

The resolution (S. Res. 144) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 144

Whereas Tim Nelson called the Federal Bureau of Investigation's (FBI) Minneapolis Office at 8:30 am on Wednesday, August 15, 2001;

Whereas Hugh Sims called the FBI's Minneapolis Office at 9:30 am on Wednesday, August 15, 2001;

Whereas their calls set into motion the only United States criminal prosecution, so far, stemming from the attacks on our Nation on September 11, 2001;

Whereas on April 22, 2005, Zacarias Moussaoui pled guilty to 6 counts of conspiracy to commit terrorism on September 11, 2001; and

Whereas according to FBI officials, the actions of these 2 courageous and greathearted men may have saved thousands of lives and preempted a possible attack on the White House: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) Tim Nelson and Hugh Sims should be recognized for their bravery and their contributions in helping the Federal Bureau of Investigation detain Zacarias Moussaoui;

(2) the United States is grateful to Tim Nelson and Hugh Sims for their heroism; and

(3) we, as a nation, should continue to follow their example as we fight the war on terror.

ORDERS FOR WEDNESDAY, MAY 18, 2005

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Wednesday, May 18. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved.

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

PROGRAM

Mr. MCCONNELL. Mr. President and Members of the Senate, tomorrow morning the Senate will begin consideration of the nomination of Priscilla Owen to be U.S. circuit court judge for the Fifth Circuit. We will debate the nomination throughout the day tomorrow. I encourage Members who wish to speak on the nomination to come to the Senate during tomorrow's session.

I talked to the Democrat leader about the structure of the debate, and he will accommodate Members who desire to make statements. I encourage Senators to contact cloakrooms if they would like to speak on the nomination. We look forward to the debate on Priscilla Owen, and we hope all of the Members will participate.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask the Senate stand in adjourn-

ment under the previous order at the conclusion of the remarks of the distinguished Senator from Tennessee.

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

The Senator from Tennessee is recognized.

ENERGY

Mr. ALEXANDER. Mr. President, the matter of giving the President an up-or-down vote on his judicial nominees or, more accurately, giving the country an opportunity for any President to have what every President has always had, a chance for the full Senate to have an up-or-down vote on his nominees, is a matter of great importance to our country. It is not the only business before the Senate. I would like to speak for a few minutes about natural gas prices and prices at the pump and how, at a time when China and India are buying up oil reserves around the world, we make sure that we have plenty of energy.

We spend, in this country, about \$2,500 per person on energy per year. We are about to have a big debate and discussion in the Senate about how much we spend on energy in the future. The Senator from Louisiana was here a few minutes ago. She made an excellent address. She summed up some of what happened today in the Senate Energy Committee. It was a very good meeting. At one time, virtually every member of the Senate Energy Committee was present, even though the purpose of the meeting was simply for us to make opening statements and to take initial action on a few relatively noncontroversial matters. That is because all of us understand how important it is.

It is also because Chairman DOMENICI and Ranking Member BINGAMAN, who are from New Mexico, have worked unusually hard in creating a framework so that we could have a significant piece of legislation. To those outside the Senate, that may sound like a lot of "inside baseball," but it is not. It is crucially important for the Republican majority to have listened, as Senator DOMENICI and the rest of us have over the last several months, to the views and attitudes of the Democratic minority and vice versa.

What is happening in the Energy Committee is no accident. Senator DOMENICI, at the beginning of the year, told the Republican members of the committee that as he looked back over the last session of Congress and saw our failure as a Congress to grapple with this question of high prices at the gas pump, high prices for natural gas, which are driving manufacturing jobs overseas, which are raising costs for farmers, which are making it hard to heat and cool our homes, he decided he wanted to operate in a little bit different way. So we have. In a way, it is a good thing that we didn't pass an energy bill last year because this one ought to be a lot better, a lot more aggressive, and a lot bolder.

The situation is more urgent. We have a better bipartisan framework, and we have learned a lot in the last year. Senator DOMENICI and Senator BINGAMAN have cochaired large conferences on coal and natural gas, so Senators themselves and key staff members could learn about the newest technologies and could understand the facts about what are a very complex set of considerations so we are better prepared.

I especially compliment the Senator from Louisiana. She mentioned the Americans Outdoors Act that she and I introduced together again yesterday. We introduced it in the last session of Congress. She has worked on major parts of it for the last 6 years. But basically it picks up a principle that was a part of President Reagan's Commission on Americans Outdoors which I chaired 20 years ago. It sought to create a steady stream of reliable funding for conservation purposes, specifically the Land and Water Conservation Fund, for city parks, for wildlife, for enjoyment by soccer players, by duck hunters, by walkers, by most Americans.

The idea is, if we are going to drill for gas and oil and use up some of our assets, we ought to take a part of that and use it and put it back as an asset. If there is an environmental burden, there ought to be an environmental benefit. That is a very simple idea.

She and I call it a "conservation royalty," and it is our hope to persuade a majority of the Senate, which we believe is conservation minded, that a majority of Americans—and we know there is a conservation majority in the United States—want us to help them have more places to enjoy themselves outdoors.

I look forward to working with her on that and the conservation royalty.

Mr. President, let me put the meeting Senator DOMENICI chaired in the Energy Committee in this context. A couple weeks ago, I had a private letter from GEN Carl Steiner. He is a real American hero. He was head of the special forces, a very brave man. He wrote to remind me that September 11 was a big surprise, but it should not have been. During the 1980s and 1990s, there were terrorist attacks on American interests around the world and in our country itself. If we had paid attention, General Steiner reminded me, we would not have been surprised on 9/11.

The next big surprise in this country will be to our pocketbooks. But it doesn't have to happen. If we pay attention, we already know we have the highest natural gas prices in the industrialized world. Three or 4 years ago, we had the lowest natural gas prices in the industrialized world. Today we have the highest. We know gas at the pump is at record levels for our country. We know China and India are increasing their demand for energy. We know that because of high prices, manufacturing jobs are moving overseas, farmers are taking a pay cut, and consumers are paying too much to heat and cool their homes.

We can avoid this next big surprise—the one to our pocketbooks—by passing an energy bill in the next few weeks that lowers prices, cleans the air, and reduces dependence upon foreign oil. To keep our standard of living, our goal must be to aggressively conserve and to aggressively produce an adequate, reliable supply of low-cost, American-produced, clean energy.

Some may say, why the emphasis on clean energy? Isn't that over in the clean air debate in the Environment and Public Works Committee? Well, yes, it is, jurisdictionwise. They may have jurisdiction on clean air. That is the problem. But the Energy bill has the solution to the clean air problem. We are not going to have clean air just by passing a bunch of caps on things. We are going to have it by transforming the way we produce energy in this country.

Senator BINGAMAN and Senator DOMENICI, as I mentioned earlier, have worked hard to produce a bipartisan framework to accomplish the goal I just described. But the danger is still that we will be too timid and we will compromise our differences and produce a bill that doesn't do much. That is why Senator JOHNSON and I introduced the bipartisan Natural Gas Price Reduction Act of 2005 a few weeks ago. According to a preliminary analysis by the American Council for an Energy Efficient Economy, our act would yield four times the natural gas savings or production of last year's energy bill. In other words, our bill would make up seven of the eight TFC of America's projected shortfall in natural gas by 2020. That is one way to lower natural gas prices.

I suggested this morning—and some members of the committee seemed to respond well to the idea—that we think of this legislation we are beginning to work on in the Senate as the "clean energy act of 2005." Along with some of my colleagues, I support legislation to reduce carbon and other pollutants in our air. But none of these caps on pollution will do the job. None will produce an adequate supply of low-cost, reliable, American-produced, clean energy. The only way to do that is, first, aggressive conservation and, secondly, to aggressively transform the way we produce energy.

In writing our bill, we have to keep in mind what the Finance Committee of the Senate will do with the tax part of this bill. Some of this Energy bill will be in the Environment and Public Works Committee, some of it is in our Energy Committee, and some of it is in the Finance Committee—the tax part. So it all eventually will come together to the floor, where I am sure there will be even more amendments.

But the reason—in our deliberations this week and next week in the Energy Committee we have to keep in mind what the Finance Committee is doing—is we have limited resources. This is not going to be a \$30 billion bill. Our Budget Committee says the Energy bill

will be an \$11 billion bill over the next 5 years. That is what it will cost in direct spending and tax credits. The administration hopes it will be even smaller—an \$8 billion bill. We won't lower prices if we spend our money on more tax credits to oil companies, and we will not lower prices if we continue current policies and spend \$3.7 billion over the next 5 years, or nearly one-third of what the administration wants us to spend, on building giant windmills that produce puny amounts of high-cost, unreliable power, and destroy the landscape. We don't need a national windmill policy; we need a national clean energy policy.

It is important for us to know what the tax committee is doing because it is important for us to know, as I mentioned, that, for example, if the tax committee continues its production tax credit for so-called renewable energy—\$3.7 billion over the next 5 years of the \$8 billion or \$11 billion we have is gone, and we don't have it to build clean coal gas plants, for credits for hybrid cars, for credits for new nuclear—the things that will make a difference for us. Of that \$3.7 billion, 70 percent of it will be spent on windmills. So current policies would say, if we have \$8 billion or \$11 billion to spend—the total we have to spend on energy—we would spend a large part on these giant windmills, which raise prices, only work 20, 25, or 30 percent of the time, are being abandoned in many countries that started using them, and absolutely destroy the American landscape, because they are 100 yards tall, wider than jumbo jets, make noise up to a half a mile away.

Here are some of the specific steps I believe we should take to conserve and transform production. Many of these proposals are in the Alexander-Johnson legislation we introduced a few weeks ago. Several have been incorporated in Chairman DOMENICI's draft before our committee. Here are a few examples in the areas of conservation, first, and in the area of transforming production:

In conservation, consumer education. A 4-year national consumer education program to reduce the demand for energy, tailored after the successful California program, could avoid energy consumption of about 20 powerplants over 4 years.

Efficiency standards. Higher appliance and equipment standards for natural gas efficiency could save the equivalent of 24 1,000-megawatt powerplants by 2020.

Cogeneration. Regulatory relief enabling manufacturers to more easily produce their own power and steam from a single source would save money and energy and reduce pollutants.

Efficient electricity generation. Incentives to encourage utilities to utilize their natural gas plants based on efficiency—we call that efficient dispatch—to increase their efficiency as much as 40 percent. In plain English, there are old natural gas plants and there are new natural gas plants. The

new ones use a lot less natural gas than the old ones to produce the same amount of power. Using gas from the new ones first would save a lot of gas.

Oil savings. Last session of Congress, the Congress adopted a plan Senator LANDRIEU and I recommended to direct the administration to come up with a plan that would reduce by 1 million barrels per day by 2015 our use of gasoline.

Senator JOHNSON and I in our legislation suggest the administration adopt a plan to reduce gasoline use by 1.75 million barrels per day. This would save enough gasoline to equal twice the anticipated production from the Arctic National Wildlife Refuge.

And finally, in terms of conservation, another important idea is support for hybrid and advanced diesel vehicles. Most of this will have to come from the Finance Committee. But the National Commission on Energy Policy, which a lot of us have been reading, both Democrats and Republicans, "A Bipartisan Strategy to Meet America's Challenges," has a number of excellent ideas in it.

One of them is \$1.5 billion over 5 years in manufacturer and consumer incentives for domestic production and purchase of efficient hybrid electric and advanced diesel vehicles. Hybrid vehicles use about 60 percent of the gasoline conventional vehicles use. The Commission wisely suggested that we have some loan guarantees or tax credits. We might do the loan guarantees in our own legislation in the Energy Committee to help make sure those hybrid vehicles and clean diesel vehicles are built in the United States.

The other area in which we need to move boldly, and I hope we will, is in transforming the way we produce energy. At the head of the list has to be nuclear power. There is a lot of talk in this body about global warming and carbon. Mr. President, 70 percent of the carbon-free energy we produce in the United States comes from nuclear power. Again, Seventy percent of the carbon-free energy we produce in the United States comes from nuclear power. And in the next 5, 10, 15 years, if we are serious about global warming, reducing the amount of carbon in the air and setting an example for the rest of the world to do the same, we will appropriate at least \$2 billion for research and development and loan guarantees to help start at least two new advanced technology plants.

We have not built a new nuclear powerplant in America since the 1970s. TVA, the Tennessee Valley Authority, fortunately, is reopening Browns Ferry, one of its plants. This will basically be a new plant. Yet France produces 80 percent of its power using nuclear energy. Japan builds a new nuclear powerplant every year. Our Navy operates 70, 80, 90 nuclear vessels. I guess the number is classified; I do not know the exact number. They have never had one single, not one single accident with those reactors since the

1950s. Yet here we are, the most scientifically advanced nation in the world, worried about air pollution, worried about the need for low-cost, reliable supply of power, many are worried about global warming and carbon in the air, and we have not built a new nuclear powerplant since the 1970s. We should start.

The second best hope for transforming our way of producing a low-cost, reliable supply of American-produced energy is coal. We need a national coal gasification strategy. Again, both Democratic and Republican Members have been studying this very carefully. I suggest \$2 billion in loan guarantees for the deployment of six coal gasification plants by 2013 and \$2 billion for industrial applications of coal gasification.

Clean coal gasification, very simply, is taking coal, of which we have plenty, hundreds of years of supply, and turning it into gas and making electricity from it, either in freestanding powerplants or letting industries do that to produce their own power as, for example, Eastman does in Kingsport, TN.

Next we should focus on carbon capture and sequestration from coal plants. Coal gasification eliminates most of the problems we have with mercury, nitrogen, and sulfur, but it still produces carbon. If we could find a way to capture that carbon and put it away somewhere, sequester it, we would have created right there, in addition to nuclear power, a way to have a fairly permanent supply of low-cost, reliable, adequate American-produced energy.

That technology is not mature yet, but we need a research program to demonstrate commercial scale carbon capture and geological sequestration at a variety of sites as well as research to reduce capital costs of processes to sequester carbon. That is also one of the recommendations of the National Commission on Energy Policy.

As many leading environmental groups have pointed out, coal gasification and carbon capture is the best strategy for the rest of the world. Even if we clean up our air, even if somehow we limit our production of carbon, if China, India, and Brazil build hundreds and hundreds of dirty coal plants around the world, it will not matter what we do because the air goes around the world, and we will end up breathing it, too.

So it is urgent that we move ahead with advanced nuclear technology and with advanced coal gasification and carbon capture and sequestration, not just for us, but in hopes that the rest of the world will adopt our technology and, therefore, make our air safer and cleaner and make us less dependent on foreign oil.

We need to increase our supply of domestic natural gas, and there are specific ways in the Alexander-Johnson legislation to do that. I hope the Senate bill adopts those ideas.

No. 1, we should provide the Department of Interior with the legal author-

ity to issue "natural gas only" leases. Some of the oil companies are saying, "What do you do if you find oil?" We are not the experts; they are. If the State of Virginia or North Carolina, or some other State prefers to look for natural gas, I would like for them to have that option, and today the Secretary does not have that option.

No. 2, we should instruct the Department of Interior to draw the State boundary according to established international law between Alabama and Florida regarding lease 181 and lease portions of it not in Florida by December 31, 2007.

That may sound very technical, but here is what that means. The Secretary should draw the State line out into the water, which should have been done years ago. The part that is in Florida can't be drilled on because of the moratorium. The part that is in Alabama could be. Some estimates say 20 percent of the natural gas that is produced in the Gulf of Mexico over the next several years could come from that new part of lease 181 in Alabama. That would lower natural gas prices.

Finally, it allows States to selectively waive the Federal moratoria on offshore production and collect significant revenues from such production.

If Tennessee had a coastline—I know Georgia does—but if Tennessee had one, here is what I would do. I would put some gas rigs so far out in the ocean that nobody could see them. I would take that money and I would put it in an endowment of Tennessee colleges and universities so they would be the best funded and gradually the best colleges and universities in America. Second, I would take the rest of the money and I would lower taxes.

That would be a pretty good platform for a Governor. I wish I could do it in Tennessee, but maybe a Governor of New Jersey or Georgia or Florida or Virginia will want to do that. I think they should have that option.

Finally—I said finally, but one other thing on domestic natural gas. We should take part of these revenues from offshore drilling and create a conservation royalty. That royalty would be equally shared by all the States in the Land and Water Conservation Fund and wildlife grants. We should take that money and invest it in conservation so an environmental burden becomes an environmental benefit.

There are a couple of other things I would specifically like to mention. We are going to have to temporarily increase the foreign supply of natural gas. We have no option if we want lower natural gas prices. We do that by streamlining the permitting of facilities for bringing LNG from overseas to the United States. We need to give the Federal Energy Regulatory Commission exclusive authority for siting and regulating LNG terminals while still preserving States' authorities under the Coastal Zone Management Act, Clean Water Act, and the Clean Air Act. Renewable power is an important

part of what we ought to do. Regarding solar power, the production tax credit now in the law for solar power really isn't enough to make solar power a viable option. We should increase that over the next several years. We should adopt the work that many Democrats, and President Bush, and many Republicans have worked on to encourage hydrogen fuel cell initiatives.

We should require that FERC grant or deny a terminal pipeline application within 1 year. We should clarify the permitting processes for pipelines and natural gas storage facilities.

These are specific steps. They are aggressive steps. But they are the kind of steps we need to take.

I make these remarks, as I said at the beginning, because Senator DOMENICI and Senator BINGAMAN, both of whom have been here for a long time, have worked pretty hard to give us a chance to have the right kind of clean energy bill. I believe the American people expect us in the Senate to know that natural gas prices are driving jobs overseas and are raising prices for farmers. They expect us to know they are having a hard time affording the cost of gasoline. They expect us to take steps to do something about it. Only the steps like the ones I have mentioned will create a true Clean Energy Act of 2005. Only steps like these will produce adequate conservation and adequate supply of reliable, low-cost, American-produced, clean energy. Only steps like these will lower prices and save the United States from the next big surprise: The surprise to our pocketbooks because we failed to prepare for the oncoming energy crisis.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow morning.

Thereupon, the Senate, at 6:33 p.m., adjourned until Wednesday, May 18, 2005, at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate May 17, 2005:

##### COMMODITY FUTURES TRADING COMMISSION

REUBEN JEFFERY III, OF THE DISTRICT OF COLUMBIA, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2007, VICE BARBARA PEDERSEN HOLM, TERM EXPIRED.  
REUBEN JEFFERY III, OF THE DISTRICT OF COLUMBIA, TO BE CHAIRMAN OF THE COMMODITY FUTURES TRADING COMMISSION, VICE JAMES E. NEWSOME, RESIGNED.

##### DEPARTMENT OF ENERGY

JAMES A. RISPOLI, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF ENERGY (ENVIRONMENTAL MANAGEMENT), VICE JESSIE HILL ROBERSON, RESIGNED.

##### DEPARTMENT OF STATE

LINDA JEWELL, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ECUADOR.

JOHN F. TEFPT, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO GEORGIA.