

SENATE—Thursday, September 6, 2001

The Senate met at 10:30 a.m. and was called to order by the Honorable E. BENJAMIN NELSON, a Senator from the State of Nebraska.

PRAYER

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

Almighty God, we commit ourselves to You, the work of this day, and the challenges we face. You have made commitment the condition for receiving Your grace and guidance. We accept the admonition of Proverbs: "Commit your works to the Lord, and your thoughts will be established" (Proverbs 16:3). We long to be divinely inspired thinkers. When we commit our problems, plans, and projects to You, You instigate thoughts we would not have conceived without Your help. Show us how the sublime secret of intellectual leadership works. The Psalmist knew that secret: "Commit your way to the Lord, and trust also in Him, and He shall bring it to pass . . . rest in the Lord, and wait patiently for Him" (Psalm 37:5, 7).

We claim Your presence; You are here in this Chamber and with every Senator and staff member in the offices and committees and hearing rooms of the Capitol. We praise You for Your superabundant adequacy to supply our needs spiritually and intellectually. You establish our thinking and energize our work. Bless the Joint Session of Congress this morning as we welcome Mexican President Vicente Fox and continue to strengthen the ties between Mexico and the United States.

We commit the day; You will show the way, and we will receive Your strength without delay. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable E. BENJAMIN NELSON 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

Washington, DC., September 6, 2001.

To the Senate:

Under the provisions of Rule I, paragraph 3, of the Standing Rules of the Senate, I

hereby appoint the Honorable E. BENJAMIN NELSON, a Senator from the State of Nebraska, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. NELSON of Nebraska thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10:40 a.m. with Senators permitted to speak therein for up to 5 minutes each.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. I thank the Chair.

MEASURE PLACED ON CALENDAR—S. 2563

Mr. REID. I understand there is a bill at the desk for its second reading.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2563), an act to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986, to protect consumers in managed care plans and other health coverage.

Mr. REID. Mr. President, I would now object to any further proceeding on this legislation at this time.

The ACTING PRESIDENT pro tempore. The bill will be placed on the calendar.

SCHEDULE

Mr. REID. Mr. President, as has been announced, in 5 minutes the Senate will recess for purposes of the joint meeting with President Fox of Mexico. Senators have been notified to be here in 5 minutes to proceed to the House Chamber for the meeting.

When the Senate reconvenes at 12 noon, we will continue on the export administration bill. It is my understanding, having spoken with the managers of the bill, Senators SARBANES

and ENZI, that progress has been made over the evening, and I have been told—and we will hear more from the managers shortly—that that bill can be wrapped up this afternoon. I hope that is the case because we want to alert Senator HOLLINGS and Senator GREGG that we should move and will move to the Commerce-State-Justice Appropriations Act today as soon as this other legislation is finished.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

EXPORT ADMINISTRATION ACT

Mr. SARBANES. Mr. President, with respect to S. 149, which is before the Senate, it is our anticipation that upon returning from the joint meeting and going back into session at noon, we would be able then to move expeditiously. There are a couple of amendments that I presume Senator THOMPSON and Senator KYL will offer. We have had an opportunity to review those amendments. We think they strengthen the bill. We are prepared to accept those amendments.

There is a question of the blue ribbon commission on which an agreement has not been reached. I do not know whether Senator SHELBY, who authored that amendment, will proceed to offer it or not. If he does, we will have to take it up and, of course, be open to amendment. We hope to be able to resolve that issue rather quickly. We have a managers' amendment to be adopted. And then we anticipate going to final passage.

So that is the sequence that we envision. We think that could be done in short order. I don't think that it will really take a lot of time to do all of this, maybe an hour at most, and we could get this bill completed and off the floor. I say to the majority whip, we would be able then to move on to other legislation in the early afternoon. But that is my expectation of how we will proceed.

I want to acknowledge and thank Senator THOMPSON, Senator KYL, and Senator ENZI—Senator GRAMM was involved in the discussion that Senator ENZI had with the other two Senators—for moving this matter along.

Mr. THOMPSON. Will the Senator yield.

Mr. SARBANES. Certainly.

Mr. THOMPSON. Mr. President, I think the Senator very well states the status of the situation and what has occurred. We have been discussing these matters as late as 30 minutes ago. I do anticipate that we will have two short amendments that have been