

A good friend of mine from Alma, MO, Neal Bredehoeft, is a soybean producer from Alma, MO, and president of the American Soybean Association. He said yesterday in St. Louis:

While U.S. farmers are fighting to maintain market share in a fiercely competitive global marketplace, our international competitors are investing in transportation infrastructure. Argentina has invested over \$650 million in their transportation systems to make their exports more competitive. Brazil is restructuring its water transportation network to reduce the cost of shipping soybeans by at least 75 percent. Due in large part to these efforts, the two countries have captured 50 percent of the total growth in world soybean sales during the past three years.

Making the necessary upgrades to improve the Mississippi and Illinois waterways would also protect jobs. Navigation on the Upper Mississippi and Illinois Rivers supports over 400,000 jobs, including 90,000 high-paying manufacturing jobs.

I appreciate the strong bipartisan support for this proposal and the support from labor, the Farm Bureau, the corn growers, soybean producers, Nature Conservancy, the diverse members of MARC 2000, and other shippers and carriers fighting to protect and build markets in an increasingly competitive marketplace while improving protection for this vital resource.

It is important that we understand the budget implications of this legislation in the real world. We are contending with difficult budget realities currently. It is critical we be mindful of these realities as we make investments in the infrastructure that supports the people in our Nation who make and grow and buy and sell things so we can make our economy grow, create jobs, and secure our future.

This is an authorization bill. It does not spend \$1. I repeat, regrettably, it does not spend \$1. It merely authorizes the spending. With the allocation provided through the budget, the Appropriations Committee and the Congress and the President will fund such projects deemed to be of the highest priority and those remaining will not be funded because the budget will not permit. Strictly speaking, this bill provides options, not commitments. I wish it were otherwise.

I thank my colleagues on the committee and their staff for the very hard work devoted to this difficult matter. I particularly thank Chairman INHOFE for his forbearance. I believe if Members work cooperatively and aim for the center and not the fringe, we can get a bill completed this year. If demands exist that the bill be away from the center, going to the fringe, imposing unreasonable restrictions, we will go another year with Congress unable to complete our work as we did last year, unable to move forward on the 60 percent of economic and environmental restoration and the 40 percent of building the infrastructure we need to strengthen our economy and make sure we remain competitive in the 21st century.

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

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

GAS PRICES

MR. LAUTENBERG. Mr. President, I understand the State Department bill has currently been laid aside. When it returns, I intend to offer an amendment, and I wanted to take advantage of the opportunity today to talk about it.

My amendment—we are calling it the OPEC Accountability Act—is cosponsored by Senators Durbin and Dorgan. It will bring some sanity and fairness to the world oil markets. It will help provide some relief to our citizens from soaring gas prices that punish American families, businesses, and the entire community.

My amendment will direct the U.S. Trade Representative to initiate World Trade Organization proceedings against OPEC nations. Under the rules of the WTO, countries are not permitted to set or maintain export quotas. It is illegal. But that is exactly what OPEC does. OPEC is a cartel. Everybody knows that. The whole point of the organization is to set quotas. Why set quotas? To control prices. The mission is often to have countries beholden to them outside their little orbit, and they then are able to outrageously set prices for commodities that are essential. They collude to set quotas for the export of oil, which cause gas prices to rise.

I say to people across America, if you are wondering why gas is so expensive these days, a major part of that answer is OPEC. It is an illegal cartel, plain and simple. And we have allowed this cartel to operate for too long. Now it is time to put a stop to it. Every day American families feel the effects of the OPEC cartel at the gas pump. Look at the spike in the price of gas since 2001. Gas prices have nearly doubled since 2001.

I am going to show another chart that more particularly shows the precise prices for gasoline during those periods. In December of 2001, a gallon of gas averaged in price at \$1.15. That was 2001. Today a gallon of gas averages \$2.30. That is a doubling of the price in just over 4 years. This spike in gasoline prices hurts American families.

We hear a lot of talk about tax relief for middle-income families. But whatever tax cuts they received in that middle-income family in the last 4 years are being eaten up by increased gas prices. When you look at the gas price in that period of time and compare it to the Bush tax cut, the tax cut would have been \$659. But the cost for gasoline the average family used in that year is \$780, far more than the tax cut brought home to families.

A middle-income family who uses one tank of gas a week is going to pay an extra \$780 a year because of rising gas prices eating up every penny and more that they received from the tax cut of the last 4 years.

When Americans drove up to the gas station on December 2001, this is what they saw: Regular gas \$1.06 a gallon; the supreme, the high-test gas, \$1.25 a gallon. Now after years of administration inaction, what we are looking at is regular is \$2.22 compared to \$1.06; \$2.31 compared to \$1.15 for plus gas; and \$2.40 for supreme compared to \$1.25 just over 4 years ago. It is an outrage.

One of the things that always bothers me is when I look at the forecast for inflation and I see what we are paying. I can't think of anything that is cheaper than it used to be, whether it is food, energy, or gasoline, no matter what it is. Here is the pressure. Frankly, I believe it has been administered poorly. I don't think we have tried to figure out a way to keep these costs down.

Some of these countries that are members of OPEC are totally dependent on America for their security. Yet they are willing to impair our security, our economic well-being, our job creation, our business function. They don't mind that when they have the weapon that they conveniently use against us.

Most people live on a fixed income. They can't stop driving to their job or taking the kids to school or going to the doctor's office or the grocery store. They have to pay the increased price for gas. That means they have to cut back on other things, perhaps air-conditioning or heat or a visit to the doctor or perhaps foregoing a therapy session for an injury. All of these are taken away by this outrageous increase in the cost of gasoline.

The soaring price of gas is already taking a toll on American families. If something is not done soon, it could get a lot worse. This also is rattling the prices of stocks on the stock exchange, investments, causing all kinds of dislocation there. It is led by the increasing demand for oil.

Goldman Sachs, a very well known financial firm, one of the biggest in the world, predicts that oil could reach \$105 a barrel by the end of this year. It is now in the fifties, almost double the current price. While American families suffer, I don't hear anything coming from the President, the administration, to say anything about it. As a matter of fact, during the last campaign, it was frequently suggested that if John Kerry were President, he would be raising taxes on gasoline.

What are we looking at here? However we got here, it is on the watch of the Bush administration. Here are the prices again. Now it is \$2.22 for a gallon of gas. It used to be \$1.06. That is a lot of money, particularly since the type of vehicle that is frequently driven today is a gas-consuming vehicle. It costs a lot of money now to have that car running and to take care of your family's needs.

President Bush has repeatedly said that he would talk to his Saudi friends in the oil business. Talk is cheap, but oil and gasoline isn't. The American people want action. This amendment is a call to action. We have to find a way to escape the grasp of these countries around our economic well-being and our functioning as a society.

I have released a report explaining exactly how OPEC nations are violating the rules of the WTO. This report is on my Web site. I invite my colleagues and the public to read it. The report reaches a simple and straightforward conclusion. OPEC manipulates world oil markets by imposing export quotas on oil. You hear them brag about it. These quotas keep the price of oil artificially high. Just think about it. Who is the leader? Which is the country that called on us in 1990, come help us; the Iraqis are headed our way; They want to overtake our country. And we sent 540,000 people in uniform to fight off Iraq's attempt to overtake Saudi Arabia.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LAUTENBERG. Mr. President, I didn't know there was any time limit, but I ask unanimous consent to continue for 10 minutes.

The PRESIDING OFFICER. The Senator is in morning business.

Is there objection? Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, OPEC manipulates world oil markets with their export quotas on oil, which keeps the price artificially high.

Without OPEC, market analysts have estimated that the free market price of oil would be around \$10 to \$15 lower than today's price. So the expectation is that oil would be lower in cost by \$10 to \$15 than it is today if it wasn't for this conspiracy out there by some so-called friends and avowed enemies. That includes Iraq and former antagonist of the United States, Libya; and it includes other countries. There is no reason to continue to tolerate OPEC's anticompetitive behavior.

The administration has been lax in dealing with OPEC. In my view, President Bush's close ties to the Saudis and big oil companies have prevented him from sticking up for the American consumers.

Worse yet, high oil prices mean massive profits for countries such as Saudi Arabia and Iran—countries that frequently fund terrorism.

The administration's inaction is allowing tens of billions of dollars to flow into the hands of the mullahs in Iran—money that finds its way to Hamas, Hezbollah, Islamic jihad, and other terrorist organizations that kill innocent Americans.

So while Iran, Saudi Arabia, and terrorists reap profits from OPEC's quotas, American families pay a terribly high price. It is time for us in this body to act. When the Senate returns to the State Department bill, I want to be able to see a vote taken on this

issue so that we can see whether my colleagues agree with me that the cost of gasoline is too high, the cost of heating a house is too high, the cost of running a vehicle is too high, and it robs us of revenues that could otherwise go into more useful purposes.

With that, I hope my colleagues will support the Lautenberg-Durbin-Dorgan amendment when this amendment is presented.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. JEFFORDS. Mr. President, I ask unanimous consent to proceed as in morning business for no more than 10 minutes.

The PRESIDING OFFICER. The Senator is in morning business. The Senator from Vermont is recognized.

JUDICIAL INDEPENDENCE

Mr. JEFFORDS. Mr. President, one of my first responsibilities when I arrived in the Senate was to recommend to the first President Bush a nominee for a district court seat. But while I was a relatively new Senator, this was in some respects a fairly easy task.

My predecessor in the Senate, Bob Stafford, had established a sound and fair process with Senator LEAHY for choosing candidates for the judiciary, which we have continued to this day with the participation of Governor Douglas, a Republican.

Vermont is a small State, but it is one with an outsized capacity for public service. Our best lawyers have been willing to accept the financial sacrifice that accompanies serving on the bench. And as a small State, I think it is fairly easy to agree on who the best candidates might be, even though you invariably pass over many very qualified individuals.

Finally, I guess I should say that I was born to it. My father, Olin Jeffords, was a judge the entire time I was growing up. In fact, he was chief justice of the Vermont Supreme Court. He was widely respected, not just by his son, but by our community locally and by the legal community throughout the State. That respect was entirely unremarkable. It reflected the appreciation of the importance of an independent judiciary stocked with able and committed individuals.

My first job following the Navy and law school was as a clerk for Judge Ernest Gibson, Jr., of Vermont. Judge Gibson, a Republican, had resigned as Governor of the State of Vermont in order to accept Harry Truman's offer of nomination to the Federal bench. Judge Gibson could have followed any path in life he wanted. He returned from service in the South Pacific during World War II a hero, and with some fame stemming from having played a role in the rescue of Lieutenant John F. Kennedy and the other survivors of PT-109.

As a young boy, I idolized him and the other heroes returning from the

Pacific. To work for him years later was an incredible honor.

So having been around the judiciary all of my life, it was not especially daunting when it came time early in my Senate career to nominate an individual to the Federal district court. The late Fred I. Parker was not only the best candidate for the job, he was also a man I had hired to work with me when I served as attorney general and who had become a close friend over the years. To know Fred was to love him. Years later, when a vacancy on the Second Circuit Court of Appeals opened up, President Clinton nominated Fred to the position to which he was confirmed and served with distinction until his passing.

These three men—a father, a mentor, and a friend—would probably be the first to admit that they were more typical than exceptional of the caliber of individuals that comprise the judiciary. Fred worked hard to pay his way through school, often in the plumbing trade with his father. He was forever mindful of his father's advice that whenever he started becoming convinced of his own importance, he should stick his fist in a bucket of water to see the kind of impression he would leave.

So I take it very personally when politicians seek to score points by attacking the judiciary. These men had and have families, just like today's judges in Florida and Georgia and Illinois. The only thing we should be doing is condemning violence directed against the judiciary, not rationalizing it or implicitly encouraging it.

Of course, my colleagues will not agree with every decision made by the judiciary. My good friend Fred Parker struck down part of the Brady law that I had supported. I might have disagreed with him, but I never would have questioned his motives or integrity.

The first lesson we teach children when they enter competitive sports is to respect the referee, even if we think he might have made the wrong call. If our children can understand this, why can't our political leaders? We shouldn't be throwing rhetorical hand grenades.

Vermonters are proud of their long history of smart, independent, forward-thinking judges. These men and women have shown the true spirit of the judiciary and upheld the law and Constitution, even if it was against what was the popular will at the time. This is what the judiciary was designed to be, a check and balance against the executive and legislative branches.

Our Founding Fathers were concerned that the legislative and executive branches of our Government could be too swayed by public opinion and not uphold the rights of Americans because of political pressure. The judiciary was designed to be independent and make sure that the law and the Constitution were followed even if it went against public opinion.

I am also concerned with the threat of the majority to take what is the so-