

those years, as well. I pulled the Model T Ford into my father's service station. I worked on it for a year and restored the little old Model T Ford. It was a 1924 antique automobile.

Do you know something? You provided energy for that car—that 1924 car—exactly the same way you provide energy for a car produced in 2001. You stick a gas hose in the tank, and pump a little gas in. Nothing has changed. Nothing has changed in all of these intervening years. Isn't that interesting? Almost everything else has changed, but we still stick a gas pump in a gas tank of a car—80 years ago, or today, you pump the same gasoline. Quite remarkable.

We can do better in this country. I am not suggesting we wean ourselves off gasoline in a short period of time, but there is a car sitting out in front of this Capitol from time to time, owned by our friend from Utah, Senator BENNETT, that runs on both gasoline and electricity. It is one of the new hybrid cars. I think that is kind of interesting. I would like to see a whole fleet of them in this country. I would like to see that kind of technology. Perhaps this is just the first step toward the fuel cell, and taking the hydrogen out of water and using it as a fuel, as some say will happen with the new fuel cells.

The point is this, we can do a lot of things. This country has the technological capability to do a lot of wonderful things. But here we are, sitting on the edge of this spin in this energy crisis, with the price of natural gas doubling, the price of gasoline \$2 at the pump and going north, and the price of electricity in California going through the roof, and blackouts occurring at a time when California is only at about two-thirds of its ultimate power needs for the hot weather.

We have a mess on our hands. In order to get out of this mess, all of us, Republicans and Democrats, need to figure out how we construct a strategy on energy that is balanced—that includes production, conservation, efficiency, and renewables. A good energy policy that has all of those elements, that represents the best of all of the ideas brought to the table in this Chamber, will serve this country well.

Feuding and fussing with an energy strategy, then coming up with the same tired old strategy we have had in the past, just simply street-corner chanting "production, production, production"—thinking that somehow that will solve this country's problem, is, in my judgment, a road to nowhere.

I am anxious to see, and interested in seeing, what the Vice President has produced. Most of us in this Chamber should be ready and willing to begin working immediately with the Vice President, the administration, and all others, to both construct and demand a balanced energy policy for this country.

The American consumers have long deserved it and have never received it. Americans don't deserve to be held hostage by foreign energy supplies over which we have little control. They don't deserve to be held hostage with respect to electric costs we can't control and, therefore, have rolling blackouts in one of our largest States. They don't deserve to have been held hostage by gas pump prices over which they have no control and very little understanding.

Tomorrow will be an interesting day. I hope it is the first step on a journey to begin constructing between Republicans and Democrats an energy policy that will really serve this country well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

(The remarks of Ms. COLLINS and Mr. WARNER pertaining to the introduction of S. 904 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

DOUBTS ABOUT THE DEATH PENALTY

Mr. FEINGOLD. Mr. President, I rise to speak on the disclosure late last week that the Government had failed to share thousands of pages of evidence with defense attorneys in the case of Timothy McVeigh.

Let me first say that my thoughts and prayers are with the victims and families who lost loved ones as a result of this horrific, cowardly act. My heart goes out to them. For them, this cannot help but be a very difficult time.

Sadly, their ordeal has only been aggravated by the national spectacle surrounding McVeigh's planned execution and now this latest revelation of the mishandling of his case. This latest unforeseen turn must only add to their anger, their pain, and their grief.

There is no question that McVeigh should be punished severely for this heinous crime. On that, there can be no disagreement.

But the FBI's belated release of these thousands of documents highlights the fact that the Federal Government's administration of the death penalty, even in the most highly scrutinized of cases, is fallible.

At his press conference Friday, President Bush said:

Any time we're preparing to carry out the death penalty, we have a solemn obligation to make sure that the case has been handled in full accordance with all the guarantees of our Constitution. The very foundations of our democracy depend on our ability to assure our citizens that in all criminal cases, and especially in the death penalty, defendants have been treated fairly.

I agree with President Bush.

But if this kind of gross failure can occur in a case managed by the most competent, professional law enforcement agency of which we know, doubts

must arise with regard to the Government's ability in every capital case "to assure . . . that defendants have been treated fairly."

And if this kind of dereliction occurs in a case vigilantly observed under the television klieg lights, doubts must arise that this Nation has made sure that other capital defendants' cases have "been handled in full accordance with all the guarantees of our Constitution."

And if this kind of deficiency can take place when dedicated and well-trained counsel have labored and diligently applied themselves to ensure fairness for this defendant, doubts must arise that this Nation is in all death penalty cases delivering the justice on which "[t]he very foundations of our democracy depend."

To honor "the guarantees of our Constitution," we must ensure the fairness of the entire process by which the Government applies the death penalty—from arraignment, to trial, to sentencing.

And to ensure that "defendants have been treated fairly," we must ensure equity in treatment for all defendants, regardless of where in the Nation they live or what the color of their skin.

In these respects, the case of Timothy McVeigh does not present the Bush administration its most difficult test. For the McVeigh case lacks the questions of innocence, regional disparity, and discrimination that haunt so much of death row.

After McVeigh's, the next scheduled Federal execution is that of Juan Raul Garza. Because of questions raised about regional and racial disparities in the Federal death penalty system, his execution was stayed until June 19. When he stayed the execution, President Clinton instructed the Justice Department to conduct a study to determine the causes of those regional and racial disparities.

Observers of justice in America will await how the Justice Department and the President review these questions. Until these questions are resolved, and until we are certain of the fairness of the process, the Government should not execute Juan Raul Garza. These questions may provide the weightiest test of Attorney General Ashcroft and President Bush in the weeks to come.

TAX CREDITS FOR HYBRID VEHICLES

Mr. BIDEN. Mr. President, tomorrow the administration will unveil its energy plan. From the early reports we have been given, I am concerned that the proposals are too heavily weighted on the production side and fail to adequately address the need for conservation. One bright note that I have found is a general support for hybrid vehicles, the topic that I wish to address briefly today.

Specifically, I want to voice my support for legislation creating a hybrid vehicle tax credit. A hybrid vehicle combines an electric motor and battery pack with an internal combustion engine. The engine and the electric motor work in tandem, with either system providing primary or secondary power depending on driving conditions. For example, when stopped at a light, the vehicle shifts from an internal combustion engine to electric power and then back again upon acceleration. In addition, the batteries are re-charged during operation, eliminating the need for an external charger. This is new technology and the result of years of hard work.

I would like to see my colleagues join me in passing legislation to create a tax credit that would encourage consumers to purchase hybrid vehicles. I have known for years that this technology would become available and I have been looking for the right opportunity to draft legislation that would help put hybrid vehicles on our roads. I think that there are two components that must be addressed in a tax credit bill. To begin, I firmly believe that we must reward the integration of the technology into the vehicle with a base credit. In addition, however, I feel strongly that an important goal that must be achieved through legislation is to reward a vehicle that significantly decreases the amount of fuel consumed. I have proposed a plan that provides both a base credit of up to \$2000 for the use of the technology, as well as a bonus credit, up to \$1000, calculated based upon the lifetime fuel savings of the vehicle.

I think that this approach is a sound one. Placing the emphasis on gallons saved speaks directly to the importance of conservation and with our country facing an energy crisis is critical. And I also know that the biggest improvements in the reduction of fuel consumption will come from getting larger volumes of hybrid vehicles into the hands of consumers.

But in crafting this legislation, there are certain realities that we must accept. Today, there is a significant portion of the population that wants to drive a larger vehicle. This is America and people are entitled to personal choice. It is for this reason that I applaud the efforts of car manufacturers who have chosen to place hybrid technology in larger vehicles and SUV's. For example, DaimlerChrysler has committed to hybridizing the popular Dodge Durango with the vehicle scheduled to come on like in 2003 and this will bring a 20 percent improvement in fuel consumption.

I am also aware that others have advocated different approaches to crafting legislation that creates a tax credit for hybrid vehicles. My colleague Senator HATCH has introduced a bill, S. 760, that would provide a tax

credit for hybrid vehicles as well as other advanced motor vehicle technologies. While his bill provides a base credit, up to \$1,000, for the inclusion of hybrid technology, the bonus credit in this bill, up to \$3,000, is calculated depending upon the fuel economy performance of the vehicle.

In addition to the Hatch bill and the administration's general statements, members of the automobile industry as well as environmentalists are also engaged in discussions to draft language that will create an incentive for consumers to purchase a hybrid vehicle. In the next few weeks, we need to have a thorough discussion among members of the automobile industry and environmentalists so that we can reach consensus on the language of this important legislation and move forward to passage of a bill. There is not just one approach that solves the problem and I am prepared to listen to all views. I hope that the other stakeholders are also ready to work for a compromise. While we may differ on our approach to drafting the legislation, I am sure that we can all agree that the goal should be passage of legislation that creates a tax credit for hybrid vehicles and provides the necessary encouragement to bring this important technology into the marketplace.

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.

I would like to describe a heinous crime that occurred December 12, 1999 in Washington County, PA. Three men who went to an adult bookstore to rob a gay man now face charges of kidnapping, robbery, aggravated assault, murder, tampering with evidence, and one count of conspiring to commit those crimes in the disappearance of Ira Swearingen, 49, a medical consultant from Stout, NV. The gruesome details of the abduction, beating, and murder of Swearingen were revealed in court. After being abducted, Swearingen was stuffed inside the trunk of his rental car, during which time, one of the perpetrators said "Did ya hear it? I broke his jaw." Another perpetrator heard gurgling of blood and heard the victim screaming. They yelled "Shut up faggot! Shutup, pickle." Later, the victim was driven to an isolated area, forced to strip and marched into the woods as he pleaded for his life at which point, one perpetrator testified, he shot the victim between the eyes at close range.

I believe 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 of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, May 15, 2001, the Federal debt stood at \$5,651,674,551,618.32, five trillion, six hundred fifty-one billion, six hundred seventy-four million, five hundred fifty-one thousand, six hundred eighty-two dollars and thirty-two cents.

One year ago, May 15, 2000, the Federal debt stood at \$5,665,245,000,000, five trillion, six hundred sixty-five billion, two hundred forty-five million.

Five years ago, May 15, 1996, the Federal debt stood at \$5,115,694,000,000, five trillion, one hundred fifteen billion, six hundred ninety-four million.

Ten years ago, May 15, 1991, the Federal debt stood at \$3,460,389,000,000, three trillion, four hundred sixty billion, three hundred eighty-nine million.

Fifteen years ago, May 15, 1986, the Federal debt stood at \$2,030,072,000,000, two trillion, thirty billion, seventy-two million, which reflects a debt increase of more than \$3.5 trillion, \$3,621,602,551,618.32, three trillion, six hundred twenty-one billion, six hundred two million, five hundred fifty-one thousand, six hundred eighteen dollars and thirty-two cents during the past 15 years.

ADDITIONAL STATEMENTS

TRIBUTE TO S. ROBERT LEVINE

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to S. Robert Levine of Stratham, NH for being honored as a significant contributor to New Hampshire's growth and development.

Robert co-founded Cabletron Systems, Inc., in 1983, expanding the computer networking company into a \$1.5 billion corporation employing more than 6,000 people in 110 offices throughout the world. He was the recipient of the "Entrepreneur of the Year" award by Inc. Magazine in 1991, and was included among the Nation's wealthiest people on the "Forbes 400" list for several years.

Robert also has operated his own business, Robert Associates, in Natick, MA, selling cable products. He earned a B.S. in Business Management from the University of Miami, FL.

Robert Levine has been a generous supporter whose personal gifts include millions of dollars for police departments, schools and hospitals. One of his largest gifts funds cancer research at a teaching hospital in Worcester, MA.