

I see Senator DASCHLE's. What he does for us, the minority, is extraordinary, as evidenced by the very quick, instantaneous decisions he made in conjunction with you today. You are both to be applauded. This is democracy in action. It is what is good about government.

I also extend accolades to the two of you. I have no military service in my background, but with the love and appreciation and dedication that Senators STEVENS and INOUE have for the military, and Senator WARNER and others who work for the defense of this country, they see it from a little different perspective than a lot of us because they have seen military action. I think they deserve a great deal of credit.

Senator INOUE has been ill and has not been here this week, but his spirit has been here. He was awarded the Congressional Medal of Honor. He and Senator STEVENS have guided the military of this country for the last decade as no one in the history of this country, in my opinion. I express appreciation for everyone on our side of the aisle for what these two men do for the military. Senator STEVENS and Senator INOUE have personally felt the need for this military construction bill, and every word they speak indicates that.

Mr. LOTT. Mr. President, I thank Senator REID, for his comments.

ORDER OF BUSINESS

Mr. LOTT. I want the Senate to be on notice when we return on Monday, July 10, since there was objection to, at least at this time, taking up the Thompson bill freestanding, we will go to the Interior appropriations bill. There will be a vote or votes on that Monday sometime between 5 and 6, presumably around 5:30.

Later today, we hope to still be able to propound some unanimous consent requests. We are still working to see if we can get the Department of Defense authorization bill worked out with an agreement, and conclude that, and Senator DASCHLE and I are continuing to work to see if we can get an agreement on how to take up the estate tax issue. We may still have some more business yet this afternoon. Of course, we are going to also wrap up with some confirmations from the Executive Calendar; specifically, judges that are pending before we conclude our business today.

MORNING BUSINESS

Mr. LOTT. I ask unanimous consent the Senate now proceed to a period of morning business, with Senators permitted to speak up to 10 minutes each.

Mr. WARNER. Reserving the right to object, could that include, Mr. Leader, the ability of the Armed Services Committee to bring up a package of cleared amendments?

Mr. LOTT. I believe it would.

Mr. WARNER. Could I have that exception written into the distinguished leader's unanimous consent?

Mr. LOTT. I don't believe it is necessary, but I amend my request to that effect.

Mr. WARNER. I wish to advise you, Mr. Leader, working with your staff on this side, working with the Judiciary Committee, that is the only remaining item, together with Senator ROTH and Senator BYRD, who are working on a matter which if we can resolve those two, I believe I can indicate to my distinguished leaders that we could get the unanimous consent.

Mr. LOTT. Thank you very much. I yield the floor.

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

The Senator from Montana

MILCON CONFERENCE REPORT: CLEAN WATER ACT PROVISION

Mr. BAUCUS. Mr. President, I rise to express my strong opposition to a provision, which has been included in the military construction conference report, that prevents EPA from using any funds to implement a new rule to clean up our nation's streams, rivers, and lakes.

Let me explain why this rule is important.

Since 1972, when the Clean Water Act became law, we've made a lot of progress in cleaning up our water, especially with respect to so-called "point sources" like sewage treatment plants and industrial plants; the pipe that come out of plants and go into lakes and streams.

But we still are far from reaching our goal of fishable, swimmable waters. That is the standard in the act.

That's where the new rule comes in. It relates to something called "total maximum daily loads," or TMDLs. It is a long, technical-sounding label. But it's a pretty simple concept. A TMDL is really a pollution budget for a watershed. It's like the Clean Water Act version of a State implementation plan under the Clean Air Act.

The TMDL program was actually enacted as part of the original Clean Water Act, way back in 1972. For a long time, it was dormant. But, in recent years, environmental groups have lawsuits requiring EPA and states to implement the program. In virtually every single case, they have won.

In light of this, EPA decided to revise its rules for the TMDL program, to bring them up to date. To begin with, it convened a group of stakeholders, who worked for two years to make recommendations. Then, last August, EPA proposed new rules.

Make no mistake about it. These rules have been controversial.

Like many others, I have been particularly concerned about the proposal to require many forestry operations to get Clean Water Act permits. I thought EPA was taking a long, winding road that didn't end up in the right place.

But EPA has been listening. In response to Congressional hearings and public comments, it has made changes.

For example, it dropped the forestry proposal and made other parts of the rule more workable.

As I understand it, the rule has gone to OMB for review, and should be published, in final form, soon.

But then we get this conference report. Out of the blue, it provides that none of the funds appropriated to EPA for 2000 and 2001 can be used to implement the new rule.

I have two major problems with this provision. The first problem is the process by which the provision has been included in the conference report. The process is, in a word, outrageous. Clearly, there are differences of opinion about the TMDL rule. But there are several opportunities for those differences to be debated.

The Environment and Public Works Committee is considering a bill, introduced by Subcommittee Chairman CRAPO and Committee Chairman SMITH, that would, among other things, delay the final rule. The House HUD/VA/Independent Agencies Appropriations bill contains a provision that also would delay the rule.

Of course, there is the regulatory review process we enacted in 1996, that allows Congress to disapprove a final rule.

In each case, we would have a debate. The merits would be discussed. Senators could explain why they believe that the rule should be delayed; others could respond. Then we would have a vote, and the public could judge our actions.

That's not what's going on here. Instead, opponents of the rule have slipped the provision into an unrelated conference report that cannot be amended—no debate, no sunshine, no public knowledge of what is going on. And they have done it on a bill that provides emergency funding for many urgent national needs, so that the President is under strong pressure to sign the bill.

Frankly, I wonder why they have taken this approach. Why not debate, in clear public view? What are they afraid of?

Another thing, by using conference reports this way, we further weaken the bonds that bind this institution together, and reduce public confidence in our deliberative process. This is no way to run a railroad.

The second problem with the provision is substantive. Despite significant progress since 1972, too many of our rivers, streams, and lakes do not meet water quality standards.

EPA's proposed rule makes some important improvements. At the heart of it, the rule clarifies the operation of the TMDL program and requires implementation plans, so that the program becomes more than a paperwork exercise. At the same time, the rule gives States more time to complete their lists, allocations, and plans—a lot more time.

That is a pretty good tradeoff.

By blocking the rule, we will simply delay the tough decisions about how to

make the program work. We will perpetuate the current outdated, fragmented, litigious system.

Most important of all, we will delay, once again, the day when our nation finally has clean streams, rivers, and lakes, from sea to shining sea.

I regret that this provision has been included in the conference report and I will work to reverse the decision at the earliest opportunity.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. AKAKA. 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. AKAKA. Mr. President, I ask unanimous consent for 15 minutes in morning business.

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

A NATIONAL ENERGY POLICY

Mr. AKAKA. Mr. President, for most of the 1990s, the average gasoline prices in Honolulu hovered at roughly 25 cents to 50 cents above the national average. In June 1999, only 1 year ago, Hawaii's price of \$1.51 per gallon ranked above Oregon's at \$1.44 and the national average of \$1.14.

As late as last month, according to the Automobile Association of America, Hawaii topped the Nation with an average per gallon price of \$1.85, compared to the next highest state, Nevada, at \$1.67 and a U.S. average of \$1.51.

This month, according to AAA, Hawaii ranked fourth highest with an average price for regular unleaded of \$1.86 per gallon. That fell below Illinois with an average of \$1.98, Michigan at \$1.96, and Wisconsin at \$1.91. Still, Hawaii's price was well above the U.S. average of \$1.63.

It is no pleasure to say that Hawaii has lost this dubious distinction as the State with the Nation's highest gasoline prices. The pocketbooks of Americans are hurting all over the country.

There has been no shortage of blame—short supplies, pipeline problems, cleaner gasoline requirements, too much driving and gas guzzlers, oil company manipulations, even an esoteric patent dispute, to name a few. So far, the initial examination of the causes of the dramatic increase of prices in some areas of the Midwest has provided no clear picture. The Clinton administration has asked the Federal Trade Commission to investigate if there were any illegal price manipulations in the Midwest leading to such dramatic price increases.

This problem of dependence on imported oil has been in the making for many years. Our import dependence has been rising for the past 2 decades. The combination of lower domestic

production and increased demand has led to imports making up a larger share of total oil consumed in the United States. In 1992, crude oil imports accounted for approximately 45 percent of our domestic demand. Last year crude oil imports accounted for 58 percent. The Energy Information Administration's Short-Term Outlook forecasts that oil imports will exceed 60 percent of total demand this year. EIA's long-term forecasts have oil imports constituting 66 percent of U.S. supply by 2010, and more than 71 percent by 2020.

Continued reliance on such large quantities of imported oil will frustrate our efforts to develop a national energy policy and set the stage for energy emergencies in the future.

For months now, we have watched the price of gasoline and fuel oil rise at breakneck speed. All across America, families have suffered ever-escalating prices.

We have not had a coherent and comprehensive energy policy for a long time. Additionally, we have not had a commitment to address our dependence on foreign sources of oil. Absence of an effective policy and a visible commitment to addressing our energy dependence have made us hostage to OPEC's production decision. It has also encouraged Mexico, our NAFTA partner, to join OPEC in limiting oil supplies.

We all understand that there is no overnight solution to America's energy problems. We can't turn this trend around overnight. Tax repeals and other such short-term actions may appear appealing, given the political climate, and may even provide limited relief in the short run, but they do not provide a solution to our energy problem. They do not provide a sound basis for a national energy policy. Their unintended consequences may be other problems such as deficits in highway and transit funds.

The only way to reverse our energy problem is to have a multifaceted energy strategy and remain committed to that strategy. In my judgment, you need both of these in equal portions. This will send a clear message to OPEC and their partners about America's resolve.

The way to improve our energy outlook is to adopt energy conservation, encourage energy efficiency, and support renewable energy programs. Above all, we must develop energy resources that diversify our energy mix and strengthen our energy security. Natural gas appears to be the most attractive fuel to form the cornerstone of our energy policy. It is the right fuel to bridge the energy and environmental issues facing us.

If we are to have a comprehensive energy policy that strengthens our economy and serves the real needs of Americans, then we need to dismantle our dependence on foreign oil as soon as possible. And the way to do this is to begin using more natural gas—a domestically abundant fuel—that is safe

and reliable to deliver, more environmentally friendly than oil, and over three times as energy-efficient as electricity from the point of origin to point of use.

Let me state those facts again: Natural gas is plentiful, efficient, environmentally friendly, and it is a domestic fuel source.

Natural gas offers itself as a good choice for the fuel of the future. It offers us many advantages that other fuels do not. About 85 percent of the natural gas consumed in America each year is produced domestically. The balance is imported almost entirely from Canada. We have a large domestic natural gas resource base and advances in exploration and production technologies are allowing increased production. We also have potentially vast resources in the form of methane hydrates. This resource base is yet to be explored.

Natural gas is the cleanest fossil fuel. Wider use of natural gas will be more benign to the environment compared to some other fuel sources. Natural gas would emit reduced levels of greenhouse gas emissions, and would not contribute to acid rain, smog, solid waste, or water pollution.

We must invest in technologies that help facilitate wider application of natural gas. New technologies such as micro turbines, fuel cells, and other on-site power systems are environmentally attractive. Wider use of these technologies in the private and public sectors must be facilitated. All Federal research and development programs should be reevaluated to provide them with a clear direction. We must boost support for those programs that help replace imported oil.

Transportation demands on imported oil remain as strong as ever. Since the oil shock of the 1970s, all major energy consuming sectors of our economy with the exception of transportation have significantly reduced their dependence on oil. The transportation sector remains almost totally dependent on oil-based motor fuels. The fuel efficiency of our vehicles needs to be improved. At the same time, we must make a concerted effort to encourage development and use of alternative vehicle fuels. Natural gas vehicles should be made an integral part of our transportation sector.

If coal was the energy source of the nineteenth century, and oil was the energy source of the twentieth century, then I submit natural gas can and should be America's source of energy for the twenty-first century.

Americans are demanding an energy system that will guarantee adequate energy for future needs, protect the environment, and protect consumers from exploitation.

We are facing numerous problems related to energy such as runaway prices, shortages, increases in pollution, self-sufficiency, and the effect of energy on our economy. While not a panacea, it is clear to this Senator that increased use