

SENATE—Tuesday, November 27, 2001

The Senate met at 10:30 a.m. and was called to order by the Honorable JAMES M. JEFFORDS, a Senator from the State of Vermont.

PRAYER

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

Gracious God, we return from Thanksgiving recess with gratitude surging in our hearts for all that You have done for us and given to us. We praise You for Your goodness, faithfulness, and unchanging love. During these past weeks since September 11, You have been our strength, courage, and endurance. You have given us exactly what we needed in each hour. Now in that same companionship with You, we face the challenges ahead. Grateful for the progress in the war against terrorism, we praise You in advance for victory in the battles still before us in Afghanistan. Remembering how You have protected the Senate family through the anthrax threat, we ask for continued patience and perseverance for the Senators and staffs displaced from their offices. Thank You for the interception of the anthrax-laden letter addressed to Senator LEAHY and continue Your protective care in the offices of Senator KENNEDY and Senator DODD.

Author of unity and source of oneness, may the spirit of patriotism equal to our Armed Forces in harm's way sway this Senate in the days ahead. Thank You for enabling civility, creativity, and compromise that will get the work done expeditiously with excellence. We say with the psalmist: *O Lord my God, I will give thanks to You forever. Amen.*

PLEDGE OF ALLEGIANCE

The Honorable JAMES M. JEFFORDS 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 assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 27, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JAMES M. JEFFORDS, a Senator from the State of Vermont, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. JEFFORDS thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. DASCHLE. Mr. President, this morning the Senate will conduct a period of morning business with Senators permitted to speak for up to 10 minutes each. The Senate will recess from 12:30 to 2:15 p.m. for the weekly party conferences.

I ask unanimous consent that the Senate go back into morning business beginning at 2:15 p.m.

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

Mr. DASCHLE. At least one rollcall vote will occur during today's session between 4 and 5 p.m.

It is my intention to take up the railroad retirement bill today. We will make a motion to proceed to the bill shortly. After we dispose of the railroad retirement bill, my hope is that we can take up the farm bill. We are going to be taking both of these bills up, waiting for the Defense appropriations bill to be sent here from the House. We are not sure yet when that will be. My hope is it will be sometime before the end of this week.

Appropriations Committee chairman Senator BYRD has made it clear it is his intention to take up the bill in committee as quickly as possible, and then we will be prepared to take up the Defense appropriations bill as soon as or shortly after the Appropriations Committee has acted.

In addition to that, our hope is to take up the economic stimulus package. That is very important legislation that we hope we can finish certainly before the end of this session. The conference reports on appropriations—there are four conference reports still outstanding. We will want to address those as quickly as possible.

I also inform my colleagues that the Judiciary Committee is prepared to report out, as I understand, nine judicial nominees, including one circuit court nominee, this week. We will be taking

up those nominees as soon as the committee has reported them out, in addition to other nominations.

I have not mentioned the terrorist insurance bill, the port security bill, counterterrorism, or bioterrorism legislation. There is a lot of work left to be done. My hope is we can complete our work on all of those pieces of legislation prior to the time we depart for the Christmas holidays.

Once again, the issue of energy has come up on a number of occasions. For good reason, it is a very important piece of legislation. The House has acted on an energy bill. We need to act as well. I have indicated it was my plan to take it up as soon as many of the issues relating to the response to the terrorist attack of September 11 could be resolved. Of course, we are still dealing with many of those issues right now.

We also are continuing to deal with what I think most Senators would agree is must-pass legislation; that is, the array of appropriations bills that have yet to be completed.

It is for that reason I don't know that we will have an opportunity to complete our work on an energy bill before the end of this session. I am prepared to commit to taking up the energy bill prior to the Founders Day recess; that is, during that first work period, between January 22 and the time we break for the Founders Day recess.

We ought to recognize that this bill is important. It is comprehensive, but it is also controversial. We are going to have to leave some time for debate on the legislation. It is my intention—and I intend to be more clear as I know what remains of this session when we come back—regardless of whatever additional legislation may be required to be considered in that first block of time, my determination, my commitment will be that we raise this issue, debate it, and have a good opportunity to consider energy legislation prior to the Founders Day break.

Mr. LOTT. Mr. President, I ask Senator DASCHLE, is he through?

Mr. DASCHLE. I am not through. I have a statement I will be making about further issues to be considered and raised. I am happy to yield.

Mr. LOTT. Mr. President, if the Senator will yield, I would like to ask some questions about the anticipated schedule he just outlined today.

One thing he didn't mention was the Education conference report. I understood that some progress had been made in that area. It is one we have been working on all year. Certainly, trying to make a Federal commitment