

SENATE—Wednesday, October 10, 2001

The Senate met at 9:30 a.m. and was called to order by the Honorable HILLARY RODHAM CLINTON, a Senator from the State of New York.

PRAYER

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

Almighty God, You have created us to know, love, and serve You, and then live with You forever. We thank You for the life and leadership of Senator Mike Mansfield. We are grateful for this truly great American, distinguished Senator for 34 years, majority leader for 15 of those years, outstanding Ambassador to Japan, and distinguished patriot all through his life. We have all learned so much about leadership from this man of few but firm and pointed words with which he expressed strong convictions and profound concern. We remember the warm twinkle in his eye, his engaging smile, and his abiding faithfulness as a friend. But most of all, we are comforted by the fact of his relationship with You, which was at the core of his being. We thank You for the quiet inner security of his faith in You and his expectation that death would only be a transition in eternal life. Goodness and mercy followed the Senator all his life and now he dwells with You forever. In the name of Him who is the resurrection and the life. Amen.

PLEDGE OF ALLEGIANCE

The Honorable HILLARY RODHAM CLINTON 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, October 10, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HILLARY RODHAM CLINTON, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. CLINTON thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

SCHEDULE

Mr. REID. Madam President, this morning the Senate resumes postcloture debate on the motion to proceed to S. 1447, the aviation security bill. The full 30 hours have to run—and certainly we hope that is not the case—on the motion. Then all time will expire at approximately 5 p.m. today—shortly before that, actually. I am hopeful that we will be able to reach agreement on aviation security as well as the counterterrorism legislation.

I remind Members that it was 1 week ago today that the motion to proceed to S. 1447 was filed. At least from my Nevada perspective, that is too long to have people not recognizing that there are things we could do with aviation security that we have not done. I think it is too bad that we have had to go through this period to get to this bill.

I also remind Senators who are planning to attend the funeral of the late majority leader Mike Mansfield that the vehicles will depart the Capitol steps at 10 this morning.

RESERVATION OF LEADER TIME

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

AVIATION SECURITY ACT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of the motion to proceed to S. 1447, which the clerk will report.

The legislative clerk read as follows:

A motion to proceed to the bill (S. 1447) to improve aviation security, and for other purposes.

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

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

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Madam President, I ask unanimous consent that during today's

proceedings on this legislation now before the Senate, if someone comes to the Chamber and wishes to speak as in morning business, that the time would be charged against the proceedings on this legislation.

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

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

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

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

Mr. THOMAS. I ask unanimous consent that I be allowed to speak as in morning business.

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

ENERGY POLICY

Mr. THOMAS. Madam President, I want to talk this morning a bit, as we have for some time, about energy. Energy, of course, is something we have talked about for some time—a good long time, as a matter of fact. Our experiences last summer in California emphasized the need for some changes in our energy policy so that we have more stability and reliability in energy. Of course, we also became aware of some of the things we must do in terms of energy, and we have worked on it for a very long time.

Now, since September 11, I think we find some very compelling additional reasons that we need to do some things with energy. Obviously, we have not had an energy policy that we need to have in place over the years, and that is what we are seeking to do—to develop energy policy.

Partly because, I suppose, of the lack of a policy and a real direction where we want to go over time, we have become very dependent on overseas oil sources. We are nearly 60 percent dependent on OPEC and others. So now, in terms of some of the uncertainty in the Middle East and around the world, I think we find ourselves with more concern about where we need to be in terms of energy.

We have at least two compelling reasons, it seems to me, that make energy development and energy security even more important. One is to support our military activities. We have to have

the energy to do that. The other is that we are talking about a stimulus for the economy, about building our economy. Obviously, fuel and power and energy are key to that, in whatever means they are used. So I believe we find ourselves now with even more reason to move to developing an energy policy that will ensure we have the energy necessary for all the needs we have.

We have talked before about the need for research so we can find better ways to produce energy, so that we can find better ways to conserve our energy. Those things are possible, and we can do them. We have talked more about how we find diversity in a policy so we don't become dependent on one source of energy—and that we can look toward nuclear—whether it be renewable, gas, or coal, and to have diversity that helps strengthen those sources.

We have talked a good deal about renewables. That is obviously something we need to pursue. Most important of all, I imagine now as we look at where we are, is production. We need to ensure we can have domestic production, and that we can increase our domestic production, so we become less dependent upon the supply from overseas.

So I believe very strongly that we had compelling reasons to deal with energy before, and certainly September 11 has added to the necessity for us to do that. We have worked hard in the Energy Committee, of which I am a member, to respond. We have had hearings, we had marked up a title in our energy bill, and we are moving forward on that bill that was quite broad.

In the meantime, the House has passed an energy bill which has a good deal of the things in it about which we have talked. So they moved forward with that over in the House. It has great support from labor unions and from many environmentalists, and it certainly has strong support from the administration. That bill is passed and available for us to deal with now.

Unfortunately—or fortunately—there has been some change in what we are doing. The chairman of the committee has indicated that he has been asked to not have any more committee activities, and there will be a bill put together, apparently, by the majority leader to bring before us. Unfortunately, we have talked about this before and have not arrived, I don't believe, at any commitment as to when that will be done and how it will be done. Of course, some have considerable concern that there would not be input from all of the folks in the Senate. There is some concern about that. I believe what we need more than anything is the assurance that there will be an energy bill before we adjourn.

There are a number of things that are very important to us. One is airline security. I think it is very important that we do that. We are also working on changing the rules and the law on

terrorism so that our agencies can work more efficiently and our law enforcement and others can do that. We are working on a stimulus for the economy in the Finance Committee, and I think that has to be one of the high-priority items. We need to do our appropriations, which is our normal duty and one that needs to be moving along.

So we have a full plate. But I believe strongly that energy now—particularly because of the threats of the overseas intervention—becomes one of the items we must add to our list to complete. I am hopeful that changes that apparently have been suggested will result in yet some way for us to get on the floor with the issues we think are terribly important for energy—to get the bill out that we can work on so we can develop and have an energy policy that will be supportive of the economy and supportive of our war on terrorism. I think it is necessary we do that.

Madam President, I urge my colleagues to find a way to bring together the needs of this country, supported by the White House, supported by both sides in this body, and already has been supported by the House, and that prior to finishing our work, we complete work on an energy policy that will meet this country's needs.

Madam President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

SETTING THE AGENDA

Mr. REID. Madam President, I was not fortunate enough to have listened to the entire statement of our friend from Wyoming. I have worked with Senator DASCHLE and Senator BINGAMAN on energy legislation, and no one feels more strongly than Senator DASCHLE, our majority leader, that we need to bring forward legislation at the earliest possible date dealing with the energy problems.

He and Senator BINGAMAN, who is the chairman of the Energy Committee, have worked hard on this, and we will have something as soon as possible.

I have to say, we have been trying to get to airport security for over a week. There have been objections to that. We have had to jump through a series of hoops: A motion to invoke cloture on the motion to proceed, and now it appears we are going to have to file a motion to invoke cloture on the bill itself. During this time, we could be doing other things. We have tried to move to appropriations bills which have not been considered, and there have been objections to that by the minority.

Senator LEAHY has worked night and day on terrorism and other issues as a result of the events of September 11, and we are still doing just fine with judicial nominations and nominations generally, but that is not good enough for some people. Therefore, they have put a stop on all legislation.

It seems somewhat unusual to me to have the minority saying why aren't we moving legislation when they will not let us move it. We are in the majority. They may not like it. Senator DASCHLE is the majority leader and determines what legislation comes to the floor. They cannot do that anymore. Because they only want energy does not mean that is what they are going to get.

We have many other items, and the majority leader has made a decision on with what we are going to deal. They will not let us do that. We have 13 appropriations bills we have to pass every year. They will not let us get to those bills because they do not believe enough judges are being approved.

At home, I have not had a single person ask me about judges. We have two Nevada judges who are waiting to go through the funnel, and they will get here. Those judges know Senator LEAHY and Senator HATCH are doing the very best they can on their nominations.

There is always talk about energy proficiency. Isn't it funny they always bring up ANWR? That seems to be the button on the pin they are always concerned about—ANWR. Madam President, this situation is one with which we have to be very careful. Just last week somebody with a rifle shot some holes through a pipeline in Alaska, and 250,000 gallons of fuel spilled before they could stop the leakage. That was just one man. I do not know if he was target practicing or shooting at caribou. I do not know what he was doing, but with a rifle he put holes through that pipe.

The energy situation is very complicated. The majority leader has indicated time and time again he is aware of that and wants to work on this. I wish the minority would let the legislation that is important pass. We need to do something about airport security. We need to do something about terrorism. We need to do something about many other things that they will not let us get to. We are in the majority now. The majority leader has the right and the ability to set the agenda for this Senate.

I suggest the absence of a quorum.

Mr. THOMAS. Will the Senator yield for a question?

Mr. REID. I will be happy to yield for a question.

Mr. THOMAS. The idea of being able to object is not a brand new idea. It was exercised by you when you were in the minority; isn't that true?

Mr. REID. I am sorry, I could not hear the Senator.