

per hundredweight, but if you are in New England in the compact States, you get \$15.20, and if you are a farmer in Florida, that somehow you can receive \$18.72 per hundredweight? I don't know. We don't sell computers that way. We don't sell oranges that way. We don't sell automobiles that way. Why is it milk is different? Why is the Government picking winners and losers among those who are in the dairy industry?

If you are in the Midwest, the Government says, well, you are going to be a loser, and if you are in Florida or in the compact States, our Government programs say you are going to get more so you can be a winner. I don't think we should have this type of competition and unfair playing field with the Government picking dairy winners and losers.

I hope we bring some sanity into our dairy program. I will be back on the floor to take on another misleading claim we often hear in these dairy debates.

Thank you, Mr. President. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

U.S. ENERGY DEPENDENCE

Mr. MURKOWSKI. Mr. President, I think I understand more than many the anger many Americans feel when they see gasoline pump prices at \$1.80 a gallon or higher. But I also think it is unfortunate that the Clinton-Gore administration has, for 8 years, kind of lulled Americans into believing that an unlimited supply of relatively cheap gasoline will be available from our so-called friends in OPEC.

As a consequence of that false sense of security, America's soccer moms, with the idea of running the kids here and there, have gone out and spent tens of millions of dollars on sport utility vehicles that barely get 15 miles a gallon. With today's gas prices, they find when they fill up one of those SUVs that it can put a big hole in a \$100 bill. It will cost \$70 or \$80. It is almost certain that gasoline will hit \$2 a gallon this summer because our refineries are not refining gasoline because they are still refining heating oil. Since they have not shut down for the conversion, we won't have on hand the reserves necessary to meet the requirements for the families in this country who are used to driving long distances in the summertime. It is going to happen. We are going to get \$2-a-gallon gasoline.

Americans I don't think should blame OPEC when the fault lies clearly with the Clinton-Gore administration and their energy policy, which is really

no policy. They have no policy on coal, they have no policy on oil, and they have no policy on hydro other than it is nonrenewable, and they have no policy on natural gas. They say that is the savior. But they won't open up public land for oil and gas exploration, particularly in the upper belt of the Rocky Mountains, my State of Alaska, and the OCS areas.

What they propose is to put the Secretary of Energy on an airplane and send him over to Saudi Arabia with his hand out begging the Saudis to produce more oil. They made that trip; they made that request. And the Saudis said: We have a meeting of OPEC March 27. He said: No, you don't understand. There is an emergency in the United States. We need you to produce more oil. They said: You don't understand, Mr. Secretary. Our meeting is March 27.

That is hardly an adequate response to a nation that went over there and fought a war so that Saddam Hussein could not take over Kuwait. That war was about oil.

We sought relief from the non-OPEC nations of Mexico and Venezuela. The Mexicans said: Well, isn't it rather ironic, when oil was \$11, 12, and \$13 a barrel and the Mexican economy was in the tank and in shambles, where were the Americans? Was the administration trying to help us out? We weren't there. So we got stiffed. We got poked in the eye.

Now we see oil fluctuating from \$34 a barrel a couple of days ago. It dropped \$3. It went up again today.

The point is, we are dependent on imports and we are increasing that dependence.

Since the very first day this administration took office in 1993, they declared war on domestic energy producers.

The first proposal they sent to the Congress—this is very important, because some of you do not have a memory of 1993. But the Clinton administration proposed to the Congress a new \$70 billion tax on fossil fuel produced in this country. That was a tax they planned with inflation indexing so that it would go up every single year. On top of that, they tried to add \$8 billion in new motor fuel taxes and \$1 billion in taxes on barge fuel.

Do you remember that, Mr. President? This Senator from Alaska does. A lot of folks in the administration would like us to forget that. I hope we will not forget that.

The Democratically-controlled Congress delivered to President Clinton \$42 billion in new motor vehicle taxes in the form of a 30-percent gas tax increase. The Democratically-controlled Congress delivered to President Clinton \$42 billion in new motor fuel taxes in the form of a 30-percent gas tax increase, and not a single Republican voted for that gas tax hike. We were joined by six Democrats, which resulted in what? A 50-50 tie vote. But the \$42 billion gas tax hike became re-

ality for every single American because the Vice President, AL GORE, cast the tie-breaking vote in favor of this tax hike.

That is a fact, and the RECORD will so note.

It will be interesting to hear his explanation. We heard an explanation not so long ago that, if elected, he would cancel the OCS leases. Where does he propose to get energy from, the tooth fairy?

I believe today, when gasoline is selling for more than \$2 a gallon in some parts of the country, we should suspend the 30-percent Clinton/Gore tax increase. That is the least we can do to help the American motorist. We can make sure the highway trust fund is reimbursed for any lost revenue so we can ensure that all highway construction that is authorized will be constructed and that we don't jeopardize that.

I believe it is appropriate for this payback to the trust fund because the Clinton/Gore gas tax was not used for highway construction. It was used for government spending until Republicans took over Congress and authorized the tax to be restored for highway construction.

That is a short-term fix, but I think a realistic and achievable one.

Mr. President, barely a month ago, when heating oil prices were at their peak, what did the President propose? another \$2.5 billion tax increase on the oil industry. Let me assure everyone in this chamber that those proposals are dead on arrival, as they should be.

It is not just higher energy taxes that the President demands. What has he done on the supply side? In a word, nothing. This administration has done nothing to open federal lands for exploration and development of oil and gas.

We should develop the overthrust belt of the Rocky Mountains and some of the OCS areas. The administration refuses to budge on the most promising oil field in America, ANWR. It is simply off limits. And they demand moratoriums on offshore, and on and on.

There is the story. Petroleum demands go up, and crude production goes down. That is where we are. It is as simple as that.

Mr. President, some people say that the administration does not have an energy policy. I would disagree with that statement. The Clinton-Gore administration does have an energy policy. It's goal is simply to stop energy production in the United States and make this country completely dependent on foreign oil. When Bill Clinton took office, we imported 43 percent of our oil. Today, foreign oil accounts for 56 percent of domestic consumption.

This isn't going to come as a surprise to the Department of Energy. The Department of Energy says the U.S. will be 65 percent in the year 2020—somewhere between 2010, 2015, and 2020.

That seems to be the goal of this administration rather than trying to do something about it.

And the predictable result of this irrational policy: We send the Secretary of Energy with hat in hand begging OPEC to raise production. The Sheiks in the Middle East must be laughing all the way to the bank as they contemplate how this administration has turned America into a dependent of OPEC.

They must view with mild amusement the irrational pie-in-the sky policies that this administration has tried to sell to the American people. Would this administration support building more nuclear facilities to reduce our dependence on OPEC? NO!

Would they support building new non-polluting hydro-electric facilities to reduce our dependence on OPEC? No. In fact, in what must be one of the most naive proposals from this Administration, they have been proposing tearing down dams that have been providing power for decades. Tearing down dams at a time when we are 56 percent dependent on imported oil is simply unconscionable. How would we replace this lost source of power? Does the administration support building more coal fired power plants? No. So how do President Clinton and Vice President GORE propose that we generate energy to run our industry and fuel our transportation system? Year in and year out what we hear from this administration is one word: Renewables—solar, wind, and geothermal.

I know the Administration is always emphasizing renewable energy as the best option. They are all important, but they constitute less than 4 percent of U.S. energy production and for the foreseeable future are not going to make a dent in our energy production.

I hope someday renewables will play a bigger role. We have to face reality. In 25 years, if there are technological breakthroughs, they may play a more important role, but today they have almost no role.

Face it: Today there are no solar airplanes; there are no economically feasible solar automobiles; there are no wind-powered, solar-powered trains. It gets dark in Alaska in the winter. None of these concepts is on the drawing board. The fact that the administration does not want to face up to this is evident up to now and in the foreseeable future.

This administration hopes they can get out of town before the crisis hits, the calamity of the American public asking: What have you done? You sold our energy security to the Saudis and some of the other Third World nations.

For 8 years, this administration has been blind to the facts and lived in a renewable dream world. Today, the American consumer is paying the price for the failed energy policies of the Clinton-Gore administration.

Today's gas prices may wake us up and call the country to the recognition that we have to begin to address, with long-term solutions, our energy security issues. If we don't do that, we may look back on March 2000 as the good

old days when gasoline was only \$1.70 a gallon. As we propose taking off this 4.3 percent, I look forward to the administration's response as to how the Vice President broke that tie. He and the administration are responsible for the tax costing the American consumer \$43 billion.

PARDON ATTORNEY REFORM AND INTEGRITY ACT

Mr. ABRAHAM. Mr. President, a few weeks ago Senator HATCH, Senator NICKLES, and I, along with other Senators, introduced S. 2042, the Pardon Attorney Reform and Integrity Act. The Judiciary Committee has now reported this legislation to the floor. I wanted to say just a few words about why I believe this legislation is needed and why I hope the Senate will act quickly.

Last September, President Clinton decided to grant clemency to 11 members of the Puerto Rican terrorist groups FALN and Los Macheteros. When this decision became known, it was greeted with virtually universal shock and disbelief, followed by calls for the President to reconsider and ultimately by near universal condemnation. The FALN had been involved in numerous terrorist acts. The most heinous of these acts was the bombing of Fraunces Tavern in New York City. In the middle of the lunch time rush at this Wall Street tavern, FALN members planted a bomb. The explosion killed four people and left 55 people wounded. In addition, FALN has taken credit for more than 130 bombings, attempted bombings, bomb threats and kidnappings. They took credit for the bombing of office buildings in New York and Chicago where at least one other person was killed and several more injured.

Although it has been suggested that the individuals the President pardoned were not convicted of direct involvement in these acts, the conduct that they were convicted of made clear that they all played important roles in facilitating the activities of the organization, fully aware that the entity in question engaged in just this kind of conduct. Despite this, there is no evidence that any of them are seriously remorseful about their serious wrongdoing. Singling them out for the extraordinary favor of Presidential clemency is, under these circumstances, frankly inexplicable.

Both this body and the House of Representatives passed resolutions stating our disapproval of the President's action. Following these events, the Committee on the Judiciary held two hearings on how the President had made his decision. In the first of these hearings, it was discovered that Reverend Ikuta, a supporter of clemency for the terrorists, had several meetings with the Department of Justice concerning the potential grant of clemency. At the same time, law enforcement officials, who attempted to contact the President and

the Department of Justice concerning the clemency, received no response from the administration. Nor were the victims consulted in any way. The son of one of the victims of the Fraunces Tavern bombing was told in 1998 by the FBI that they were still searching for the FALN member thought to have planted the bomb. Meanwhile, the President was considering granting clemency to individuals who not only were members of the group responsible for the bomb in the first place, but also who may have had information about the whereabouts of this primary suspect. The victims of the terrorists' acts were never even informed of the President's grant of clemency. They had to read it in the newspaper. Perhaps the gravest oversight of all is that the terrorists were never asked to provide any information about other FALN members who are still on the FBI most wanted list.

The goal of this bill is to try to do what Congress can to prevent this situation from recurring. The bill would require the Department of Justice, if asked to investigate a pardon request, to make all reasonable efforts to inform the victims that a pardon request is being reviewed and give the victims an opportunity to present their views. The Department is also required to notify the victims of a decision to grant clemency as soon as practical after it is made and, if it will result in the release of someone, before release of that person if practicable. The bill also requires that the Department of Justice make all reasonable efforts to determine the views of law enforcement on whether the person has accepted responsibility for his or her actions and whether the person is a danger to any person or society. Finally the Department must determine from federal, state and local law enforcement whether the person may have information relevant to any ongoing investigation, prosecution, or effort to apprehend a fugitive, and to determine the effect of a grant of clemency on the threat of terrorism or future criminal activity.

Opponents of this bill argue that it is an unconstitutional infringement on the Presidential pardon power. This is not so. This bill dictates a process to be used when the President delegates investigatory power to the Department of Justice. Accordingly, this bill is not a usurpation of the President's pardon power, but within the legitimate exercise of Congress's power, in establishing the Department of Justice, to "make all laws which are necessary and proper for carrying into Execution" not only the powers vested in Congress but also "all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof." The President's own freedom to exercise the pardon power however he sees fit is in no way infringed by this bill. In fact, this bill only acts to ensure that the President has the information before