

the Senate floor over the course of 8 years during the 1990s. I will tell you that there was no 98.4-percent approval rate then. But that is the record.

To reiterate—just to be sure everybody understands, I will do this one more time—one-hundred and twenty-four nominees were confirmed in 2½ years, circuit and district court nominees approved in the Senate—a record. Two nominees have not: Mr. Estrada because he has refused to fill out his job application, and Ms. Owen in large measure because she puts her own views ahead of the law. Those are the two.

One-hundred and twenty-four to two, that comes out to 98.4 percent of all Bush nominees confirmed to date.

I will end where I began. "If it ain't broke, don't fix it".

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

The PRESIDING OFFICER (Mr. KYL). 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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.

Mr. DORGAN. Mr. President, we are dealing with the energy bill on the floor of the Senate, and specifically we are considering an amendment that has been offered dealing with renewable fuels, or ethanol. I want to talk a bit about that subject, but I think it is important that perhaps I first comment on the discussion just preceding when Senator DASCHLE came to the floor to talk about judgeships.

Let me reiterate for a moment something that I think is very important for people to understand. I know the majority leader and the President today have talked about some collapse in the system and some great concern about the fact that judges aren't getting confirmed.

Let's understand something. We have the lowest number of vacancies on the Federal bench we have in a decade and a half. Why is that the case? It is because we have been approving nominations sent to this Senate by the President day after day—124 of them. I voted for all but 3 of them—124.

The reason the majority leader and others say the system has collapsed is that there are two nominees who haven't gotten through the Senate. They are upset about that. Well, there is nothing in the U.S. Constitution that says there is a requirement for the Senate to be a rubberstamp for any President, Republican or Democrat. The fact is that most of President Bush's nominees are going to be approved by the Senate—and have been, 98.4 percent. If the President sends us a nominee who aspires to be put on the Federal circuit court for an entire lifetime and that nominee says, You have no right to the information you requested from me, then I say you have no right to expect that the Senate will

approve you for a lifetime appointment on the Federal bench.

Mr. Estrada has been told that he is to provide information to the Senate in order that we may evaluate it.

He has been unwilling to do that. So has the Bush administration. In fact, until Mr. Estrada provides that information to the Senate, he is not going to get a final vote on his nomination. If he decides never to provide that information to the Senate, in my judgment, he is not going to be a circuit court judge; the Senate is not going to approve his nomination.

Let's understand the facts. There is a lot of hyperbole used here in politics. The facts are these: This Senate has done a masterful job, in my judgment, of moving through the nominations sent to us by President Bush. Day after day and time after time, we have done that. In my State, we had two judgeships open. Both Federal judgeships were filled by Republicans nominated by President Bush—one in Fargo and one in Bismarck. I am a Democrat, but I was proud to support both of the nominees. I came to the floor and spoke in support of both Republican nominees, who I think will make outstanding Federal judges. They are now both on the bench.

That is the way the system should work, and it is the way it has worked in almost every circumstance—except for two. Because of those two, we have the majority leader and the President of the United States say the sky is falling. Nonsense, what sheer, utter nonsense. The sky is not falling.

What has happened is, we have a couple of nominees with whom this Senate has decided it does not want to proceed—until we get certain information from Mr. Estrada; and the other nomination, Judge Owen, was turned down last year by the Senate Judiciary Committee.

I wish to make this point: I know these days, with the 24/7 news cycle, there are some who believe if you say something and it gets repeated often enough—over and over and over again—that it will become fact. Well, it is not a fact for the President, and it is not a fact for the majority leader, to be able to say to the American people that we are somehow obstructing the nominations of Federal judges. That is simply not the case. It is demonstrably not the case, and there isn't any way they can make that case because the record is clear and the facts are in: 124 Federal judges have been confirmed, 125 if you consider the other judge which is a special judgeship for a 15-year appointment, but out of those 124, 125, all but 2 have moved here in the Senate.

I do not know of another time when the minority has been as cooperative and done as much to make sure we have filled these judgeships. In fact, when President Bush took office, and going back a year and a half ago, when my colleague, Senator LEAHY, inherited the chairmanship of the Judiciary

Committee, we had a substantial number of openings on the Federal bench that had not been resolved and that had not been filled, and we have now moved very quickly, with the President, to resolve that, and we have the lowest number of vacancies on the Federal bench for the past decade and a half.

Let me be clear that there is not a circumstance here where there has been obstruction in the Senate. We have approved most of this President's nominees, and likely will continue to do so; and I will likely continue to vote for nearly all of them. But there will be circumstances in which a specific nominee will not get through this Senate for a number of reasons, and when that is the case, it is not appropriate and not factual for someone to get on a microphone and tell us: The sky is falling. That is total, sheer nonsense.

#### THE ENERGY POLICY ACT OF 2003—Continued

Mr. DORGAN. Well, Mr. President, now that I have that off my chest, let me go on to talk about energy.

I am proud to be on the floor of the Senate in support of the ethanol amendment, which is bipartisan. It is interesting to me that this legislation dealing with ethanol is an amendment that comes to the floor by virtue of Senator FRIST, Senator DASCHLE, myself, Senator TALENT, Senator JOHNSON, and so many others, with strong bipartisan support. It is saying: At least one part of this country's energy strategy that makes sense is to take the starch and sugars from a kernel of corn, ferment that, and get a drop of alcohol and extend America's energy supply. You do a couple things with that: You expand the opportunity for markets for agricultural products and help family farmers, and you actually grow your energy supply in America's farm fields by producing corn that can be then used to produce ethanol. What a remarkable thing to do. It makes good sense to extend our energy supply by producing ethanol.

Now, let me talk a bit about what sets us up to do this. First, we have to have a serious discussion about America's energy future. I have spoken of this before, but I wish to do it very briefly again.

We need to use fossil fuels in this country's future. There is no question about that: coal, oil, natural gas. We use them, and we will use them. But if our energy strategy is only that—if America's future energy strategy is only a dig and drill strategy—then it is a "yesterday forever" strategy. Every 25 years we can come to the floor of the Senate, we can have another debate about how much we are going to dig, how much we are going to drill, and probably satisfy our urge to speak. But we will not have satisfied this country's need for a different kind of energy strategy.

So an energy bill that makes sense for this country's future is one that

does dig and drill, with environmental safeguards, but it must do more than that. It should, first, include incentivized production, but, second, it should provide conservation measures, because a barrel of oil saved is a barrel of oil produced in our economy. Then, in addition to production and conservation, an energy bill that makes sense is an energy bill that has a title that deals with the efficiency of all of the appliances that we use in our daily lives. And, fourth, it should include a provision that deals with limitless and renewable sources of energy. That is what this amendment is about.

So production, conservation, efficiency, and limitless and renewable sources of energy—that is what an energy bill is about, if it is balanced. Add in the limitless and renewable sources of energy, for my money, it means we should pole vault over all of these 25-year debates and say, we want to move to a new energy future.

One hundred years ago, when you wanted to gas up an old Ford, a Model T Ford, you pulled up to the gas pumps, you stuck that hose in the gas tank and began pumping. One hundred years later, we do exactly the same thing. If you happened to have driven a Ford this morning, and stopped at a gas pump, you did exactly the same thing they did a century ago: You run gas through the car's carburetor. And God bless us, we have great cars, and we have fuel at every gas pump, and no waiting lines. That is the way we fuel our automobile, our transportation fleet.

Let me describe what is happening with respect to energy in this country. If you look at the total demand for oil, and then look at transportation, you will see that the fastest rising demand for energy in this country, for oil particularly, is in transportation; it is in our vehicle fleet. That is where our demand for energy is rising.

What I believe we should do is heed the words of President Bush, who said: Let's move to a hydrogen fuel cell future. When President Bush called for that in the State of the Union Address, I said: This makes great sense. I had previously introduced a piece of legislation suggesting the same. I suppose that is why I thought it made great sense.

But the fact is, for this President to put his administration on the line in support of a hydrogen future with fuel cells is a very important step. To be sure, his plan is not very bold. I suggest that his plan is rather timid: in fact, it is \$1.2 billion, half of which is new money, and part of which comes out of other important energy initiatives, particularly in renewables. But I don't want that to diminish the fact it is very important that this President—a Republican President, who comes from an oil State—says: Let's move to a different kind of energy future, especially with respect to transportation and the vehicle fleet.

Let's see if your children, and our grandchildren, might not be able to

turn the key on an automobile that uses hydrogen in fuel cells. Hydrogen is ubiquitous. It is everywhere. Hydrogen is in water. You can put up a windmill, with more efficient turbines, and take energy from the wind, produce electricity, and use that electricity—through the process of electrolysis—to separate hydrogen and oxygen from water, and then store the hydrogen, and use that to power our vehicle fleet. That is one application: using wind energy to produce electricity to produce hydrogen. But there are so many ways to produce hydrogen, and it is everywhere.

So what we have to do is begin to solve this problem of moving to a hydrogen future—the problem of production, the problem of transportation, storage, and infrastructure. But the fact is, although these are problems, they are not insurmountable.

I drove a hydrogen car yesterday that was here on Capitol Hill. It is the second one I have driven. This was a General Motors car. One was United Technologies. Hydrogen vehicles are twice as efficient in getting power to the wheel as the internal combustion engine. Do you know what they put out of the tailpipe? Water vapor. What a wonderful thing: You find an engine that is twice as efficient, using a fuel cell, and you clean up the environment by putting water vapor out of the tailpipe of a vehicle. What a wonderful thing to do.

Now, I can't tell you how important it is to have the President's support on this. I nearly tripled what the President wanted by pushing, along with Senator DOMENICI, and others in the Energy Committee, to say: Let's substantially increase the amount of resources we are going to put towards moving in this direction of a hydrogen future. This requires bold, big initiatives. So the bill on the floor is slightly over \$3 billion. I would like it to be \$6.5 billion. I would like targets and timetables. I would like to see 100,000 vehicles using fuel cells on America's roads by 2010.

I would like to see 2.5 million vehicles on America's roads by 2020. Targets and timetables is the way we drive this issue. With research and development in a whole range of areas, and development of infrastructure, we can do this. We won't do it if we just revert back to what we have always done.

When I was a little boy growing up in a town of 350–400 people, they decided to try to dig an oil well 5 miles from my little town. It was the biggest thing in the world. We were so excited when somebody said they would try to dig an oil well on Bon Woodruff's farm. We thought it was the biggest thing. I remember driving out there. We used to drive out there all the time, the whole town. We would all drive out to see where the oil well was. We would watch the rig being put up. When it got up, it had lights all over it. They were drilling day and night. People were driving out and parking, watching. There was

nothing going on, just lights and a rig. In my town that was a big deal. It was a dry hole. They never got oil. But it was a pretty interesting several months.

As a little boy, I thought about the drilling for oil, where we find oil abroad, and how we use oil to power our vehicle fleet. Fifty-five percent of that which we use comes from outside of our country. That doesn't make sense. Much of it comes from troubled parts of the world, a third from the Middle East. We could wake up some day and discover the supply of oil is cut off because of terrorists. Then America's economy would be flat on its back. The 55 percent foreign oil we are now dependent on is going to rise to 68 percent if we don't do something.

What is the greatest demand? Transportation. We have to do something big and bold. We have to have an energy policy that says to the people: We will get out of this. We may never be completely independent, but we will sure be a whole lot less dependent on foreign sources of energy.

That brings me to the amendment. The amendment dealing with ethanol. I am a big fan of growing part of our fuel in the farm fields. You grow that corn, take that ear of corn, take the kernels off, and with those kernels of corn you produce alcohol. It is important to farmers. It is a new market for their crop. It is important to our country's energy needs because it extends America's energy supply.

MTBE, a fuel additive, will be phased out in this legislation. We are discovering when MTBE shows up in America's groundwater, it is harmful to health. We will get rid of it. When we do, it will dramatically increase the demand for ethanol across America. That demand will increase to nearly 5 billion gallons. That means we will see more and more plants built around the country that will use the agriculture feedstock, take the alcohol from it. You still have the protein feedstock left to feed to the cattle, and you have grown some energy in America's fields. It is, therefore, renewable. We are not using it up. It is renewable year after year.

I am pleased that now for the first time we see a robust bipartisan group. It is not that it has not always been bipartisan; it has always been a bipartisan debate. But when you have the majority leader and minority leader leading an amendment, that is a big deal. Those of us who care about ethanol understand this is a moment in time in which we register strong support for moving in a different direction, for being bold. I talked about hydrogen and fuel cells. That is one part of being bold. The other part of renewable and limitless sources of energy is ethanol. There is more, including biodiesel, among others. So there is much to do.

The legislation we have brought to the floor from the Energy Committee

is imperfect. But it has some good features. We will add some additional features. Senator DOMENICI should be commended. He is a pleasure to work with. Senator BINGAMAN on our side of the aisle, ranking Democrat, is the same, a terrific Senator who has done a great job. The energy bill needs some strengthening. We need a Renewable Portfolio Standard to improve the future for renewable energy for electricity. We need a Renewable Fuels Standard, which includes the ethanol amendment.

We need protections on the electricity title that do not now exist. I chaired hearings in the last year and a half with respect to what Enron Corporation did in the State of California and on the West Coast. When I said during that time that it looked to me like it was massive manipulation of electricity markets, and grand theft going on to the tune of billions of dollars for consumers in California and the West Coast, that was pooh-poohed by everybody. All the conservative columnists and others, Mr. Krauthammer and others, would write: Who are you kidding? There is no manipulation. Every time something like this goes on, the Democrats claim there is manipulation.

We now know there was grand theft going on. Massive criminal investigations are occurring. The Federal Energy Regulatory Commission, which for a long while did its best imitation of a potted plant and decided it would not do anything while the people were victimized, has now said it was not just Enron, but there were a number of companies on the West Coast that decided to take the opportunity to shut down the electricity plants, short the load, drive up prices, and profiteer as a result of it.

Strategies like Death Star, Get Shorty, Fat Boy. You don't know what Fat Boy is? Fat Boy was a strategy by which energy traders working for the Enron Corporation colluded to try to see if they could steal from consumers. Death Star, same thing; Get Shorty, there were a dozen of them and more. Even more than the strategies, which were written in memos that we now have, we also have the transcripts of telephone conversations in which they talk about how they will shut down the plant in order to short the load and drive up price. They moved electricity in and out of a couple of States in order to increase the price, in some cases tenfold in 24 hours. What is that called, except stealing?

There are going to be people who go to jail for it. The electricity title in this bill must address these issues, wash trades, and others. It addresses a couple of them, but not nearly enough. We need to put consumer protections in here so what happened to the people in California does not ever happen again. We have a lot of people running around the country saying: We need to restructure the electricity title. We need to restructure electricity issues so there is massive competition.

We have a bit of experience with that which tells us that when you have very big players who have the ability to control and monopolize markets, and you also have a consumer, if you don't have a referee in between making sure the big interests are not cheating, the little interests get trampled. That is what happened on the West Coast. It is not just petty theft. It is billions of dollars.

My colleague who will speak following me, Senator NELSON of Florida, was a member of the subcommittee where we investigated these issues. Frankly, it made you sick to see what was going on.

Finally FERC stepped in and imposed a price cap. Finally an investigation was undertaken. The Justice Department is involved. The fact is, we should not and will not pass an energy bill through the Congress without an electricity title that provides protections to make sure this never happens again.

There will be other amendments. I am proud today to support this amendment, a bipartisan strong amendment on ethanol. We will also need to include a Renewable Portfolio Standard in the bill. We need to put in provisions that deal with consumer protections with respect to electricity. There is much yet to do. It is a pretty good start. This bill will advance America's energy interests, if we can add the amendments and add some protections.

Following the war in Iraq, what we know exists in the Middle East, as well as all of the uncertainties around the world, if anybody still wonders whether we need an energy policy, they have been asleep. This country needs to make sure its economy, its way of life, the future for the American people is not held hostage by the whims, confrontations, tragedies and conflicts in other parts of the world. That is what a good energy strategy, a balanced energy strategy, will do for our future.

I yield the floor.

Mr. NELSON of Florida. Mr. President, will the Senator yield for a question?

Mr. DORGAN. I am happy to yield for a question.

Mr. NELSON of Florida. The Senator from North Dakota and I are joined at the hip on so many of these issues he has just raised regarding energy. This Senator was particularly intrigued by the compelling argument the Senator from North Dakota made about a hydrogen engine being developed.

Does the Senator know, will there be an attempt to increase the amount of funding for research and development for a new hydrogen engine that will be in this particular bill?

Mr. DORGAN. The Senator from Florida should know that I offered an amendment in the Energy Committee that failed, I believe, by one or two votes. I intend to offer it again on the floor. It is similar to legislation introduced in the Senate that creates an Apollo-like program on hydrogen and fuel cells. My belief is we ought to do

for this as we did with respect to going to the moon. President Kennedy said let's put a person on the moon by the end of the decade. Sure enough, Neil Armstrong stepped off that ladder running and planted his foot on the surface of the moon by the end of the decade.

It seems to me if this country really wants to effect substantial change, then you have to set goals and timetables. My proposal, which I introduced with a number of colleagues in the Senate—actually prior to the State of the Union Address in which the President announced his support for this initiative—is a \$6.5 billion authorization over 10 years that sets targets and timetables and puts this country squarely behind an aggressive Apollo-type program, saying let's get there and, as a nation, let's aspire to reach a goal. Yes, I intend to offer it as an amendment to the energy bill.

Mr. NELSON of Florida. This Senator will be one of the Senator's co-sponsors on the amendment. It is interesting that you have described it in terms of an Apollo-type program, which is exactly what this Nation needs. If we put our minds to something, as we did in the 1960s—announced by the President that we were going to the Moon by the end of the decade, and then return safely, and the Nation marshals its will and resources to do a technological feed as we did in going to the Moon, if we apply that same kind of will to addressing the energy crisis by the development of a hydrogen cell, a hydrogen engine that can propel most of our vehicles in this transportation sector—and the Senator's chart shows that transportation is the largest consumer of energy in the United States—if we did that, then clearly, as the Senator from North Dakota says—and I second it—we are going to wean ourselves from the foreign oil that we find ourselves so dependent upon today.

I will just offer as support for the Senator's statements that onboard the space shuttle we produced electricity from a hydrogen fuel cell. It is the mixture of hydrogen and oxygen that then produces electricity. What does it have as a byproduct? Water. As a matter of fact, onboard a mission of the space shuttle, so much excess water is produced that it needs to be released into space; a water dump is done, usually after each flight day.

It is there, it is technology we understand, and we are using it today in space aboard spacecraft. There is no reason we cannot bring down the per unit cost of a hydrogen engine if we put our minds and our technology and resources into it. What it would do for us is lessen our dependence upon foreign oil, which would lessen some of the kinds of things that we have to do in that region of the world that gets us inextricably involved in our military and foreign affairs.

Mr. DORGAN. Mr. President, I know the Senator wants to take the floor in

his own right. I think it is important for people to know he is the only Member of the Senate who has actually flown on the space shuttle. Many people know that. Many years ago, he was part of the crew of a space shuttle. He knows of what he speaks.

I was originally going to call the bill I introduced—trying to move us in a bold, aggressive way toward a hydrogen future and fuel cell—the Manhattan Project, which was another successful project that dealt with something different. The Manhattan and Apollo Projects were both projects that had this country saying let's do this with targets and timetables. I think that is what we should do with respect to the President's call for a hydrogen economy and fuel cell, especially having this President's administration behind this initiative.

It is no small thing to have a President from an oil State say to the country: Let's see if we can move toward a future with hydrogen and fuel cells.

Good for him. That support is going to be very important. I will indeed offer my amendment to the energy bill at some point in the coming days, and I am happy to have the support of the Senator from Florida.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. SUNUNU. Mr. President, this week we began debate on the energy bill, a vast and complex piece of legislation, arguably an important piece of legislation, that deals with an issue that touches every American in some way, shape, or form. Access to stable, reliable sources of energy is central to the strength of our economy.

I have real concern, as we take up this bill, that it not simply be a piece of legislation where we look to include every element, every fragment, every idea ever considered that might, in fact, alter energy markets around the country or around the world. I am concerned that in our effort to craft an energy policy, we simply look for ways to aid or to assist particular businesses, industries, or areas of research.

This bill currently includes very substantial loan guarantees to successful private corporations around the country; it includes research subsidies for investment in fossil fuel research, oil and gas development; and it includes a very complex and sizable tax package, some of which I think is questionable as to whether it will achieve the kind of fairness, equity, and efficiency in the energy markets we would like to see.

This morning, however, I wish to speak about one particular provision that is before us in the form of an amendment, an amendment that has been offered to dramatically increase the size and the scope of the Federal ethanol program. It not only expands the size of the ethanol program in America, but it effectively makes it mandatory, taking us from a 2-billion-gallon-a-year ethanol program to some

5 billion gallons a year over the next 8 years.

I can understand there are a lot of supporters of the ethanol program in this Chamber. A lot of the Members of the Senate have farm economies back home and see income or productivity that comes from this Federal program. But I do not think it is right to provide a subsidy at the taxpayers' expense for a program that cannot stand on its own feet.

Among the concerns I have with the current program, first and foremost is the supposed environmental benefits of ethanol. It is true, as an oxygenate, ethanol reduces the volatile compounds that are emitted into the atmosphere from fuel, from gasoline, but it does not do anything substantively to reduce the level of NOx in the atmosphere that contributes to the ozone problem, to the smog problems. I think as this debate goes forward, we will hear a lot of discussions from some of those Senators who represent urban parts of the country that have tough, real problems with ozone and smog. They have grave concerns about this program that provides a huge taxpayer subsidy without dealing with those important environmental issues.

From an energy perspective, we will hear a lot of discussion about the amount of energy that will be produced from this renewable resource because it is corn based, but from most proponents we will not hear a lot of discussion about the energy it takes to produce this ethanol in the first place. It takes nearly a gallon of fuel to produce a gallon of fuel. So at the end of the day, you may have ethanol that you can blend in gasoline and put in your car, but you have used quite a bit of energy to get there in the process.

From an energy perspective, energy efficiency, energy independence, even then, in the best case, the benefits are marginal, if they exist at all.

Finally, of real concern is the subsidy itself. There is an enormous taxpayer subsidy that is used to provide viability to this industry. As everyone goes to the pump, they pay 18.3 cents in tax for every gallon of gas they put in their car. If that gallon is blended with 10-percent ethanol, it is exempt from 5.3 cents of that gas tax. That represents a 53-cent-a-gallon subsidy for the ethanol itself—53 cents. At the end of the day, that means a billion dollars less going into our highway trust fund.

We are going to deal with the highway reauthorization bill later this year, and there are a lot of supporters of highways who are pushing for more money. I think we need to take a long, hard look at what the right amount to spend on infrastructure is in this country. But we certainly do not need to be subsidizing a questionable effort such as this ethanol program in a way that takes money out of our highway trust fund, a billion dollars a year today, and with this expansion that will go to \$2 billion a year by 2012. That means \$2 billion a year lost from the highway trust fund.

Now, for years the argument that was made by House Members, Senators or legislators all across the country to support this subsidy, was that we need the subsidy in order to encourage people to use the ethanol fuel. That is why we have the subsidy. We need it if we are going to get people to use this fuel.

That subsidy has not been very successful in getting people to use that much of the fuel. So now they are going to go to a mandate.

Well, I can understand why one would want to force a mandate on the American people if they are determined to force them to purchase the fuel. But if it is going to be mandated, why is the subsidy still needed?

That is one of the central issues we are going to have to deal with in this debate, and we need to at least put people on the record as to why they think we still need to subsidize this industry, in many ways a very concentrated industry.

There are about half a dozen very large, successful businesses, that are responsible for about 70 percent of the ethanol produced in this country. Why do we ask taxpayers to continue to subsidize this industry when we have a mandate in place that forces them to buy the product? That makes no sense. I do not think it is fair in the first place to force them to buy the product, but I certainly do not think it is fair to force them to subsidize the product at the same time. It has got to be one or the other. If a subsidy is to be provided because it is the only way to get people to purchase the product, at least that is a rational argument—not one I support but it is a rational argument. If the only way to get them to buy the product is to mandate it, to force them to buy it, that is also a rational argument, although not one that I support. But it cannot be both ways. A subsidy cannot be forced on the American people, the money cannot be diverted from the trust fund and have the mandate at the same time.

If the mandate is going to be that 5 billion gallons of this fuel has to be purchased every year, the least we can do is then treat it the same way we treat any other fuel in this country with an appropriate, fair, and well-thought-out excise tax. The American people deserve consistency and fairness in this matter.

I think it is a shame that we have a program such as this ethanol program that really has not proven its worth, that unfortunately channels huge taxpayer subsidy to a small number of very successful, profitable companies around the country. I would rather see a bill that did not have this taxpayer subsidy in it in the first place, but if we are going to take up this issue, let us at least be fair and equitable in the way we deal with it.

We need a good, thoughtful energy policy in the United States. This kind of subsidy ought not to be part of that program and that policy.

I have a number of other concerns with the legislation before us, but I

hope when the time comes we can work to craft an amendment that would right this wrong, that would ensure that ethanol is treated the same as any other fuel that we have in the country, and that would improve the quality of this legislation before it passes the Senate, if it is able to do so.

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

The PRESIDING OFFICER (Mrs. DOLE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

Mr. FRIST. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business.

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

#### HAIL TO THE CHIEF

Mr. STEVENS. Mr. President, the other morning, as I read the clips from the Anchorage Daily News, I was taken by a report of an event that took place when President Bush landed on the aircraft carrier off of San Diego.

I ask unanimous consent that this Anchorage Daily News article be printed in the RECORD following my remarks on this subject.

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

(See exhibit 1.)

Mr. STEVENS. This article referred to Petty Officer 3rd Class Francis Cushingam IV, who met and shook hands with the President three times while he was on the aircraft carrier. It describes how this 21-year-old Alaskan from Eagle River and his 5,000 shipmates played host to President Bush and what they did.

President Bush was on board all day getting to shake hands with almost every member of the crew. As the article says:

Trust an Alaskan to make the most of opportunity. Despite an uncertain start, Cushingam managed to shake Bush's hand three separate times, get his picture taken with the President, and appear in a background shot on the Today show.

The article goes on to say that Cushingam considers it to be proof of his few moments of glory and has a quote from him:

It's something I'm going to keep to show to my children and my grandchildren. I can say, "Hey, I met the President."

There are people who criticized the President for having landed on that aircraft carrier. As a pilot, I envy the opportunity he had to land on that aircraft carrier and I certainly do not criticize the President for his visit.

Our battle carrier groups are tremendous examples of the ability of the United States to project force to all

corners of the globe. What better way to show the world that force than to have the President of the United States land on this aircraft carrier as it returned to its home base?

In fact, before the President landed on that carrier, the basic air combat groups on board the carrier had left. They fly ahead of the vessel as it goes into home port so they can go have their reunions with their families at the air bases, which reflect their duties. The sailors' families meet them as they come in to port. In this instance, it was San Diego. I have witnessed some of those real amazing events when a major ship comes back into port.

This visit of the Commander-in-Chief was accomplished within normal allocation of training flight hours to the pilots who flew him there. He was a passenger. He, as well as I, would like to experience landing a plane on an aircraft carrier but we know we cannot do that.

Very clearly, the President was carrying out the tradition of every President since John Tyler in 1844. President Eisenhower visited aircraft carriers after World War II. In 1980, Jimmy Carter visited the Nimitz, and in 1994, President Bill Clinton, on the George Washington, went from England to France for the 50th anniversary of the Battle of Normandy. I do not remember any criticism of that. In fact, to the contrary. I think Americans are proud of the fact their President goes out to greet the troops as they are coming back and spends time with them.

As this article points out, this Alaskan greeted the President as he came out of the gym. He had gone to work out with some of the guys and gals on board. I cannot think of a better way for a Commander-in-Chief to demonstrate the great confidence we have in the young men and women who performed their duty in Iraq.

I ask unanimous consent that another article which I have printed in the RECORD following my remarks.

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

(See exhibit 2.)

Mr. STEVENS. This is an article from the Copley News Service entitled "Bush Continues Seagoing Tradition." It points out the number of times that Presidents have gone on board aircraft carriers.

Long before I came to the Senate, I remember when Adlai Stevenson came to Alaska. He was just a Presidential candidate. We traveled miles and miles to see him, although I was a Republican candidate for office at the time. I think every American wants to see the President and is totally honored to ever be in the presence of the President. That person represents the honor of our country, and I cannot think of a better way for a President to do it than to go out and land on an aircraft carrier and honor those who have served our country so well in Iraq.

I do congratulate the President and I hope he keeps it up. I hope he visits every naval vessel he can visit and every military base he can visit.

This generation has done a tremendous job for us in Afghanistan and Iraq. My generation was referred to as "the greatest generation." I think these young people far surpass what we did in terms of their ability to follow orders, to achieve the goals that are set for them, and to do it in a very humane and humanitarian way.

Again, I think the President did the right thing by thanking the soldiers and sailors and marines on that aircraft carrier in person. I again repeat, I hope he will do it again.

#### EXHIBIT 1

#### AFTER SHAKY START, ALASKAN GREETES BUSH THREE TIMES

(By Sheila Toomey)

Petty Officer 3rd Class Francis Cushingam IV was so nervous about meeting the president that he almost blew his first opportunity.

"I'm all freaking out. I was basically scared to meet him. I mean, he's like basically the most powerful person on the planet," Cushingam said by phone Friday from San Diego, where the aircraft carrier USS Abraham Lincoln is docked.

The 21-year-old from Eagle River and his 5,000 shipmates played host Thursday to President Bush, who declared victory in Iraq in a speech broadcast from the carrier as it approached the California coast. The ship, which left the United States in July, was returning from duty in the Persian Gulf.

Bush was on board all day, and getting to shake his hand became a ship-wide obsession.

Trust an Alaskan to make the most of opportunity. Despite an uncertain start, Cushingam managed to shake Bush's hand three separate times, get his picture taken with the president and appear in a background shot on the "Today" show.

"I'm basking in it," Cushingam said. "Everybody was honored and excited. There's a lot of people who didn't get the chance to shake his hand, and they're all bummed out."

The first occasion was outside Cushingam's work station, a room of computers used in navigating the massive ship that's located along a corridor leading to the captain's cabin. When a bunch of Secret Service agents appeared, signaling the president's approach, Cushingam said he got nervous and turned to leave. A colleague stopped him, and the first shake took place.

"I said, 'How are you, sir? It's a pleasure to meet you, sir.' He said, 'Thank you for your service to your country.' I swore my face was the brightest hue of red you could possibly muster, but my friend said I didn't look nervous."

An hour later, Bush was returning from the ship gym, wearing workout clothes, needing a shower, friendly and shorter than he looks on television, the 6-foot-3-inch Alaskan said.

"He stood in the doorway, saw all of us with our cameras, and pretty much offered a photo op right there. . . . He said, 'Who has a camera? Who am I standing with first?'"

"I shook his hand about 4:20 in the afternoon," Cushingam said. "Pacific time."

The third shake was up on deck, after Bush's speech. Now a pro, no longer nervous, Cushingam maneuvered to be among the group Bush was scheduled to shake hands with in the afterglow of the international media event.