

Thus, we have the makings of a train wreck: The developing nations will not participate in a climate treaty that contains legally binding targets and timetables that apply to them. Yet, the U.S. Senate is unwilling to ratify a treaty that does not contain new commitments for developing countries.

There are other practical problems as well. Legally binding targets and timetables would be impossible to verify and enforce. For example, how does one measure the methane being produced by a rice paddy or landfill? How do you calculate the carbon dioxide being sequestered by a forest? While good scientific estimates can be offered, the legally binding nature of the controls might require greater precision. What kind of new strict and intrusive international regulatory regime would be needed for enforcement?

These are all questions that have not been answered in the rush toward Kyoto. Practically speaking, legally binding targets and timetables won't reduce global emissions. In addition, they present potentially insurmountable implementation problems, and would even kill the treaty. Thus, they endanger well meaning efforts to address the global climate issue.

If we want to keep the new treaty from becoming an international embarrassment as an environmental initiative, we should reconsider the rush to Kyoto and hammer out solutions that can really work.

So, you may ask—what can really work? How does one generate large amounts of carbon-free electricity for a growing economy here at home and a developing world abroad? There are two ways in the short term—hydropower and nuclear.

So what is our official U.S. policy toward hydropower? Domestically, we are studying tearing down a few dams out west. Environmental interests want to tear down, for example, the Glen Canyon Dam on the Colorado River in Northern Arizona in hopes of "restoring the natural wonder of the once wild Glen Canyon." In so doing, we would: Drain Lake Powell—a 252 square mile lake which guarantees water supplies for Los Angeles, Phoenix, and Las Vegas; Eliminate the source of carbon-free electricity for four million consumers in the Southwest; Scuttle a \$500 million tourist industry and the water recreation area frequented by 2.5 million visitors each year.

On the international front, we have refused to participate in efforts such as China's "Three Gorges Dam," a project that will produce electricity equivalent to thirty-six 500 megawatt coal plants.

Of course, all this makes no sense if you claim that carbon emissions are your preeminent environmental concern.

Let's turn to nuclear, which produces 22% of our electricity and about 17% of global electricity. The President says he will veto our nuclear waste bill, and that could cause some of our nuclear

plants to close prematurely as they run out of space for spent fuel. And we can't sell nuclear technology to China, something we hope to change in the very near future.

Well, you can't be anti-nuclear, anti-hydropower, and anti-carbon. Let's do the math: Coal produces 55% of our electricity, and our coal use is likely to decrease in the face of: A new climate treaty; the EPA's new air quality standards on ozone and particulate matter; the EPA's tightened air quality standards on oxides of sulphur and nitrogen; the EPA's proposed regional haze rule; and the possibility of a new EPA mercury emissions rule.

So if you knock coal out of the picture, what's next? Nuclear is in second place with 22% of our electrical generation. But as I mentioned, the President has threatened to veto our nuclear waste bill, and we haven't ordered a new nuclear plant since 1975. Moreover, if we can't recover "stranded costs" of nuclear power plants in the electricity restructuring effort, you can say goodbye to nuclear.

What's next? Hydropower produces 10%. But all of our large hydropower potential outside Alaska has been tapped, and as I mentioned earlier, the administration is entertaining notions of tearing down some dams.

What's next? Natural Gas produces 10% of electricity generation. Gas also emits carbon, although not as much as coal. So expect gas generation to increase, demand to rise, prices to increase and shortages to result from time to time. Does that sound like a solid strategy on which to gamble our economy?

No coal, no nukes, no hydro; that leaves us with 13% of our generation capacity. What's left? Wind power? I like wind and solar, but you can't count on them all the time. And recently, the Sierra Club came out against wind farms in California, calling them "cuisinarts for birds."

So the choices are tough, and a dose of realism is badly needed down at EPA and the White House. To sum things up, we are negotiating a treaty in Kyoto that is unrealistic, can't be verified, and can't achieve the advertised results. If this were an arms control treaty, we'd be guilty of unilateral disarmament if we were to agree to it.

We should reconsider this rush to Kyoto and a new treaty. There is no reason to join the lemmings in their rush over the cliff. The carbon problem didn't appear overnight. It won't be addressed overnight. We have time to devise and consider balanced approaches that can work. Time will allow new energy and efficiency technologies to mature. Time will provide for global solutions that include the developing nations. Time will allow us to sharpen our science and better understand the true threat of climate change, if it is indeed a dangerous threat.

Mr. TORRICELLI addressed the Chair.

The PRESIDING OFFICER (Mr. HAGEL). The Senator from New Jersey.

Mr. TORRICELLI. Thank you, Mr. President.

THE CENTRAL INTELLIGENCE AGENCY

Mr. TORRICELLI. Mr. President, since the founding of our Republic, we have faced a dilemma as old perhaps as the concept of democracy itself. That is how the Nation is governed: With an informed electorate, but at the same time we can protect the national security by containing information which might be used against ourselves.

This debate has largely, though not exclusively, been settled by the judgment that we are best served by informing the people so they can make the proper judgments about choosing the leadership of our country.

Indeed, this is the philosophy that gave rise to the first amendment to the Constitution, but perhaps more exactly also to article I, section 9, which reads, "a regular Statement and Account of the Receipts and Expenditures of all public money shall be published from time to time."

There has, however, in spite of this general judgment of the need to govern the Nation based on the best possible information to the electorate, and in spite of this rather specific constitutional provision, been a notable and exceptional exception in the Nation's accounting.

I speak obviously of the Central Intelligence Agency in its half-century determination to keep its accounting, its expenditures, private from the people of the United States. And, indeed, during both times of national conflict and in the broad period of the cold war it was a policy with a considerable rationale.

The United States faced, in the Soviet Union, an adversary which if in possession of our expenditures of the intelligence community would learn a great deal about our national intentions and our capabilities. But now some 7 years after the end of the cold war, there is no longer a rationale for not sharing with the American people at least the aggregate amount of spending of the American intelligence community.

I do not speak, obviously, of specific requirements for expenditures in individual programs or even broad categories of expenditures but whether or not the American people should be informed of the total aggregate spending since the United States no longer faces an adversary which, if in possession of that amount of expenditures, could make real use of it.

Last Wednesday, George Tenet, the new Director of the Central Intelligence Agency, perhaps because of this changed situation, took a very important step. In response to a Freedom of Information Act request filed by the Federation of American Scientists, Director Tenet ended 50 years of what

may have been unconstitutional secrecy and finally disclosed the aggregate budget numbers of the U.S. intelligence community.

I take the floor today, Mr. President, to applaud President Clinton and Director Tenet for taking this first step, but note with some considerable regret that this judgment was made in response to a lawsuit filed against the administration not with the support of this Congress and, indeed, in spite of a vote taken in response to an amendment that I offered on the floor of this Senate.

While I applaud Director Tenet, I also speak with regret that while the budget numbers were offered this year, they specifically were not made as a change in permanent policy, therefore, raising the specter that the American people are being provided this information in 1997, with the possibility they may never be given this information again.

That perhaps leads to the most cynical interpretation of all, that what is really feared by the intelligence community is not the sharing of this aggregate amount of spending with foreign adversaries, but if the American people have this number they would be able to gauge this year to next, to next, and into the future whether or not the intelligence budget of this country is rising or falling, whether it is too large or too small.

What is feared is that the American people will be as engaged in this debate as they are about Social Security spending or health care or education spending or even defense spending, which routinely is a part of the American political debate.

A 1-year number provides precious little information for public debate about the adequacy or the excessive nature of our spending. What, of course, is peculiar about this inability to inform the public is that defense spending, equally or arguably far more important to national security, is so routinely debated. Perhaps that is the reason why defense spending in the Nation today, excluding intelligence, is now 4 percent lower than defense spending in 1980, why in real dollar terms there has been in the last 7 years such a dramatic reduction in defense expenditures, while according to the Brown report, intelligence spending since 1980 in the United States has risen by 80 percent, an increase in spending almost without parallel.

It is worth noting as well, Mr. President, that in the bipartisan Brown Commission report, the commission could find no systematic basis upon which the intelligence budget is even created. In the Commission's words, "Most intelligence agencies seemed to lack a resource strategy apart from what is reflected in the President's 6-year budget projection. Indeed, until the intelligence community reforms its budget process, it is poorly positioned to implement these strategies."

Mr. President, other countries in the democratic family of nations have long

recognized the need to include defense and intelligence priorities in their national debate over budgetary matters. Indeed, Australia, Britain, and Canada long ago lifted this veil of secrecy. I think, indeed, even the State of Israel, which today faces potentially more serious adversaries at the very heart of their democracy with a daily terrorist threat, long ago decided that its democracy was better served by sharing this information then continuing with the veil of secrecy.

So, Mr. President, in this notable year when for the first time the American people are given access to this information about intelligence spending, the burden now passes to this Congress whether or not we will allow this to be a single exception, or indeed we will now take the challenge and make this a permanent change in how we govern the national intelligence community.

I close, therefore, Mr. President, with the words of Justice Douglas, who in 1974 wrote in making a judgment about whether or not the budget should be revealed, "If taxpayers may not ask that rudimentary question, their sovereignty becomes an empty symbol and a secret bureaucracy is allowed to run our affairs."

More than 20 years later, Mr. President, this Senate still faces the same judgment. Director Tenet has met his responsibilities. I am proud that President Clinton allowed him to proceed. Now the question rests with us.

I yield the floor.

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

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

The legislative clerk proceeded to call the roll.

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

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

CAMPAIGN FINANCE REFORM

Mr. DORGAN. Mr. President, we are preparing to cast a vote on a cloture motion in another 10 minutes or so, and I thought it would be useful to take the floor of the Senate and describe not only for our colleagues but for those who watch the proceedings of this body what exactly is happening.

We are nearing the end of a legislative session. We expect from what the leaders have indicated that the Senate will continue for perhaps another 2½ weeks at the most. We have on the floor of the Senate a piece of legislation that we should consider and we should pass. It is called the ISTEIA or the highway reauthorization bill. It is a very important piece of legislation.

Just prior to having this legislation on the floor of the Senate, we had a piece of legislation called campaign finance reform. That is a piece of legislation we should pass as well. It is interesting that both pieces of legislation

were brought to the floor and tied up with ropes procedurally so that no one could do anything with either piece of legislation.

Why? One underlying reason: Because there are some in this Chamber who do not want to allow an up-or-down vote on campaign finance reform. They want to crow about campaign finance reform and how much they support it. They want to go out and talk about their desire to have campaign finance reform, but they don't want to allow this Chamber an opportunity to vote on campaign finance reform.

The fact is the American people know better. The American people know this system is broken and ought to be fixed. They know we need campaign finance reform, and they know that the votes exist in the Senate to pass a campaign finance reform bill. In fact, we have demonstrated on procedural votes there are at least 52, 54, perhaps 55 Senators who will vote for campaign finance reform. But can we get to the vote? No. Why? Because procedurally those who control this Senate have tied ropes around both campaign finance reform and now the highway bill in a manner designed to prevent having an uncomfortable vote on campaign finance reform.

When I talk about using ropes, I am talking about procedures called "filling the tree." It is probably a foreign language to people who don't know what happens in the Senate, but it is a rarely used approach, filling the tree, which means establishing through parliamentary devices a series of amendments, first degree and second degree, that offset each other sufficient so when you are finished filling the tree, no one can move and no one can do anything.

The highway reauthorization, which is on the floor now, was brought to the floor and the tree was filled immediately. As I said, it is a rarely used device and almost always used to prevent something from passing.

Mr. TORRICELLI. Will the Senator yield?

Mr. DORGAN. I am happy to yield to the Senator.

Mr. TORRICELLI. I think the Senator from North Dakota makes an important point to the Senate, and that is that many of the American people are asking why, with all that we now know about campaign finance abuse and with the continued erosion of confidence in our electoral system, why a majority of this Senate is not prepared to vote for campaign finance reform.

The simple truth is, a majority of the U.S. Senate would vote today for campaign finance reform, for the most meaningful change in how money is raised and spent and we govern our elections in a generation. But a majority of this Senate is being prohibited from casting votes for this fundamental change, first by the Republican leadership, which is so intent on preventing a vote of the McCain-Feingold bill that it will filibuster, and second,