

crime that has occurred in our country.

James Oliver Bailey was an 80-year-old gay man. On November 26, 2005, he was beaten to death with a 2 by 4 by Chris Nieves. According to reports, Mr. Nieves attacked Mr. Bailey solely because of sexual advances perpetrated by Bailey.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

DEMOCRACY AND PEACE IN NEPAL

Mr. LEAHY. Mr. President, one of the many things one learns as a Senator is that speaking out about autocratic, corrupt and abusive governments invariably elicits a response.

The victims of such regimes, including human rights and prodemocracy citizens who are often imprisoned and tortured, express their appreciation. Knowing that they have supporters halfway around the world gives them hope.

The officials of those governments and their supporters respond differently. Knowing that they cannot honestly defend their ill gotten gains and abuse of power, they do what they can do. They attack the messenger. And they do so through distortion and outright fabrication.

I have made several statements about the troubling situation in Nepal, a poor country with the most majestic mountains on Earth, which has received too little attention by the Congress. It is a country struggling against a determined Maoist insurgency that has brought extortion, brutality and false promises of a better future to virtually every province.

And it is a country in which an autocratic monarchy has sought to consolidate its grip on power and take the country backwards after a decade of fledgling democracy.

One year has passed since last February 1 when King Gyanendra dissolved the multiparty government, curtailed civil liberties, and imprisoned political opponents. He has ignored appeals of the United States, India, and Great Britain, as well as the United Nations, to negotiate with the leaders of Nepal's political parties on a plan to restore democracy.

When the Maoists unilaterally announced and then extended a 4-month cease-fire, the army and the palace rejected out of hand the suggestion that reciprocating could test the Maoists' intentions and possibly create an opening for dialogue to end the conflict.

What we are witnessing in Nepal is, put simply, a struggle between the discredited, anachronistic past, and the possibility of a democratic future.

There is also a third possibility. A Maoist government that imposes its will on whomever remains in Nepal after a mass exodus, and which further destabilizes an already troubled region.

Predictably, those who have enjoyed the undeserved benefits of absolute power and privilege want to hold on to what they have. They seem to believe that the Maoists can be defeated by military force. As desirable as that might be, there is no evidence to support it.

Those who see the King's repressive policies as reckless and playing into the hands of the Maoists, have risked their freedom and their lives by calling for an inclusive democratic process. And, as the situation continues to deteriorate, calls for a republic are growing louder.

On January 2, the Maoists ended their cease-fire by triggering bombs in several locations. A few days later they killed 12 police officers in Katmandu. They have carried out attacks in Nepalganj and other cities, causing civilian casualties. A week ago, in an apparent attempt to derail the controversial municipal elections scheduled for February 8, gunmen who are suspected of being Maoists killed a promonarchy party member in the city of Janakpur. These brutal acts should be universally condemned. There is absolutely no justification for the use of violence to terrorize civilians or to disrupt an election.

But neither can it be said that the United States has an effective policy when it appears to amount to little more than blaming the Maoists and repeating over and over that the King should reach out to the political parties. He should, but for almost a year he has refused to do so and absent stronger pressure there is no reason to believe that he will.

It also begs the question of what is the legitimate role in the 21st century for a monarchy that has squandered its moral authority and shown no competence for governing.

Three weeks ago, in the King's latest attempt to quell mounting public criticism of his failed policies, the palace announced a preemptive curfew and a ban on political demonstrations. Since then, hundreds of prodemocracy citizens, including several political party leaders, have been imprisoned around the country.

Two weeks ago, the police used tear gas and water cannons to break up a rally in Katmandu, and more political protesters were arrested. The former Prime Minister remains in custody after a widely ridiculed "trial" by the King's hand picked anticorruption commission.

The Nepali people want peace. But nearly a year after King Gyanendra justified his power grab as necessary to defeat the Maoists, they are stronger and peace is more elusive. As many others have said, the only viable way forward is through dialogue, including the Maoists, under United Nations or

other international auspices, with the clear purpose of developing a broadly accepted plan to restore and strengthen democracy.

To those of Nepal's ruling class who in various opinion pieces have distorted my words, mischaracterized my record and questioned my motives, I can only say that sooner or later they will have to face reality. They could help save their country, but not if they continue to bury their heads in the sand and malign those whose only desire is to see a democratic, peaceful Nepal.

Nepal is a beautiful country with a remarkable culture. Its people, as resilient as they are, do not deserve the hardships of caste discrimination, poverty and violence that they endure daily. The Maoists have shown no respect for the rights of civilians. But neither has the King shown that he has a workable plan to stop Nepal's downward spiral. His decision to hold municipal elections has only widened the gap between himself and the leaders of the political parties who were never consulted, who see this latest move as part of a calculated strategy to consolidate his power, and who have said they won't participate.

Far more creative and persuasive leadership is urgently needed in Nepal, including from the army, as well as from the United States, India, China and other friends of Nepal, to prevent a tragic situation from becoming a disaster.

CONSOLIDATION IN THE ENERGY INDUSTRY: RAISING PRICES AT THE PUMP?

Mr. LEAHY. Mr. President, earlier this morning, the Judiciary Committee held a hearing on the consolidation of the energy industry. Regretfully, due to a scheduling conflict, I was unable to attend the hearing which was noticed only 1 week ago. I come to the floor this afternoon because this is an issue that needs to be addressed, not only by me, or the Committee, but by this entire body. The exorbitant cost of fuel is one of the most critical issues facing our nation.

Strong leadership by this Congress is needed to help all of the Americans whose pockets are being emptied by the skyrocketing costs of fuel. Consumers, small businesses, farmers, families trying to heat their homes in the cold winter months, senior citizens on limited incomes, every community in this country has felt the pinch of trying to keep up with energy costs. Everyone has suffered—or rather, almost everyone.

The day before yesterday, the big oil companies posted their year-end profit reports for 2005. The five biggest—ExxonMobil, ChevronTexaco, ConocoPhillips, BP, and Shell—trumpet raking in record profits for the year. In fact, ExxonMobil, with \$36.7 billion in profit last year, turned the highest yearly profit in U.S. history for any business.

We did not hear from these companies today because they have declined to appear at this hearing. I am disappointed by their decision. Boycotting this hearing will not stifle our questions or the need for their accountability to Congress and American consumers. The chairman has announced a second hearing for the end of this month, and the executives from the oil companies will attend, whether voluntarily or in answer to subpoenas. We will not rest in our effort to understand, and then correct, the problems in the energy markets.

On its face, the deplorable issue here is not the unprecedented profits garnered last year. Surely, any business the size of these corporations could produce a high yield selling their product at \$60 a barrel. Rather, the striking issue here is how these profits compare with years past. For example, since 1999, oil refiners have seen a 334 percent increase in yield made on each gallon of gasoline refined. Moreover, these same companies have more than doubled their control over oil production.

Time and time again, oil companies have defended startling statistics such as these. They claim that increased costs for production, exploration, and meeting environmental standards justify increasing prices at the pumps. This is obscene. I say it is time to invest in the American people. We need to investigate excessive market concentration in the oil industry that is stifling competition, constricting supply, and ultimately harming consumers. And then we need to do something about it.

I was glad to hear the President sounding like a Democrat on energy last night in his State of the Union speech. I can only hope that his words mean that he has finally abandoned the failed policy of the Cheney energy task force that had worked in secret with Ken Lay and other energy industry bigwigs. Had we adopted the Democratic energy proposal on which Senator BINGAMAN and others have worked so hard over the last several years, we would be much farther along. Nonetheless, we welcome the President and, I hope, some congressional Republicans to the Democratic emphasis on alternative and renewable fuels. After all that the Bush administration and the Republican leadership have done to advance the interests of the oil companies, including the attempts by House Republican leadership to insert special interest provisions in conference reports to give oil companies immunity for the environmental and health damage they cause, this reversal of position would be a good development for the American people.

Along with conservation, renewable energy is a key to a cleaner, more efficient energy future. If the President would work with us and follow through with sensible proposals, we can forge a bipartisan partnership. Working together, we can do better to make this a safer more energy efficient and more

prosperous country. I along with the rest of America will be watching to see if these statements are reflected in the President's policies and budget request, however.

We need to relieve America's dependence on foreign oil. Although the Midwest is not the source of the majority of our energy, its share has grown during this administration. I also urge the President and the Republican leadership of Congress to work with us to relieve our dependence on foreign investors and on borrowing from Social Security to finance the record deficits and growing debt that their policies have created.

REMEMBERING CORETTA SCOTT KING

Mr. TALENT. Mr. President, it is with great sadness that I offer my condolences on the passing of Coretta Scott King, who passed away at the age of 78. Indeed, I offer these remarks on behalf of all Missourians who have been touched by her legacy and that of Dr. Martin Luther King, Jr. A tireless champion and partner in her husband's work, Mrs. King's life represents an American story from which we can all draw strength. She never stopped working toward the prize God called her to achieve.

Born in rural Alabama on April 27, 1927, Coretta Scott was the second child of Obadiah and Bernice Scott, hard working parents who wanted more opportunities than they had for their children. An ambitious student, Mrs. King graduated first in her high school class and continued her studies at Antioch College in Yellow Springs, OH. She had a passion for education and music and went on to the New England Conservatory of Music in Boston, following her graduation from Antioch.

It was in 1952 in Boston where she met the man who would become her husband, Dr. Martin Luther King, Jr. They were married the next year and eventually settled in Atlanta, where they reared their four children, Yolanda, Martin, Dexter, and Bernice. Mrs. King was by no means a bystander in the groundbreaking changes her husband worked to achieve. She was a partner in her husband's historic work to make this country whole.

Following the murder of her husband in 1968, Mrs. King could have chosen to retreat into the privacy of her family. Indeed, in the aftermath of that tragedy, she was a widow who had the sole responsibility of raising four young children. But instead, Mrs. King bravely chose to continue her husband's work and his quest for racial equality. She worked tirelessly to have her husband's birthday memorialized as a national holiday and to establish the King Center, a lasting memorial and research institution dedicated to the Dr. King's principles of justice, equality, and peace.

Mr. President, Coretta Scott King continued her work to bring this coun-

try together until her final days. She never stopped believing that we have a historic responsibility to move America forward and extend the American dream to all those who seek it, regardless of race. Today, as a nation, we mourn Mrs. King's passing. We are thankful for her time here with us, the fruits of her labor, and the profound impact she has left on a grateful country.

I yield the floor.

Mr. SPECTER. Mr. President, I wish to offer some remarks on our loss of Mrs. Coretta Scott King, who has passed away at the age of 78. I join my colleagues in cosponsoring and supporting S. Res. 362 to honor the life of and express the condolences of the Senate on her passing.

Coretta Scott King was born April 27, 1927, on a farm in Heiberger, AL, to Obadiah, Obie, and Bernice McMurry Scott. Though her family owned the land, it was often a hard life. All the children had to pick cotton during the Great Depression to help the family make ends meet.

Graduating from Lincoln Normal School in Marion, AL, at the top of her class in 1945, Coretta went to Antioch College in Yellow Springs, OH. After graduation, she moved to Boston, MA, where she met Martin Luther King, Jr. They were married in 1953 on the lawn of her parents' house and with the ceremony performed by King's father. Coretta King received a degree in voice and violin at the New England Conservatory, then moved with her husband to Montgomery, AL, in September 1954 after he was named pastor of the Dexter Avenue Baptist Church. Together, they had four children: Yolanda Denise King, Martin Luther King III, Dexter Scott King, and Bernice Albertine King.

Mrs. King received honorary degrees from many institutions including Princeton University and Bates College. She was a member of Alpha Kappa Alpha, a noted African-American women's sorority.

The King family was front and center to one of the most turbulent times of the 20th century. Just 2 weeks after the birth of her first child, Rosa Parks was arrested on a Montgomery bus, helping spark what would develop into the modern civil rights movement that would be led by her husband. The struggles that followed included a narrow escape from death in 1956 when Mrs. King and her daughter were home when a bomb exploded at the family's residence—her husband was speaking at Rev. Ralph Abernathy's First Baptist Church at the time.

Mrs. King later put together a series of Freedom Concerts that combined poetry, narration, and music to highlight the movement and also raise funds for the Southern Christian Leadership Conference. In 1962, she served as a Women's Strike for Peace delegate to the 17-nation Disarmament Conference in Geneva, Switzerland.

Notably, she preceded her husband by 2 years in opposing the Vietnam War,