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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, April 9, 2002, at 2 p.m.

Senate

MONDAY, APRIL 8, 2002

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. BYRD).

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, Ultimate Sovereign of all Nations of the World, we resume the work of the 107th Congress in the midst of a world aflame with turmoil. We are anxious to press on with the crucial matters before this Senate, but our minds are on the crisis in the Middle East. God of peace, reconciliation, and harmony, we pray for Your intervention in the current deadlock between the Israelis and the Palestinians. Inspire both Prime Minister Ariel Sharon and Chairman Yasser Arafat with the desire and the will to make the concessions that will bring about a just settlement. We ask for Your divine power for Secretary of State Colin Powell as he seeks to enable the peace initiative. Grant him supernatural wisdom and strength to help bring agreement on the volatile issues of Israeli occupation and Palestinian suicide bombings. On a human level, it all seems impossible, but nothing is impossible for You.

Today, also bless the women and men of this Senate as they work together to lead the United States, to guide this Nation's role of bringing peace in the Middle East, and to continue battle against terrorism throughout the world. The challenges are formidable, the solutions elusive, and the alternatives are complex. Dear God, this is Your world; though the wrong seems oft so strong, You are the ruler yet. Through the Prince of Peace: Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 2001

The PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of S. 517, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes.

Pending:

Daschle/Bingaman further modified amendment No. 2917, in the nature of a substitute.

Feinstein modified amendment No. 2989 (to amendment No. 2917), to provide regulatory oversight over energy trading markets and metals trading markets.

Kerry/McCain amendment No. 2999 (to amendment No. 2917), to provide for increased average fuel economy standards for passenger automobiles and light trucks.

Dayton/Grassley amendment No. 3008 (to amendment No. 2917), to require that Federal agencies use ethanol-blended gasoline and

biodiesel-blended diesel fuel in areas in which ethanol-blended gasoline and biodiesel-blended diesel fuel are available.

Lott amendment No. 3028 (to amendment No. 2917), to provide for the fair treatment of Presidential judicial nominees.

Landrieu/Kyl amendment No. 3050 (to amendment No. 2917), to increase the transfer capability of electric energy transmission systems through participant-funded investment.

Graham amendment No. 3070 (to amendment No. 2917), to clarify the provisions relating to the Renewable Portfolio Standard.

The PRESIDENT pro tempore. The Senator from Nevada, Mr. REID.

Mr. REID. Mr. President, we are now on the energy bill. This will be the 14th day—at least that is my understanding of the time the Senate has spent on this bill.

Prior to the Senate recessing for the spring break, the minority and majority staff exchanged a proposed list of amendments in order to the energy bill.

Mr. President, on behalf of Leader DASCHLE, I wish to state for the record that an ongoing effort is being made to secure a finite list of first-degree amendments in order to the bill and hopefully this effort will be successful today so that we can file this finite list. I encourage Members who have indicated they have amendments to come forth with those amendments. We need to finish this bill.

Mr. President, I was somewhat disturbed in reading in today's press—at least I read it today, it could have been out earlier, for example, in one of the Hill publications, Rollcall, I believe that is where I read this—that Republican leaders are considering pulling

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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the plug; that is, not wanting to go forward on the energy bill unless it authorizes oil drilling in the Arctic National Wildlife Refuge.

If this is such an important issue, as indicated in this piece in the newspapers, then why hasn't this amendment been offered? As I have indicated, this is, as I have said, I believe the 14th day we have worked on this legislation. These are 14 legislative days. That is a lot of time on a bill. No one has come forward with this amendment we have heard for years is the most important part of this legislation.

Perhaps there has been some focus on the fact that there aren't enough votes to pass this legislation. There is some realization we cannot produce our way out of the problem with petroleum products. Out of the 100 percent of the petroleum reserves in the world today, the United States, including whatever is believed to be in the Arctic, has 3 percent. Mr. President, 97 percent is in other places, such as Venezuela, the North Sea, Great Britain. Two countries have 47 percent of the petroleum reserve: Kuwait and Saudi Arabia.

We can't produce our way out of this. I would say, and for the Presiding Officer—I think maybe I can speak for him—maybe what we should try to do is try to figure out a way to use our mass of coal. We have more coal than anyplace in the world. Rather than spending the few dollars we do on clean coal technology, maybe we should declare a war, in effect, and spend a lot of money on clean coal technology because we have lots of coal. But it is polluting and we need to do a better job—make it cleaner.

I would also say that we have, in this bill, tried to develop alternative energy levels. We have struggled to do that, but we need to do that.

Anyway, to think that we can produce our way out of this with petroleum products—we can't do it. The United States has 3 percent of the reserves in the world and we can't do it by production. We tried through increasing the fuel efficiency of vehicles. We didn't get enough votes for that. It is my understanding the Senator from Delaware, Mr. CARPER, is going to come back with an amendment that will revisit that issue. Senator CARPER certainly understands what his amendment is better than I do, but I have spoken to him and he feels his amendment is one that will allow this country to go forward, saving 1 million barrels of oil a day by setting fuel efficiency standards.

So I hope they will allow us to go forward in an orderly process with this legislation, to get a finite list of amendments and complete the legislation this week. We had a good debate on ANWR that took place for a good long day and part of the night. We could dispose of that issue. There are not 60 votes. In fact, I think there would be a real struggle for them to get 50 votes because the ANWR issue will be defeated on a bipartisan basis.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators allowed to speak therein for not to exceed 10 minutes each.

The PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

ANTITERRORISM INSURANCE

Mr. REID. Mr. President, there is tremendous need in this country to do something with antiterrorism insurance. A group of people just left my office. One man indicated that sitting on his desk is \$2.2 billion worth of loans that he will not initiate because he cannot obtain antiterrorism insurance.

Why don't we pass antiterrorism legislation first thing in the morning or tomorrow afternoon? The reason is simple: some would like to turn this into a debate about comprehensive tort reform. There can be a case made that perhaps some tort reform is needed. I have always believed it should be done on a State-by-State basis, but regardless of how I personally feel about tort reform, or anyone else feels about tort reform, if this issue is so important, the antiterrorism insurance bill should not be turned into a larger debate about comprehensive tort reform.

We should be able to pass an antiterrorism insurance bill today. Addressing this very real problem should be something everyone agrees with. I think we could pass it without even having a vote. People know how important this is. Why do we have to concentrate and try to do comprehensive tort reform on legislation that is not tort reform? If people want tort reform, let them introduce legislation and go through the process. Refer it to the Commerce Committee and the Judiciary Committee, but do it in an orderly process and not on something as important as antiterrorism legislation.

I say to all of my friends and to the people who came to my office today—most of them I never met before—that what they should do is go out to talk to those people who want tort reform legislation and delete it. We need immediate attention to this issue.

I have had the opportunity during the 2 weeks we have been off to talk about some of President Bush's policies. On some I agreed with him and on some I disagreed with him. One thing I agree with him on is that antiterrorism legislation is important. We need to do it quickly. I hope he will weigh in with us and get tort reform out of this.

One other area I agree with him on is foreign policy. We need to do something to get the Middle East crisis resolved. I personally think this administration should have been involved in this much earlier but better late than never. I agree with him that Chairman Arafat has not been candid with the President. The President said he has

not lived up to his word with him. Time and again Chairman Arafat has shown he is not to be trusted. President Clinton offered him the best deal in the world and he walked away from it. He has repeatedly shown that he is willing to say one thing in Arabic and something totally opposite in English. I hope that the Palestinians under his leadership would try to live up to the commitments that he has made. This is a situation we need to have resolved. But I do agree with the President of the United States when he said yesterday that Chairman Arafat has not lived up to what he told the President he was doing. He has not lived up to the trust that the President felt he should have.

Not seeing much going on on the floor, I hope there will be some activity on this energy bill. But it appears to me that there is not going to be any. I say to staff and others who are working on this legislation that I wish they would work to get a finite list of first-degree amendments so we can at least complete that today.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDENT pro tempore. Without objection, it is so ordered.

RECESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate stand in recess until 4 o'clock today.

There being no objection, the Senate, at 3:17 p.m., recessed until 4:01 p.m. and reassembled when called to order by the Presiding Officer (Mr. LEVIN).

The PRESIDING OFFICER. The Senator from Nevada.

CONCLUSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the Senate now leave morning business and proceed to the energy bill.

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

NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 2001—Continued

Mr. REID. Mr. President, I call for the regular order relating to the Feinstein amendment.

The PRESIDING OFFICER. The amendment is now pending.

AMENDMENT NO. 3079 TO AMENDMENT NO. 2989

(Purpose: To provide a substitute)

Mr. REID. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows: