendment numbered 826.

Mr. MCCAIN. I ask unanimous consent the reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. MCCAIN. Mr. President, first I would like to congratulate the sponsors of the amendment that was just passed. They did a good job on the amendment. I appreciate it because it is very indicative of where this debate has gone.

My dear friend from Connecticut and I, last October of 2003, forced a vote—or we had a vote on, basically, this issue, although we have changed this somewhat with the inclusion of the incentives for technological advances, as well as some nuclear power provisions which have proven somewhat controversial with some of our environmental friends.

At that time the debate on the amendment was: there is no such thing, it is a myth, this simply bears no relation to reality—on and on. There were some fascinating statements made about what a myth climate change was.

Now, obviously, we have, by passage of the Hagel amendment, recognized—at least by a majority of the Senate—that climate change is real and action needs to be taken. So I believe we have made significant progress since October 2003. At the same time, I have noticed on other reform issues that I have been involved in over the years, once the opponents of reform see reality, then they try to put up some kind of legislation which appears to address the issue but actually does not. Unfortunately, the amendment by my good friend from Nebraska that was just approved by the Senate simply has no bearing on the requirement that we act.

The Senator from Connecticut and I are going to present, not our opinions but evidence, scientific evidence, that climate change is real, it is happening, and as we speak we will see things happening to our environment which will have long-term devastating effects on this globe on which we reside. When we talk about scientific evidence and opinion, with the exception of those who may somehow be financially related to certain opponents of this legislation, there is very little doubt as to the scientific evidence of every objective observer, not to mention our European friends who have so concluded and are acting to reduce the effects of greenhouse gas emissions in the world.

By the way, they have not faced Armageddon to their economies, as predicted by some of the speakers who have already addressed this issue. I found them entertaining. Do you know why I found them entertaining? Because every time I have been in a reform issue—whether it be installation of safety belts in automobiles, or airbags, or campaign finance reform—the Apocalypse was upon us.

In this amendment we encourage technology in order to reduce greenhouse gas emissions and make energy use more efficient, and we are trying at the expense of some support to recognize that nuclear power is a very important contributor to our energy needs in the coming years, particularly since 20 percent of our energy supply is already supplied by nuclear power and those powerplants are going out of business fairly soon. We have a proposal that is balanced and fair and not only tries to minimize and, over time, reduce the damage that has already been inflicted by greenhouse gas emissions, but also will provide for energy that this world—our country as well as others—needs.

Is this Kyoto that Senator LIEBERMAN and I are proposing? No. Sometimes I wish that it were, but it is not. It is far less stringent in its requirements to address the issue of greenhouse gas emissions. It is something that we believe is not only affordable but doable.

Does it involve some sacrifice on the part of the American people? Yes. I have to tell you, every time I talk to young Americans and say, Are you willing to make some sacrifice to prevent the occurrences that we see are happening now, these young Americans are more than willing to do so.

When we talk about jobs, these Draconian estimates of lost jobs that they have hired some think tank to come up with, what about the jobs and the economic effect on the United States of America that is already taking place when we have four hurricanes in one season in Florida; when we have greater and more extreme climatic effects generated by greenhouse gas emissions? How much is it going to cost when the great barrier reef dies? The Australian Government has said that the great barrier reef will die by—I think the year is 2040. What happens then to the food chain? What is the cost then?

What is the cost to the Alaskan Inuit Tribe when, as we speak, their villages are falling into the ocean because of the melting of the permafrost? What are those costs?

I will tell you what they are; they are astronomical. They may hire a lot of people, in the form of emergency workers and FEMA and all of that.

I have a very long statement. I am not going to take too long because I want my friend, Senator LIEBERMAN, to talk. But why is it that our best partner in Europe, Tony Blair, is so dedicated to the proposition that we need to act on this issue? I do not find him to be an irrational individual. What does Prime Minister Tony Blair say? I think he puts it better than anyone.

The opponents, particularly my friend from Oklahoma, will come down and say all this climate change is just a myth, the Earth is not warmer, there is no real basis for this whatsoever. And he will find some obscure scientist who will say, yes, it is a myth—despite the overwhelming body of evidence that dictates that climate change is real and its effects are already being felt in a variety of ways.

Suppose the Senator from Connecticut and I, and the overwhelming body of scientific evidence, and Tony Blair, and all the Europeans, and all the signatories to the Kyoto treaty, they are all wrong and we went ahead and made these modest proposals. What would we have? We would have a cleaner Earth. We would have an Earth with a less polluted atmosphere. We

would have cleaner technologies. We would have found a way to again utilize nuclear power in a safe and efficient fashion.

But suppose that we are right. Let's suppose the National Academy of Sciences is right when they say:

There will always be uncertainty in understanding a system as complex as the world's climate, however there is now strong evidence that significant global warming is occurring.

This comes from the National Academy of Sciences, the National Academies from the G8 countries along with those from Brazil, China, and India.

The scientific understanding of climate change is now sufficiently clear to justify nations taking prompt action. It is vital that all nations identify cost-effective steps that they can take now to contribute to substantial and long-term reduction in net global greenhouse gas emissions.

Remember, this is from the U.S. National Academy of Sciences, National Academies from other G8 countries along with other countries:

We urge all nations to take prompt action to reduce the causes of climate change, adapt to its impact, and ensure that the issue is included in all relevant national and international strategies.

Suppose they are right. Suppose they are right and we, as stewards of our environment, have failed to act. The consequences are clear. The effects are devastating. They are extremely difficult to reverse, as any scientist will tell you. And we will have done such a terrible thing to future generations not only in America but in the world because of our enormous contributions to the greenhouse gas emissions which are causing such devastating effects already as we speak.

I am going to yield to my friend from Connecticut. But I hope my colleagues make no mistake about what we just did, which is nothing—which is nothing. There is nothing in the last amendment that has any requirements whatsoever—except perhaps some more reporting. I believe the time for reports is past. I think we have a sufficient number of reports and assessments. It has done nothing.

This amendment, I am sure, will be attacked—thousands of jobs will be lost, we will find some obscure scientist, some will talk about the dangers of encouraging the use of nuclear power. The fact is, we are going to win on this issue. The reason we are going to win is because every single month there is another manifestation of the terrible effects of what climate change is doing to our Earth. The problem is how late will it be when we win? How devastating will be the effects of climate change on this Earth on which we live? I am very much afraid that every day that goes by our challenge becomes greater and greater.

That is what this debate is all about. I know the chances of our passing this amendment are probably not as good as we would like. But I hope my colleagues and the American people will pay attention to this debate because it may be the most important single issue that is addressed by this Senate in all the time that I have been here.

I yield the floor.

The PRESIDING OFFICER (Mr. ALEXANDER). The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank my friend from Arizona with whom I am proud, once again, to sponsor the Climate Stewardship and Innovation Act to combat global warming.

Senator MCCAIN has, as is his characteristic mode of behavior, talked straight. He has sounded a clarion call. He has spoken in words that I would echo right now: This is the challenge of our generation, environmentally. It will begin to affect the way we live on planet Earth.

We feel so strongly about it that we are going to stick together, and I believe our ranks will grow over time, I hope before the worst effects of global warming occur, before the most cataclysmic effects occur.

We are going to get this done because it has to be done. This amendment we are offering is the only proposal the Senate will consider that will actually put a halt to the rise in carbon emissions that cause global warming. It will also spur technological innovations to deal with that problem.

In some sense, as I view this—and I have spent a lot of time working on it—what is involved is a conflict between science and the resistance to change. Change is frightening sometimes, particularly when the worst consequences of not changing are not apparent. This is why this is such a great challenge to our political system because, although we are beginning to see the effects of global warming, the worst effects are over the horizon.

The challenge now, having been put on notice by science, is whether the political leadership of our country will take the steps necessary to protect the generations that will follow from the worst consequences of global warming.

I will paraphrase Jonas Salk, who invented the polio vaccine: One of the tests of every generation is whether we have been good ancestors, whether we have acted in a way that those who follow us will say that we had farsighted ancestors who saw this problem coming and dealt with it.

That is the challenge this amendment offers. Because it is about science. With the distinguished Presiding Officer, particularly, I cannot resist going into a bit of history. It was 100 years ago this month, June 30, 1905, that Albert Einstein finished a paper with the very dense title ''On the Electrodynamics of Moving Bodies.'' Today we know it better as the Theory of Special Relativity or E equals MC squared.

Why do I bring this up in the context of global warming? Because when Einstein first proposed the theory, it was dismissed as unrealistic, as a dream. Its consequences were widely misunderstood. Over time, the best scientists agreed not only that Einstein's theory was true, but they expanded upon it and used it to the extraordinary benefit of the generations that have followed.

With apologies to another great scientist, Darwin, this process might be called the ''Evolution of Theory.'' The theory that the Earth is warming with dire consequences may have started off with little understanding or acceptance. In fact, when we first began to talk about it, Senator MCCAIN and I, a lot of people including in this Senate discussed it as if it had a Chicken Little ''sky is falling'' quality. The fact is, we were basing our actions and our arguments on temperatures that were rising. But the worst effects that we were projecting were based on scientific modeling.

Now the best scientific minds in the world have examined the evidence and stated that climate change is real. Its cost to our economies will be devastatingly real. Its costs to our people and the way they live will be devastatingly real if we do not act.

Just a few months ago, the head of the International Panel on Climate Change, Dr. Pachauri, whose candidacy for that position that was supported by the Bush administration, said:

We are already at a dangerous point when it comes to global warming. Immediate and very deep cuts in greenhouse gases are needed if humanity, as we know it, is to survive.

The truth is, at this point, we do not need the scientists to tell us that the globe is warming. We can see it with our own eyes. The most compelling evidence is the satellite photographs of the polar ice caps. Look back 10, 15, 20 years; they are shrinking before our eyes.

Consider this very real example that is a consequence of that warming: 184 Alaskan coastal villages already are facing the threat of relocation because their land and infrastructure are being impacted by advancing seas and warmer temperatures that are melting the permafrost. One estimate I have seen says it will cost $100 million to locate just one of those villages or towns. I hesitate to articulate this fear, but what would be the price if we needed to relocate New Orleans or Miami or Santa Cruz, CA?

One of North America's leading reinsurers, Swiss Re, projects that climate-driven disasters could cost global financial centers more than $150 billion per year within the next 10 years. That is not Senator MCCAIN or me or some environmental group. It is a business, an insurance company, which is on the line for the costs of climate-driven disasters: $150 billion a year within the next 10 years.

I could go on with stories of wildlife appearing in places where they have never appeared before. Even in Connecticut, we have certain birds that are lingering longer in our State, because it is staying warmer longer. In Maine, our colleagues say the sugar maples are being affected by the alteration in the climate.

What is the United States doing? The United States, the largest emitter, the largest source of the greenhouse gases that cause global warming, what are we doing? Nothing. Literally nothing. In some sense, less than nothing because we pulled out of the Kyoto Protocol that subsequently has been ratified by enough of the industrialized world.

I agree with Senator MCCAIN about the preceding amendment. It is a fig leaf. It may allow some people to say we are doing something about global warming but it does not do anything. It leaves it all to voluntary action to support some research. It asks for reports. This goes back to the early 1990s, when the first President Bush was very actively involved in the Rio conference on global warming and recognized the reality of global warming, supported measures to deal with it, and set voluntary standards. They did not work. That is why Kyoto came along in 1997.

We saw, in the intervening years, if you leave it just plain voluntary, nothing will happen. People will continue to do things as before. Sources of greenhouse gases will not change. We have to show some leadership.

The last amendment I call ''fiddling while the Earth is warming.'' In its way, it is more consequential than Rome burning.

The Climate Stewardship and Innovation Act, which Senator MCCAIN and I introduced as an amendment to this Energy bill, is the needed first step, second step, and third step. It is the only proposal that will come before the Senate that puts an absolute stop to the increase in greenhouse gas emissions by America. In that sense, it brings us back to some point of moral responsibility. This is a problem for the whole globe. We are the biggest source of it. Yet we are doing nothing about it, while a lot of other countries are.

This amendment is the only proposal that will come before the Senate that creates not old-fashioned command and control but a true market mechanism reflecting the punishing social and economic costs of global warming. And this amendment, the Climate Stewardship and Innovation Act, is the only proposal that will come before the Senate that harnesses these market forces and steers them toward new energy technology that will not only help us meet the standards but will energize our economy because it will create jobs; those jobs will create products that will fill a growing global demand for energy-efficient greenhouse gas-resistant technologies.

Let me briefly state the basics of our bill. The original Climate Stewardship Act was the result itself of a lengthy process Senator MCCAIN and I were involved in, with the stakeholders, sources of greenhouse gases, environmentalists, and scientists working together. A major role was played by the Pew Trust. The original Climate Stewardship Act asked the American people, businesses, to reduce our carbon emissions to 2000 levels by the end of the decade—by 2012—easier to achieve than what Kyoto asked. Kyoto asked to go back to 1990.

There was a graph in one of the papers yesterday that shows reductions from Kyoto about here; if we do nothing, about there; McCain-Lieberman was in between. It is always nice to be in the middle—the golden mean. That is exactly what this proposal is. Our proposal then, and now, will reduce carbon emissions by use of the market, by putting a price on those emissions, with a cap and trade policy modeled on the one used so successfully in the Clean Air Act of 1990 which, as we all know, has reduced acid rain at far less cost than expected without the old ''command and control'' Government.

Simply put, a business that does not reach its emissions target can buy emissions credits from an entity who has managed to move themselves under the target.

Because the cap and trade system creates a market price for greenhouse gas emissions, it exposes the true cost of burning fossil fuels and will drive investments toward lower carbon-emitting technologies. It will, incidentally, also help us break our dangerous dependence on foreign oil which now is approaching $60 a barrel and rising. I fear, as so many others do, no matter how strong we are militarily, it can ultimately compromise our national security.

As the new title of this amendment implies, we have added an innovation section to our original bill because technological change and innovation are the keys in both the fight against global warming and the battle for energy independence. Our amendment creates a dedicated public sector fund for ensuring that investment is directed at the new technologies we need, including, but not limited to, biofuels, clean coal technology, solar and nuclear power, to name just a few off an open-ended menu of climate-friendly technology choices.

Instead of turning to the taxpayer to fund these, our bill uses a very creative self-funding mechanism. It empowers the Secretary of Energy to use some of the money generated through the purchase of emissions credits, funneled through a new public corporation our bill would create to help bring those innovations to market. The amendment will ensure the most important and efficient technological alternatives are supported. We did not pick winners and losers. That is for the market to do. Our bill does make sure, however, that if there are barriers to developing or using these new technologies to meet the standards and cap in our proposal, the resources are available to knock those barriers down.

If we do not help bring these new low carbon or zero carbon technologies to market, believe me, we will be buying them from the nations that do. Here is exhibit A to prove that point: Hybrid cars today are popular. There are waiting lists for them. I heard there is a market where people sell the ticket they have in the line so somebody can buy a hybrid car, low-emitting vehicles that consumers have clearly shown they want.

Where did American companies get the technology to build those hybrids? They have licensed it from Japan. Our bill will ensure that assistance is provided to American manufacturers to help with the transition to new technologies and energy productions with programs to reduce consumer costs and help dislocated workers and communities. The point is, we want what we know will be an enormous market for low carbon, zero carbon, low/zero greenhouse gas-emitting products to be filled by products made in the United States.

When Senator MCCAIN and I sat down to write this bill, we knew it had to pass three tests: First, it had to guarantee that it would achieve a real reduction in total greenhouse gas emissions across our society. Second, it had to create a true wide-open market for emissions reductions. And third, it had to provide businesses, and ultimately consumers, with a wide range of low-emission, low-cost energy choices through technological innovations.

I am proud to say to my colleagues our amendment meets all three of those tests.

The Senate should scrutinize any alternatives that are offered to this amendment we have proposed and ask whether those meet those same tests, whether, as the planet is warming and the rest of the world is trying to do something about it, the United States is fiddling.

I mentioned at the outset that 100 years ago this month that young man sitting in a Swiss patent office changed our understanding of the universe with the power of his new ideas.

A century later, we are facing a real threat. To meet it, we need to empower our best minds to use the power of new ideas to help provide new sources of power to our world. If we do not take these simple steps now, steps that are well within both our technological and financial reach, the generations that come will rightfully look back at us with scorn and ask why we acted so selfishly, why we yielded to the status quo that did not want to change, why we cared only for short-term comforts or profits, and why we left them a global environment in danger.

Einstein once said:

> The significant problems we face cannot be solved at the same level of thinking with which we created them.

Senator MCCAIN and I and our other cosponsors and supporters believe the Climate Stewardship and Innovation Act will not only set standards for reducing global warming but will lead us to the new thinking, to the new ideas, and the new products we need to halt global warming, achieve energy independence and protect the world as we know it and love it for the generations to come.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I rise to say thank you to both Senator LIEBERMAN and Senator MCCAIN for giving this Senate the first real start to reduce global warming. I was one who voted for the Hagel amendment, but I did so realizing it really had very little bang for the buck. This is the first real global warming bill this body will come to grips with. I think it is extraordinarily important.

In real terms, passage of this bill would mean that instead of having 8 billion tons of greenhouse gases emitted into the air in 2010, as would be the case if we do not pass the amendment, we will emit slightly less than 6 billion tons in 2010. That means this amendment would reduce emissions by almost 2 billion tons, or 25 percent, by the end of the decade.

In order to achieve the goal, the amendment would implement a market-based emissions cap and trade system. Currently, the United States is the largest emitter of greenhouse gases in the world. We account for one-fourth of all global greenhouse gas emissions.

In a single year, the average American produces the same greenhouse gas emissions as 4.5 people in Mexico or 18 people in India or 99 people in Bangladesh.

In the past 200 years, since the Industrial Revolution, the concentration of carbon dioxide in the Earth's atmosphere has risen by roughly 30 percent. If we do nothing to reduce these emissions, CO2 levels are estimated to again rise by 30 percent in only the next 50 years.

Here it is on the chart. You see, as temperature rises, global warming takes place, and carbon dioxide emissions increase.

The hottest year on record is 1998, followed by a tie for the second hottest year between 2002 and 2003.

Let me say what the National Academy of Sciences has reported. Let me just briefly quote:

> Since the 1900s global average temperature and atmospheric carbon dioxide concentration have increased dramatically, particularly compared to their levels in the 900 preceding years.

Carbon dioxide is the No. 1 global warming gas. We have already begun to see, as both Senators MCCAIN and LIEBERMAN have said, the real impacts of global warming.

Glaciers are beginning to disappear throughout the United States and around the world at a rapid rate. This chart demonstrates the rapid loss of the South Cascade Glaciers in Washington State. In addition, it is predicted that all the glaciers in Glacier National Park in Montana will be gone by 2030.

Here on the chart, you can see the South Glacier. In 1928, you could see the full glacier. Then, this is what you saw in 1979. And you can see that in 2003 it was just about one-half of what it was.

Since 1979, more than 20 percent of the polar ice cap has melted away due to the increase of global temperatures. Senator LIEBERMAN mentioned that in his speech, but I think this chart shows it dramatically. This line indicates the Arctic sea ice boundary in 1979. You can see how large it was. And you see more than 20 percent of the polar ice cap has already melted away. That is disastrous because the top of the planet is more impacted than the bottom of the planet.

Now, this is forcing Eskimos in Alaska to move inland. My husband just visited an Eskimo village. They were preparing to move their village because it was being inundated by the ocean.

Over the last century, the global sea level has risen by 6 inches. The United Nations Intergovernmental Panel on Climate Change predicts that by the next century, the global sea level will rise even higher to anywhere from 4 inches to 3 feet. That is enormous when you look at these changes.

Let me just speak for a moment about my State.

Since 1900, California has warmed by 2 degrees Fahrenheit. Annual precipitation has decreased over much of the State—by 10 to 25 percent in many areas. The EPA estimates that the temperature in California could rise by as much as 5 degrees by the end of this century if the current global warming trends continue.

That increase is going to have a drastic impact on many facets of California life—water, for one. As the largest agricultural State in the Union, we need it to farm and grow our crops. We need water to keep the ecosystem in balance, and we need water for 37.5 million people to drink, to wash, and to water crops and plants.

The Sierra Nevada snowpack is the largest source of water. The snowpack equals about half the storage capacity of all of California's man-made reservoirs. It is estimated that by the end of the century, the shrinking of the snowpack will eliminate the water source for 16 million people. That is equal to all of the people in the Los Angeles Basin. That is how big this is.

What this chart shows is, if we take strong action to curb greenhouse gas emissions, 27 percent of the snowpack will remain in the Sierras; strong action will only protect 27 percent. If we do nothing to reduce our greenhouse gas emissions, only 11 percent of the Sierra Nevada snowpack will be left by the end of the century. You clearly see it. That is Armageddon for California. That is Armageddon for the fifth largest economy on Earth.

Now, we have already begun to see a decline in the Sierra Nevada snowpack due to warmer winter storms that bring more rain than snow and also cause a premature melting of the snowpack.

If just a third of the snowpack is lost, it would mean losing enough water to serve 8 million households. So you can see how big this is. That is why this bill is so important—the first bill that actually does something about it.

Let me talk for just a second about our wine industry. It is recognized throughout the world. It is a $45 billion industry in sales, jobs, tourism, and tax revenue.

Grown throughout the State, wine grapes are sensitive to temperature and moisture. It is predicted that by the end of the century, grapes will ripen up to 2 months earlier and will be of poorer quality. The result is a decline for California's premier wine industry.

Let me talk about dairy. We are the largest dairy-producing State in the Union, much to the chagrin of my distinguished colleague from Wisconsin. Studies indicate that due to increased temperatures, our milk production could be reduced anywhere from 5 to 20 percent. This would not only have a drastic impact on California's agriculture industry, but it would also affect other States that rely on California to provide milk and other dairy products.

Beaches and coastlines—we are known for them. When most people think of California, they think about our beaches. The rising sea level, due to global warming, is slowly swallowing these beaches and eroding the coastline. Over the last century, the sea level has risen 3 to 8 inches. Scientists predict it will continue to rise an additional 13 to 19 inches by the end of this century. This will force municipalities to replenish land on beaches stretching from Santa Barbara to San Diego. The EPA says this could cost from $174 million to $3.5 billion.

Global warming is California's No. 1 environmental problem.

Now, let me talk for a moment about what cities are doing. Cities are not waiting for us. Cities are moving. Members of the United States Conference of Mayors unanimously passed a resolution earlier this month that requires their member cities to attempt to meet or exceed emissions standards set by Kyoto. They have agreed to try to meet or beat the Kyoto Protocol targets in various communities around the Nation. They have agreed to urge their State governments and the Federal Government to enact policies to reduce greenhouse gas emissions, and they have agreed to urge us to pass the McCain-Lieberman bill.

So far, 167 cities have signed up to enforce the Kyoto requirements.

Nearly 40 States, to date, have developed their own climate plans. Four-fifths of the United States is moving on its own because we are so slow to act.

An emission trading system is emerging in the Northeast that will require large power plants from Maine to Delaware to reduce their carbon emissions.

Eighteen States and the District of Columbia have enacted standards to require that electricity be generated with renewable fuels rather than fossil fuels. These States include California,

Arizona, Colorado, Connecticut, Hawaii, Iowa, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Jersey, New Mexico, New York, Pennsylvania, Rhode Island, Texas, and Wisconsin.

The point is, our States are moving. Why are we so bloody slow? California has enacted legislation that will reduce greenhouse gas emissions from vehicle tailpipes. It is expected that the Northeastern States and Canada will also follow California's lead.

Yet, without concerted Federal action, the United States will not be able to achieve real, significant greenhouse gas reductions. If Members of the U.S. Senate agree with the science, if they agree with virtually all of the literature to date, if they look out and study the weather and they see the changes, if they see the fluctuation in weather patterns, the aberrant behavior of weather, they will come to the conclusion that global warming is real. It is real, and we now have the first bill to do something positive about it, and that is the Lieberman-McCain legislation.

I believe all of California supports it. I am proud to support it. I urge its passage to this distinguished body.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank our friend and colleague from California for a very powerful statement. In a personal sense, and I know I speak for Senator MCCAIN, we are grateful for her support. We are honored to have it. But what a statement. I hope every Member of the Senate gets a chance to read the text of the Feinstein statement. In very practical terms, it describes the impact of inaction on our largest State—California—on water supply, not to mention the dairy industry and, perhaps of more national significance, the California wine industry. But this is real-life stuff. Shame on us if we don't take real action to stem the problem.

I thank my colleague.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak out of order.

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

REMARKS ON GUANTANAMO BAY

Mr. DURBIN. Mr. President, more than most people, a Senator lives by his words. Words are the coin of the realm in our profession. Occasionally, words will fail us. Occasionally, we will fail words.

On June 14, I took the floor of the Senate to speak about genuine, heartfelt concerns about the treatment of prisoners and detainees at Guantanamo and other places. I raised legitimate concerns that others have raised, including Secretary of State Colin Powell, about the policies of this administration and whether they truly do serve our needs to make America safer and more secure; whether, in fact, some of the policies might, in fact, endanger our troops or in some way disparage the image of America around the world.

During the course of that presentation, I read an e-mail from the Federal Bureau of Investigation that was discovered to exist last August and has now been produced as part of a Freedom of Information Act. After reading the horrible details in that memo, which characterized the treatment of prisoners at Guantanamo, I then, on my own—my own words—made some characterizations about that memo. I made reference to the Nazis, to the Soviets, and other repressive regimes.

Mr. President, I have come to understand that was a very poor choice of words. Last Friday, I tried to make this very clear, that I understood that those analogies to the Nazis and Soviets and others were poorly chosen. I issued a release which I thought made my intentions and my innermost feelings as clear as I possibly could. Let me read to you what I said in that release last Friday:

> I have learned from my statement that historical parallels can be misused and misunderstood. I sincerely regret if what I said caused anyone to misunderstand my true feelings: Our soldiers around the world and their families deserve our respect, admiration and total support.

It is very clear that even though I thought I had said something that clarified the situation, to many people it was still unclear. I am sorry if anything I said caused any offense or pain to those who have such bitter memories of the Holocaust, the greatest moral tragedy of our time. Nothing should ever be said to demean or diminish that moral tragedy.

I am also sorry if anything I said in any way cast a negative light on our fine men and women in the military. I went to Iraq a few months ago with Senator HARRY REID and a delegation, a bipartisan delegation; the Presiding Officer was part of it. When you look in the eyes of the soldiers, you see your son or your daughter. They are the best. I never, ever intended any disrespect for them. Some may believe that my remarks crossed the line. To them, I extend my heartfelt apologies.

There is usually a quote from Abraham Lincoln that you can turn to in moments such as this. Maybe this is the right one. Lincoln said: If the end brings me out right, what is said against me won't amount to anything. If the end brings me out wrong, 10,000 angels swearing I was right wouldn't make any difference.

In the end, I don't want anything in my public career to detract from my love for this country, my respect for those who serve it, and this great Senate.

I offer my apologies to those who are offended by my words. I promise you that I will continue to speak out on the issues that I believe are important to the people of Illinois and to the Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I rise to say what is unnecessary, and that is that the Senator from Illinois just made a heartfelt statement, one of apology. All of us, I believe, who have had the opportunity to serve in public life from time to time have said things that we deeply regret. I know that I have. I can't speak for the other Members of this body. I would like to say to the Senator from Illinois, he did the right thing, a courageous thing, and I believe we can put this issue behind us. I thank the Senator from Illinois.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I want very briefly to thank my friend and colleague, Senator DURBIN, for the statement he has just made. I know it has been a very difficult period of time for him. Which one of us has not erred? Which one of us, particularly in public life, has not said something that didn't come out exactly as we intended it to and certainly had an impact we never could have imagined?

When I first heard about what Senator DURBIN said last week, and I heard some people at home in Connecticut who were agitated by it, I said: I know DICK DURBIN. I know he would never really compare the suffering of people in the Nazi concentration camps or the Soviet gulag or under Pol Pot to what is happening in Guantanamo, as much as he is concerned and has criticized some of what we have learned, including in the FBI report he cited. It is just not him. I know his character. I know his person.

Look, we have seen it today. It takes a big person to stand up and apologize on the floor of the Senate. He has done it. I just appeal to everyone now to move on. Let this be the end of this. Anyone who will continue to try to fester this some more is doing a disservice to the Senate and to our country. Senator DURBIN has made clear his regrets for what he said and the way it was misunderstood. He is a good man. He is an extraordinary Senator. He is a good friend. I thank him for the courage he showed in coming up and saying what is hard for us in public life, but we are no different than anybody else: I am sorry. I made a mistake.

To err is human, but it is also important to say that to forgive is not only divine, it ought to be human as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Parliamentary inquiry: Does the Senator from New Mexico have the floor?

The PRESIDING OFFICER. Yes.

Mr. DOMENICI. I believe that I could now argue against the pending amendment, but I choose at this point, if we could, because I made some arrangements that I don't think are inconsistent with the minority leader—not

agreements but arrangements—if we could let Senator INHOFE, who is now in opposition to the amendment, proceed, he would like to speak for 10 minutes.

Mr. REID. Mr. President, the Senator from New Mexico has the floor. I would like to speak for a couple minutes before that.

Mr. DOMENICI. And then could we go to Senator INHOFE for 10 minutes?

Mr. REID. I think maybe 5 more minutes, and then we will get to him.

Mr. DOMENICI. OK. This is an interesting moment. I don't want to object.

Mr. REID. We will be very quick.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. I ask unanimous consent that following my remarks, the Senator from California be recognized for 2 minutes.

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

Mr. REID. Mr. President, I have stated on a number of occasions publicly my great affection for my friend from Illinois. We came together to Congress. He has been a very close personal friend. I have such great admiration for him. He has been a great whip during the 5 months that I have been the leader. As we know, he has been a strong supporter of the troops. He has worked for the Guard and Reserve especially, more than anyone I know in the Senate. I know how hard it was for him to come and speak as he has today.

I have said things in the past that I wish I hadn't said. In the last 6 or 7 months, they have been noted more than in the past. So I certainly appreciate the strength and the courage of my friend from Illinois.

I also want to say a word about my friend who is not on the floor now, JOHN MCCAIN. He and I came to this body also with Senator DURBIN. He and I have been very close in seniority. He is one ahead of me because the State of Arizona is larger than the State of Nevada. That is what happened when we came to the Senate. For someone with his military background to say what he just said about Senator DURBIN is very typical for JOHN MCCAIN. Not only do I express my appreciation for the statement of my friend from Illinois but also for the statement of the Senator from Arizona. It was a very typical JOHN MCCAIN statement, and it shows that he is a person who speaks from the heart.

If I may impose on my friend from Oklahoma, the other Senator from Illinois is here. Senator FEINSTEIN has 2 minutes. May I give him 2 minutes?

Mr. INHOFE. No objection.

Mr. REID. I ask unanimous consent that following Senator FEINSTEIN, Senator OBAMA be recognized for 2 minutes.

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

The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank the Democratic leader and Senator INHOFE for this courtesy.

I don't think there is a Member of this body who hasn't gone to an event, made a speech, answered a question, advocated a cause, who hasn't said: Oh, I wish I had done it differently. I don't think there are any of us who haven't awoken the next morning and said: Gee, I really meant it, and I am sure it is going to be taken out of context, or they are going to think I meant this or that. I don't think there are any of us who haven't sometimes written letters to correct what we have said.

We know DICK DURBIN. We know he is patriotic. We know he cares about the men and women serving. And we know that he would do nothing to ever mean anything to the contrary.

I was very much taken by his remarks. More importantly, I was taken by the emotion behind the remarks. We have been having in the Judiciary Committee a legitimate debate on Guantanamo. Hearings have been held. Debate is taking place. That is healthy. That is what this system is all about. Senator DURBIN has played a role in that debate. I hope, too, that this will mark the end of it.

I thank, too, the Senator from Arizona for what he said. No one has a more distinguished military record than he. I also hope that everyone who has heard Senator DURBIN tonight recognizes his sincerity and his depth of concern. Let this be the end of it.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. OBAMA. Mr. President, I thank Senator INHOFE, Senator REID, and Senator DOMENICI for allowing me this time.

I know DICK DURBIN. I serve with him in Illinois. We have traveled together through the byways and highways of our great State. I have rarely met someone with greater dedication to ordinary Americans, a stronger belief in the greatness of this Nation, or a more longstanding commitment to public service as an expression of that patriotism than DICK DURBIN.

This recent episode obviously has pained him a great deal because although I am new in the Senate, one of the things I am discovering is that we have a tendency, perhaps because we don't share as much time on the floor as we should, perhaps because our politics seem to be ginned up by interest groups and blogs and the Internet, we have a tendency to demonize and jump on and make mockery of each other across the aisle. That is particularly pronounced when we make mistakes. Each and every one of us is going to make a mistake once in a while. We are going to say something unartful; we are going to say something that doesn't appropriately describe our intentions. And what we hope is that our track record of service, the scope of how we have operated and interacted with people, will override whatever particular mistake we make.

Senator DURBIN has established himself as one of the people in this Chamber who cares deeply about our veterans and our troops. He hasn't just talked the talk, he has walked the walk. I have been distressed to see my partner from Illinois placed in the situation in which he has been placed. I am grateful he had the courage to stand up and acknowledge that he should have said what he said somewhat differently. But I am also grateful that people, such as the distinguished Senator from Arizona and others, recognize this for what it was—a simple misstatement—and that now we can move on to talk about the substance of the issues that are of legitimate concern to this body, including making certain that when we operate institutions such as those at Guantanamo, we hold the United States to that high standard that all of us expect.

I yield the floor.

AMENDMENT NO. 826

The PRESIDING OFFICER (Mr. BURR). The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, first of all, I thank the leader for allowing me to get in about 10 minutes to respond to some of the things said about the McCain-Lieberman legislation. First of all, I know how sincere both Senators MCCAIN and LIEBERMAN are. They deeply believe in their cause.

However, as chairman of the Environment and Public Works Committee, I feel compelled to refute some of the things that have been said. So what I have done—and I think I can do this in a very short period of time—is look at some of the statements made and respond to them. Now, tomorrow, we will have enough time to get into a lot of details. I have charts I wish to show. I will give a full-blown presentation. For tonight, I will let my colleagues know there are a lot of things we should be looking at and not just assuming that everything that has been said is true. I know they believe it, but some of these things are not true.

First of all, the discussion on hurricanes—that hurricanes are going to be impacted in a way that will be detrimental and we are all going to blow away. Let's keep in mind that the same people who are talking about global warming and all of the catastrophic things are the same ones who were talking about gobal cooling about 25 years ago, saying that another ice age is coming, that we are all going to die. On hurricanes, according to Dr. Christopher Lansey, one of the foremost experts today on hurricanes, he said that hurricanes are going to continue to hit the United States on the Atlantic and gulf coast, and the damage will probably be more extensive than in the past, but this is due to natural climate cycles, which cause hurricanes to be stronger and more frequent and rising property prices on the coast, not because of any affect of CO_2 emissions on weather. He goes on to say that it is determined that the total number of Atlantic hurricanes making landfall in the United States decreased from the normalized trend of U.S. hurricanes. The damage reveals a decreasing rate. In other words, they are decreasing. Finally, contrary to the belief—this is Dr. Christopher Lansey—reducing CO_2 emissions will not lessen the impact of hurricanes.

We can say anything we want on the floor of the Senate. These are scientists. He says the best way to reduce the toll hurricanes will take on coastal communities is through adaptation and preparation. I believe that is true.

Second, they brought up the Arctic. I think when you look at some of the reports on the Arctic—I will quote from the report that was given before the Commerce Committee, Senator MCCAIN's Committee, at that time. He said:

Arctic climate varies dramatically from one region to another and, over time, in ways that cannot be accurately reproduced by climate models. The quantitative impacts of natural and anthropogenic factors remain highly uncertain, especially for a region as complex as the Arctic. In contrast to global and hemispheric temperatures, the maritime Arctic temperature was higher in the 1930s through the early 1940s than it was in the 1990s.

That contradicts everything that has been said about the Arctic. I will elaborate on this tomorrow.

It has been stated by one of the proponents of the McCain-Lieberman bill that there are modest costs involved. I will look at the impact. This is the CRA International analysis—not of S. 139 as it was before but as it has been pared down and supposedly will have less economic impact. They said that enacting McCain-Lieberman will cost the economy $507 billion in year 2020. Enacting McCain-Lieberman would mean a loss of 840,000 U.S. jobs in 2010. It will result in 1.306 million jobs in 2020. That is not just a domino effect. Enacting McCain-Lieberman would cost the average U.S. household up to $810 in 2020. The figure used before was $2,700 for the average family of four.

The NAS, a letter about the NAS, let's take a look at that. The National Academy of Sciences—and I will quote out of their report—said:

There is considerable uncertainty and current understanding of how the climate system varies naturally and reacts to emissions of greenhouse gases and aerosols.

Further quoting:

A casual linkage between the buildup of greenhouse gases and the observed climate change in the 20th century cannot be unequivocally established; thirdly, the IPCC—

That is the report of the International Panel on Climate Change of the United Nations.

Summary for policymakers could give an impression that the science of global warming is settled, even though many uncertainties still remain.

Again, that is the National Academy of Sciences.

The Senator from California brought up the hockey stick theory. I believe that deserves more time than we will have tonight. I plan on talking about this tomorrow because when Michael Mann came up with the whole hockey stick theory, he talked about projecting the temperatures over the period of time, until the 20th century came along, and then they went up and off the charts. What he neglected to say, I say to my friend from Connecticut, is that there was another blade to this hockey stick, and that was the blade there during the medieval warming period. It is pretty well established now that the temperatures during the medieval warming period were actually higher than they were during this century—the current blade he talks about. That is significant. We will have a chance to elaborate on that.

Finally, in the timeframe I have, I will say that when it is referred to that the Senator from Oklahoma will come up with some ''obscure'' scientist who might disagree, you are right, he will, because there are a lot of them out there who are pretty well educated. The Oregon Petition was made up of 17,800 scientists. I will quote from their report. They said:

There is no convincing scientific evidence that human release of carbon dioxide, methane, or other greenhouse gases is causing, or will in the foreseeable future cause, catastrophic heating of the earth's atmosphere and disruption of the earth's climate. Moreover, there is substantial scientific evidence that increases in atmospheric carbon dioxide produce many beneficial effects upon the natural plant and animal environments of the earth.

I think we are going to have an opportunity—at least I will—to talk about many of the other scientists. At least we have to come to the conclusion that there are uncertainties out there. I think the people who try to say the science is settled believe that if they keep saying the same thing over and over again, people will believe it. Quite frankly, there is a very friendly media to the alarmists, those who want to believe there is a real serious problem that, No. 1, the climate is changing; and, No. 2, the changes are due to anthropogenic gases or manmade gases, when, in fact, the science is not settled.

I believe this is very important for people to realize. People might ask the question, If the science is not settled and if there is that much of an economic problem with this, then what could be motivating people to be so concerned about our signing on to the Kyoto treaty? Margot Wallstrom is the EU Environment Commissioner. She said that Kyoto is about the economy, about leveling the playing field for big business worldwide. Another hero to some, Jacques Chirac, had a lot to say when he weighed in. Talking about it has nothing to do with climate change, he said that Kyoto represents the first component of an authentic global governance.

There are people who are motivated by wanting to effect economic damage to our country. Tomorrow, we will have opportunity to cover in much more detail the fact that there is another side to this story.

I yield the floor.

The PRESIDING OFFICER (Mr. BURR). The senior Senator from Ohio.

Mr. DEWINE. What is the pending business?

The PRESIDING OFFICER. The current business is amendment No. 826 offered by the Senators from Arizona and Connecticut.

Mr. DEWINE. I yield to my colleague from New Mexico.

Mr. DOMENICI. Mr. President, I have already told the minority what I was going to do if I can get an understanding. Senators DEWINE and KOHL want to offer an amendment. I ask them if they could complete their amendment—allowing the Senator from New Mexico 1 minute—in 6 minutes between the two.

Mr. DEWINE. We can certainly do whatever the Senator would like us to do.

Mr. DOMENICI. I am not trying to tell you; I am asking if you can do that.

Mr. DEWINE. Yes.

Mr. DOMENICI. That will be voice voted, however it turns out. Then we are going to proceed, without objection, to Senator VOINOVICH, who has an amendment which has been circulated for a while. He desires to debate that amendment and have a rollcall vote, correct?

Mr. VOINOVICH. Yes.

Mr. DOMENICI. If anybody wants to speak in opposition, I will ask that they have 1 minute and that you have 6 minutes on your side. Is that satisfactory?

Mr. VOINOVICH. Yes.

Mr. DOMENICI. Mr. President, I ask unanimous consent for that.

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

Mr. DOMENICI. I ask that it be in order to ask for the yeas and nays now for the Voinovich amendment when it is appropriately before the Senate.

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. DOMENICI. We can proceed with the rest of the consent agreement, and then we are back on the Senator's amendment. If I failed to ask that the McCain-Lieberman be temporarily set aside while this is occurring, I so request.

The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. Mr. President, let me understand the unanimous consent agreement. The pending amendment would be set aside.

The PRESIDING OFFICER. Senator DEWINE and Senator KOHL will be recognized for 6 minutes.

Mr. MCCAIN. And Senator VOINOVICH will be recognized, and we will have a vote following that; is that correct?

The PRESIDING OFFICER. That is correct. And one addition; the Senator from New Mexico wants 1 minute to speak.

Mr. MCCAIN. Now I understand.

Mr. DOMENICI. I thank the Senator. I am sorry I did not make it clear enough. I yield the floor.

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

The senior Senator from Ohio is recognized for 6 minutes.

AMENDMENT NO. 788

Mr. DEWINE. Mr. President, I send to the desk amendment No. 788.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Ohio [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, proposes an amendment numbered 788.

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

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

The amendment is as follows:

(Purpose: To amend the Sherman Act to make oil-producing and exporting cartels illegal)

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 antitrust 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.''.

Mr. DEWINE. I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DEWINE. Mr. President, today I join my colleague, Senator KOHL, and 16 cosponsors to offer the No Oil Producing and Exporting Cartels Act of 2005 to the Energy bill. This amendment would give the Department of Justice and the Federal Trade Commission legal authority to bring an antitrust case against the Organization of Petroleum Exporting Countries.

We need this amendment because, simply put, gas and oil prices are too high, and it is time that we do something about it. Every consumer in America knows that gasoline prices are simply too high.

What is the cause? There are a number of causes, but certainly one of them, the primary cause, is the increase in imported crude oil prices. Who sets these prices? OPEC does. The unacceptably high price of imported crude oil is a direct result of price fixing by the OPEC nations to keep the price of oil unnaturally high.

What this amendment does is to give the executive branch permission or authority—it does not compel them to do it—it gives them authority to file under our antitrust laws against OPEC. If this was any other business, if this was any business in this country or any other international business, they could be filed against. What this amendment simply does is it makes it very clear that they come under our antitrust laws.

It is the right thing to do. I ask my colleagues to adopt the amendment.

Mr. President, I yield to my colleague, Senator KOHL.

Mr. KOHL. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator from Wisconsin has 3 minutes 50 seconds.

Mr. KOHL. Mr. President, I rise to offer, with Senator DEWINE, an amendment which will authorize our Government, for the first time, to take action against the illegal conduct of the OPEC oil cartel. Indeed, it is time for the U.S. Government to fight back on the price of oil and hold OPEC accountable when it acts illegally. This amendment, identical to our NOPEC bill, which passed the Judiciary Committee unanimously three times over the past 5 years, most recently this past April, will enable our Government to hold OPEC member nations to account under U.S. antitrust law for illegal conduct in limiting supply and fixing prices in violation of the most basic prices of free competition.

Let me tell you what our amendment does and what it does not do. What it does is it simply authorizes our Government to take legal action against OPEC member nations to participate in a conspiracy to limit the supply or fix the price of oil. But this amendment will not require the Government to bring legal action against OPEC member nations. This decision will remain entirely in the discretion of the executive branch. Private suits are not authorized. All our amendment will do is give our law enforcement agencies a tool to employ against the OPEC oil cartel. The decision whether to use this tool will be entirely up to the administration. They can use this tool as often as they see fit, however they see fit to file a legal action, to jawbone OPEC in diplomatic discussions, or defer from any action should they judge foreign policy or other considerations that warrant it.

The most fundamental principle of a free market is that competitors cannot be permitted to conspire to limit or fix price. There can be no free market without this foundation, and we should not permit any nation to flout this fundamental principle.

There is nothing remarkable about applying U.S. antitrust law overseas. Our Government has not hesitated to do so when faced with the clear evidence of anticompetitive conduct that harms American consumers. If OPEC were a group of international private companies rather than foreign governments, their actions would be nothing more than an illegal price-fixing scheme. But OPEC members have used the shield of sovereign immunity to escape accountability for their price fixing. The Foreign Sovereign Immunities Act, however, already recognizes that the commercial activity of nations is not protected by sovereign immunity. And it is hard to imagine an activity that is more obviously commercial than selling oil for profit as OPEC nations do.

The suffering of consumers across our country in the last year demonstrates yet again that this legislation is necessary. Our amendment will have, at a minimum, a deterrent effect on nations that seek to join forces to fix oil prices to the detriment of consumers. It will force OPEC member nations to face substantial and real antitrust sanctions should they persist in their illegal conduct.

Before yielding the floor, I want to express my gratitude to my good friend and colleague, Senator DEWINE, for all his efforts over the past 5 years on this important measure. I also wish to thank the many cosponsors who have joined us on this amendment, including the chairman and the ranking member of the Judiciary Committee.

I thank the Chair. I yield the floor.

Mr. LEAHY. I am proud to cosponsor this amendment, as I have been glad to cosponsor the ''No Oil Producing and Exporting Cartels Act,'' which we have been working to pass since 2001. I commend our lead sponsors Senators DeWine and Kohl.

I wish that we could have considered and passed this bill, S. 555, on its own. This bill passed out of the Judiciary Committee with overwhelming support earlier this year. I have repeatedly called for its consideration by the Senate over the last several months.

In the face of crude oil prices over $55 a barrel and gas prices at historic and sustained high levels, and in the face of determined inaction by the White

House, we must seize whatever opportunity presents itself.

It is long past time for the Congress to hold OPEC accountable for its anticompetitive behavior. This amendment will prevent the U.S. from being at the mercy of the OPEC cartel by making them subject to our antitrust laws. It will allow the Federal Government to take legal action against any foreign state, including members of OPEC, for price fixing and other anticompetitive activities.

In March of 2004, more than a year ago, I wrote Senator HATCH to request a hearing about the skyrocketing cost of gasoline. In that letter, I raised concerns that this increase was largely due to market manipulation by OPEC, and I cited the high average price for a gallon of gasoline, which at the time was around $1.74. Many of us would today consider that price a bargain, having been forced to pay over $2.00, and even more this year. At that hearing, witnesses told us what we had suspected to be true: The price of crude oil, determined by OPEC's artificial production quotas, is the factor that most explains the price Americans pay at the pump.

The artificial pricing scheme enforced by OPEC affects all of us. This week, Vermonters were paying $2.10 for a gallon of regular gasoline, just three cents below the national average. These prices affect everyone. Higher fuel prices can add thousands of dollars in yearly costs to a 100-head dairy operation in the Northeast. And as our summer months approach, many families are going to find that OPEC has put an expensive crimp in their plans. Some are likely to stay home—others will pay more to drive or to fly so that they can visit their families or take their well-deserved vacations.

Rising interest rates are also adding to the burden felt by working Americans. Pension insecurity is another catastrophe for some and a looming specter for too many others. Millions of Americans who trusted that the pensions they were promised by their employers would be there for them when they retired are being shocked by rulings in bankruptcy cases that let their employers off the hook and turn their pension security into a hollow promise.

Congress needs to do more. The administration needs to do more. Authorizing action against illegal oil price fixing and taking that action without delay is one thing we can do without additional obstruction or delay.

Last month, as some Republicans were pushing this body to the brink of the so-called nuclear option, Americans were thinking not about the handful of controversial judicial nominees on which the Senate was fixated, but about the pinch they feel at the pump every time they fill up their cars. A survey by the Pew Research Center for the People & the Press showed that Americans were following news about gasoline prices more closely than any other story, including the ongoing conflict in Iraq. It is long passed the time for walking hand-in-hand with Saudi princes and exchanging kisses with those who are responsible for the artificially high prices that are gouging American working families at the pump.

The President's solution to high gasoline prices this summer is to open the Arctic National Wildlife Refuge, pristine wilderness area, to oil drilling. The only catch is drilling in ANWR will not provide any new oil for at least 7 to 12 years. ANWR drilling will do absolutely nothing to help my constituents who have sticker shock at the gas pump or will be facing record-high home heating prices in a few months.

This amendment will provide law enforcement with the tools necessary to fight OPEC's anticompetitive practices immediately, and help reduce gasoline prices now, rather than waiting for another decade.

Again, I am pleased to support this amendment and urge my colleagues to maintain it in the final version of the bill. After the years of Judiciary consideration, including a hearing on this topic, after twice reporting the measure to the Senate, it is time for Senators to finally say ''no'' to OPEC.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. DEWINE. Mr. President, is there any time remaining?

The PRESIDING OFFICER. There is 20 seconds.

Mr. DEWINE. Mr. President, this is what our bill says: When you want to do business with America, you must abide by our antitrust laws and rules of the free market. When OPEC one day abides by the rules of the free market, we will all see lower oil and gas prices. That is what this amendment is about.

I yield the floor. I thank Senator DOMENICI.

The PRESIDING OFFICER. All time has expired. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, obviously I am letting this amendment proceed, but, frankly, I do not think the amendment should be on this bill. I do not think it could ever become law. The United States has never done this. These are sovereign nations, and for us to decide here on the Senate floor that we are going to establish some new forum for jurisdiction and litigation against the OPEC cartel is nothing short of incredible.

Nonetheless, I do not question the goodwill and the authenticity of the two Senators in their approach. They do not insist on a rollcall vote, and I will not insist on one. We will, therefore, have a voice vote. I hope those who are listening to this and see what we do understand that the Senate does things different ways at different times.

After the amendment is adopted by voice vote, I will tell the Senate and those interested what is going to happen to the amendment.

I yield the floor and suggest that we vote.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 788.

The amendment (No. 788) was agreed to.

Mr. DOMENICI. 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. DOMENICI. Mr. President, we are going to proceed to the Voinovich amendment. I thank Senator DEWINE for accommodating us tonight and for his good intention. I wish we could do something and accomplish what he wanted to do today. I want everybody to know because we had a voice vote and accepted this amendment, we will go to conference with the House. It should be clearly understood that the House does not have anything like this. I want everybody to know that this amendment is going to have to be bundled up with this bill. Those are the rules. But it might get lost between the floor and the time we get over to the Senate, and we may not be able to find it when we get over there, just so everybody understands what the fate of this amendment is. But it has been adopted.

I yield the floor.

The PRESIDING OFFICER. The junior Senator from Ohio.

AMENDMENT NO. 799

Mr. VOINOVICH. Mr. President, I wish to make a brief statement before we vote on the Voinovich, Carper, Feinstein, Jeffords, Hutchison, Stevens, Clinton, Obama, Lautenberg, DeWine, Levin, and Alexander amendment. It is based on the Diesel Emissions Reduction Act of 2005, S. 1265. That bill is cosponsored by the Environment and Public Works Committee chairman, JIM INHOFE, Ranking Member JEFFORDS, Senators TOM CARPER, JOHNNY ISAKSON, HILLARY CLINTON, KAY BAILEY HUTCHISON, and DIANNE FEINSTEIN.

The bill was developed in close consultation with a strong and diverse group of environmental, industrial, and public officials. The groups range from the Environmental Defense, to the Union of Concerned Scientists, to the Associated General Contractors of America, to the Engine Manufacturers Association, to the Chamber of Commerce, to the National Conference of State Legislators.

The cosponsors and these groups do not agree on many issues, which is why this amendment is so special. It is focused on improving air quality and protecting public health. It establishes voluntary national and State level grant and loan programs to promote the reduction of diesel emissions. It authorizes $1 billion over 5 years, $200 million annually.

Onroad and nonroad diesel vehicles and engines account for roughly one-half of the nitrogen oxide and particulate matter mobile source emissions nationwide, and diesel retrofits have proven to be one of the most cost-effective emission reduction strategies. The

bill has a 13-to-1 cost-benefit ratio. Spectacular.

This would help bring counties into attainment with new air quality standards by encouraging the retrofitting and replacements of diesel engines.

The Diesel Emissions Reduction Act of 2005 enjoys broad bipartisan support and is needed desperately. I urge my colleagues to vote for this amendment.

Mr. President, I would like to now yield the remainder of my time to my longstanding good friend, Senator CARPER, and say it is wonderful to be on the floor of the Senate cosponsoring with him an amendment that has such broad support.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I thank the Senator for the leadership he has shown on this particular issue to unite environmental groups and business groups, people from the Republican chairman of our Environment and Public Works Committee, to the junior Senator from New York on our side. It is a remarkable coalition that has been put together in a very short period of time.

With respect to diesel engines, there is good news and bad news. The good news is that diesel engines last a long time. The bad news is that old diesel engines that are still on our highways and roads last a long time. In fact, there are about 11 million of them. While next year our new EPA requirements for lean-burn, clean-burn diesel engines—so-called tier 2 standards—kick in and requirements for lower sulfur content diesel fuel kick in, we have 11 million older diesel vehicles, some of which will be around until 2030 belching out nitrogen oxide.

Half the nitrogen oxide we emit comes from these 11 million diesel engines—school buses, regular buses, boats, locomotives, trucks. That is where half of our nitrogen oxide emissions come from. It causes fog, and the particulates that come out of our diesel engines lead to all kinds of lung diseases in people young and old. That is the bad news.

There is some more good news. The good news is we can do something about it. Senator VOINOVICH and others said the thing to do is create a partnership with the Federal Government, State government, EPA, and some of the private sector folks to put in place retrofit devices on these older diesel engines to reduce emissions of nitrogen oxide and particulate, in some cases, by as much as 85 percent.

It is cost effective. The effect will be immediate. We do not have to wait until 2030 until these vehicles are off the road to start cleaning up our engines.

The last thing I will say is good environmental policy can also be good business policy. Companies such as Corning, Cummings, Caterpillar are making these devices and installing these devices, and they will do a whole lot more in the days to come. They will make money, a profit, from doing this. They will create products that can be exported, not jobs but products that can be exported to other parts of the world.

We will have cleaner air and, frankly, a stronger economy. That is a great win-win situation for all of us. I am delighted Senator VOINOVICH proposed this. I am delighted to join him as a principal sponsor on our side and anxious to get this vote recorded.

My hope is that maybe we can actually pass this unanimously. That would be a wonderful thing for our country and a good thing for this bill. I thank my friend from Ohio for yielding this time and providing such terrific leadership.

Mr. LEVIN. Mr. President, I am pleased to join my colleague from Ohio as a cosponsor of this important amendment to improve air quality and public health by reducing emissions from diesel engines.

I believe that this amendment will take important strides not only toward the stated goal of reducing emissions but also in making advanced clean diesel technology more viable in the United States. Diesel engines now can increase fuel economy by as much as 25 to 40 percent. If we can do that—and do it without harmful tailpipe emissions—we could make significant progress toward improving overall fuel economy and reducing our oil consumption.

This bipartisan amendment would establish national and State grant and loan programs to promote reduction of diesel emissions. The amendment authorizes $200 million annually for 5 years to fund programs that will help us to replace older diesel technology with newer, cleaner diesel technology. The grant program, which will be administered by the Environmental Protection Agency, has the potential to result in significant reductions in diesel particulate matter and help communities in meeting national ambient air quality standards.

Under this amendment, 70 percent of the funds available would be to provide grants and low-cost revolving loans on a competitive basis for retrofit of buses, heavy duty trucks, locomotives, or non-road engines to help achieve significant emissions reductions particularly from fleets operating in poor air quality areas. The remaining 30 percent of the funds would go for grant and loan programs administered by states.

The important steps that will be taken by these programs offer great promise for reducing diesel emissions and making clean diesel a commercially viable advanced vehicle technology in the U.S. Our friends in Europe have taken advantage of the opportunities that diesel offers for improving fuel economy and reducing oil dependence. We have not been able to do so here in the U.S. because of our concerns about tailpipe emissions. Initiatives such as those included in this amendment will help the U.S. to develop advanced diesel technology that will be able to meet our emissions standards in a cost-effective manner.

I am pleased to join my colleagues today in supporting this amendment.

Mr. INHOFE. Mr. President, I rise in support of the Voinovich amendment on diesel emissions reductions. I am an original cosponsor of the legislation which is the same as this amendment. I agree with the intent of this amendment, I believe it is helpful to provide a voluntary national and state-level grant and loan program to promote the reduction of diesel emissions. However, I am concerned that this proposal is being rushed through the process without the benefit of consideration by the committee of jurisdiction, the Environment and Public Works Committee, which I chair.

I would prefer, prior to Senate action, that the Environment and Public Works Committee conduct legislative hearings on the issue, and ensure that the program design meets its goals in a cost-effective manner. I am concerned about the $1 billion cost of the program and I believe the goals might be accomplished with a smaller sum. I also believe that if this amendment is adopted, it needs to be reconciled with section 723 of this bill. I hope these issues will be given consideration as this legislation is reconciled with the House of Representatives.

The PRESIDING OFFICER. Is there further debate?

Mr. DOMENICI. I did not hear. Pardon me. What is the question?

Mr. CARPER. I have no question.

Mr. DOMENICI. Are we finished? Is the Senator finished with his time?

The PRESIDING OFFICER. Is there further debate?

Mr. DOMENICI. I understand that there is no further time. I am supposed to sit down. We are not supposed to ask for a motion, say we move to proceed, we just sit down, and then the Chair does it.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 799. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from South Dakota (Mr. THUNE).

Mr. DURBIN. I announce that the Senator from North Dakota (Mr. CONRAD), the Senator from North Dakota (Mr. DORGAN), the Senator from Vermont (Mr. JEFFORDS), the Senator from South Dakota (Mr. JOHNSON), the Senator from Massachusetts (Mr. KERRY), and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

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

The result was announced—yeas 92, nays 1, as follows:

[Rollcall Vote No. 145 Leg.]

YEAS—92

Akaka	DeWine	McConnell
Alexander	Dodd	Mikulski
Allard	Dole	Murkowski
Allen	Domenici	Murray
Baucus	Durbin	Nelson (FL)
Bayh	Ensign	Nelson (NE)
Bennett	Feingold	Obama
Biden	Feinstein	Pryor
Bingaman	Frist	Reed
Bond	Graham	Reid
Boxer	Grassley	Roberts
Brownback	Gregg	Rockefeller
Bunning	Hagel	Salazar
Burns	Harkin	Santorum
Burr	Hatch	Sarbanes
Byrd	Hutchison	Schumer
Cantwell	Inhofe	Sessions
Carper	Inouye	Shelby
Chafee	Isakson	Smith
Chambliss	Kennedy	Snowe
Clinton	Kohl	Specter
Coburn	Kyl	Stabenow
Cochran	Landrieu	Stevens
Coleman	Leahy	Sununu
Collins	Levin	Talent
Cornyn	Lieberman	Thomas
Corzine	Lincoln	Vitter
Craig	Lott	Voinovich
Crapo	Lugar	Warner
Dayton	Martinez	Wyden
DeMint	McCain	

NAYS—1

Enzi

NOT VOTING—7

Conrad	Johnson	Thune
Dorgan	Kerry	
Jeffords	Lautenberg	

The amendment (No. 799) was agreed to.

Mr. DOMENICI. 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.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, we are not going to have any additional votes tonight. That is the first announcement I would like to make. But I also would like to suggest that, while the principal amendment, in terms of time tomorrow, is the McCain-Lieberman amendment on global climate change, there are now a number of amendments that are percolating up on the Democratic side predominantly. We are unable yet to come up with a list, but we are trying.

It seems the distinguished Senator from New York, standing right in front of me, might have one we could go with rather quickly in the morning and perhaps the Senator from California, but I have to consult both with Senator BINGAMAN, obviously, and others.

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. ENZI. 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. ENZI. Mr. President, I am here to speak on the importance of a national energy policy and to express my staunch opposition to the inclusion of an amendment offered by my colleagues from Arizona and Connecticut that creates a mandatory carbon cap and trade program.

Before doing so, however, I want to take a moment to thank the chairman of the Energy and Natural Resources Committee, Senator DOMENICI, for his hard work on the bill. Senator DOMENICI has worked exceedingly hard to craft truly bipartisan consensus legislation. I commend him for that work. I commend everyone that has worked on this bill under his direction. It is extremely important we have an energy policy.

I remember 1973 when OPEC shut off the supply. We had gas lines for what little natural gas there was. At that time, the seat I now hold was held by Senator Cliff Hansen from Wyoming. He expressed the need for an energy policy. Ever since that time we have been talking about the need for an energy policy. Now is the time we can have an energy policy. Let's finish the job.

From the time I was first elected to be the mayor of Gillette, WY, during the energy boom years of the 1980s, I have advocated the need for a comprehensive national energy policy. I come to the Senate today as a strong advocate for such a policy and to share my support for the version of the bill pending before the Senate. We have debated the merits of a comprehensive Energy bill for years. We have come close to passing an Energy bill on a number of occasions. At the end of the day, however, the Congress has not made those discussions a reality and our inaction has caused the energy situation in our Nation to worsen.

Oil prices have reached nearly $60 a barrel, more than double what they were in 2000. Unfortunately, as our demand for gasoline has increased, our Nation's refining capacity has not. This has led to record-high gasoline prices, and while high natural gas prices have helped my State, they continue to have damaging effects on consumers across the Nation.

Without a comprehensive national energy strategy, there is no end in sight for the problems we see. The high energy prices that are hurting small business will continue to make increased investment in those businesses difficult. The high energy prices that limit the ability of families to go on vacations will continue to make those trips more and more rare. The high energy prices that make it difficult for lower income people to pay their bills each month will continue to price them out of proper heating in the winter and proper cooling in the summer.

Never before has there been a time when it is more appropriate for Congress to act. Before the Senate, we have a comprehensive Energy bill that is a step in the right direction. This bill balances the need for increased domestic production while maintaining a commitment to environmental protection and energy conservation. It will help reduce our dependence on foreign sources of oil and will enhance our energy security.

This bill provides a blueprint for future energy production. At the same time, it addresses our energy needs of today. In its current form, the bill recognizes that the production of energy and the protection of environment are not mutually exclusive. It recognizes we can grow our economy and conserve energy.

Specifically, I am pleased this bill includes a number of important provisions that support and promote clean coal development. Coal is an extremely important resource in Wyoming and throughout our Nation. We have as many Btu's in coal in Wyoming as the Middle East has in oil. Wyoming has the largest coal reserves in our Nation. In fact, the county in which I served as a mayor has more coal than most foreign countries. Thus, any comprehensive energy solution that seeks to lessen our dependence on foreign energy sources must make coal a central part of the discussion.

Recognizing this, H.R. 6 authorizes $200 million per year for fiscal years 2006 through 2014 to be spent on clean coal technologies. It also incorporates a number of necessary changes to the Mineral Leasing Act to promote the development of our Federal coal resources.

The bill also repeals the Public Utility Holding Company Act of 1935, also known as PUHCA. PUHCA was enacted to eliminate unfair practices and other abuses by electricity and gas holding companies by requiring Federal control and regulation of interstate public utility holding companies. In 1935, that made sense. But today, with the oversight by the Federal Energy Regulatory Commission, by State public utility commissions, by the Department of Justice, and by the Federal Trade Commission, what was once a useful and necessary tool now unnecessarily stands as a barrier to increased investment in transmission capacity.

I am pleased that the tax title of the bill includes a provision to address our Nation's need for increased refinery capacity. I am pleased that it promotes increased investment in renewable technologies, such as wind power and hydrogen. There is no question that we need to pass the energy bill we are debating because it will truly benefit our nation.

While I support this bill as it is currently written, the amendment that is currently pending would have a disastrous effect on our economy and would ignore principles that the Senate laid out in previous debates dealing with the issue of climate change. Passage of an amendment like the one before us, that would implement a mandatory carbon cap-and-trade program, would jeopardize my support of the overall bill. I want to take a moment to share my staunch opposition to that amendment.

Climate change is a topic that we have debated for years. This topic should be familiar to us. Nonetheless, it is important to share a historical

perspective about where the Senate stands on climate change and to make clear that the proposal we are discussing, which implements a mandatory carbon cap-and-trade program, flies in the face of the Senate's stated position on global climate change.

I took advantage of the opportunity to go to Kyoto for the global climate change conference that was held there. At that conference, the Kyoto Protocol was drafted. One of the things I noticed when I got to the conference was that the United States was the only country there that thought it was an environmental conference. The rest of the world approached it as an economic conference, one where they had an opportunity to slow down the U.S. economy and allow for growth in their nations.

On the other hand, we approached it as an environmental conference. In doing so, we laid out some strict guidelines for our delegation to work within as they tried to reach an agreement. Unfortunately, on the last night some of those were compromised. The United States made some agreements that would be impossible for us to ever meet.

Before the debate first began in Kyoto about the need to control carbon emissions—that was in 1997—the Senate made a clear and direct statement of principle on that subject. When it came to negotiations on climate, we stated that any agreement that did not treat all nations, both developed and developing, equally was unacceptable. We also made it clear that we would not support an agreement that would cause serious harm to our economy. By a vote of 95 to 0, on July 25, 1997, the Senate approved the Byrd-Hagel resolution that explicitly stated the Senate's position.

The Byrd-Hagel resolution addressed the concerns of those who believe that a global climate change policy would ''result in serious harm to the United States economy, including significant job loss, trade disadvantages, and increased energy and consumer costs.''

It also addressed concerns that any effort to reduce global emissions would be imposed only on developed nations, ignoring developing nations where emissions would continue to rise without any effective controls. Let me repeat that again. We would oppose any efforts to reduce global emissions that would be imposed only on developed nations, ignoring the developing world where emissions would continue to rise without any effective controls.

Now, the Senate agreed to take this position in the 105th Congress. Since that time, nothing has changed. The science behind global climate change remains uncertain. The modeling that many used to ''prove'' that climate change exists remains fatally flawed. Yet we continue to have the same debate year after year.

We ignore the fact that the Bush administration has taken steps to reduce our carbon emissions. We ignore the fact that as a nation we are doing better than nearly every European signatory of the Kyoto Protocol when comparing greenhouse gas intensity reductions.

We also ignore the fact that climate change is a global problem. Unless we engage the developing world, whatever reductions we have in the United States will not improve the situation on a global scale.

We are just a couple of years from having China exceed the emissions that we have in the United States. They will do so without any of the environmental safeguards that we have already put in place.

When I was at the Kyoto conference, I had an opportunity to meet with the Chinese delegation. I had a couple things that I was interested in: One, why they thought, as a developing nation, they should not have to do anything to address climate change; and, just as importantly, at what point they thought they would no longer be a developing nation so they could participate in this.

They let me know they expected to always be a developing nation and to never have a part in the Kyoto Protocol. It is pretty easy to sign something that you do not have to do anything on, especially when it will force one of your main economic competitors to comply and reduce their production.

Then, I even asked: Is there any time at some future, unspecified date that you would be willing to participate? They said no. That is as loose as you can make it: some future, unspecified date. And they are not interested in participating.

Not only is the rest of the developing world not participating. The biggest polluter—in a couple of years—is not going to be a part of any of the action to reduce carbon emissions in the world.

Now, instead of working to improve the science and to improve technologies that will inevitably reduce the amount of carbon released into the atmosphere, a number of my colleagues focus on the need for a mandatory carbon cap-and-trade system. They focus on implementing what can only be described as another energy tax. Such a tax will cause the United States to lose jobs and will shift production to other parts of the world where the environmental standards are not as strict. Instead of having the effect of lowering the amount of carbon that seeps into our atmosphere, the effect will be the opposite as those developing nations allow for production without any environmental controls.

Yet, without sound science, without sound economics, and without the developing world, some Senators continue to insist that we must implement a cap-and-trade system in the United States.

As stated by the Cooler Heads Coalition:

> The risks of global warming are speculative; the risks of global warming policy are all too real.

The proposal offered by my colleagues from Arizona and Connecticut ignores the principles expressed in the Byrd-Hagel resolution. Passage of their mandatory cap-and-trade proposal will dramatically harm our economy at home without incorporating the developing world. It would lead to a drastic increase in transportation costs and home electricity costs. It would be costly for small business owners, and it would cause manufacturers to pay even more than they already do for natural gas.

Overall, according to the Independent Energy Information Administration, the Nation's energy costs would increase between $64 billion and $92 billion in 2010, between $152 billion and $214 billion by 2020, and between $220 billion and $274 billion in 2025.

My constituents simply cannot afford to have us enact such legislation. If we, as a Senate, really want to stand for improving global conditions, then we need to stand behind the principles of the Byrd-Hagel Resolution, as we did earlier this afternoon when we voted in favor of an amendment offered by the Senator from Nebraska. His legislation took a technology-based approach at home and encouraged the spread of the technology to the developing world. It made sound environmental and economic sense, and I voted in favor of that proposal.

While I oppose the pending amendment on policy alone, I think it is important for my colleagues to recognize the overall impact of including the current amendment in the Energy bill. Passage of this proposal has the potential to derail this important legislation. The Senate and House versions of the Energy bill are very different, and even without a climate change amendment, the conference with the House will be difficult. The addition of a mandatory carbon cap and trade program could be the poison pill that brings this Energy bill to a halt.

Why are we going to risk derailing a comprehensive Energy bill to implement a system that will harm our economy and will have little effect on the amount of carbon emissions released into the atmosphere? Why are we moving forward with something when the science behind the proposals remains unproven and the models used to prove that science remain flawed?

We must consider all of these issues as we cast our vote on this amendment. I will be opposing it, and I will urge other Members to do the same.

It is important to note, that although I oppose any attempt to include a mandatory carbon cap-and-trade program in the Energy bill, I strongly support the overall Energy bill. Comprehensive energy policy will undoubtedly benefit our Nation, and I look forward to working with my colleagues to finally make this legislation a reality.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

Mr. REID. I ask unanimous consent that the pending amendment be set aside.

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

AMENDMENT NO. 839

Mr. REID. Mr. President, on behalf of Senator LAUTENBERG, I call up amendment No. 839 and ask that once it is reported by the clerk, it be set aside.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. LAUTENBERG, proposes an amendment numbered 839.

The amendment is as follows:

(Purpose: To require any Federal agency that publishes a science-based climate change document that was significantly altered at White House request to make an unaltered final draft of the document publicly available for comparison)

At the appropriate place, insert the following:

TITLE —SAVE CLIMATE SCIENCE

SEC. —01. SHORT TITLE.

This title may be cited as the ''Save Climate Scientific Credibility, Integrity, Ethics, Nonpartisanship, Consistency, and Excellence Act'' or the ''Save Climate SCIENCE Act''.

SEC. —02. FINDINGS.

The Congress finds the following:

(1) Federal climate-related reports and studies that summarize or synthesize science that was rigorously peer-reviewed and that cost taxpayers millions of dollars, were altered to misrepresent or omit information contained in the underlying scientific reports or studies.

(2) Reports of such alterations were exposed by scientists who were involved in the preparation of the underlying scientific reports or studies.

(3) Such alteration of Federal climate-related reports and studies raises questions about the credibility, integrity, and consistency of the United States climate science program.

SEC. —03. PUBLICATION REQUIREMENT.

(a) IN GENERAL.—Within 48 hours after an executive agency (as defined in section 105 of title 5, United States Code) publishes a summary, synthesis, or analysis of a scientific study or report on climate change that has been modified to reflect comments by the Executive Office of the President that change the force, meaning, emphasis, conclusions, findings, or recommendations of the scientific or technical component of the study or report, the head of that agency shall make available on a departmental or agency website, and on a public docket, if any, that is accessible by the public both the final version and the last draft version before it was modified to reflect those comments.

(b) FORMAT AND EASE OF COMPARISON.—The documents shall be made available—

(1) in a format that is generally available to the public; and

(2) in the same format and accessible on the same page with equal prominence, or in any other manner that facilitates comparison of the 2 texts.

SEC. —04. ENFORCEMENT.

The failure, by the head of an executive agency, to comply with the requirements of section —02 shall be considered a failure to file a report required by section 102 of the Ethics in Government Act of 1978 (5 U.S.C. App.).

SEC. —05. ANNUAL REPORT BY COMPTROLLER GENERAL.

The Comptroller General shall transmit to the Congress within 1 year after the date of enactment of this Act, and annually thereafter, a report on compliance with the requirements of section —02 by executive agencies that includes information on the status of any enforcement actions brought under section 104 of the Ethics in Government Act of 1978 (5 U.S.C. App.) for violations of section —02 of this Act during the 12-month period covered by the report.

SEC. —06. WHISTLEBLOWER EXTENSION FOR DISCLOSURES RELATING TO INTERFERENCE WITH CLIMATE SCIENCE.

(a) IN GENERAL.—Subparagraphs (A) and (B) of section 2302(b)(8) of title 5, United States Code, are amended—

(1) in clause (i), by striking ''or'' at the end;

(2) in clause (ii), by adding ''or'' at the end; and

(3) by inserting after clause (ii) the following:

''(iii) tampering with the conduct of Federally funded climate-related scientific research or analysis, altering or omitting the findings of Federally funded climate-related scientific research or analysis, or directing the dissemination of climate-related scientific information known by the directing employee to be false or misleading,''.

(b) CONFORMING AMENDMENTS.—

(1) Section 1212(a)(3) of title 5, United States Code, is amended—

(A) by striking ''regulation, or gross'' and inserting ''regulation; gross''; and

(B) by adding at the end the following: ''or tampering with the conduct of Federally funded climate-related scientific research or analysis, altering or omitting the findings of Federally funded climate-related scientific research or analysis, or directing the dissemination of climate-related scientific information known by the directing employee to be false or misleading;''

(2) Section 1213(a) of such title is amended—

(A) in paragraph (1)—

(i) by striking ''or'' at the end of subparagraph (A);

(ii) by inserting ''or'' at the end of subparagraph (B); and

(iii) by inserting after subparagraph (B) the following:

''(C) tampering with the conduct of Federally funded climate-related scientific research or analysis, altering or omitting the findings of Federally funded climate-related scientific research or analysis, or directing the dissemination of climate-related scientific information known by the directing employee to be false or misleading;''; and

(B) in paragraph (2)—

(i) by striking ''or'' at the end of subparagraph (A);

(ii) by striking ''safety.'' in subparagraph (B) and inserting ''safety; or''; and

(C) by inserting after subparagraph (B) the following:

''(C) tampering with the conduct of Federally funded climate-related scientific research or analysis, altering or omitting the findings of Federally funded climate-related scientific research or analysis, or directing the dissemination of climate-related scientific information known by the directing employee to be false or misleading.''.

Mr. DOMENICI. Mr. President, I ask unanimous consent that when the Senate resumes consideration of the Energy bill tomorrow morning, Senator FEINSTEIN be recognized in order to offer an amendment relating to LNG; provided further that there be 60 minutes equally divided for debate, with no second-degree amendments in order prior to the vote in relation to the Feinstein amendment.

I further ask that following the debate on the Feinstein amendment, Senator BYRD be recognized in order to offer an amendment related to rural gas prices; provided further, that when the Senate resumes debate on the McCain-Lieberman climate change amendment, there be 3 additional hours for debate, with Senator MCCAIN or his designee in control of 90 minutes, Senator DOMENICI in control of 30 minutes, and Senator INHOFE in control of the remaining 60 minutes; further, that following that debate, the Senate proceed to a vote in relation to the McCain amendment and there be no second-degree amendments in order to the amendment prior to the vote. I understand this has been cleared.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, 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 that the order for the quorum call be rescinded.

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

CLOTURE MOTION

Mr. DOMENICI. Mr. President, we had another good day debating the amendments on this Energy bill, and we disposed of a number of them. We are going to return tomorrow with a lineup in the morning, and we are going to talk about that in a minute. We are going to have amendments relating to the LNG, liquefied natural gas, the world gas prices, to SUVs and the continuation of the climate change debate. Having said that, I remind everyone this is our second week of considering this bill. I am very pleased and thankful for the cooperation we have had on both sides of the aisle. Our leader has said on a number of occasions that we need to finish this bill this week. Therefore, on behalf of the majority leader, I now send a cloture motion to the desk to the underlying bill.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on H.R. 6, a bill to ensure jobs for our future with secure, affordable, and reliable energy.

Bill Frist, Pete Domenici, Lamar Alexander, Kay Bailey Hutchison, Jim DeMint, Michael Enzi, Ted Stevens, Larry Craig, Craig Thomas, Mike Crapo, Conrad Burns, David Vitter,

Richard Burr, Kit Bond, Wayne Allard, Jim Inhofe, Lisa Murkowski, George Voinovich.

Mr. DOMENICI. I ask unanimous consent that the live quorum be waived.

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

Mr. DOMENICI. For the information of all Senators, this vote will occur on Thursday. In the meantime, I expect another full day to tomorrow with votes throughout the day. The cloture vote Thursday will enable us to bring this debate to a close and have a final vote on passage of the Energy bill this week.

MORNING BUSINESS

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

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

JUVENILE DIABETES

Ms. LANDRIEU. Mr. President, I thought I would take a moment to acknowledge that here with us today around the Capitol are hundreds of young advocates for a cure for juvenile diabetes. There are three young women who came to my office a few moments ago: Dominique Legaux, Liz Kramm, and Laura Rutledge. I would like to take this opportunity to submit their letters for the RECORD. All of these letters call on us to focus on the challenges before so many of our young people with juvenile diabetes and call on us to explore the possibility of stem cell research on their behalf.

I thank the chairman. I ask unanimous consent these letters be printed in the RECORD.

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

DEAR SCHEDULER CENICOLA, thank you for talking the time to schedule a meeting between myself and Senator Landrieu. I know that you must be very busy, but your time will not be wasted scheduling this meeting. The continued research for juvenile diabetes is very important to me and I wish to convey this message to Senator Landrieu on June 21.

Many thanks,

DOMINIQUE LEGANX.

DEAR MS. AMY CENICOLA, my name is Liz Kramm and I am a children's delegate for JDRF's 2005 Children's Congress. Thanks so much for helping me set up a meeting with Senator Landrieu on the 21st of June.

Many thanks,

LIZ KRAMM.

DEAR MS. CENICOLA, my name is Laura Rutlege, I am eleven years old, and I am a 2005 Juvenile Diabetes Research Foundation Children's Congress delegate. I was diagnosed with Type One Diabetes when I was 17 months old. I suffer daily and deal with a lot of self-control and discipline. Thank you for helping me meet with Senator Landrieu on June 21!

Many thanks,

LAURA RUTLEDGE.

Ms. STABENOW. Mr. President, will my colleague yield for a question?

Ms. LANDRIEU. For one moment, yes.

Ms. STABENOW. Mr. President, I was going to ask a question relating to stem cell research. I had a wonderful group of young people from Michigan in my office as well. I commend the Senator from Louisiana for bringing up this issue. We have families here talking literally about saving lives and about hope for their children.

I am hopeful, as I am sure the Senator from Louisiana is, that we will, by July, have the opportunity to bring before this body the very important issue of stem cell research and have a vote by this body.

I thank my colleague from Louisiana.

Ms. LANDRIEU. Mr. President, I thank my colleague from Michigan. I yield the floor.

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

EXPLANATION OF ABSENCE

• Mr. DORGAN. Mr. President, I will be necessarily absent from the business of the Senate for a portion of today in order to attend the high school graduation ceremonies for my son. I will also necessarily be absent from the Senate beginning tomorrow afternoon and continuing into late afternoon Thursday, in order to join my colleagues from North Dakota and Minnesota to attend the hearings of the base-closing commission that are being held in Grand Forks, ND. I have notified the leadership of these expected absences.•

DEMOCRACY AND HUMAN RIGHTS EDUCATION IN MIDDLE EAST

Mr. CHAFEE. Mr President, I recently spoke on the floor about the Ninth Annual World Congress on Civic Education in Amman, Jordan sponsored by the Center for Civic Education. The purpose of that conference was to share information about successful education programs under the Civitas: An International Civic Education Exchange Program, an authorized program of the No Child Left Behind Act and one which is helping to strengthen democratization efforts throughout the world.

A recent news editorial in The Jordan Times supporting the goals of the conference and the outstanding work the Center for Civic Education and their international colleagues are doing in this strategic part of the world was welcome support. I ask unanimous consent that the editorial from The Jordan Times on Sunday, June 5, 2005, be printed in the RECORD.

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

[From the Jordan Times, Jun. 5, 2005]

CIVIC RESPONSIBILITY

Parents, teachers and official policy makers should be keeping a keen eye on an important congress taking place in Amman this week—the World Congress on Civic Education. But more importantly, they, and all citizens should be made aware of the work of the Jordanian Centre for Civic Education Studies (JCCES) and the Arab Civic Education Network (Arab Civitas)

In a nutshell, these organisations are teaching our children about being good citizens. They are teaching them about not only their rights as citizens. but also their responsibilities. They are teaching elementary school students to respect the basics of democracy by engaging them, through stories, on the concepts of responsibility, privacy, authority and justice.

To many, democracy, and all that it entails, is taken for granted. It never should be.

That Jordan brought back an elected Parliament in 1989 was a milestone in the process of the country's democratisation. And while that process has been confronted with obstacles that have contributed to its regression, one arena that can save and enhance it is educatlon.

It was therefore encouraging to hear Minister of Education Khalid Touqan address the opening plenary of the congress on behalf of Her Majesty Queen Rania and say that ''efforts are still being exerted to make democracy part of our daily life, in families, schools, public life and mass media.''

When the ministry accepted to introduce civic education as a separate subject in the Kingdom's schools, the first big step was taken. Today, the Project Citizen programme, being undertaken in schools as well as universities through the JCCES and Arab Civitas, is preparing generations of civic-minded citizens by educating them and involving them in problem-solving issues affecting their community and society, such as pollution, basic utilities, elections, the jobless rate and taxes. The programme helps instill a sense of community responsibility while educating the students on their rights.

It is precisely this sort of awareness that will help motivate citizens to vote for candidates who will fulfil their needs, not tribal members who will perpetuate the culture of ''waste.'' It is precisely this sort of programme that will help guarantee His Majesty King Abdullah's plan to bring local government back to the people and this time have it work.

This is why the JCCES and Arab Civitas projects and programmes must be supported and even extended to the larger community.

TRIBUTE TO SENATOR JIM EXON

Mr. LEVIN. Mr. President, it's an honor to pay tribute to a great man, a distinguished Senator, and a dear friend who passed away on June 10, Senator Jim Exon of Nebraska.

Last week, I joined several of my colleagues in attending his funeral in Lincoln, NE. It was inspiring to be with the people who knew him best and loved him most. Jim was a giant in Nebraska politics not because of the power he wielded but because of the respect and affection he had earned.

Jim Exon was a decent man, without pretension or prejudice. He spoke plainly. He called it like he saw it. He did what he thought was right, regardless of the pressure that might have been put on him. Jim laughed the same wonderful, booming laugh with Presidents as he did with the people back home. He was a large man, and he had a heart to match.