

The assistant legislative clerk proceeded to call the roll.

Mr. THOMAS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ESTABLISHING PRIORITIES

Mr. THOMAS. Madam President, I come to the floor today to talk a little bit about where we are and, hopefully, about where we are going, and, more particularly, some comments about energy, which I think is one of the real important points that we must talk about.

First, let me say that certainly we find ourselves in a difficult position as we close this session. I think we have brought ourselves into that position by not moving more quickly on some of the issues that have been out there and that now we desire to have passed.

It is very difficult to resolve some of these issues in the ending moments of a session. Certainly, we are not going to be here much longer. Clearly, we are going to go into a recess before the election. Particularly those who are running are very anxious to do that. And, indeed, to be fair to voters, people who are running should be out in the country talking about their positions.

So it seems to me what we have before us is the chore of putting some priorities on the many issues that are out there and making the determination as to which of those are going to be the issues that we emphasize and indeed move to finish. And there are lots of them out there.

We can talk about the issue of bankruptcy which, of course, is something that has been ongoing for a long time. We have not been able to come together on the fairness of that. We can talk about reinsurance for construction, particularly for large buildings. That issue is very important to the economy. It is one we have not been able to resolve, mostly because of a liability issue.

Certainly, an unemployment extension is something that needs to be dealt with, as it expires in the fairly near future. On the other hand, the points of view are quite different in terms of the most effective and efficient way to do that.

We have Medicare givebacks, as it is called, which is in relation to taking up the slack in hospital costs in provider payments over a period of time, which, if not corrected, very likely will cause some providers not to deal with Medicare patients. It is very important. I happen to be from a rural State. There are activities related to that which specifically have to do with rural health care. And we would like to do that.

And there are other issues. But there are a great many items, of course, which, when you come to the end of the session, everybody wants to take a look at. These are all items that have

not been done during the year, and when putting them together it can become a very haphazard kind of approach. Frankly, I think the leadership responsibility, and the responsibility for all of us, is to cut through that and to establish some priorities and talk about those things that need to be done. It sounds increasingly as if we will be back in a lame duck session after the election is over to finish some of the items. Most apparent among them are appropriations bills.

We do not have a budget. It is the first time in many years we have not had a budget. A budget is very important, not simply because there would be a budget but because it is a process for holding down spending. And if the appropriations bills exceed the budget that has been agreed to, then you can ask for a point of order, and then have to have more votes to pass it than you do without it. So it is not just the idea of a budget for the sake of a budget; it is a mechanism that helps hold down spending.

I think we have passed just 1 out of 13 of those appropriations bills. Hopefully, in the next 2 days, we will pass another. We must pass the Defense appropriations bill, in my judgment, because the need for defense dollars certainly has increased over last year. And the continuing resolution we will pass will simply extend the authority of the other appropriations bills we passed last year at their levels.

So we have some items that have to be done. I think we are going to be dealing, of course, with election reform. It is very important. It is hardly our biggest priority, in my view, because it does not apply to this election. But it will apply in the next election. We have some time in that regard. Nevertheless, it is on the agenda.

As I said, we are going to be dealing with the Defense appropriations bill. It is a must-do piece of legislation, in my opinion. Certainly, then, in order to continue to have the Government operate, we have to pass a CR. I suppose maybe there are other items with which we need to deal. In my view, those seem to be the items that are necessary and that we need to do.

One of the issues out there that has been difficult—but I think we have worked at it for a very long time—is an energy policy. We have not had an energy policy in this country for a very long time. We need an energy policy. We need it particularly now in terms of the turmoil in the Middle East. A good deal of our energy is imported from the Middle East. We need an energy policy now because of our economic condition. Energy is certainly a big part of our economy and our security. Those are two issues that are most important to all of us. And to do that well, we need an energy policy.

The President asked for an energy policy nearly 2 years ago—a year and a half ago. He outlined an energy policy that he sent to us. We have been all this time trying to come up with our

own energy policy. Certainly, we have a broad energy policy. We have talked about lots of things that go into it. We talked about production. We talked about the availability of energy sources.

We have gotten ourselves into the position of importing nearly 60 percent of our energy. And that situation is very iffy because of the condition we are now facing. So we do have to do some things.

We talk about production in the energy bill. We talk about production in terms of encouraging the production of oil, production of coal, the production of gas. Some of the proposals have to do with access to public lands where, such as in my State, for example, 50 percent of the State belongs to the Federal Government. And in many of the Western States more than that belongs to the Federal Government.

So we have to devise a plan where we can take advantage of those resources and, at the same time, of course, take care of the environment. We can do that. And we have shown we can do that.

We are particularly interested in coal as being a source of energy that we pursue more. People are in favor of that. We have to do more about clean air. We have to do some research on coal. We have to do what is necessary to provide clean-coal energy. More than 55 percent of electricity is now produced from coal. And 95 percent of our fossil fuel is coal. So coal is very important to our energy use.

In the bill there are a number of items that have to do with encouraging the clean use of coal, whether it be in research or whether it be incentives to build new plants or upgrade existing plants to make them more clean, including existing plant credits.

Oil and gas: Of course oil provides about 40 percent of our Nation's energy. Natural gas is providing more than it did in the past. But, nonetheless, we need to continue to work on that.

Oil has been a controversial issue, of course. The idea that you open up less than 2,000 acres out of millions has seemed not to be acceptable by environmentalists. Another opportunity would be, perhaps, to go from private land to cross some of the ANWR with a right-of-way. I don't know whether that will be acceptable.

Nevertheless, I think we have to move forward. And we have to have more geophysical research. We are working on that. We can do something about rental payments. All of these areas of concern encourage production.

Along with this, we have to continue to look at conservation: conservation in homes, conservation in the kinds of equipment that we have in our homes. We have to also take a look at automobiles to do something with CAFE standards to reduce energy use. But there are many things we can do in terms of conservation, and indeed we should.

One of the areas in which I have been particularly interested and one that is now under debate—and I don't know where we are in terms of the timing—is the electrical provisions. That is very important. All of us, obviously, depend on electricity in our homes and in our businesses. We have had electricity very reliably for a good long time. We found last year in the California experience some difficulties in reliability brought about for various reasons. Nevertheless, it raised the specter of unreliable electric service. So we deal with that in the bill, some reliability provisions.

We are changing the way we do electricity. In the past, you had an electric company that served an area in terms of its customers and also generated its own power and did its own distribution. Now we are moving to a situation where you have generators that are not in the distribution business and sell their energy where it is needed. It is probably a very efficient way to do things, but it is a change. During the process of that change, there have to be some changes in the rules as well—access to transportation and transmission, probably over time a transmission system that is made up of regional distribution organizations off nationwide transmission lines, for example.

As there is more market in the sale of electricity, there has to be transparency so we avoid some of the kinds of issues that allegedly occurred in California, and we can do that. There are things we need to do there, as well as in conservation, in terms of being able to renovate generation plants to make them more efficient without having to go back and redo the whole generator.

We are talking about mergers, doing away with some of the old laws with respect to mergers and dealing with energy as it exists now in the more modern phase and many of the things with which we need to deal. I hope we are able to do that.

One of them is Indian energy. There is a proposition in the bill that allows for easier access to Indian lands, should they want to do that, which is good for them economically as well as providing more energy for the country.

I mentioned clean coal. We have been doing a good deal more research so that coal can be used that way. We have talked about nuclear power. Nuclear power certainly is one of the cleaner powers we have, and indeed nearly 20 percent of the energy in Illinois, for example, is nuclear. So it is an opportunity for us to do many of the things we need to do and can do in a way that is acceptable, particularly to the environment.

Renewables have been one of the real areas of controversy. Renewables now, not including hydro, produce about 1 percent of our energy, our electric energy. So it is very small. But the opportunity to grow, of course, whether it be wind energy, whether it be Sun

energy, whether it be other kinds of renewables, is out there. The question is, Do you mandate renewables that cause the consumers to have to pay more at this time or do you give incentives so that we can go forward in that way?

I always remember years ago—of course, Wyoming is an energy-oriented State. We had a meeting there. I believe the speaker was from Europe, but he made the point—and I think it is an excellent point—that through time we have never run out of a fuel; we move from one fuel to another as we find new, more efficient fuel. We used to have wood. Now we don't use wood. Then we had coal. Then we had gas. And we will continue to do that as science looks for new ways to provide energy. We need to do that.

Ethanol has been one of the issues as well: How much requirement is included in the ethanol and what percentage of it is in gas and so on. Those are the kinds of issues we have talked about a great deal.

Part of the bill also has to do with the pipeline from Alaska for natural gas so we can have that kind of resource available to us.

Many of these things are being considered in the tax title where there will be incentives for the kinds of production we need for the kinds of research we need and the things that can happen.

So we are down to, frankly, a stressful point in terms of timing. We have worked on this energy policy now for the better part of 2 years. We have worked on it here in the committee for a long time. Finally, unfortunately, it was pulled from the committee and put on the floor without a committee bill. I think we were 4 weeks here on the floor talking about energy. So we spent a good deal of time on it.

Obviously, different parts of the country have different points of view as to how energy bills ought to be structured and how they impact different parts of the country. Some States are more production oriented; others are more user oriented. And there are some differences there.

There is always a conflict about how much authority goes to FERC, the Federal Energy Regulatory Commission, as opposed to the States. That, of course, is one of the reasons that many of us are in favor of getting the regional transmission organizations going, so that the decisions that have to be made interstate in these areas can be made largely by the States and they come to an agreement as to how you do that.

Also, there are always some difficulties, of course, between the municipals and co-ops as opposed to investor-owned utilities. It is not an easy project, but it is one that is very important to our comfort, very important to our economy, very important to our security, and one that has had a great deal of work on it this year.

I guess we will probably know tomorrow whether that committee that has

been dealing with trying to bring together the House and the Senate will be able to put forth a bill. We are hopeful that indeed they will. Of course, it may lap over into a lame duck session, but that is fine. I suppose in the worst instance—at least I think it is the worst instance—if we don't do anything, then we can take this work and put it back into next year's efforts. But we do need to be more aware of doing the things in this body that need to be done. And, of course, we don't all agree, but we need to find ways to move forward.

We have found ourselves in the last several months without much forward movement, without much activity—still haven't done homeland security over relatively small differences of view.

I am hopeful that as we enter into these literally last few hours here before we have some kind of recess, we can set some priorities collectively, do those things that must be done and not try to do everything haphazardly, which will obviously result, if we do too many things to move forward—do what we have to do, go do our elections, come back, and then we will have to take up what is yet undone.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

ECONOMIC NEWS

Mr. BENNETT. Madam President, last Friday the majority leader, Senator DASCHLE, along with the minority leader in the House, Congressman DICK GEPHARDT, presided over an economic summit and discussed the state of the economy. Since that summit was called, the Dow Jones average has gone up close to 800 points. I would like to congratulate them for their wisdom in calling such a summit and producing that result. I hope they will have another one and we will have the Dow go up another 800 points.

I was not planning to talk about this, but when I was on my way to lunch, I checked and discovered that at that time, at least, the Dow was at 8200, whereas it was down in the low 7000s just a week ago.

I know this will come as something of a disappointment to those who are hoping in the election that the economy will be seen as terribly under water and will do their very best to try to stir up a sense of blame for the lousy economy and blame it on one party or the other.

I am encouraged by the wisdom of the American people. According to the latest polls, the majority of the American people, who have a view on the economy and where it is, understand that we are not in a recession anymore. We are, in fact, in a recovery; all of the rhetoric is to the contrary here on the floor of the Senate.

Secondly, the recession that preceded this recovery was caused primarily by the business cycle and was not caused