

protests by the big economic interests and by those who support the President's policies on this.

Let them all merge. They say, well, all these mergers do not matter. You have all these television channels these days, you have more opportunities. What you have are more voices coming from one ventriloquist. Add up where all the channels are owned and where they come from. It is exactly the same concentration.

There are investigations going on at the Corporation for Public Broadcasting. Mr. Tomlinson was named Chairman by the President, September 2003. He spends his time telling us there is a liberal bias in public broadcasting so he hired a consultant to track the political leanings of certain programming. He hired a conservative partisan to do that. Paid for it with taxpayers' money. That is now being evaluated by the Inspector General. He did not tell the Board of Directors about this expenditure. He, in a letter to me, said, maybe I didn't tell the Board of Directors but that is because the President of CPB signed the contract.

That is not accurate. He signed the contract several months before the President that he alleged signed it had actually become President at the Corporation for Public Broadcasting.

Now they have appointed a new President at the urging of Mr. Tomlinson, a partisan former Co-Chair of the Republican National Committee. Some of the members of the Board of Directors of the Corporation for Public Broadcasting have alleged to me personally that the process by which that was done was a stilted process, not a fair and open process. I am going to ask the Inspector General to include that in his investigation as well.

I did not join all those in the Senate last week who signed a letter to suggest Mr. Tomlinson should resign. I was not one of those who signed it. But I now think he should. I think orchestrating the hiring of a partisan former Co-Chair of the Republican National Committee to run the Corporation for Public Broadcasting after he has made a mini-career here out of alleging there is a liberal bias, to suggest he should be the point of the spear to move it in a direction that clearly is partisan is unfortunate, in my judgment, and will do dramatic injury to public broadcasting.

My hope is public broadcasting will recover from these missteps. Public broadcasting has done a wonderful service in our country. I kidded about Big Bird. Big Bird is not a partisan. When American children watch "Sesame Street" and see wonderful programming—which, by the way, they took care of that program and it does not exist on commercial television—most Americans in the polls I have seen believe public broadcasting does a real service.

I don't think there is a better newscast than PBS, Jim Lehrer. I think he

is incredibly good. You get it straight. You do not get it in 8-second sound bites as is the case with the network news. You get a discussion by both sides, in depth, about issues that matter to this country. Those who are deciding to take it upon themselves to try to do injury to public broadcasting did no service to this country.

I know there is a network of radio and broadcast opportunities out there for largely one voice, the conservative voice, that is relentless, every day, all over the dial. The fairness doctrine is gone so they can do that. There does not have to be balance on commercial stations. There used to be. It does not have to be anymore because under President Reagan the fairness doctrine was obliterated.

I know they do not like this message about the push-back on public broadcasting. In my judgment, when I see someone doing injury to public broadcasting, I think it is important to speak out. I think Mr. Tomlinson is doing injury to something that is very important to our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, the Senator from North Dakota was an important part of the work on clean energy that we finished work on last night and will vote on next Tuesday. I will make some remarks about that in a few minutes, but I acknowledge his contribution and that of the ranking Democrat, JEFF BINGAMAN, who worked with our chairman, PETE DOMENICI, and the Presiding Officer, who has experience in the House of Representatives on the Energy Committee.

These last 2 weeks have been extraordinarily good for the Senate. I think we got a good result.

ENERGY POLICY ACT

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• **Mr. KERRY.** Mr. President, I support what Senator DURBIN is trying to achieve with this amendment regarding CAFE standards. Over the past few years, I have looked closely at this issue and believe strongly that we need a consensus path forward. I do not believe, however, that Senator DURBIN's amendment or Senator BOND's amendment will achieve that goal. I have followed closely the information available from the National Academy of Sciences and have spoken with labor groups, automobile manufacturers, and environmental groups. We can, and must, significantly increase the efficiency of our automobile fleet, but we cannot do it without creating new incentives for automobile manufacturers to retool plants to produce advanced technology, more efficient vehicles, and lead the way toward an energy-independent America.●

Ms. STABENOW. Mr. President, I want to thank the bill managers, Sen-

ator BINGAMAN and Senator DOMENICI, for accepting my amendment calling for an investigation by the Federal Trade Commission into gasoline price manipulation and anticompetitive practices by oil companies and refineries. I also want to thank Senator DORGAN and Senator BOXER for their hard work on this issue.

We are living in a time when the average American family has no assurance from week to week that they will be able to afford to fill their vehicle with gas.

Over the past year, gasoline prices have increased by 23 percent. And since December the average price for oil has climbed 40 cents per gallon. To make matters even worse, prices fluctuate wildly from week to week and month to month, making it impossible for families to budget for the cost of gasoline. In fact, I heard from a constituent in Lansing on Monday that gasoline was \$2.10 a gallon at 7:30 in the morning and by 9:30 it had jumped over 12 percent to \$2.35 a gallon. Gas prices in the Upper Peninsula range from \$2.19 to \$2.24 a gallon. People in Detroit are paying the highest prices in the State at \$2.40 a gallon.

Furthermore, the Energy Information Administration estimates that pump prices for the summer will average about \$2.17 per gallon, which is 26 cents per gallon above the price from last year. So what does this mean for the average American family? Using the AAA Trip Calculator I discovered that a family driving their Ford station wagon from Grand Rapids, MI to Washington, DC, would spend \$89.82 on gas. These high prices may mean the difference between a family trip to visit grandparents and extended family and staying home. So you see we are talking about real impacts to working families.

At the same time that our families are struggling to find room for the cost of gasoline in their household budgets and canceling their summer vacations, oil companies are chalking up record-breaking profits for the first quarter of this year.

Families are worried about whether or not they can afford the gas to get to work, while oil companies are raking in billions of dollars.

I think my colleagues must agree with me that there is something seriously wrong when American families are struggling to make ends meet and the world's top five petroleum companies are reporting more than \$230 billion in profits since 2001.

Furthermore, when we consider that the cost of crude oil makes up less than 50 percent of the total cost of gasoline, there can be no doubt that oil companies and refineries are making their profits off the backs of hardworking Americans.

In a recent CNN/USA Today/Gallup poll, 78 percent of people surveyed said that gasoline prices are not fair.

I agree with them.

There are two ways we can start to lower gasoline prices. One way is to release oil from our National Strategic Petroleum Reserves, which will lower prices by increasing supply while sending a clear signal to OPEC that we are not going to sit back and take whatever they decide to deal. The second is to make sure that no anticompetitive practices are taking place among the big oil companies and oil refineries here in our own country.

My amendment gets to this second point. I have called for an investigation by the Federal Trade Commission into gasoline price manipulation. We need to make sure that American families are not being unfairly taken advantage of by oil companies and refineries.

Should the FTC's investigation find that illegal practices are taking place, they have a couple of options. First, the FTC can pursue a civil action and fine companies breaking the law. Or, if they find evidence of criminal behavior, the FTC can then notify the Department of Justice, which would then pursue criminal action.

We have seen the devastating effects that market manipulation can have when energy companies withheld power from California's power grid in 2000 and 2001 in order to drive up the price of electricity. The result was 38 days of blackouts, rolling brownouts, service interruptions, and ultimately over \$11 billion from the California State Treasury. A later report by the California Public Utilities Commission stated that the vast majority of the power failures could have been prevented.

We need to make sure the same kind of intentional market manipulation and preventable economic losses do not happen to American consumers when they buy gasoline.

Mr. DORGAN. Mr. President, I was necessarily absent for part of this week and want to indicate how I would have voted if I had been present.

If present, I would have voted in the following ways: "no" on the Nelson (FL) amendment, rollcall vote No. 143; "yes" on the Hagel amendment, roll call vote No. 144; "yes" on the Voinovich amendment, rollcall vote No. 145; "no" on the McCain-Lieberman amendment, rollcall vote No. 148; "yes" on the motion to table the Bingaman amendment, rollcall No. 149; "no" on the Alexander amendment, rollcall vote No. 150; "yes" on the Kerry amendment, rollcall vote No. 151; "yes" to invoke cloture on the energy bill; rollcall vote No. 152; and "yes" to waive the budget point of order on the Domenici-Landrieu amendment, rollcall No. 153.

ADDITIONAL STATEMENTS

HONORING JEAN O'LEARY

• Mrs. FEINSTEIN. Mr. President, I rise today to honor an outstanding American whose tireless work helped bring to national attention the matter

of gay civil rights. Jean O'Leary represented the ideals of a truly integrated society, a Nation that saw equality for gay, lesbian, bisexual, and transgender people of this world. On June 4, 2005, my dear friend, Jean O'Leary died at the age of 57, in her home in San Clemente, CA. Her passing is a great loss to her family and she will be missed by all who knew her. I offer my deepest condolences to her family and am joined by the thousands of Californians, as well as those throughout the country, who have benefited from her work to end the injustices that segregate this great Nation. Jean O'Leary's was a light, a remarkable voice in an area that needed a champion. Her legacy will live on through the passion and energy she gave to the gay rights movement.

Jean Marie O'Leary lived a life of extraordinary accomplishments. Born in Kingston, NY, but raised mostly in Ohio, Ms. O'Leary attended parochial schools from third grade through high school and in 1966 joined the Sisters of the Holy Humility of Mary to become a nun. Many were surprised by her decision which contradicted her independent and rebellious nature. Years later she revealed that she wanted to become a nun because she "wanted to do something special, to have an impact on the world."

Jean O'Leary left the covenant in 1971, returning to New York where she immersed herself in the gay rights movement. She was a member of the Gay Activists Alliance, founder of the Lesbian Feminist Liberation, co-executive director of the National Gay Task Force, and head of the National Gay Rights Advocates where she helped bring visibility to the movement.

In 1977, Ms. O'Leary through her close friendship with Midge Costanza, an advisor to President Jimmy Carter, organized the first-ever meeting of gay rights advocates in the White House. This historic gathering of gay and lesbian leaders spurred a national discussion to review and begin to correct the antigay policies by Federal Government agencies. President Carter later appointed her to the National Commission on the Observance of International Women's Year where she negotiated the inclusion of gay and lesbian rights on the commission's conference held in Houston. In her work as a Democratic Party activist, O'Leary was a pillar of strength and support that helped advance the rights of gay men and lesbians, women and people living with HIV and AIDS.

Truly, she lived up to her dreams to shape the world. In a career that spanned 35 years, I remember Ms. O'Leary as an exception activist, a woman with a soft-spoken, charming, and compassionate nature that shown through in her tremendous ability to pioneer an issue that involves millions worldwide.

Jean O'Leary was an exemplary American who worked to improve the life of all persons in the Nation. She

was an outstanding individual, a close and trusted friend, and an inspiration to this Nation. We will all miss her spirit and passion, and our thoughts go out to her family and friends. •

MESSAGE FROM THE HOUSE

At 11:27 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2985. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2985. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and for other purposes; to the Committee on Appropriations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ALLARD, from the Committee on Appropriations, with amendments:

H.R. 2985. A bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and for other purposes (Rept. No. 109-89).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SANTORUM (for himself and Mr. SPECTER):

S. 1310. A bill to authorize the Secretary of the Interior to allow the Columbia Gas Transmission Corporation to increase the diameter of a natural gas pipeline located in the Delaware Water Gap National Recreation Area; to the Committee on Energy and Natural Resources.

By Mr. REID (for himself, Mr. BINGAMAN, Mr. SALAZAR, and Mr. KERRY):

S. 1311. A bill to provide grants for use by rural local educational agencies in purchasing new school buses; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 277

At the request of Mr. JOHNSON, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 277, a bill to amend title XVIII of the Social Security Act to provide for direct access to audiologists for Medicare beneficiaries, and for other purposes.

S. 392

At the request of Mr. LEVIN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 392, a bill to authorize the President to award a gold medal on behalf of Congress, collectively, to the Tuskegee