2002, why did it not consult the Chairman of the Appropriations Committee as the law required.?

If the administration did begin spending such funds in the summer of 2002, why did the quarterly reports provided to Congress not clearly indicate that projects were being funded to prepare for war with Iraq?

The failure to engage the Congress confirms what many of us have said all along. The administration had a hidden agenda from day one, and it shamelessly capitalized on fears created by 9/11 to advance that agenda.

The Congress and the American people deserve answers, and we deserve them now. The administration must tell the full truth and provide to the Congress and the American people a full accounting of all Iraq war related expenditures in 2002.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CORNYN). Without objection, it is so ordered.

Ms. CANTWELL. I ask to speak for 20 minutes on two pieces of legislation.

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

ELECTRICITY GRID AND RELIABILITY

Ms. CANTWELL. Mr. President, I rise to discuss with my colleagues two bills that I believe we are being negligent as a body in not taking up and passing. I am sure many of my colleagues are heading to the airport feeling like this week we accomplished a lot, or maybe they feel they gave a lot of speeches. The world is obviously a very dangerous and threatening place right now, and maybe my colleagues think if we get up and we communicate about that, we have done our job in Washington, DC. Well, the discussion is good, but action is even better when it comes to the American people. And there are two critical issues—two critical issues we have bipartisan support on, two critical issues both the House and Senate have passed legislation in the past to deal with and on which we could pass legislation today—that we cannot put on the priority list to take up and take action to help the American people.

The first one is on the electricity grid and reliability. Now, some of my colleagues may remember that the blackout of last August 14 led to a report from a commission that was released more than two weeks ago. When the blackout occurred last summer, we said that we were going to get to the bottom of how it happened and what we should do about it. The No. 1 recommendation from that commission was to make reliability standards mandatory and enforceable, with penalties for noncompliance. People across America probably woke up after that blackout and thought, what happened? How did this whole situation happen to us?

I can tell them how it happened. We do not have any mandatory rules in place for the electricity grid to make sure we protect consumers, that there is a reliability backstop governing actions by these energy companies.

Why is there not? The independent system operators and utilities have rules, but they are not mandatory. In fact, the commission's report said First Energy, one of the key companies involved in last August's blackout, was not complying with the voluntary rules.

Well, I am sure they did not feel there was much penalty in not complying with these rules because they were voluntary. So the commission's report is being very specific about what we should do. Congress needs to get about our business in passing legislation to make these rules mandatory.

Now I know some people think, I have sat a night at home with candles or gotten the flashlight out or my fuse box goes out and it is not so bad. Well, I tell my colleagues, last August's blackout was a bad situation. We had people in New York who could not get down elevators and lived many flights up in apartments. We had an increase of people going to emergency rooms in New York because they were having heart attacks or other kinds of things were happening to them physically. Under the stress of trying to vacate many of the facilities in New York, we had major gridlock for hours. We lost $4 billion to $10 billion economically as the result of the blackout, and we put our senior citizens at great risk of harm because they did not have access to electricity on a hot summer day.

So the question is, what are we going to do about this and are we going to move ahead? Well, I came to speak about this a couple of weeks ago, before we adjourned for the recess. And since then, I find we have now 20 different newspapers across America that basically have asked, why hasn't Congress operated and gotten this done?

For example, the Miami Herald—it is starting to get warm in Miami. People are realizing summer is not that far off and the Miami Herald stated that, ''Another long, hot summer is looming.'' These reliability bills should be enacted and they should be enacted now. That is not surprising since they know what a blackout can do in the heat of a summer.

Another newspaper, the Boston Globe, stated that ''at the top of the commission's proposals is legislation that would make mandatory the grid reliability standards that are now voluntary. Congress should quickly pass a bill . . . that would do just that.''

There is another newspaper that knows about this because its readers were impacted by that electricity grid blackout last August. They know the commission came back and recommended this is what we should do.

The reason I am bringing this issue up now is because I think some people on the other side of the aisle think we are just going to take another stab at the good old Energy bill. We are going to make another attempt to pass legislation that just about every newspaper in America has editorialized against—a bill that myself and my colleagues have called legislation for hooters, polluters, and corporate looters, because those are the kinds of provisions that were included in the Energy bill that drowned out the more notable items such as the reliability standards also buried in there.

Why are we going to continue to hold hostage legislation on reliability standards that would protect consumers across America from future blackouts, just to getting a big, fat energy bill for which there is never enough support? My colleagues know how bad that legislation is.

My colleagues want to continue to use the reliability standards, which all the blackout commissions and various organizations across America have said consumers deserve as protection, as the train driving the energy bill. My colleagues are going to say, no, we are going to keep holding reliability hostage. We want to see if Congress blinks and maybe will go ahead and pass that big energy bill.

Well, do not come to blame this side of the aisle when we do not get the Energy bill and we do not have reliability standards, because we are trying to pass these standards, just as various newspapers across the country are saying. In fact, I think the Detroit Free Press said it best. They said '' . . . the solution lies with Congress. Nearly 8 months post-blackout, it still has not passed mandatory standards. Voters should turn on their power and demand it.''

I think what they mean is that voters should be demanding that we do our job. Reliability legislation could have been brought up any day this week—Tuesday, Wednesday, Thursday. I understand my colleagues have probably now gone to catch planes and meet other schedules, but this could be brought up next week. We could make a commitment to have it brought up. I do not think there is controversy over this particular legislation or the original provision as it was included in the Energy bill. It is just being used as bait and being held hostage.

So there are other newspapers across the country that say, ''a responsible energy policy would be to strip out the mandatory federal [reliability] standards and pass them as a stand-alone bill.'' This is from the Memphis newspaper. The people in Memphis, TN, are asking, why are you doing this? Why are you continuing not to pass good legislation just so you can get bad legislation attached to it? When people across America are asking, what is

going on here, we ought to come together as a body and figure this out.

I do not like to be partisan about it because I would rather get it done. I would rather pass it. But newspapers are starting to realize that it is getting partisan. The Philadelphia Inquirer said that Republicans were happy to consider the bill—meaning the Energy bill—happy to consider taking up some of the Energy bill's tax incentives as part of a corporate tax bill. That meant we took those tax credits out of the Energy bill or were willing to consider some energy tax credit on the FSC/ETI bill. So if we can do that, why can we not break out the reliability measure, why can we not take the reliability measure as stand-alone legislation?

Now, the head of the North American Electric Reliability Council came and spoke before the Energy and Natural Resources Committee just before this report was being released. I asked him this very question. Their job is to try to provide reliability of energy to Americans throughout this country. I asked: Should we pass a stand-alone bill? His response was yes. Now, he was interrupted by the chairman, who then said: We do not need to do that now.

Well, I disagree with the chairman of the Energy and Natural Resources Committee, and I think we should consider moving ahead. I think that is what The Washington Post is saying. It said it would be a shame if there is insistence on the whole bill or nothing. That means holding reliability hostage. It means Congress would never get around to shoring up the electricity grid, and perhaps that is a shame, or perhaps shame is too mild a word.

Well, I know I think it is too mild a word because we have been waiting since 1999 to get this legislation passed. By that, I mean we have had blackouts in various parts of America since 1996, and every time we have had one of those blackouts in those regions, people have come to us in Congress and said that we ought to pass some rules so we can get a mandatory reliability scheme in place and so utilities have to comply.

We have had multiple blackouts since 1996. This picture shows across America where we have had blackouts since then. You can see the huge amounts of territory in various States: Texas, New Mexico, Arizona, California, Washington, up now to the northeastern part of Ohio, Pennsylvania, New York. I ask my colleagues, are we going to wait until every State in the country has a blackout and then finally say, ''Oh, I guess we get the message, I guess we ought to do something about it?''

I think the newspaper that said it best was the Indianapolis Star. These newspapers across America have shone a bright light on what has been an issue that most Members would like to get away from and not pay attention to. The Indianapolis Star said it best:

> . . . if the lights go out again this summer, spare the investigation. Congress is to blame.

I think that paper said it best. This is about us doing our job. This is about the attempt to bring up other legislation that may or may not have the agreement necessary for it to be passed, or to pass a cloture motion. There is support for this legislation. There is a report that demands our attention. There are consumers who are waiting for protection. We should do our job.

I ask unanimous consent the Senate now turn to Calendar No. 465, S. 2236, a bill to enhance the reliability of the electric system, that the bill be read three times and passed, the motion to reconsider be laid on the table, without any intervening action or debate.

The PRESIDING OFFICER. In my capacity as a Senator from the State of Texas, I object.

Ms. CANTWELL. How much time do I have, Mr. President?

The PRESIDING OFFICER. The Senator has 7½ minutes.

Ms. CANTWELL. Mr. President, that sums it up. I am going to be here every day next week that we are in session, asking to pass this bill and asking my colleagues why, in the name of the American consumer and the assurance of our economy that cannot afford to have an unstable electricity grid with no rules and regulations, and energy companies that do not have to meet mandatory requirements—why we are not protecting these consumers.

Many of my colleagues know there is another issue this Senator believes has not gotten the attention of this body. Each month another set of unemployment and job creation numbers come out. And each month the American public becomes more and more convinced that we are not living up to the prediction and promise of 2.6 million jobs that were supposed to be created this year. And because of that empty promise, the American people want to know when this body will take up and pass legislation to reinstate the unemployment compensation program.

This program was designed for times just like these. The Federal government has an obligation to make sure this program is in place. What do you do during tough economic situations? You pass a Federal program to help ease the pain of those who are unemployed and cannot find work.

In the Economic Report of the President, Mr. Bush's Administration projected that this year we were going to create 2.6 million jobs. We are nowhere near that projection. In fact, last month was the first month we saw any real job growth at all. But, after just one month of decent growth some people are saying that the economy is all better. But, there are many economists who disagree. The Miami Herald ran this headline:

> Jobs Report: Mixed Messages. The White House gets a boost from strong job growth, but economists say unemployment will remain a problem.

Economists are saying it will remain a problem because the number of jobs being created is a long way away from what we need to get America back to work. There are 8.4 million Americans out of work. After the job creation in March, 8.1 million of those Americans will still be out of work.

Here's what the Dayton Daily News said:

> Maybe there are brighter days ahead. But that's no comfort now to the unprecedented number of laid-off workers, who have scrambled without success to find a job and . . . [they have] lost the little bit of help given under the State unemployment benefits programs.

So now those laid-off workers are looking to us for help. They want to know why they and their employers paid into the unemployment insurance system if there's no program to help them when they need it. There is $15.4 billion in the unemployment insurance trust fund—a fund that was created for economic times like these—and the federal government is not going to help us through this unemployment crisis.

What is really happening in this recovery is that there are 1.1 million jobless workers who have exhausted their benefits and are not receiving additional support. That is the number. Those 1.1 million people and the people who are following behind them want to point out to this Congress that the economy is not getting better at a fast enough pace to help them put food on the table today.

I think that drawing a comparison to the first Bush administration is helpful because the first Bush administration faced a similar problem with the economy in the early 1990s. That recession was not as deep as the one we are dealing with today. In fact, during that recession we lost a total of 1.6 million jobs, while in this recession we lost a total of 2.6 million. But in the last recession, even after the economy had started to create jobs, George H.W. Bush still extended unemployment benefits. The reason that administration passed an extension, even though job creation had started, was because they knew that it was going to be a long road to get to a place where there were enough jobs for Americans who wanted and needed to work. They also knew that unemployment benefits are a stimulus for the economy—the people pay their mortgage, keep their health insurance, keep food on the table, until the job creation engine of the private sector started going again. That is what the temporary federal benefits are. They are insurance until the economy gets going again.

We have had this debate back and forth, too, about who is to blame about this issue, or what is the big holdup. We have the Treasury Secretary who actually came to my State and said: We don't really believe that 2.6 million job creation number. Yes, the administration said it, but we don't think it is really going to happen. We don't know what the number is going to be.

So, we have the administration saying they really don't know how many jobs will be created this year. Then we have had Mr. Greenspan, who most people respect, come before a variety of committees. He just came before the Joint Economic Committee this week. When he was asked if we should extend unemployment benefits, he said:

I do think it's a good idea, largely because of the size of exhaustions.

What he is saying is that those 1.1 million people who have exhausted their jobs are out there to demonstrate that the economy isn't getting better at a fast enough pace. Therefore, we should continue the Federal program until we see more job creation.

That is what I think should happen. I see lots of people across the country who are very frustrated by this.

In fact, the Dayton News just in the last few weeks said:

GOP leaders still dodging jobless.

That is not this Democratic Senator saying this. This is a newspaper in a State that has been as hard hit by the loss of manufacturing jobs as my State has. Ohio and Washington are among the highest unemployment States. They are saying GOP leaders are dodging the jobless. Why are they saying that? Here's the answer of the Dayton paper:

What's troubling . . . is how some Republican leaders are hoisting another ''Mission Accomplished'' banner, this one to hide the struggle of more than a million unemployed workers who have exhausted State benefits without finding another job.

That is the Dayton paper saying that. That is not this Senator.

I happen to agree with the paper's point, that we should take care of these 1.1 million people Greenspan says are not getting help. The economists are saying we are not recovering fast enough; give these people the benefit. I believe the Senate must act.

That is what Business Week said:

Government actions will act as a bridge that will help the economy cross over this extended valley of almost nonexistent hiring.

That is Business Week.

Why do they say that? Because they know the best thing for us to do is pass the unemployment benefits and create a bridge until we see substantial job creation.

I can't think of a better source to listen to than Business Week, which analyzes business trends, or Alan Greenspan, the Chairman of the Federal Reserve, when they say we ought to pass these benefits.

This is about the 16th or 17th time we have been to the floor. I know people say we are working on something. People say, Let's compromise. Let us cut the program in half. But, Alan Greenspan didn't say cut the program in half. The Dayton newspaper didn't say cut it in half.

UNANIMOUS CONSENT REQUEST

I ask unanimous consent that the Senate now turn to Calendar No. 470, which is S. 2250, a bill to extend unemployment insurance benefits for displaced workers, that the bill be read three times and passed and the motion to reconsider be laid on the table without intervening action or debate.

The PRESIDING OFFICER. In my capacity as a Senator from Texas, I object.

Ms. CANTWELL. Thank you, Mr. President.

How much time do I have remaining?

The PRESIDING OFFICER. The Senator's time has expired.

Ms. CANTWELL. Mr. President, I ask unanimous consent for another 30 seconds.

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

Ms. CANTWELL. The Presiding Officer has been so kind to listen with interest to these two issues. I hope he and my other colleagues will take these two issues to heart. I am being pointed in my remarks today because I believe these are two issues this body has the responsibility to deal with. These are two issues we can't get done and we are holding the American people hostage by not addressing our basic domestic economic security needs by giving people jobs and the reliable security of electricity grids.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CHAMBLISS). Without objection, it is so ordered.

ASBESTOS LITIGATION REFORM

Mr. FRIST. Mr. President, today we had a vote on the motion to proceed to the asbestos bill. As a followup to that vote, the Democratic leader and I have been in discussions over the course of the day. Unfortunately, we have yet to work through the legislative impasse on asbestos. However, there are Senators on both sides of the aisle who are committed to getting something done.

This morning Senator DASCHLE and I confirmed our understanding that we must provide an opportunity for negotiations which will determine whether a bipartisan solution can be reached. We will oversee a mediation process to determine whether we can resolve the remaining differences. My hope is we can work through this quickly.

Mr. DASCHLE. Mr. President, while I am disappointed that we find ourselves in this situation, I am pleased we are now going to begin the negotiations and move forward. As we have discussed, starting on Monday, we will convene meetings of interested stakeholders utilizing Judge Edward Becker as a mediator. I am strongly committed to getting the bill done and working through the serious issues that still divide us. The issue of asbestos is too vitally important to let this opportunity slip away. I know Senator FRIST is committed as well.

Mr. FRIST. I believe the process needs to initially focus on the major issues—overall funding, claims values, and projections. If we can make progress on this front, I strongly believe we can resolve the others.

Mr. DASCHLE. I agree. I think the funding and the so-called economic issues are critical to finding a solution. If we can't get a fair funding level that provides just compensation to victims and certainty to businesses, then we won't be able to resolve the other interlocking issues.

Mr. FRIST. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO MARY MCGRORY

Mr. HARKIN. Mr. President, this evening I want to take a few minutes of the time of the Senate to pay tribute to and to say a public goodbye to Mary McGrory, a friend of long standing to me and my wife Ruth and to our daughters Amy and Jenny. Mary passed away last evening here in Washington after having had a long illness.

Mary McGrory was a wonderful, warm, witty, and wise woman. Her death is, indeed, a passing of an era when the written word could carry meaning, when the written word could actually move people, when people looked to a Mary McGrory to give them the kind of inspiration they needed or to give them the in-depth analysis they needed to understand what was going on in Washington.

Her writing had such a clarity about it that once I read what Mary McGrory had written, I found myself many times saying: Yes, that's how I feel. Why didn't I think of that? Why couldn't I have said it that way?

I think of her passing as the passing of an era, like there is a time and a place and a circumstance that happens in the passing of time when certain individuals do something, make something, or leave an imprint in some way that you know will never happen again, such as the passing of a Michelangelo, a Leonardo da Vinci, a Shakespeare, a time and a place for Shakespeare and his magnificent writings never to be seen again. I think of that when I think of Mary McGrory because we may never see her kind of writing ever again.

Oh, with the advent of computers, sound bites, trying to get everything into 30 seconds or trying to make everything so simple that it is reduced to meaningless jabber, it may be that we will never see her kind of writing again.