an ''end-use ad valorem tax'' on the value of the fuel at the point of sale, a ''motor fuels tax'' on the retail price of gasoline and diesel, an ''oil import fee.'' Also recommended: A new federal fee on vehicle emissions tests of $40 per person to ''shift the cost of vehicle inspection from the state to the vehicle owner.''

How could they hope to get so many new taxes through a tax-shy Congress? The ''Climate Change Action Plan'' contains repeated references to how each of the above taxes and fees can be imposed under existing laws. Talk about taxation without representation.

It's not entirely surprising that Browner and her crew think in terms of government-by-edict. Browner's extraordinary power is in many ways a consequences of Congress' delegation of its lawmaking power to the EPA. It has let the agency micromanage environmental activities throughout the nation with little regard for either local wishes or the cost. This negligence has permitted the agency to ignore scientific data that conflict with agency orthodoxy. The EPA is in many ways becoming a state within the state.

''This is Washington at its worst—out-of-touch bureaucrats churning out red tape with reckless abandon. The EPA hasn't taken into account an ounce of reality,'' says Representative Fred Upton (R–Mich.), a frequent critic, referring to the new clean air rules.

If science isn't Browner's strong point, political tactics are. Her enemies can only envy the way the EPA uses the courts. An organization such as the Natural Resources Defense Council will go into federal court and sue to force the EPA to do something. The EPA will wink and, after the courts expand its mandate, see to it that big legal fees go to the NRDC.

Mission creep, in short, takes many forms and its practitioners have many ways to plunder the public purse.

For her part, Browner often dismisses as simple male chauvinism any criticism of her hardball tactics. ''I think sometimes that it's an issue of men and women,'' she says, coyly.

Such cute demagoguery aside, there is no doubting Browner's sincerity. She is an environmentalist zealot. She was clearly behind the decision to tighten the clean air standards to what many people regard as unreasonable levels. If not a tree-hugger she is philosophically close to Al Gore and his quasi-religious environmentalism.

After graduating from University of Florida law school, Browner (both of whose parents were college teachers) went to work for a Ralph Nader-affiliated consumer advocate group. There she met her husband, Michael Podhorzer, who still works there.

She learned politics working on Gore's Senate staff, where she rose to be his legislative director before heading back to Florida to head the state environmental commission.

After the EPA, what's next for this tough and aggressive politician? If Al Gore's presidential hopes aren't dashed by the fund-raising scandals, there's vice presidential slot on the Democratic ticket up for grabs in 2000. A female environmentalist and mother of a young boy would do a lot to bolster Gore's otherwise soggy appeal.

In a statement to Forbes, Gore went so far as to try to claim for Browner some of the credit for the current economic prosperity. ''She has helped prove,'' he declares, ''that a healthy environmental and a strong economy are inextricably linked.''

If not a vice presidential run, what? Could Browner be nominated by the Clinton Administration to be the next head of the United Nations' environment program? Or would the Administration nominate her as the new U.N. Deputy Secretary General? Either position would give Browner instant international visibility, which couldn't hurt her political prospects in Washington.

One way or another, you are going to be hearing a lot more about Carol M. Browner; whenever you do, it's unlikely to be good news for business—and it may not even be good news for the environmental.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. Mr. President, I believe that we have 30 minutes.

The PRESIDING OFFICER. There are 30 minutes under the control of the Senator from North Carolina [Mr. FAIRCLOTH] and the Senator from Kentucky [Mr. FORD].

Mr. FORD. Mr. President, the Senator from North Carolina is here. So with your permission, we will proceed.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. FORD. I thank the Chair.

(The remarks of Mr. FORD and Mr. FAIRCLOTH pertaining to the introduction of S. 1310 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from Nebraska is recognized. There will now be 35 minutes under control of the Senator from Idaho [Mr. CRAIG] and the Senator from Nebraska [Mr. HAGEL].

THE GLOBAL CLIMATE TREATY

Mr. HAGEL. Mr. President, yesterday the President of the United States announced the United States negotiating position on the U.N. global climate treaty. Some have called the President's position a compromise. I would say that is the case only if you define compromise as an action that would have devastating consequences for the United States without any meaningful progress toward the overall goal.

This is how an editorial in Investors Business Daily defined the President's proposal yesterday morning. This doesn't make any sense. ''Signing a treaty that hobbles U.S. growth getting no environmental payoff in return.'' Now, here is what does make sense. ''Listening to science rather than overheated rhetoric and acting on the basis of real events, not computer models.''

The President's announcement follows along the same lines of what this administration has been pushing in international circles for years. No matter how he wraps his package, the President is still talking about making the United States, our businesses, our people, subject to legally binding international mandates while letting more than 130 nations off the hook. Most important for this body, the U.S. Senate, is how does the administration's position stack up against the Byrd-Hagel resolution which passed this body in July by a vote of 95 to zero? The Clinton administration's position announced yesterday falls woefully short on all counts.

The President obviously realizes this since he stated yesterday that America cannot wait for the U.S. Senate on this issue. The President said:

> I want to emphasize that we cannot wait until the treaty is negotiated and ratified to act.

This flies in the face of the Constitution and the powers it gives to the U.S. Senate to give approval for the ratification of treaties. Why does the President's proposal fall short? Regarding participation by the developing nations, the Byrd-Hagel resolution states very clearly that no treaty will get the support of the U.S. Senate unless, and I read from the Byrd-Hagel resolution, ''* * * unless the protocol or agreement also mandates new specific scheduled commitments to limit or reduce greenhouse gas emissions for developing country parties within the same compliance period.''

That is very clear. I noted some of my colleagues yesterday, and others, have said what the President proposed yesterday is in full compliance with Byrd-Hagel. I strongly recommend to those colleagues who actually believe that, that they go back and read the Byrd-Hagel resolution. It is only five pages long. It is not legal. It is very clearly understood by everyone.

What this means also is that support of the U.S. Senate is contingent upon China, Mexico, India, Brazil and the other 130 developing nations committing to specific limitations on greenhouse gas emissions within the same time period as the United States and the other industrialized nations. Anything less, anything less than this, what is clearly defined in the Byrd-Hagel resolution put forward by the U.S. Senate, is not in compliance and it is the U.S. Senate that will have the final say on any treaty signed by the administration in Kyoto, Japan, in December.

At the same time President Clinton was calling for ''meaningful participation''—those were his words—meaningful participation by the developing countries, at the same time he was saying that, this is what his negotiator in Bonn, Germany, Ambassador Mark Hambley, was saying in a prepared release. ''In our view,'' said Ambassador Hambley, the President's negotiator in Bonn Germany this week—''In our view, this proposal is fully consistent with the Berlin mandate—it imposes no new substantive commitments on developing countries now. Instead, it calls for such obligations to be developed following the third conference of the parties'' in Kyoto in December.

I think that is rather clear, what Ambassador Hambley said: That the Third World, the developing nations, would not be called upon for any commitments, any obligations in this treaty. It is obvious that this administration has no intention of ensuring that the developing countries have to meet the same obligations as the United States.

What about the second condition of the Byrd-Hagel resolution, which stated the Senate would not ratify a treaty that would cause serious economic harm to the United States? Most of the economic impact studies are based exactly on what the President proposed yesterday, in terms of timetables, targets, reducing emissions to 1990 levels by the year 2010, and excluding the developing nations from any binding limitations of greenhouse gases. The President's own analysis shows that this will require a 30-percent cut in projected energy use by the year 2010.

So, we are going to cut our energy use, between now and the year 2010, by 30 percent; at the same time the administration says we don't have an economic analysis to really understand what economic impact this might have on our economy, on jobs. After a year and a half of the administration promising to me and others in both the House and the Senate that they would come forward with an economic model and economic analysis showing that there would be no harm to our economy, they have now said: Well, economic models don't mean anything. But we are going to surge forward and sign that treaty having no understanding whatsoever of what it might do to our economy, to jobs.

I have seen studies, I have seen economic models and analyses done by the AFL–CIO, done by independent economists, done by business, done by industry, done by the agriculture industry, farmers, ranchers. The results are not good. Here is what these studies have shown: Job losses in the millions for this country, lower economic growth in this country meaning a lower standard of living and less opportunities for all Americans, energy rationing. What the Clinton administration is talking about is the rationing of energy use in the United States.

Remember the gas lines the last time this country rationed energy use in the 1970's? I remember them very well. Energy taxes—I know the administration has said we don't think this is going to require any taxes. We are not sure, but we will kind of get going, sign that treaty and bind the United States to these commitments, and allow an international body to enforce and police and administer it. Maybe we will need more taxes, who knows, they say.

In an October 4 article in the Washington Times an unnamed Clinton administration official said that the President's proposal would raise energy taxes up to five times greater than the Btu tax the Clinton administration proposed back in 1993. That is devastating. That is devastating. Much of the State that I represent, Nebraska, is agricultural. Agriculture is an energy-intensive industry. When you start talking about raising taxes on energy five times greater than what President Clinton proposed in 1993, that will put literally thousands of farmers and ranchers and agricultural interests out of business. What I find incredible about this is at the same time the President is asking for fast-track legislation because we are trying to do something about our deficit of payments, deficit in the balance of payments to China, to Japan, all the other areas of trade we are trying to pursue, what this would do is go the other way, make our products less competitive because they would cost more. Higher prices for all goods because of higher energy costs mean American goods cost more worldwide, making American products and services less competitive in the world market. And when you are allowing China and Mexico and Brazil and India, South Korea, and 130 other nations not to legally bind themselves to this, what do you think happens in the world marketplace? Our products cost more, our services cost more, and these other nations' economies will thrive as their products cost less. Does that put us in a stronger competitive position worldwide? I don't think so.

The real question is, for what? Why are we doing this? Why are we doing this? The nations that would be excluded, the over 130 nations that would be excluded from this treaty are the nations that will be responsible for 60 percent of the world's greenhouse gas emissions within the next 20 years. Not the United States, the nations that we are not asking to bind themselves to this treaty.

China, which has said very forcefully that it will never agree to legally binding emission limits, will be the largest emitter of greenhouse gases by the year 2015. By 2025, China will surpass the United States, Japan and Canada combined, as the greatest emitter of greenhouse gases in the world. Yet we are not asking them to sign up to any legally binding mandate to do something about their greenhouse gas emissions. So how can any treaty that exempts these 134 nations be at all effective in reducing global greenhouse gas emissions? It will not. This is folly. This is feel-good folly. It makes great press, but it is insane that we would bind our Nation to this kind of folly and allow these other nations to go untouched.

What President Clinton proposed yesterday is for the American people to bear the cost and suffer the pain of a treaty that will not work. That is the legacy, or more appropriately the lunacy he would leave to the children of America. I have always said that this debate is not about who is for or against the environment. That is not the debate. We are all concerned about the environment. We are concerned about the environment we leave to our children and our grandchildren, our future generations. But let's use some common sense here. Let's use some American common sense.

Mr. President, in its present form, this treaty will not win Senate approval. We can do better. We must do better. Our future generations are counting on us to do better. Let's bring some balance, some perspective and some common sense to this issue and do it right.

Mr. President, I yield the floor.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, I join with my colleague, the Senator from Nebraska, this morning to speak out against the proposal that our President yesterday announced to the Nation and to the world as it relates to this country's concept of how the world ought to be when it comes to the issue of global warming.

But first let me thank the Senator from Nebraska for the leadership role he is taking on behalf of a very large bipartisan coalition of Senators in bringing clarity to this issue and demonstrating what is a clear opposing point of view, an opposing point of view based on science, an opposing point of view based on economics and an opposing point of view based on one of the largest coalition-building efforts I have witnessed, at least in my public life, between labor and business and public officials in this country.

The Senator spoke out very clearly this morning on the discrepancy as it relates to what our President announced yesterday compared to what the Hagel-Byrd resolution that was adopted by the Senate some months ago spoke to. That was, if we are to enter an agreement, that agreement must be, by its definition, a world agreement, that all parties involved, that is, all nations of the world, must come together in recognition of what may or may not be an environmental problem.

I am disappointed that the President of the United States, clearly recognizing the constitutional obligation of this body, chose largely, yesterday, in his proposal, to ignore us. While he gave us lip service and while his spokespeople have given us lip service over the last several months since the almost unanimous adoption of the Hagel-Byrd resolution, I must tell you that what our President laid down for his negotiators in Bonn yesterday is not reflective of what he has been saying or what his people have been saying.

To the parliamentarians of the world, it is important that you understand that we are not a parliament and the President is not a prime minister. He does not speak for the majority of the U.S. Congress. He speaks for himself and for what I believe to be a narrow interest of people whose agendas take them well beyond just the concept of a better environment, but to a desire to do some industrial or economic planning nationwide, if not universally, all without any reliance whatsoever on the good judgment of the American consumer and/or the free market that this country has relied on since its very beginning.

''Serious harm,'' those are important words. Those are words that the Hagel-

Byrd resolution spoke to, ''serious harm to the U.S. economy.'' Important words, simple words, easy to understand, a relatively small measurement and threshold to be understood by anyone negotiating a treaty that, in the long term, might bind this country in an international obligation.

We will not, nor should we, seriously harm our citizens, the economy in which they live, and the opportunities for which they strive. And yet, the President, we believe, ignored that and talked about the need for catastrophic emissions reductions by the year 2012. Mr. President, 2012. A long time off? No, not really; clearly within my lifetime, clearly within everybody's reasonable imagination, and something that if you are to accomplish a 30-percent reduction of fossil fuel emissions off from the current path, then you must start now in significant ways to change that and alter it. It is something that you do not wait until you get out to 2008 and then you say, ''Oh, my goodness.'' Because if we are to be responsible in relation to a negotiated treaty, a ''binding'' relationship by that point would draw us into a situation that we could not meet, or, if we chose to meet it, we would truly handicap the economy of this country.

This Senator will not vote to make our country and its citizens second class to the rest of the world. I cannot nor will I do that nor do I believe any Senator in this body will knowingly vote in that way. Yet, the President is proposing that we allow 130 economies, 130 nations of the world, be exempt, to be able to do anything they choose while we would choose to restrict and control ourselves.

Mr. President, we are a nation today that is proud of its environmental legacy. We have moved faster and more directly in the last two decades to improve the environment in which our citizens live than any other nation of the world, and we have paid a big price for it. But we have been willing to pay it. We have been willing to pay it and able to pay it because we are a rich nation. Rich nations move to do things to clean up their environment. Poor nations simply cannot afford to. They are too busy trying to feed themselves, clothe themselves and put shelters over the heads of their citizens. All of those items in this country are secondary considerations because we take them for granted, because we are rich, and we are rich because of a free-market system unfettered by Government rule and regulation and, in my opinion, by the silly politics that this administration perpetrates today on faulty science or certainly a lack of science or a knowledge of what all of this means.

I have to say, in all fairness, the President gave some reasonable suggestions for conservation, and there is no question we ought to create the kind of incentives within our economy that move our citizens, and the economy that drives us, toward conservation. That is fair and that is reasonable, and we could assume a better world with all of that in mind.

But the thing that frustrates me most is that there is emerging out of all of the current negotiations a reminder that the developing world is saying something to us that is most significant, and I am not sure that our President is listening at this moment. They are, in essence, saying, and when they laid down their position on the table in Bonn on October 22, that developing countries are demanding reductions of 35 percent below 1990 levels of emissions and that fines be assessed against the United States and the other developed nations if those targets are missed. They want global warming gas reductions, but guess who is supposed to pay for it? Not the consumers of the developing world, but us rich Americans. Rich Americans are supposed to pay for any economic inconvenience the developing world would encounter because we are foolish enough to agree to impose these kinds of reduction targets on ourselves.

I am sorry, Mr. President, I don't buy that, the American consumer is not about to buy it, nor do I believe the U.S. Senate will.

So in 10 to 14 years, at about the time that the baby boomers are retiring and our Social Security system is challenged, at about the time when we are once again going to have to make tough decisions in this country about our social character and the economics that drive our social well-being, the President yesterday said we are going to lay yet a bigger burden on the economy; we are going to say that you are going to have to be at a certain level of emissions reductions and, if not, we are going to take drastic measures to drive up the cost of energy, to drive down the amount of consumption, and that's what we are prepared to do based on faulty science and interesting politics.

I suggest, Mr. President, that what you have proposed to the world and to the Nation and to this Congress is unacceptable. It certainly appears to be unacceptable at this moment to the U.S. Senate and to all who have spent any time studying the critical issue of global warming.

While this Nation will continue to strive for a cleaner world—and it should—and a cleaner nation and will be reasonable and responsible players, we expect the rest of the world to do the same. But we can also understand that where a nation tries to feed itself and clothe itself and cause its citizens, by the economy in which they live, to rise to a higher standard of living, we understand that we have had that privilege and opportunity over the years and we should not restrict nor should we cause them to achieve anything less.

Our technology can assist, and we need to be there to help. But I suggest, Mr. President, that binding obligations, no matter how far out you push them to allegedly conform with what our country believes ought to be done, simply do not work. This proposal won't work. I agree with my colleague from Nebraska, this Senate, in my opinion, will not concur in this, will not agree to the kind of treaty that our President and his associates are attempting to cause the rest of the world to agree to.

So, Mr. President, I hope that you understand and I hope the world understands that this Senate, the Senate responsible for the ratification of these kinds of agreements, will, at this time, not ratify what you are proposing.

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I join my colleagues for just a few moments with respect to the question that we are addressing this morning, that question of global warming, but more particularly the specifics with respect to it.

I am sure you already heard, but let me say again, there was a measure adopted by this Senate 95–0 that expressed two main points: One, the United States should not be signatory to any treaty that would ''result in serious harm to the U.S. economy.'' And, No. 2, that mandates developing countries to have specific scheduled commitments to limit or reduce greenhouse gas emissions within the same compliance period.

So we have been working at this for some time. We have had several hearings in our Committee on the Environment and Public Works and also in Energy. We have had representatives of the administration there. This goes clear back to Rio, I think, in 1992. It goes back more specifically now to Geneva about a year ago, in which promises were apparently made at that meeting with respect to what the United States would do. We called the Assistant Secretary to our committee to talk about that. He indicated, no, that wasn't true, there were no commitments made. In fact, I think there were.

Now we move on to the meeting in Bonn, which will go on almost immediately, and then the Kyoto meeting to take place something over a month from now.

So this is the result of a good long time in planning and a good long time in difficulty in trying to bring together the issues as they relate to developed countries, as they relate to developing countries.

The President has finally made somewhat of an understandable statement. We have not had that before.

Just 2 weeks ago we had another hearing in our committee, brought the Assistant Secretary on Global Affairs to talk to us, asked specific questions about what they had in mind without any specific answers. There was no response from the administration's witness.

So now the President has come forth with statements. That is good. We should have had them some time before, statements which he indicates—

and I quote—''Would be painless and even economically beneficial.'' Of course that is what he would say. Many people disagree with that, including myself. I cannot imagine that whatever we do that is meaningful is going to ''be painless and economically beneficial.'' But specifically, of course we have not had time to analyze the full thing.

It talks about reaching 1990 levels by the year 2010, emission levels that occurred in 1990, reaching back to those by 2010, with some cap by 2008. And then to move below the 1990 levels by 2020. He calls that a fairly modest proposal.

Interesting how often these things are set out. I think if you go back, you find that the air quality statutes were given a great deal of time before implementation, so the argument was, ''Don't worry, don't worry about some regulation. Don't worry about the cost because it's way out in the future.'' I do not think that is a good recommendation.

We should worry about what the impacts are on the economy, what the impacts are on costs, what the impacts are on our ability to compete in the world and worry about them regardless of the fact that they are out there.

China, on the other hand, and some of the other countries that are developing countries, ask for a 15 percent reduction from the 1990 levels by 2010, a 7.5 percent reduction by 2025, 7.5 below 1990. Remember, the President said we will not reach 1990 until 2010. The Chinese and their group also want a 35 percent reduction from 1990 levels by the year 2020.

The problem, of course, is, as we go into this negotiation—and those who are involved say, ''Well, they've set the parameters, somehow the results will be between these two.'' That is kind of scary. The President is saying, this is where we are. They are saying, we want to be way up here. And probably they will end up somewhere in between.

I go back to the action of the Senate which 95 to nothing said we will not accept a treaty that does the kinds of things that we have already talked about.

So, Mr. President, I know this is a difficult problem. But I agree with my friend, the Senator from Idaho. We have done a good job of emissions.

I have been to China several times, and I can tell you, if you want to look forward to where the emissions problems are going to be, it is going to be there in those developing countries.

I think we need to make the changes that we want to have happen in our country, encourage others. But I am very concerned about us going to this meeting in Kyoto and coming out seeking to agree to the kinds of things that have been set forth by the developing countries who wish not to have any containment put on theirs.

So we are looking for a fair agreement. We are looking for some kind of an arrangement that will allow us to continue to do what we have done and we are proud of doing.

I think, Mr. President, that you need to be more specific than you have been with this idea that we want you to do some things, and then we will decide later what the reimbursement is going to be, we will decide later what the incentives are going to be, which I understand is what the President said yesterday.

So I think we need to continue. And I want to say to my friend from Nebraska that he has done an excellent job of holding hearings, taking positions, following this issue, which is one of the most important issues to the future of the country. And I commend him for that and join with him.

I yield the floor.

Mr. MURKOWSKI. Mr. President, the old adage says everybody likes to talk about the weather, but nobody can do anything about it. A particularly strong El Nino has meteorologists predicting strange weather this year, so expect lots of people to be talking about the weather in the months ahead. But in a new twist, many will claim that there is something we can do about the weather as well.

I'm talking about efforts to curb global warming. And if you'll pardon the pun, this is one of the hottest debates we are likely to see over the next year.

Is human activity the cause of this particularly strong El Nino, or the warming that some say is underway? Or is this just natural climate variation? Scientists are divided. The prestigious journal Science, in its issue of May 16, says that climate experts are a long way from proclaiming that human activities are heating up the earth. Indeed, the search for the human fingerprint in observed warming is far from over with many scientists saying that a clear resolution is at least a decade away. We continue to spend over $2 billion each year on the U.S. Global Climate Change Research Program for the simple reason that the science is not settled.

One thing that scientists can agree on is that the Earth's climate has always changed—the ice core and fossil records bear that out. Hippos once grazed in European rivers. Sea levels were low enough during periodic ice ages to allow humans to walk from Asia to North America. The climate changes. It always has. And it will continue to change regardless of what we do or don't do.

Yesterday, the President revealed his negotiating position on a new climate treaty. He has proposed reducing our carbon emissions to 1990 levels between 2008 and 2012. The Department of Energy estimates that we will have to engage in a crash course of research and development, plus impose a $50 per ton carbon permit price—or tax—to achieve this target.

Talks are underway at this moment in Bonn, and everyone is preparing for December negotiations in Kyoto, Japan. It is almost certain that legally binding targets and timetables will be a central feature of the new climate treaty expected to emerge in Kyoto—and that these targets and timetables will not apply to developing nations. Even if you are a proponent of strong action to address increasing concentrations of atmospheric carbon dioxide and other greenhouse gases thought to warm the Earth's climate, there are plenty of good reasons to oppose selectively applied, legally binding targets and timetables for greenhouse gas reductions as the President has proposed.

First, these are really just emissions controls targeted at just a few of the 168 nations that are parties to this treaty. Aside from being just plain unfair, these new emissions controls will be devastating to large sectors of our economy. They will raise energy prices in the United States, Canada, Australia, and Europe—while China, South Korea, and Mexico are specifically exempted from them.

As a consequence, energy-intensive industrial production, capital, jobs, and emissions will shift from the U.S. to developing nations not subjected to the new controls. What will result from that? According to a study by the Department of Energy: 20 to 30 percent of the U.S. chemical industry could move to developing countries over 15 to 30 years, with 200,000 jobs lost; U.S. steel production could fall 30 percent with accompanying job losses of 100,000; All primary aluminum plants in the United States could close by 2010; many petroleum refiners in the Northeast and gulf coast could close, and imports would displace more domestic production.

Needless to say, China, South Korea, Mexico, and some of our other most competitive trading partners salivate at the prospect of this monumental shift in capital, production, and jobs.

Putting economic and competitive aspects aside for a moment, it's important to ask the questions: Will these emissions controls applied only to a few nations work? Can they decrease emissions and stabilize atmospheric greenhouse gas concentrations?

The answer is no. Actual global emissions won't decrease—only their point of origin will change. In fact, because our industrial processes are more energy efficient than those found in most developing nations, global carbon emissions per unit of production would actually increase under the administration's approach.

In other words, the United States and a few leading industrial nations would suffer domestic economic pain, without realizing any global environmental gain.

The U.S. Senate has passed a resolution by a vote of 95 to 0 urging that the new climate treaty avoid legally binding targets and timetables on developed nations unless there are ''new, specific scheduled commitments to limit or reduce greenhouse gas emissions for Developing Country Parties within the same compliance period.''

Thus, we have the makings of a train wreck: The developing nations will not participate in a climate treaty that contains legally binding targets and timetables that apply to them. Yet, the U.S. Senate is unwilling to ratify a treaty that does not contain new commitments for developing countries.

There are other practical problems as well. Legally binding targets and timetables would be impossible to verify and enforce. For example, how does one measure the methane being produced by a rice paddy or landfill? How do you calculate the carbon dioxide being sequestered by a forest? While good scientific estimates can be offered, the legally binding nature of the controls might require greater precision. What kind of new strict and intrusive international regulatory regime would be needed for enforcement?

These are all questions that have not been answered in the rush toward Kyoto. Practically speaking, legally binding targets and timetables won't reduce global emissions. In addition, they present potentially insurmountable implementation problems, and would even kill the treaty. Thus, they endanger well meaning efforts to address the global climate issue.

If we want to keep the new treaty from becoming an international embarrassment as an environmental initiative, we should reconsider the rush to Kyoto and hammer out solutions that can really work.

So, you may ask—what can really work? How does one generate large amounts of carbon-free electricity for a growing economy here at home and a developing world abroad? There are two ways in the short term—hydropower and nuclear.

So what is our official U.S. policy toward hydropower? Domestically, we are studying tearing down a few dams out west. Environmental interests want to tear down, for example, the Glen Canyon Dam on the Colorado River in Northern Arizona in hopes of ''restoring the natural wonder of the once wild Glen Canyon.'' In so doing, we would: Drain Lake Powell—a 252 square mile lake which guarantees water supplies for Los Angeles, Phoenix, and Las Vegas; Eliminate the source of carbon-free electricity for four million consumers in the Southwest; Scuttle a $500 million tourist industry and the water recreation area frequented by 2.5 million visitors each year.

On the international front, we have refused to participate in efforts such as China's ''Three Gorges Dam,'' a project that will produce electricity equivalent to thirty-six 500 megawatt coal plants.

Of course, all this makes no sense if you claim that carbon emissions are your preeminent environmental concern.

Let's turn to nuclear, which produces 22% of our electricity and about 17% of global electricity. The President says he will veto our nuclear waste bill, and that could cause some of our nuclear plants to close prematurely as they run out of space for spent fuel. And we can't sell nuclear technology to China, something we hope to change in the very near future.

Well, you can't be anti-nuclear, anti-hydropower, and anti-carbon. Let's do the math: Coal produces 55% of our electricity, and our coal use is likely to decrease in the face of: A new climate treaty; the EPA's new air quality standards on ozone and particulate matter; the EPA's tightened air quality standards on oxides of sulphur and nitrogen; the EPA's proposed regional haze rule; and the possibility of a new EPA mercury emissions rule.

So if you knock coal out of the picture, what's next? Nuclear is in second place with 22% of our electrical generation. But as I mentioned, the President has threatened to veto our nuclear waste bill, and we haven't ordered a new nuclear plant since 1975. Moreover, if we can't recover ''stranded costs'' of nuclear power plants in the electricity restructuring effort, you can say goodbye to nuclear.

What's next? Hydropower produces 10%. But all of our large hydropower potential outside Alaska has been tapped, and as I mentioned earlier, the administration is entertaining notions of tearing down some dams.

What's next? Natural Gas produces 10% of electricity generation. Gas also emits carbon, although not as much as coal. So expect gas generation to increase, demand to rise, prices to increase and shortages to result from time to time. Does that sound like a solid strategy on which to gamble our economy?

No coal, no nukes, no hydro; that leaves us with 13% of our generation capacity. What's left? Wind power? I like wind and solar, but you can't count on them all the time. And recently, the Sierra Club came out against wind farms in California, calling them ''cuisinarts for birds.''

So the choices are tough, and a dose of realism is badly needed down at EPA and the White House. To sum things up, we are negotiating a treaty in Kyoto that is unrealistic, can't be verified, and can't achieve the advertised results. If this were an arms control treaty, we'd be guilty of unilateral disarmament if we were to agree to it.

We should reconsider this rush to Kyoto and a new treaty. There is no reason to join the lemmings in their rush over the cliff. The carbon problem didn't appear overnight. It won't be addressed overnight. We have time to devise and consider balanced approaches that can work. Time will allow new energy and efficiency technologies to mature. Time will provide for global solutions that include the developing nations. Time will allow us to sharpen our science and better understand the true threat of climate change, if it is indeed a dangerous threat.

Mr. TORRICELLI addressed the Chair.

The PRESIDING OFFICER (Mr. HAGEL). The Senator from New Jersey.

Mr. TORRICELLI. Thank you, Mr. President.

THE CENTRAL INTELLIGENCE AGENCY

Mr. TORRICELLI. Mr. President, since the founding of our Republic, we have faced a dilemma as old perhaps as the concept of democracy itself. That is how the Nation is governed: With an informed electorate, but at the same time we can protect the national security by containing information which might be used against ourselves.

This debate has largely, though not exclusively, been settled by the judgment that we are best served by informing the people so they can make the proper judgments about choosing the leadership of our country.

Indeed, this is the philosophy that gave rise to the first amendment to the Constitution, but perhaps more exactly also to article I, section 9, which reads, ''a regular Statement and Account of the Receipts and Expenditures of all public money shall be published from time to time.''

There has, however, in spite of this general judgment of the need to govern the Nation based on the best possible information to the electorate, and in spite of this rather specific constitutional provision, been a notable and exceptional exception in the Nation's accounting.

I speak obviously of the Central Intelligence Agency in its half-century determination to keep its accounting, its expenditures, private from the people of the United States. And, indeed, during both times of national conflict and in the broad period of the cold war it was a policy with a considerable rationale.

The United States faced, in the Soviet Union, an adversary which if in possession of our expenditures of the intelligence community would learn a great deal about our national intentions and our capabilities. But now some 7 years after the end of the cold war, there is no longer a rationale for not sharing with the American people at least the aggregate amount of spending of the American intelligence community.

I do not speak, obviously, of specific requirements for expenditures in individual programs or even broad categories of expenditures but whether or not the American people should be informed of the total aggregate spending since the United States no longer faces an adversary which, if in possession of that amount of expenditures, could make real use of it.

Last Wednesday, George Tenet, the new Director of the Central Intelligence Agency, perhaps because of this changed situation, took a very important step. In response to a Freedom of Information Act request filed by the Federation of American Scientists, Director Tenet ended 50 years of what