

often—it is a reminder that our Nation depends too heavily on oil from that volatile region. Every time a parent tells a child with asthma that he cannot play outside because the air is unsafe, we are reminded that fossil fuels do tremendous harm to our environment and to ourselves.

Our Nation desperately needs a new energy policy, one that protects consumers, safeguards our environment, and makes us stronger by reducing our dependence on Mideastern oil. We cannot create an energy policy for the future by simply repeating the past. We need new ideas. We need some new approaches.

We use about 25 percent of the oil that is produced worldwide, but we only have less than 3 percent of the proven oil reserves in the world, including ANWR. So it is a cinch we cannot drill our way out of the problems we have dealing with the production of fossil fuel. We need to remember the words of Benjamin Franklin who said a penny saved is a penny earned. In the case of oil, a barrel saved is better than a barrel drilled and consumed. Why? Because it does not pollute the air or contribute to global warming.

After the Arab oil embargo of 1973, our Nation got serious about conserving oil. By 1990, less than 20 years later, our vehicles were using about 40 percent as much fuel as they did in 1973. We can do this again.

America's talented engineers and scientists can still design vehicles that save fuel without sacrificing safety if we make conserving oil a national priority. We have to do a better job of conserving oil and we have to develop new sources of energy that are clean and reliable.

Again, we in America are fortunate because this great land of ours is blessed with an abundance of clean, renewable energy sources. We can harness the warmth of the Sun, the power of the wind, and the heat within the Earth. All it takes is good old American ingenuity, and a little bit of incentive but we should be clear. For decades we have provided subsidies and tax breaks for the big oil companies. Today we need some incentives to help spur production of renewable energy.

I have been in Congress a long time, and I know how things work. It takes time to get things done. I try to be very patient, but when we not only fail to make progress on an important issue but actually move backward instead of forward, then I think an alarm must be sounded, and that is what has happened on renewable energy. Instead of making progress, we seem to be taking steps backward.

Over the last 15 years, wind power has been the fastest growing source of renewable energy, thanks to the section 45 production tax credit. This incentive spurred billions of dollars of investment in new technology. As a result, wind energy has become increasingly cost effective and it provides jobs and electricity. In parts of the Mid-

west, some farmers make more money producing electricity from wind turbines than they do selling their crops.

I worked for years to expand this incentive to other forms of renewable energy, especially solar and geothermal power. But instead of expanding the tax credit that has been so successful in promoting wind power, we have allowed it to expire. It is hard to believe but it is true. This seems crazy. It is like allowing insurance on one's home to lapse for failing to properly maintain a vital piece of equipment, equipment that is used every day.

The tax incentive for wind energy expired 31 December 2003. We need to restore it as soon as possible, and we need to extend it to solar, geothermal, and biomass energy.

I was encouraged that the FSC bill passed by the Senate last month contains these section 45 production tax credits. That is great work by Senators GRASSLEY and BAUCUS, and I have told them personally how much I think they have the right idea of what it is going to take to help this country from an energy perspective.

Unfortunately, the companion House bill would only extend the production tax credit for wind. We are beginning to see again, as we always do, the powerful interests of the oil companies who want all the subsidies, but we now have another chance to get it right because this bill is going to conference. That was agreed last week. We must not squander this opportunity. We must get back on the path to renewable energy and energy independence.

America, our Nation, is blessed with abundant renewable energy resources, especially in the western part of the United States. Last month, the Governors of nine Western States, including Nevada, formally signed a plan that commits the region to developing 30,000 megawatts of electricity. That is about 15 percent of current demand from renewable sources by the year 2015, which is going to be soon.

I applaud their determination. I applaud their vision. They know that developing renewable energy is not only good for consumers and the environment but also for creating jobs.

Because renewable energy is "Made in the USA," it can reduce our dependence on oil from the Middle East. Many Western States have already adopted renewable portfolio standards requiring a fixed percentage of energy sold in-State come from renewable energy resources. As we speak, 13 States have set these goals, and the number will increase.

I am happy that Nevada has adopted one of the most aggressive renewable portfolio standards of any place in the country. It commits the State of Nevada to produce 15 percent of our electricity from renewable sources by the year 2013. A goal had been set of 5 percent by the end of 2003. We didn't do that. We could have. We didn't. There were a number of reasons. One was there was uncertainty about whether

the tax incentive for wind power would be extended or expanded to solar and geothermal power. The other reason is utilities in Nevada and other Western States are still reeling, they are in bad shape, from the western energy crisis of 2000-2001, when Enron and other traders manipulated the energy market to jack up prices for no reason other than to generate obscene profits. Because of the exorbitant contracts with Enron, the State of Nevada's utilities are near bankruptcy. As a result, companies that want to develop renewable energy and sell it to these utilities have not been able to attract the investment they need. The investment community evaluates renewable energy projects based on the strength of long-term purchase agreements between the proposed facilities and the local utility, but if the utility is in trouble, investors shy away.

To address this problem, Kenny Guinn, the Governor of Nevada, will ask the legislature which meets next year to create a temporary renewable energy development trust that will provide some protection to renewable energy power plants if our utilities file for bankruptcy.

We need action at the Federal level also. The Federal Energy Regulatory Commission, referred to as FERC, must provide relief to utilities and ratepayers in Nevada and other Western States. FERC needs to act, and now, to vacate the exorbitant contracts of the energy crisis. We know that two of the FERC Commissioners were recommended by Kenny Lay, the Enron CEO, who was a major contributor of the President's campaign, and the President referred to him as "Kenny Boy." These Commissioners should either step down or clean up this mess. I am happy to report that Kenny Boy is now under indictment.

Our Nation must have energy markets that function properly. We must have incentives to develop our clean, renewable energy resources, and we must apply American ingenuity to do a better job conserving energy. These are critical steps toward the kind of far-sighted energy policy this country needs. These steps will protect consumers, they will safeguard the environment, and they will make our Nation stronger by moving us closer to energy independence.

#### SUPPORTING U.S. EFFORTS IN IRAQ

Mr. CORNYN, Mr. President, on July 7, 2004, the Senate Select Committee on Intelligence issued an important report regarding flaws in our prewar intelligence on Iraq. Last week, Lord Butler issued a similar report on British intelligence. In a related vein, the 9/11 Commission will issue its report this Thursday.

Each of these reports either already has, or no doubt will, shed light on how we can improve our ability to protect this country and our allies from future terrorist attacks.

Coming almost 3 years after 9/11, it is important to note that many reforms have already been implemented by Congress and the administration without waiting on a committee or a commission report. Still, the recommendations of each of these reports ought to be carefully considered and debated by Congress.

If this were not a Presidential election year, we might be able to even undertake this important work without playing the blame game in order to score political points. My hope is that we will, to the extent humanly possible, strive to do so. If not, we risk politicizing the process to the detriment of long-term solutions to our intelligence problems.

Some have used the occasion to criticize our Nation's policies in Iraq and the broader war on terror. Some say, on the one hand, that our leaders did too little before 9/11 to stop the horrible events of that day. Some say, on the other hand, that our leaders did too much in removing Saddam based in part on the remarkable clarity that comes with 20/20 hindsight.

I did not say, and consciously so, President Bush's policies but, rather, our Nation's policies because our policies in Iraq and in the broader war on terror have generally been a consensus policy authorized by the Congress and ultimately implemented by President Bush. In fact, the policy of regime change in Iraq was shared by the Clinton and Bush administrations and is now being criticized for political gain by some who voted for those very policies.

It is important that we set the record straight. The Senate Intelligence Committee report in particular directly rebuts some of the more outrageous claims that administration officials, including the President himself, intentionally misled the American people. Indeed, due to systemic flaws in our intelligence apparatus, it appears that it was the administration itself that was misled to some extent. But that does not mean we were wrong to remove Saddam Hussein from power. There were many good reasons for the regime change in Iraq in addition to those which have at least so far turned out to be mistaken.

There is no question that the world is better off with Saddam Hussein in a prison cell instead of remaining in his royal palaces. There is every reason to believe he is precisely where he belongs.

When the Senate voted overwhelmingly on a bipartisan basis in October 2002 to authorize military force to defend the national security of the United States and enforce all relevant United Nations security council resolutions, the resolution this body passed noted that Iraq, in 1991, entered into a United Nations-sponsored cease-fire agreement pursuant to which Iraq unequivocally agreed among other things to eliminate its nuclear, biological, and chemical weapons programs and

the means to deliver and develop them and to end its support for international terrorism.

That resolution also noted that the efforts of international weapons inspectors, U.S. intelligence agencies, and Iraqi defectors led to the discovery in 1991 that Iraq had large stockpiles of chemical weapons and a large scale biological weapons program and that Iraq had an advanced nuclear weapons development program that was much closer to producing a nuclear weapon than intelligence reporting had previously indicated.

That resolution also said that Iraq in direct and flagrant violation of the cease-fire attempted to thwart the efforts of weapons inspectors to identify and destroy Iraq's weapons of mass destruction and development capabilities which finally resulted in the withdrawal of inspectors from Iraq on October 31, 1998.

That resolution went on to note that the current Iraqi regime at that time under Saddam Hussein has demonstrated its capability and willingness to use weapons of mass destruction against other nations and against its own people.

Iraq continues to aid and harbor other international terrorist organizations, including organizations that threaten the lives and safety of U.S. citizens.

It was on this last point that Acting Director of Central Intelligence John McLaughlin said just yesterday in an interview:

We could, through intelligence reporting, say with some credibility that there had been meetings between senior Iraqi officials and Al Qaida officials. We could also say that there had been some training that had flown back and forth between the two sides. And we could say that there was some degree of safe haven that Al Qaida-related people had obtained in Iraq for a variety of reasons. We could also say with some assurance that operating from Iraq, someone like Abu Musab Zarqawi had arranged the assassination of an American diplomat in Jordan.

Saddam dared the United Nations Security Council and the free nations of the world to act and act we, the coalition, did. Congress expressly recognized in the authorization it gave President Bush that "the attacks on the United States of September 11, 2001, underscored the gravity of the threat posed by the acquisition of weapons of mass destruction by international terrorist organizations."

We knew that Saddam had them but we did not yet know what he did with them. Why he kicked out United Nations weapons inspectors in 1998 and never accounted for them, all the while defying resolution after resolution of the United Nations Security Council we may never know for sure.

I once thought that no one would question whether America was safer and that the Iraqi people are better off without Saddam but some, during this political season, have come awfully close. Put another way: Does any reasonable person truly believe that

America and Iraq were better off with Saddam Hussein in power? Surely not. Surely not. But you simply can't have it both ways. You must choose, and choose we did.

I believe the Senate made the right decision in supporting our efforts in Iraq to remove Saddam Hussein from power. Nothing we learned since then has changed my mind. It has been our official consensus policy since 1998 under both Presidents Clinton and Bush, under both Democrat and Republican leadership in the Senate. For example, in the Iraq Liberation Act of 1998, we said:

It should be the policy of the United States to support efforts to remove the regime headed by Saddam Hussein from power in Iraq and to promote the emergence of a democratic government to replace that regime.

Everyone, Republican and Democrat, knew that the dictatorship of Saddam raised the prospect of a dangerous and irrational government in the Middle East. Everyone knew that the Iraqi people were living under a brutal and murderous tyrant. And at that time everyone knew that Saddam was armed with weapons of mass destruction.

It was in a speech to the Joint Chiefs of Staff and the Pentagon staff generally that President Clinton eloquently described the consequences of inaction. He said:

What if [he] fails to comply, and we fail to act, or we take some ambiguous third route which gives him yet more opportunities to develop this program of weapons of mass destruction. . . . He will then conclude that he can go right on and do more to rebuild an arsenal of devastating destruction. And some day, some way, I guarantee you, he'll use the arsenal.

That was President Clinton in 1998.

Our intelligence community told us before the Iraq war that Saddam Hussein had weapons of mass destruction programs—chemical, biological, and possibly nuclear. Now in the past, in 1991, our intelligence had sometimes underestimated Saddam's capabilities; so there was no question that there was reasonable cause for concern for an armed Saddam, ready to lash out, without warning, against Israel, Kuwait, or other countries in the region. We also feared that because of his hatred for America, Saddam might give the weapons he was developing to terrorists for whom he provided sanctuary. These concerns were nearly universally shared, as articulated in the quote I read from President Clinton.

At the outset of our military operations against Iraq in December of 1998, President Clinton described the risks of leaving Saddam in power. He said:

The hard fact is that so long as Saddam remains in power, he threatens the well-being of his people, the peace of his region, the security of the world. The best way to end that threat once and for all is with the new Iraqi government, a government ready to live in peace with its neighbors, a government that respects the rights of its people.

Again, a statement by President Clinton in 1998.

We should all be glad Saddam Hussein is out of power. Iraq's fledgling government is taking the first steps toward freedom and democracy. Neither we nor they have to fear Saddam's regime cooperating at any level with al-Qaida or other terrorists who wish to do violence against the American people or our allies. But it is also true that the weapons programs we found in Iraq were not what our intelligence information predicted before hostilities broke out in 2003. Saddam Hussein had the capability and the raw resources to do many things, but he did not at that time have the fully operational weapons systems we believed he possessed.

So why, it is logical to ask, did we have this problem with our intelligence? We know, as the unanimous, bipartisan report of the Select Committee on Intelligence said, that despite the insinuations of administration critics, the intelligence we had was not rigged or interfered with in any way. The same conclusion was echoed by Lord Butler's report in Great Britain which found no evidence of deliberate distortion of the intelligence material or of culpable negligence. It is clear that any such allegations to the contrary are baseless, partisan, and have no foundation in the truth.

The Select Committee on Intelligence of the Senate found in conclusion 83:

The Committee did not find any evidence that Administration officials attempted to coerce, influence or pressure analysts to change their judgments related to Iraq's weapons of mass destruction capabilities."

In conclusion 84, the Senate Select Committee on Intelligence said:

The Committee found no evidence that the Vice President's visits to the Central Intelligence Agency were attempts to pressure analysts, were perceived as intended to pressure analysts by those who participated . . . Or did pressure analysts to change their assessments.

And in conclusion 102:

The Committee found that none of the analysts or other people interviewed by the Committee said that they were pressured to change their conclusions related to Iraq's links to terrorism.

How did we get here? How did we know that Saddam had these weapons of mass destruction, defied resolution after resolution of the U.N. Security Council, defied every request that he open his country to U.N. weapons inspectors and reveal what he had or, we might say, what he no longer had?

Consider in 1993 we saw the first successful terrorist strike by radical Islamists on U.S. soil—a car bomb that exploded in the basement garage of the World Trade Center, killing 6 and wounding 1,000. Then in 1996, there was another attack on the Khobar Towers barracks in Saudi Arabia, killing 19 Americans and wounding 515 Americans and Saudis. In 1998, the United States embassies in Kenya and Tanzania were attacked by al-Qaida suicide bombers who killed 234 people and wounded more than 5,000. And in 2000, al-Qaida attacked the USS Cole, kill-

ing 17 American sailors and wounding 39.

It was during these same years that Congress made dramatic cuts in funding for the Government agencies most involved in the fight against terror, particularly the Central Intelligence Agency. These cuts were significant, including letting go nearly 40 percent of those recruited to spy for America's interests. The number of officers in the clandestine service was downsized by roughly 25 percent and nearly one-third of our overseas offices were shut down. All of these cuts seriously hampered the intelligence community's ability to monitor and analyze the rising threat posed by terrorism. Again, Acting Director of the Central Intelligence Agency, John McLaughlin, said yesterday, because of these cuts, we were almost in Chapter 11 in terms of our human intelligence collection. This much seems clear: Our early warning system was blinded by a self-inflicted wound.

There is simply no way that President Bush's administration could have filled all the holes of an underfunded and demoralized intelligence community in a mere 8 months after it had been dismantled systematically and deliberately during the preceding years. So when President Bush came to office, he inherited an intelligence community that was ill prepared to meet the challenges of the war on terrorism.

We should not make this merely a game of election year "gotcha." We must debate the causes of our intelligence flaws in a way that commands the confidence of the American people and in a way that makes them safer and freer. We must also remain committed to our task in Iraq, to finishing that task and not allow election-year politics to create a climate that undermines the morale of our brave troops in the field.

Let us finish the task we have undertaken in good faith and with the noblest of aspirations on behalf of free people around the world. Let us not let partisan politics lead us into the trap identified by Winston Churchill when he said:

Nothing is more dangerous in wartime than to live in the temperamental atmosphere of the Gallup Poll, always feeling one's pulse and taking one's temperature.

September 11 forced the civilized world to realize that the terrorist foe we had been fighting for years sought a more deadly goal than we ever suspected. Once Congress and the administration came to grips with the horrible truth of this new breed of terrorism, we knew what had to be done. We knew we had to take action. Under President Bush's leadership, we resolved that our aim was to defeat terrorism as a threat to our very freedom and our very lives.

Nor could we achieve our aim merely by maintaining a defensive posture. Fighting terrorism on American soil is not enough. That is merely a holding pattern and a capitulation of our responsibility. When it comes to con-

frontation with terrorists, we must either change the way we live or we must change the way they live. We chose the latter, and I believe we chose wisely. It is a policy of action rather than inaction, and one clearly warranted by the new reality of our post-9/11 world.

Mr. President, I yield the floor.

## HONORING OUR ARMED FORCES

ARMY PRIVATE FIRST CLASS GAVIN NEIGHBOR

Mr. DEWINE. Mr. President, I rise this afternoon to honor and remember a young man from Somerset, OH. I rise to honor Gavin Neighbor, a soldier who gave the last full measure of devotion to our Nation on June 10, 2003. On that date, Gavin was killed by a rocket-propelled grenade while serving in Iraq as part of Company C, 3rd Battalion, 325th Infantry Regiment, of the 82nd Airborne Division. At the time of his death, Gavin Neighbor was 20 years old.

When Gavin Neighbor was killed, Marisa Porto, who at the time was a journalist with the Zanesville Times Recorder, had a very difficult time writing about Gavin. She struggled to write about his life and his death because she said she knew she had to balance the reporting of the news with the personal connection she felt knowing that someone so young from her own community had just been killed. She managed, though, to find the right words and wrote the following:

My thoughts [are] simple. Gavin Neighbor's family won't get the chance to see his wedding announcement in his newspaper. They won't ever have the opportunity to see his son's birth announced in this newspaper. These next few days may be the last time his name is ever published in this newspaper. . . . So, let's give him the homecoming he deserves.

Mr. President, Members of the Senate, since his death, I have learned that Gavin Neighbor, in his all-too-brief 20 years on this Earth, did, in fact, live life fully. He was an outgoing, determined young man, who felt great love and affection for his family, for his fiancée, his friends, and his country.

Gavin was born in Newark, OH, on November 25, 1982. He graduated from New Lexington High School in 2001, where high school friends described him as dependable and fun loving. Gavin was a gifted artist. He had a signature piece: a drawing of a dragon. His friends say he would draw that dragon anywhere, anytime.

He loved to draw, and he was good at it. According to his high school art teacher, Jody Bowen:

Gavin would work on projects on the side, after his classwork was done. I saw something more in him. . . . He certainly impacted my life. I feel fortunate I met him and got to know him.

Equal in his devotion to art, Gavin was committed to serving his country and making his family proud. Gavin had a strong sense of duty and a strong sense of family. He was always trying to take care of others and protect others. That is part of what compelled him