

purposely shutting down the plants to raise the price.

Last week it was reported that Duke Energy was attempting to negotiate with Governor Davis to settle similar allegations about Duke plants that were off line. Documents released last week reveal that in March, Duke approached the Governor's office to offer a discount on some of the \$110 million owed to the company in exchange for an assurance by the Governor that Duke would not be investigated for keeping plants off line. I think that is just dreadful. A major generator approaches the Governor and tries to make a settlement so that company will not be investigated. This evidence demonstrates that power has been intentionally withheld from the market.

This is not an issue about supply and demand. Vice President CHENEY, Secretary Abraham, and FERC Chairman Hebert argue if we try to regulate prices, companies will not build new plants. Traditionally, companies have earned 10 to 15 percent profit in the energy sector, but now we are seeing profits in the hundreds and thousands of percents. The administration says companies need these high profits to build new powerplants. But at what point does reasonable profit become price gouging?

Again, electricity isn't a luxury good, it is a staple of life. Again, the Federal Energy Regulatory Commission has found these prices unjust and unreasonable. But the FERC will do nothing about it. Californians are outraged.

Last week, the Lieutenant Governor of California sued Duke, Mirant, Reliant, Williams, and Dynegy in Los Angeles Superior Court accusing the firms of price fixing in violation of State antitrust and unlawful business practices laws.

Today, the California State Assembly speaker and State Senate president pro tempore will sue FERC for the Commission's failure to ensure that rates are just and reasonable as required under the Federal Power Act. I support their cases. Again, I call on FERC to cap wholesale prices until new plants can come on line in California.

The price gouging I have talked about today will have rippling effects that will affect everyone not only in California but likely the entire country. Already, Washington and Oregon are suffering from high electricity prices.

If the FERC and the Federal Government continue to offer piecemeal solutions, the world's sixth largest economy, California, and the Nation's economy may very well pay the price. Now is the time to act. That is why Senator GORDON SMITH and I have introduced comprehensive legislation to address the price and supply problems up to March of 2003, at which time it is estimated there will be enough power on

line to protect against the price gouging we are experiencing today.

Today, California may well experience the first rolling blackouts of the summer. As a matter of fact, we have just learned that the Major League baseball games are going to go on a rain delay should there be a rolling blackout. The games will stop until after the blackout ceases. This is clearly a problem for California and other States.

#### DOMESTIC DRUG UPDATE

Mr. GRASSLEY. Mr. President, last month I held a hearing on the Ecstasy problem affecting today's youth. At that hearing the White House released a Pulse Check report on drug trends over the past year. I would like to draw my colleagues' attention to the information in this report.

Drug use in our nation is still increasing. The Pulse Check report found that for most drugs, the availability and usage has been getting worse. It is clear we must take further steps to combat this increase in availability.

The report included information collected from cities all over the country, both urban and rural. It found that heroin use is increasing relative to cocaine. The availability of heroin has been increasing. In fact, drug experts reported that heroin is readily available on our streets, and about half of these experts stated that access to heroin is getting easier. Heroin purity is also increasing, especially as Colombian white heroin is showing up on our door. One major trend found across the nation is that more and more young people are taking up heroin. This is a scourge that must be stopped.

There is another drug that's devastating our young people: Ecstasy and other so-called "club drugs." The report highlighted the dramatic increases in use, particularly among teenagers. Eighteen of twenty cities in the report found Ecstasy to be an emerging concern. Ninety percent of drug treatment and law enforcement experts attest that the availability of Ecstasy has increased in the past year, in spite of all the attention it's been given. It's time we stop just talking about this problem that's destroying our youth, and start taking real action to educate our children and stop the easy availability of this drug at parties and clubs and increasingly in our schoolyards.

Use of other drugs remain at high levels. Marijuana is still widely available, and law enforcement officials regard marijuana as a major threat to our cities. Cocaine, crack, methamphetamine, and other drugs are also increasing in availability and presenting a growing threat to our law enforcement personnel and to all Americans. The Pulse Check report found that the one trend that transcended all

drugs was that the users were increasingly likely to be younger people. The age of onset of use is dropping. This heightened assault on our young people cannot be allowed to continue. We must stop the drug trafficking in our schools and near our children.

There were a few positive signs in the report, however. Crack and marijuana use seem to be leveling off, and it appears our efforts are beginning to work in these areas. More effort should be placed in these areas so we do not lose any momentum in fighting these drugs.

I received another report, from the Pew Research Center, that discusses the American people's feelings on the drug war. Pew reports that 74 percent of Americans feel that we are losing the drug war. Drugs also ranked as the number one concern for rural areas, such as my home state of Iowa. This is an issue that clearly affects everyone; there is no place left to hide from this scourge. Americans are worried about this problem, and with good cause.

I wish I had more good news to report, but unfortunately the drug problem remains serious. Drug use is up sharply among our youth, and availability of most drugs is increasing as traffickers are increasing the flow of drugs into our country and into our schools. Bold steps must be taken to let our children know the risks of these drugs, while also stopping the pushers before they reach young people.

#### THE NEED FOR CONTROL OF GREENHOUSE GASES

Mr. AKAKA. Mr. President, I rise today to discuss an issue that is very important to a large number of Americans. It is the issue of global climate change and the control of greenhouse gases.

One of the most profound challenges we face in the 21st century is the problem of global climate change. Global climate change has the potential to cause widespread damage to large parts of our planet. An increasing body of scientific evidence indicates that human activities are altering the chemical composition of the atmosphere through the buildup of greenhouse gases, primarily carbon dioxide, methane, and nitrous oxide. The heat trapping property of these greenhouse gases is undisputed. Scientists and public policy experts are convinced that we need to address this problem.

We cannot wait longer for even more scientific proof of when and how climate change will begin. One Pacific leader summarized our dilemma best when he said "We do not have the luxury of waiting for conclusive proof of global warming. The proof, we fear, will kill us."

Prudence dictates that we start addressing this issue immediately. Solutions may not be easy, quick, or cheap;

however, if we do not address this problem soon, the costs will be much higher.

President Bush's reversal of his carbon dioxide pledge is a serious blow to the efforts to control greenhouse gases. The Administration's position on the Kyoto Protocol diminishes the role of the United States in developing a suitable framework to deal with the challenge of global climate change in a cooperative manner with other countries. The United States has the scientific and technical prowess and industrial might to play a leading role in controlling the emissions of greenhouse gases. As the source of over a quarter of the planet's carbon dioxide emissions, we have a responsibility to act decisively. If we abandon our leadership role, not only will history judge us harshly, but we will also pay a dear price for our shortsightedness.

I represent the state where debate over global warming began. The Mauna Loa Climate Observatory in Hawaii was the first to document a steady increase in the atmospheric carbon dioxide levels more than 30 years ago. Since then many authoritative studies have been conducted that document increased levels of greenhouse gases. It is now widely accepted by the scientific community that human activities such as burning of fossil fuels, deforestation, and certain land-use practices are increasing atmospheric concentrations of carbon dioxide and other greenhouse gases. Careful measurement of those gases in the atmosphere, and analyses of ancient ice cores in Greenland and Antarctica, leave no doubt that their global concentrations are increasing.

Modeling studies show that emissions of greenhouse gases due to human activities are affecting the atmosphere in a predictable manner. Confidence in the ability of complex models to project future climatic conditions has increased. There is new and stronger evidence that most of the warming observed over the last 50 years is attributable to human activities.

Temperatures have risen during the past four decades in the lowest 8 kilometers of the atmosphere. Snow cover and ice extent have decreased. There has been widespread retreat of glaciers in the non-polar regions during the 20th century. Average global sea level has risen and ocean heat content has increased.

The effects of major global climate change on the U.S. and the rest of the world will be devastating. I would like to describe the possible effects of climate change on Hawaii. As an island state with limited land mass, we are very sensitive to global climate changes. The worldwide problem of greenhouse gases threatens Hawaii. Honolulu's average temperature has increased by 4.4 degrees over the last century. By 2100, average temperatures in Hawaii could increase by three to five

degrees Fahrenheit in all seasons and slightly more in the fall. Rainfall has decreased by about 20 percent over the past 90 years. Estimates for future rainfall are highly uncertain because reliable projections of El Niño do not exist. It is possible that large precipitation increases could occur in the summer and fall. The intensity of hurricanes may be affected. Expansion of the habitat of disease-carrying insects could increase the potential for diseases such as malaria and dengue fever.

In Honolulu, Nawiliwili, and Hilo, our major harbors, sea level has increased six to fourteen inches in the last century and is likely to rise another 17 to 24 inches by 2100. The expected rise in the sea level could cause flooding of low lying property, loss of coastal wetlands, beach erosion, salt-water contamination of drinking water, and damage to coastal roads and bridges. The shorelines of the Hawaiian Islands contain some of the world's most famous white-sand beaches. The effects of an accelerated sea level rise on the coral reef ecosystem which protects our islands are poorly understood. Higher temperatures could cause coral bleaching and the death of coral reefs. Hawaii's economy could also be hurt if the combination of higher temperatures, changes in weather, and the effects of sea level rise on beaches make Hawaii less attractive to visitors.

Hawaii's diverse environment and geographic isolation have resulted in a great variety of native species found only in Hawaii. However, 70 percent of U.S. extinctions of species have occurred in Hawaii, and many species are endangered. Climate change would add another threat.

People around the world are beginning to take this problem seriously. To reduce carbon dioxide output, Mexico is planning to double its geothermal power generation, placing it third behind the United States and the Philippines in the use of geothermal power. China, with 11 percent of the world's carbon dioxide output, second to the U.S., has reduced its greenhouse gas output by 17 percent between 1997 and 1999.

In the U.S., municipal governments are working to reduce carbon dioxide emissions. In 1993, Portland, Oregon, became the first U.S. city to implement its own CO<sub>2</sub> reduction plan. Portland has been joined by Denver and Minneapolis.

In recent years, more and more multinational corporations have taken positive steps to address the problem of greenhouse gases. British Petroleum set the goal of cutting carbon dioxide output 10 percent below its 1990 level. Four years later it is halfway there. Last October, Alcan, DuPont, and others pledged to reduce their greenhouse emissions to levels meeting or exceeding the Kyoto requirements. Polaroid,

IBM, Johnson & Johnson, and others are also committed to reducing corporate greenhouse gas emissions. Fuel cells are on the verge of providing big breakthroughs in the use of clean energy. All major automobile companies are committed to this new, clean technology.

We cannot wait for further scientific proof to materialize. If we do not begin to control greenhouse gases in a reasonable time frame, we may reach the point where it may be exceedingly difficult to avoid the drastic effects of global warming. It will not take extremes of warming to lead to major impacts.

We need to address the problem of global climate change, and the sooner we start on this the better off we will be. No one wants our efforts to combat carbon dioxide emissions to become an economic nightmare.

An effective program to fight climate change need not involve huge increases in energy prices or draconian rules that choke industries and damage our economic well-being. We need to employ creative approaches and let American ingenuity loose. We must invest in the development of new technologies that will provide new and environmentally friendly sources of energy, newer and environmentally friendly technologies that allow use of conventional and non-conventional energy sources. We must work with other nations in a cooperative manner. A well-crafted strategy can address global climate change and maintain our preeminent economic position in the world.

I urge President Bush to reconsider his position on the control of carbon dioxide. I urge the Administration to work with other countries in developing suitable and equitable approaches in solving this shared problem of control of greenhouse gases. Our positive leadership is necessary if we are to avoid the catastrophic effects of global climate change. Our world cannot afford widespread disruption of ecosystems and weather patterns that may result from unmitigated emissions of greenhouse gases.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY last month. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

Today, Mr. President, I would like to detail a heinous crime that occurred June 10, 2000 in Albuquerque, New Mexico. A man in a minivan yelling obscenities ran down participants in a gay pride parade. One victim was hit