In the area of boutique fuels, the bill also falls badly short. Everyone in my state of Wisconsin is familiar with price spikes during the shift from the spring to winter fuel supply. Wisconsin has pushed for national standards for federally mandated reformulated gasoline blends, or RFGs, to try to broaden the supply and reduce price hikes during RFG shortages. The current bill will just authorize a study about the problem, not solve it. We had a genuine bipartisan effort to try to do this. I cannot understand for the life of me why this was not included in the conference report.

Also, the bill has serious and unwelcome environmental impacts. For example, the bill undercuts the Clean Air Act by postponing ozone attainment standards across the country. This issue was never considered in the House or Senate bill, but it was inserted in the conference report. This rewrite of the Clean Air Act is not fair to cities like Milwaukee that have devoted significant resources to reducing ozone and cleaning up their air. And, as asthma rates across the country increase, this provision could severely undercut efforts to safeguard the air quality of our citizens.

In addition to undermining air quality protection, the bill allows for siting of transmission lines in national parks, grants exemptions from the Clean Water Act and Safe Drinking Water Act for oil and gas companies, and pays oil and gas companies for their costs of compliance with the National Environmental Policy Act. I am also concerned that the liability exemption for MTBE is retroactive to September 5, 2003, which will nullify about 100 ongoing lawsuits. MTBE is found in all 50 States, and high levels are affecting drinking water systems all over the Midwest, including 5,567 wells in 29 communities in Wisconsin, even though the state only used MTBE gasoline for the first few weeks of the phase I program that began in January 1995. As a result of this bill, taxpayers are going to have to foot the $29 billion bill for the national MTBE cleanup.

This bill fails to reduce our reliance on fossil fuels. The Senate energy bill contained a requirement that power companies provide at least 10 percent of their power from renewable energy sources like wind, water, and solar power. The technical term is a renewable portfolio standard. The current bill doesn't contain any renewable portfolio. standard. There's no doubt that we can and should do better on renewable energy to reduce our dependence on foreign fossil fuels.

Although, I support many of the renewable fuel provisions in the bill regarding ethanol, I am troubled by the fact that the bill also depletes vital highway funds for States by siphoning money from the volumetric ethanol excise tax credit.

The content of the bill is problematic, but so is the process of how it was written. My Democratic colleagues who served on the conference had only 48 hours to review the 1,700-page report before the Monday conference meeting. They were virtually shut out of the negotiation process. I regret that the manner in which the current bill was drafted—in secret, closed meetings, without adequate time to review it. This is no way to come up with a balanced national energy policy.

For these reasons, I oppose this bill and I will oppose cloture. I appreciate the need to develop a new energy strategy for this country. I disagree strongly, however, with the measures taken in this bill. This is a bad bill, it's bad for Wisconsin, and it's bad for the Nation's taxpayers.

I thank my colleagues from Oregon and my colleague from New Jersey for their courtesy in letting me give my remarks.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

UNANIMOUS CONSENT REQUEST

Mr. WYDEN. Madam President, on behalf of myself, Chairman GRASSLEY, Chairman LOTT, and Senator BYRD, I ask unanimous consent the Rules Committee be discharged from consideration of S. Res. 216; that the Senate proceed to its immediate consideration; the resolution be agreed to, and the motion to reconsider be laid upon the table, without any intervening action or debate.

Mr. BURNS. Madam President, reserving the right to object, and I will object, this is mistimed to be considering this rule change on this piece of legislation. On behalf of some Senators on this side of the aisle I will have to object to the Senator's request.

The PRESIDING OFFICER. The objection is heard.

Mr. WYDEN. Has the Senator objected? I was under the impression you reserved the right to object.

Mr. BURNS. I reserved the right to object, and I did object.

Mr. WYDEN. Madam President, in light of the objection, on behalf of myself, Chairman GRASSLEY, Chairman LOTT, and Senator BYRD, I ask unanimous consent that no later than March 1 of 2004 the Rules Committee be discharged from further consideration of S. Res. 216, if not reported, and that the Senate proceed to the consideration of S. Res. 216 at a time determined by the majority leader following consultation with the Democratic leader.

Mr. BURNS. I object.

The PRESIDING OFFICER. The objection is heard.

MORNING BUSINESS

Mr. WYDEN. Madam President, I ask unanimous consent there now be a period of up to 20 minutes of morning business under my control to discuss S. Res. 216.

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

ENDING SECRET HOLDS

Mr. WYDEN. Madam President, my good friend from Montana and I have worked together on so many issues. He has objected to this bipartisan resolution which would give the Senate a chance to end one of the most pernicious practices in Washington, DC, and that is the practice of secret holds.

Walk down Main Street anywhere in the United States, and I bet you would not find one out of a million Americans who know what a secret hold is. The hold does not appear anywhere in the dictionary. It is not even in the Senate rules. Yet it is one of the most powerful weapons that any U.S. Senator has. It is, of course, a senatorial courtesy whereby one Senator can block action on a bill or nomination by telling the respective Democrat or Republican leader that he or she would object. The objection does not have to be written down, and it does not have to be made public.

It is a little bit like the seventh inning stretch in baseball. There is no official rule or regulation that talks about it, but it has been observed for so long that it has become a tradition.

Now, the capacity to use this hold, which is in secret—there is no transparency, no accountability—the prospect of using these secret holds is notorious and has given birth to several intriguing offspring: The hostage hold, the rolling hold, and the May West hold. Suffice it to say, at this time of the year secret holds are more common than acorns around an oak tree.

Senator GRASSLEY and I have been working on this for almost 7 years. I am extremely proud that the chairman of the Rules Committee, Senator LOTT, has joined us on this matter. Senator BYRD is a cosponsor. There is no one in this body who has a better understanding of the rules than Senator BYRD, and Senator BYRD has made it clear this practice is out of hand. It is out of hand because the rules are designed to expedite the business of the Senate and not hold it up.

What we heard earlier in the objection to the effort to end secret holds is emblematic of what has happened. The objection was based on the idea that now was not a good time for the Senate to address this. It is never a good time to address it if you are in favor of doing business behind closed doors. If you are in favor of doing the public's business without accountability, it is never a good time. If you are in favor of doing business in secret, of course, we are never going to bring it up in the Senate.

The minority leader, Senator DASCHLE, has been supportive of this effort from the very beginning. From the very first day I went to him to discuss this, he said: You are right. The hold is an important power for a member of the Senate, but it ought to be exercised with some accountability.

So there was no objection from this side of the aisle. Unfortunately, we had an objection from the other side. I

think it is unfortunate because I have sought throughout—throughout—to make this a bipartisan effort.

Chairman GRASSLEY and Chairman LOTT deserve an extraordinary amount of credit for the effort to work with me and with others on this issue. The fact is, during this time of the session, one Member of the Senate can spend days asking all 99 other Senators whether they have a secret hold, only to find that Senator does not even know about the secret hold because it was generated by staff.

The Senator who can successfully track down and lift the last secret hold almost feels around here as if they have won the national title.

Every Senator has a favorite example of torturous search for the sponsor of a secret hold. My favorite was during the Rules Committee hearing on holds, Senator DODD—by the way, who, is very supportive, like Chairman LOTT, of this proposal—we heard about the chairman trying to call Senators in airports around the country, trying to find out who had a hold on a bill. Senator DODD was concerned about this when he was faced with his election reform bill.

I went through the very same exercise on the spam bill where I had to literally go from desk to desk in the Senate to find out who was holding up a measure that everybody was for. Everybody said they were against spam but there were holds, and we had to try to figure out where they were.

The same thing happened on the Internet tax bill. At one time there were seven holds on the Internet tax bill. When I tried to find out which Senators had the holds, I was told that this information would not be shared with me.

Think about the consequences of not dealing with that issue. I say to my colleagues, we may have a virtual ''Grinch'' visiting the consumers of this country because the Senate has not dealt with the Internet tax issue. Come the holiday season, if some States and localities choose to do it, they can go out and tax e-mail, they can go out and tax Internet services that are delivered through wireless devices or DSL because the Senate has not updated the law. I believe it has not updated the law because there was not the opportunity to have a real debate, and we were held up because there were secret holds.

I am very pleased that the distinguished chairman of the Rules Committee has come to the Chamber to join me in this effort. Perhaps more than any other Member of this body, he understands the implications of this because of his service as chairman of the Rules Committee as well as having served as the distinguished majority leader of this body. He has held hearings on this issue. He reached out to Senator BYRD and Senator GRASSLEY.

We have been working on this issue for years and years. At this time of the session, the secret hold is all powerful. It is one of the most powerful weapons that a Member of Congress has. We do not seek to have it stripped from the Senate. We do not come together on a bipartisan basis to say, let us outlaw the holds. We come together—Chairman LOTT, Senator GRASSLEY, Senator BYRD, and myself—to say: There ought to be some sunshine.

Our proposal is for sunshine holds, for saying that the powers exercised by a Member of the Senate should be accompanied by some accountability. You ought to be straight with your constituents.

My good friend, the chairman of the committee, is here. I would like, without losing the remainder of our time, to yield to the distinguished chairman of the Rules Committee, who has been so supportive of the effort to end secret holds, so he could make his remarks, knowing he has a very busy schedule.

The PRESIDING OFFICER (Mr. CORNYN). Without objection, it is so ordered. The Senator from Mississippi.

Mr. LOTT. Mr. President, could I inquire about what time remains for Senator WYDEN?

The PRESIDING OFFICER. Twelve minutes twenty seconds are remaining.

Mr. LOTT. Thank you very much, Mr. President.

I believe this is an issue whose time has come in the Senate. It is an issue I am very familiar with because I have dealt with holds, both as a Senator as a leader. I have placed holds, and probably over the years some of them have been anonymous, not so much out of intent, just that is the way it was.

I remember talking to Senator WYDEN years ago, and Senator GRASSLEY, about what we could do to have a better understanding of what a hold is and how it works and what could we do to stop the anonymous holds. Senator DASCHLE and I even got together on a letter and tried to clarify how holds should be handled, and what they mean, and how Members should deal with them, by telling the committee chairman or the sponsor of legislation that they had a hold. But there was no enforcement mechanism, so it did not happen.

At this time of year, holds are particularly a problem for the leadership. Republican or Democrat, this is not a partisan issue because when they pop up right at the end of the session, it could be unrelated to the nominee, unrelated to the bill. They can be a part of a rolling hold. But with all the warts of the hold, it is something Senators prize, maybe even treasure. But I do not see how anybody can defend them being anonymous.

If there is a secret hold on a bill or a nominee, and it is just at this time of year, it is almost impossible for the leadership to deal with it. The leader, he tries to track down who has the hold, and sometimes the staff will not even tell you who has the hold because they have a problem.

I can remember tracking down Senators in their hideouts, finding Senators in airports, saying: Please, this is the Deputy Secretary of State or this is a Commissioner who needs to be confirmed.

It is not good for the institution. I think someday we should even look at the whole practice of holds. You have an institution where one Senator—one Senator alone—particularly at the end of a session, can defeat a nominee or a bill anonymously. There is something wrong with that. You are putting your constituency or the constituencies of others and 99 Senators at the mercy of one.

There is this feeling here in the institution that we cannot touch the traditions or the precedents or the rules of the Senate. They are sacrosanct. They are holy. How do you think they got there? Changes were made. Improvements were made. Or problems were created.

So that is why I do commend Senator WYDEN and Senator GRASSLEY for being doggedly persistent on this issue. I do not wish to be a part of a process or an effort that causes difficulty for the leaders. They have enough problems now. They are concerned with the Energy bill, the omnibus bill, the Medicare prescription drug bill, the FAA bill—you name it. So I do not want to contribute to their problems.

But I do think something needs to be done here. I think we need to address the overall issue of holds, but at the very minimum we should have some way to deal with secret holds.

When we sent the letter, as I suggested earlier, we required Members to notify the sponsor of the legislation, the committee of jurisdiction, and the leaders of their hold. It had a little effect for a little while. Senators sort of said: Oh, yeah. OK.

By the way, what is a hold? A hold is a notice by the Senator—to the staff, usually—that before a nominee or bill is brought up, they want to be notified so they can debate it or so they can reserve all rights to amendments. That is all it really is.

Now, if it is anonymous, that makes it even more damaging. But it is a problem for the leader because you try to get the work completed, and the threat of a filibuster or endless amendments basically kills it. So since there was no enforcement mechanism, it just did not accomplish what we wanted it to accomplish.

This resolution would place a greater responsibility on Senators to make their holds public. It creates a standing order that would stay in effect until the end of this Congress. This is something that Senator BYRD had suggested, that maybe was the solution that would do the job. We can see how it works. Let's make it a standing order, not change the rules. Let's make it apply to the rest of this Congress, which would be next year. If it works, great, we might want to build on it. If it does not, it is dead.

The order requires that the majority and the minority leaders can only recognize a hold that is provided in writing. I put a hold on a nominee today. I said: Please put a hold on this nominee. Letter will follow. So I put it in writing and it is not a secret thing.

Moreover, for the hold to be honored, the Senator objecting would have to publish his objection in the CONGRESSIONAL RECORD three days after the notice is provided to the leader. That is critical: notice. That is all really we are looking for here: Understand what a hold is; put it in writing; and make it well known.

A hold should be left to the wrestling ring, not to the Senate, and it certainly should not be in secret.

I hope the leadership, Senator FRIST and Senator DASCHLE, will work with Senator WYDEN and Senator GRASSLEY to find a solution that will allow us to do this. The light of day always has a purifying effect. This is getting to be very moldy. We need to deal with it. Again, I emphasize, I am for this because I think it would be good for the institution. I am for it because I think it is the right thing to do. I am not for it because I am trying to cause problems with the leaders. Heaven forbid, I don't want to do that. Actually, we are trying to help them deal with a problem. They are hesitant to do it because I know Senators are going to slip up next to them and say: Wait a minute, you may not want to change anything here. This is the way it has been done.

I challenge the Senators to stand up here and say they should not at least make it public. We can't have cowardice on something that is affecting people's lives and on legislation that affects our country.

I guess I am getting a little carried away. I agree with the Senator. I am going to continue to work to try to find a way to be helpful in getting this issue addressed because I think it is time we do it.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, how much time remains under my control?

The PRESIDING OFFICER. Twelve minutes 20 seconds remain.

Mr. WYDEN. I thank the Chair.

Mr. KYL. Will the Senator yield for a question?

Mr. WYDEN. I am happy to yield without losing my time.

Mr. KYL. Mr. President, I ask unanimous consent that following the Senator from Oregon, at the conclusion of his remarks, the order of speaking be Senator SUNUNU for 15 minutes, Senator LAUTENBERG for 15 minutes, Senator MURKOWSKI for 15 minutes, Senator CANTWELL for 30 minutes, and Senator KYL for 10 minutes.

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

The Senator from Oregon.

Mr. WYDEN. Mr. President, before he leaves the floor, I thank the distinguished chairman of the Rules Committee for his eloquent statement. He has been so supportive of this effort. Essentially what he and I and Senator GRASSLEY have been talking about is the quaint notion that the public's business ought to be done in public. This is not a complicated idea.

As I have mentioned earlier, I am sure the vast majority of Americans have no idea what a secret hold is. It is not written down anywhere. This is something you wouldn't find 1 of 1,000 people having any idea about. But this is, in fact, one of the most powerful weapons, one of the most significant tools a Member of this body could possibly have. It is utilized without any accountability whatsoever.

The distinguished chairman of the Rules Committee pointed out in hearings, and we heard it echoed by Senator DODD, the bizarre kind of process of trying to track down Senators who are thousands of miles away from Capitol Hill and still claiming to have an objection when, in a lot of instances, they may not even know about it; their staff will have objected to it.

So what we have sought to do in this effort is to not limit the powers of any Member of the Senate but simply to say that power ought to be accompanied by responsibility. Yes, there should be rights. There ought to be rights of every Member of the Senate to stand up and be heard on matters important to their constituents and to this country. But there also ought to be responsibilities.

Chairman LOTT has addressed this issue very eloquently by saying one of our most important responsibilities is to let the public see what we are up to. Yes, sunlight is the best disinfectant, but it is especially important, as Chairman LOTT has noted, at the end of a session.

If someone exercises a hold in the beginning of a session, there is an opportunity, as the distinguished chairman of the committee has noted, for the leaders to come together with the chairs and work out an effort to resolve a matter in a process that is fair to all sides.

When you are down to the last few days of a session and you are talking about a measure that may involve billions of dollars, the well-being of millions of our citizens, someone can exercise the power to hold up the public's business without any accountability whatsoever. What happens is then the leaders and the chairs traipse all over here, practically going almost the equivalent of door to door, desk to desk on the Senate floor. It got to a point, when I was trying to deal with one particularly exasperating hold, where a Senator came up to me and apologized because he was told there was a hold about which I was concerned. He said: I knew nothing about it. It was put on by a staff person. I asked for its removal.

There are a variety of technical issues on which Chairman LOTT and Chairman GRASSLEY and Senator BYRD and I have worked. There is a difference between a consult and a hold. A consult, in effect, is just a request to be informed when a measure is going to be brought up. A hold is something different. A hold is when you want to shut down the effort to go forward and examine an important issue altogether. It is all powerful in the last few days of a session, as the distinguished chairman of the Rules Committee, Senator LOTT, has noted.

There is something very wrong with the process when, in effect, you have to traipse all over the Senate trying to figure out whether or not your measure is going to see the light of day.

We have had an objection to our bipartisan effort today, but I think I speak for all of the sponsors when I say we are going to be back at it. Chairman LOTT has initiated a very important process in the Rules Committee to examine some of the antiquated practices of the Senate. The holds is one that we see working great injury in the last days of a session. But under the leadership of Chairman LOTT, we are going to be looking at other practices in the Rules Committee. I think that is long overdue. I have great confidence that the chairs, Chairman LOTT, Chairman GRASSLEY, Senator BYRD, who knows more about the rules of the Senate than I could ever dream of knowing, are going to be able to work with us on a bipartisan basis to address this responsibly.

We have done that. We have asked only that this be done for the rest of this session. I personally do not believe Western civilization is going to come to an end because a Member of the Senate has to be clear about whether or not they are holding up the public's business. But to make it absolutely clear what would transpire, we have in effect a test period, as Chairman LOTT has described it, to examine the effect of our sunshine holds, a process that would end some of the stealth and secrecy that surround this issue.

I ask unanimous consent to add Senator DAYTON as a cosponsor of S. Res. 216.

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

Mr. WYDEN. I see Senator LOTT and other colleagues have other business to attend to. I will wrap up only by quoting the foremost authority on Senate rules who served as majority leader of the 95th, 96th and 100th Congresses; that is, our friend and colleague, Senator ROBERT C. BYRD. In chapter 28, ''Reflections of a Party Leader,'' volume 2 of his publication in the Senate, Senator BYRD wrote:

> To me, the Senate's rules were to be used when necessary to advance and to expedite the Senate's business.

Giving the sunshine hold a place in the Senate's rules, creating sunshine holds so as to ensure that there is new openness and new accountability in the way the Senate does its business, seems to me to be an ideal way for the Senate to honor those eloquent words of Senator BYRD.

We have not been successful today, despite the best effort of Chairman LOTT, Senator GRASSLEY, and others. But we will be back. This practice is continuing to increase. Even when I came to the Senate, I found it used frequently but not to the extent it is being used today. It is time to do the public's business in public. We will stay at this effort to accomplish just that.

I yield the floor.

Mr. GRASSLEY. Mr. President, I rise in support of the resolution to end secret holds in the Senate. Senator WYDEN and I have worked long and hard on this issue and it is time for the Senate to act decisively to reject the practice of placing anonymous holds.

A hold, which allows a single Senator to prevent a bill or nomination from coming to the floor, is a very powerful tool. Holds are a function of the rules and traditions of the Senate and they can be used for legitimate purposes. However, I believe in the principle of open government. Lack of transparency in the public policy process leads to cynicism and distrust of public officials. I would maintain that the use of secret holds damages public confidence in the institution of the Senate.

Our resolution would establish a standing order for the remainder of this Congress that holds must be disclosed publicly. For my colleagues who might be apprehensive of this change in doing business, I would point out that this measure would only be in effect for the current Congress and would not formally amend the Senate rules. Nevertheless, a standing order has essentially the same force and effect in practice as a Senate rule. I have no doubt that, once instituted, this reform will be found to be sound and no reason will be found why it shouldn't be renewed in subsequent Congresses.

For several years now, I have made it my practice to publicly disclose any hold I place in the CONGRESSIONAL RECORD, along with a short explanation. It's quick, easy and painless, I assure my colleagues. Our proposed standing order would provide for a simple form to fill out, like adding a cosponsor to a bill. The hold will then be published in the CONGRESSIONAL RECORD and the Senate calendar. It is as simple as that.

I am very pleased to have the support of Chairman LOTT and Senator BYRD on this initiative to require public disclosure of holds. Earlier this year, Chairman LOTT held a hearing in the Rules Committee on the Grassley-Wyden resolution to require disclosure of holds. Since that time, my staff has worked together with staff members for Senators WYDEN, LOTT, and BYRD to come up with what I think is a very well thought out proposal to require public disclosure of holds on legislation or nominations in the Senate. I think it says a lot that this proposal was written with the help and support of Senator LOTT and Senator BYRD. As the chairman of the Rules Committee and a former majority leader, Senator LOTT brings valuable perspective and experience. It is also a great honor to be able to work on this issue with Senator BYRD, who is also a former majority leader and an expert on Senate rules and procedure.

I am disappointed that we cannot move forward with this resolution now, but I would urge my colleagues to join the growing coalition of Senators who are working to shed some sunlight on some of the most shadowy parts of this body so that we can ensure open and honest debate on the issues before the American people. I believe that the more we talk about secret holds, the more the consensus grows that this is an issue that must ultimately be addressed by the full Senate. You can be assured that we will keep pushing forward until that happens.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 15 minutes.

ENERGY POLICY ACT OF 2003—CONFERENCE REPORT—Continued

Mr. SUNUNU. Mr. President, I rise to add my voice to the very spirited debate we have had about the Energy bill. A number of Members have come to the floor to talk about specific provisions—the concern for the liability waiver for MTBE, in particular.

I want to step back and talk about the bigger picture—about the financial health of our country and the impact that this Energy bill, given its enormous size, will have on the long-term health of our budget, as well as our economy.

During the budget debates, we hear a great deal about fiscal responsibility. People love to talk about fiscal responsibility in the abstract. When you are looking out 10 years and are talking about surpluses or deficits, or more broadly about revenues or spending, it is all about fiscal responsibility. But they don't like to talk about it as much when we have a specific piece of legislation on the Senate floor, as we have now, that will draw from the Federal Treasury and start spending that money in a way that I don't think is very well thought out. I certainly don't think it will have a very positive effect on our economy.

In particular, if we look at the Energy bill and its scope and size, it not only breaks the budget that was agreed to just 6 months ago, it not only violates the budget once or twice or three times, it is in violation of the Budget Act in four different ways. In fact, in one area in particular, on spending, it violates the Budget Act three different times. A point of order, as has been indicated by the budget chairman himself, lies against this bill. It violates the budget caps, busts the budget by over $800 million next year alone, by more than $3.4 billion over the next 5 years, and by $4.3 billion over a 10-year period. It breaks the budget cap, breaks the budget agreement, and violates the Budget Act. That is a lot of money—800 million dollars, $3.4 billion, and $4.3 billion over the next 10 years.

I think at a certain point we have to draw the line. We have to say energy is important to the country, markets are important to the country, competitiveness is important to the country, but we can achieve these things without violating the budget agreement that was just put into place several months ago.

The bill includes new mandatory spending, which is effectively on automatic pilot, where once the bill is signed into law, the spending will take place automatically, without appropriations and without any new legislation passed. So it is $3.7 billion in mandatory spending over the next 5 years, $5.4 billion in new mandatory spending over the next 10 years. In addition to that, we have all the authorized spending in the bill—over $70 billion in spending is authorized over the next 10 years.

Looking at the authorization language, the different programs—dozens and dozens of different programs—total over $70 billion. These programs are effectively picking and choosing among different ideas and innovations and areas of the energy industry, picking winners and losers among the different competing forces. That is where we need to be very careful about the impact a bill like this would have. Why should any legislator, or bureaucrat, for that matter, be trying to pick the winning or the losing energy technology or innovation 5 or 10 years out into the future? We are not experts in this area. We are not scientists. We don't dedicate our lives to understanding the nuances of new energy technology. We certainly should not be writing legislation that picks those winners and losers in the marketplace.

If you read through—just to touch on a few to get a sense of what I am talking about—$250 million is in the bill for photovoltaic energy commercialization, the use of photovoltaic energy in public buildings. Photovoltaics is an interesting technology, perhaps a promising one. But to spend $250 million to try to commercialize this in public buildings suggests that we know, as Senators, that this is the right energy source to use in public buildings for the foreseeable future.

Why not let the market compete? Why not let investors step forward to build or renovate or improve public buildings, to use energy more efficiently in public buildings, pick the best contractor, the best product, the product which delivers the best value for the public? Why do we have to spend $250 million biasing the marketplace? There is $125 million for a coal technology loan. It turns out this particular one will actually go to convert a clean coal technology plant into a traditional coal-fired generation plant.

Elsewhere in the bill, we have a couple of billion dollars to subsidize the clean coal technology industry. So this