

she would be transported an additional 2 miles across town to the all-Black elementary school. That trip every day took about an hour. It was her dad, Rev. Oliver Leon Brown, for whom the Supreme Court case is named, who decided his child deserved to go to a school closer to home. He joined 13 other families in filing suit to end segregation in America's public schools.

Linda Brown recalls that, using her words:

When the parents involved tried to enroll us in all white schools and we were denied, my mother explained that it was because of the color of our skin. As a child I did not comprehend what difference that could possibly make.

Indeed, as a child Linda knew the truth so many adults refused to recognize, that the color of a person's skin should not make any difference at all.

Despite the Supreme Court's ruling, many States were slow to integrate classrooms. When I look back to my State of Tennessee, initial compliance was mixed. While Nashville public schools, for example, began their first day of integration in 1957, the surrounding county didn't begin until 1960. And even 10 years after that in 1970, 40 metro schools in Nashville were still segregated. But since that point in time, Tennessee, as the rest of the Nation, has made great progress. I think of the Chattanooga School for Arts and Sciences, which is hailed in the State as a model for diversity and academic success. Indeed, 99 percent of its students, who come from all racial backgrounds across the country, go on to college. In 2003, the elementary and middle schools scored above the national average in the Tennessee Comprehensive Assessment Program tests.

That all leads me to the ultimate hope of the *Brown v. Board* decision: That not only will Black and White students learn together, but that they will succeed together. In this we have a long way to go. As we look ahead and as we celebrate that wonderful decision of 50 years ago, as we were celebrating yesterday in Topeka, we have a long way to go.

Most recently, the President's No Child Left Behind Act is one powerful tool we have in closing the educational gap that exists between White and Black students. It sets rigorous standards for learning and teacher qualifications. It does hold schools accountable for their academic success. No longer will students be passed from grade to grade without mastering those basic learning skills. No longer will schools be able to mask their results in broad averages. They will have to account for every group of students under that schoolhouse roof.

Fifty years on, America has undergone a dramatic transformation. No longer is segregation an accepted, let alone celebrated, way of life. We recoil at the pictures of the Little Rock nine being jeered and threatened by angry White protesters. We hail the courage of those who led us forward. We tell

their story that we will always aspire to America's true purpose, that true purpose which is so powerfully expressed in our founding, that all men are created equal, and that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.

I yield the floor.

RESERVATION OF LEADER TIME

Mr. REID. Mr. President, I ask that the Chair reserve the leadership time of Senator DASCHLE.

The PRESIDENT pro tempore. Without objection, under the previous order, the unused leadership time will be reserved.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. SMITH). Under the previous order, there will be a period for the transaction of morning business for up to 60 minutes. The first half of the time will be under the control of the majority leader or his designee, the second half of the time under the control of the Democratic leader or his designee.

Who yields time?

The Senator from Wyoming.

ENERGY

Mr. THOMAS. Mr. President, I appreciate the opportunity to take some time in morning business to talk about one of the things that impacts us all, that we all see as we come to work each day or whatever we do in our day, and that is the cost of energy, particularly gasoline. It has an impact on all of us, certainly, something that affects not only you and me in our cars trying to get to work, but also the cost of other services and merchandise we buy, because there is an additional cost to development of all those things when gas is as high as it is right now.

It is a difficult thing to deal with because it is an item that over time we have expanded in our use, and we have begun to use a good deal more than we have in the past. We have increased our consumption, but we have not done the same thing with the kind of support facilities necessary to meet those increased demands. Again, one of the issues is not only gas or electricity, but it is the whole issue of energy in a broad sense, certainly, and energy policy that has to do with the long-term availability of energy to meet the demands we have.

Again, I point to the fact we have not been able to move an energy policy in the Senate in order to deal with the future. We will hear a lot of complaints, probably today, about something that ought to be done. The real important thing is, we ought to do something about the policy so over time we can make some of the changes that need to be made to change the whole situation

with energy over time. Obviously, there are a number of activities that need to be done.

A lot of factors affect fuel price and supply. One of them, obviously, is the cost of oil. Crude oil is at historic highs right now. In the past, we were accustomed to seeing crude oil at about \$22 a barrel. We talk about it when we make plans. It is now nearly \$41. It has increased a great deal over the last several months. It is very important to understand that the cost of oil represents almost 50 percent of the cost of gas at the pump. There are other costs, of course, but this is the major cost.

Interestingly enough, the cost of crude oil, plus the taxes, represents a little over 70 percent of the cost of gasoline. So when we talk about these costs, of course, that has to be one of the factors.

Also, there are less refined gasoline imports, as gas, not as oil, because of sulfur regulations. Over the years, we have had a reduction in the number of refineries. It seems strange, doesn't it; as demand has gone up substantially, the number of refineries has gone down. It is true that capacity has not changed that much because the refineries have gotten larger, but they have not increased the capacity over time. In the late eighties, we were using about 85 percent of capacity of refineries. Now it is about 94 percent of capacity being used, and the demand, of course, has gone up over that time. There has been a continual closure of refineries over the last 23 years, and so the system is now very tight.

In addition to capacity, we have had a lot of different regulations and different kinds of additions to gasoline in different parts of the country so that refining has been made much more expensive and much more difficult to market in that they have to have this kind of reduction here and another one for this State and so on. It has been very difficult. The reality is that there are a number of components to the price of gasoline. We have to review those in context.

We will be hearing probably soon that the Government ought to be taking oil out of the Strategic Petroleum Reserve, which is there to be a reserve and has been put together over a period of time. The fact is that the daily input into the Strategic Petroleum Reserve is about 170,000 barrels a day, and the consumption in this country is almost 9 million barrels a day. It is a relatively small amount. There may be some merit in diverting the daily input into this reserve, but I certainly think it would not make a lot of sense to extract from it. It will be interesting to see what happens with respect to this issue.

The fact is that the current price, when adjusted for GDP or growth in the economy and inflation, is not at a record high. In the 1980s, as a matter of fact, given the same economics, the price of gas was higher than it is today.

However, since it has gone up from \$1.50 to \$2, that is a sudden impact. The 1981 price, if it is measured against today's economy, would be over \$3. We have to be realistic about where we are.

The most significant factor, of course, that affects gasoline prices is the cost of crude oil. As I mentioned, it represents almost 50 percent of the cost of a finished gallon of gasoline. Crude oil prices have increased about 60 percent since April a year ago. That is a great increase.

The other point is that we have become more dependent on imported crude oil as opposed to domestic production. We have, interestingly enough, less control over that production.

The high demand in Asia and the U.S., plus OPEC activities, has restrained production over the years. It is the most important factor affecting prices.

Another key factor is increased gasoline demand, and that continues to go up. We can see that each day on the street in the number of cars and SUVs that are using more gasoline per mile than they did in the past. It is interesting; as we are moving in one direction in use and consumption, we are moving in another direction in providing the supply.

We have had a crazy arrangement. We have had very little growth in the U.S. in refining capacity. Currently, there are 149 refineries with a capacity of 16.8 million barrels a day. In 1980, there were 321 refineries with a capacity of 18.6 million barrels per day. That has been a conflict in our situation. Of course, there are a number of reasons for that situation. There have been no new refineries built since 1976, and unlikely due, of course, to political considerations, including siting costs, environmental requirements, industrial profitability, and, most importantly, the "not in my backyard" attitude which we seem to see in energy. We have over here demand and consumption, we want this service, but over here we say: Oh, yes, but we do not want refineries in our midst, we do not want transmission lines, we do not want the things that are elements of energy, but at the same time we want more of the product. These are some of the problems. They are not easy to resolve, but they are resolvable.

We need to take a look at a policy for the future and begin to provide incentives to do what needs to be done, to take another look at some of the environmental controls we have put in place. That is not to say we do not want to protect the environment, but there are ways to do it that are less intrusive on production. There is no doubt that environmental regulations have played a part in increasing the cost of fuel. No one believes we ought to sacrifice the environment. That is not the issue. The question is how can we do it in a more environmentally secure way without putting limitations on production.

The environmental and energy policies are interlinked. We must remember, when we are considering new regulations and policies, what impact it is going to have on the result. We do not seem to consider those two issues at the same time. We put on regulations saying we are going to help the environment, not thinking about what impact it has. Now we are at the point where the impact is affecting us, and we say: My gosh, what have we done? What happened here? Why do we have these increased costs?

It is pretty clear we need to do some things that are different from what we have done in the past.

It is fair to say that many of the folks from the Northeast and California complain about the high prices; however, their delegations over time have supported unilateral disarmament of our energy security by refusing to accept the balance that has to be created. They have opposed offshore drilling, coal-fired plants, nuclear-fired plants, the development of ANWR, leasing and development of minerals on public lands, and hydro relicensing—just a few of the things that have to do with domestic production and transportation of energy.

I guess we have to ask, Where do they think energy fuel comes from? It does not come out of the sky. We have to produce it. It is kind of like that attitude that one thinks milk and eggs just come from Safeway. There are some animals behind it.

We have to consider the consequences when the Federal Government mandates a certain environmental equation such as a 2-percent oxygenate that is put into gas. We have to be sensitive and realize the consequences so that the decisions we make with regard to those issues have to be balanced with what we need.

I hear all of this complaining about it but then we do not seem to recognize the link between Federal regulations and the higher price of gas: the phase-out of MTBE, the tier II gasoline sulfur standards, diesel standards, regional haze. All of these Clean Air Act requirements are going to raise the price of gasoline.

There are some things we can do. We have to do something about conservation. We have to find ways that we can use energy more efficiently, and that is possible. It is starting to happen even in automobiles.

I come from a State where SUVs are necessary. Sometimes we need a four-wheel drive to get to my house. Where I stay in northern Virginia, pickups and SUVs are all over the place. I do not think they need four-wheel drives very often, but that is fine. We can still make those more efficient. We can take a look at it.

We have to do some things over time to fuel cars with other things—hydrogen, for example. In our energy policy we have the opportunity to take a look at more research and more opportunities to provide alternatives. Gas and oil

are not going to be there forever at the same degree they are now. They will be for a good long time if we treat them properly, but there comes a time when we have to look at other kinds of things, and that is what this policy is about. That is why we need to be looking at more than just next week or next year. We have to take a look at what we are going to be doing. We have to modernize our energy structure to make it more efficient than it is now. We have to talk about renewables, whether it be electricity, wind energy, or Sun energy.

These are things we need to be doing. We know how to do them in small amounts now, but we have to find out how to do them in volume. We have to find out how to do them in a reasonable and bearable cost, but we can do that if we focus on doing it.

At the same time, we can protect the environment. My home State is one of the States where we have a great deal of energy production. We are the No. 1 producer of coal, for example. Well, in order to do that, we have to change things somewhat. We have to do some more research to find out how we can have clean burning coal, because it is the largest fossil fuel available to us.

We also are a producer of oil and gas. We have natural gas, of course, which has many uses as energy but we ought to be using coal or nuclear for the electric generation because natural gas is much more fluid. It can be used in other ways and for many other things, where coal cannot.

The point I am trying to make is that these are things that are out there in the future but they will not come about until we decide we are going to emphasize a policy with regard to energy and the impact it will have on us over the years.

The bill that we have is available to do these things. Unfortunately, we have had some problems of obstruction in getting it done. We need to work on that and acknowledge where we are and where our consumption is. Right now, it is reaching beyond where we are in terms of having a product to provide.

So it seems to me it is pretty clear that is the direction we need to move and it is the direction we can, indeed, move. We have a greater opportunity to do that now.

I will now take a second to look at some of the highlights of the energy policy bill that we do have. As far as oil and gas, we permanently authorized the Strategic Reserve. We have incentives for producing from marginal wells. As my colleagues can imagine, when wells produce a great deal of product each day everyone is interested in that. When they become marginal, there needs to be some incentives to continue to do that.

We have some royalty relief for deep water wells and for our greatest opportunity for these products offshore. We need to take into account the environmental status that we want there. We

have to do something about a gas pipeline from Alaska where some of our greatest reserves of energy are.

I already mentioned clean coal and certainly there are opportunities for us to ensure that the largest resource, fossil fuel, is available without being harsh on the environment. Indian energy, we have not allowed the tribes to be doing something on the reservations, which many of them would like to do. A lot of people resist nuclear energy. The fact is, we want clean generated electricity. Nuclear is probably the best opportunity that we have to do that.

The section is also there on renewables so, again, we can make some progress in terms of being able to utilize some renewable energy sources that will take some of the pressure off of the kind of production that we have now.

We have a great challenge. I think it is a challenge to this body to move forward on an energy policy and stop finding reasons to not have one and object to having one. It is the same people who complain about not having affordable energy, and that is kind of where we are. We can indeed change that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I ask unanimous consent that when the time for the Democrats comes, Senator DORGAN be recognized for 10 minutes and Senator DURBIN for 10 minutes.

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

The Senator from Georgia.

WINNING THE WAR IN IRAQ

Mr. CHAMBLISS. Mr. President, I rise this morning to talk about several issues relative to what is happening in Iraq today. First, the terrible offenses that occurred at the Abu Ghraib prison that came forth a couple of weeks ago have obscured some of the positive things that have been happening relative to the war on the ground in Iraq. We made some great strides over the last couple of weeks and, once again, we have every reason to be extremely proud of our brave men and women who are carrying out this war against terrorism, because we are winning this war.

We are seeing more of the bad guys taken out in Iraq today, and a lot of that has been obscured by what happened at Abu Ghraib and the revelations that have been forthcoming relative to those incidents over the past couple of weeks.

With respect to Abu Ghraib and to the individuals who were involved in the atrocities that took place there, our Army is doing exactly what it is supposed to do relative to issues such as this. We are doing a complete and thorough investigation of the facts. Those who committed offenses for which they need to be held accountable are going to be held accountable, irrespective of their level of management.

I say that because these atrocities may have been carried out by privates or sergeants or any other enlisted or officer personnel up the line. If they were, then they are going to be held accountable. If any of these atrocities were carried out by civilians, they are going to be held accountable likewise.

Major General Taguba produced a very professional and comprehensive report on what did take place at Abu Ghraib. He found what happened there was a total lack of discipline and a failure of leadership. Our military forces want to be held accountable because those who are doing the great job over there—and this is 99.99 percent of our military personnel—want us to get to the bottom of this, just as everybody in America and every other individual around the world wants us to do. And we are going to do that.

Second, there was an announcement yesterday that the coalition forces discovered sarin gas in an artillery round, and that is a very significant fact. I don't think we can overstate the significance of this, but by the same token we need to be careful as to how far we go. There was a lot of criticism leveled at this administration for conducting this war on the basis that weapons of mass destruction were in Iraq and in the possession of Saddam Hussein and that was the sole reason we went to war with Iraq. That simply was not the case. We debated that and will continue to debate that down the road. But the fact is those of us who kept saying we know the weapons of mass destruction are there because Saddam Hussein admitted he had them—and he never told us what he did with them so we know they are there—that theory has now been validated.

But is this the be-all and end-all relative to the issue of weapons of mass destruction? I don't think so. I don't think we need to get overexcited. I think we need to continue to allow the Iraq Survey Team to do their investigation and at the end of the day we will find out what did happen, how many weapons of mass destruction exist today, and where those weapons are. We will proceed with the destruction of those weapons that once belonged to Saddam Hussein. It is important that we find and destroy these weapons of mass destruction so they can't be used by terrorists, as they attempted to do last weekend.

Third, I want to mention the killing yesterday of the President of the Iraqi Governing Council, Mr. Izzedine Salim. Mr. Salim was a respected member of the IGC. His leadership will be missed. Our thoughts and prayers go out to his family.

However, his successor, Mr. Ajil al-Yawar, will lead the IGC over the next 6 weeks until political sovereignty is turned over to the new Iraqi government on June 30. The terrorists and anarchists fighting to keep Iraq from becoming a free and democratic state are not going to win. We are not going to let the killing of a fine individual such

as Mr. Salim keep the people of Iraq from forming a new, free and independent government and obtaining their democracy.

The perspective on these events is very important. We will turn over sovereignty to Iraq on 30 June. We have discovered weapons of mass destruction and we need to continue our search for others. We need to let our investigation on Abu Ghraib be completed before making pronouncements on who was responsible.

Last, I would like to relate that about 4 weeks ago, I had the pleasure of visiting 14 of our military institutions in Europe within a 4-day period. During that period of time, Senator SESSIONS, Senator ENZI, and myself had the occasion to visit with individual members of our Armed Forces such as those who belong to the 173rd Airborne Brigade, who are stationed at Caserma Ederly in Vicenza, Italy, who spent a year in Kirkuk, Iraq. They were the original occupying troops in Kirkuk. We had the occasion to visit with spouses of our soldiers who, today, are deployed to Iraq. We also had the opportunity to visit at Landstuhl Hospital at Ramstein, Germany, individuals who have been injured in Iraq. I have to say, every time I am around those men and women, my heart beats a little faster because they are not only the finest young men and women America has to offer, but they are doing a fantastic job of representing America, whether it is doing their duty of being fighting men and women or whether it is doing what they probably do best, and that is being the greatest ambassadors America has right now in that part of the world.

The men and women in the 173rd Airborne Brigade, for example, said when they marched into Kirkuk, the Iraqi people viewed them as simply an occupying military force, which was not going to be supportive of the goals that the citizens of Kirkuk wanted to see carried out; that is, to have their children educated, to have hospitals, to have water and sewer and power restored.

As the weeks and months went on, however, the members of the 173rd Airborne Brigade did exactly what the local people didn't believe possible: They rebuilt the hospitals, they rebuilt and opened the schools, they fixed the power grid so electricity could be restored to the citizens of that community, as well as increasing the availability of water and sewer, so at the point in time when the 173rd needed to be returned home, there were tears shed on both sides. The bonding between our fighting men and women, these soldiers and goodwill ambassadors, and the people of Kirkuk was exactly as we envisioned it should be; that is, our men and women had done a great job of liberating those people and at the same time had made good friends and had been great ambassadors for the United States in that part of the world.