

SENATE—Monday, May 7, 2001

The Senate met at 1 p.m. and was called to order by the Honorable HARRY REID, a Senator from the State of Nevada.

PRAYER

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

Almighty God, Sovereign of this Nation, we recognize our acute sense of accountability to You. We claim Solomon's promise, "In everything you do, put God first, and He will direct you and crown your effort with success."—Prov. 3:6, Living Bible. In response, we say with the psalmist, "Let the words of our mouths and the meditation of our hearts be acceptable in Your sight, O Lord."—Psalm 19:14. We also accept Jesus' admonition to "seek first the kingdom of God and His righteousness." Matt. 6:33.

Help us remember that every thought we think and every word we speak is open to Your scrutiny. We commit this day to love You with our minds and honor You with our words. Guide the crucial decisions of this day. Bless the Senators with Your gifts of wisdom and vision. Grant them the profound inner peace that results from trusting You completely. Draw them together in oneness in diversity, unity in patriotism, and loyalty in a shared commitment to You. In the name of our Lord. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CRAIG THOMAS, a Senator from the State of Wyoming, 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. THURMOND).

The assistant clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 7, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HARRY REID, a Senator from the State of Nevada, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

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

RECOGNITION OF THE ACTING MAJORITY LEADER

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

Mr. THOMAS. I thank the Chair.

SCHEDULE

Mr. THOMAS. Today the Senate will be in a period of morning business until 2 p.m. Following morning business, there will be 2 hours to resume consideration of the education reform bill. Amendments are expected to be offered during that debate. Any votes ordered will occur in a stacked sequence beginning at 10:15 tomorrow. At 4 o'clock today, the Senate will begin consideration of the Bolton nomination to be Under Secretary of State for Arms Control and International Security. There will be up to 3 hours of debate on this nomination with an additional 45 minutes for debate tomorrow morning prior to the vote on confirmation at 10:15. Senators should expect several stacked votes tomorrow morning beginning at 10:15.

I thank my colleagues for their attention.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Also under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 2 p.m. with Senators permitted to speak therein for up to 10 minutes. Under the previous order, the time until 1:30 shall be under the control of the Senator from Alaska, Mr. MURKOWSKI.

Mr. MURKOWSKI. Thank you, Mr. President. I wish you a good afternoon.

ENERGY POLICY

Mr. MURKOWSKI. Mr. President, the purpose of my addressing my colleagues today is to question just what kind of energy policy is supportable in this country as a consequence of many of the leading opinion makers and newspapers relative to just how we go about addressing our energy crisis.

It might get the attention of the Chair to recognize that California alone, which has received an awful lot of notoriety, clearly has a crisis. It can

probably best be addressed by indicating that in 1998 Californians spent \$9 billion for energy—electric energy. In the year 2000, they spent \$20 billion. In the year 2001, it is estimated they will have spent somewhere between \$65 and \$75 billion. It is not really necessary to say much more. If that is not an acknowledgment of that being a crisis, I do not know what is.

What I find frustrating is the inconsistency of just how we are going to get out of this crisis. I refer to an editorial appearing in the Washington Post today. It is entitled "Selling the Energy Plan." I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SELLING THE ENERGY PLAN

Soon President Bush will unveil his energy policy, and last week his administration began sounding some of the themes that will be used to sell it. The country faces an energy crisis, officials repeated. "We're running out of energy in America," the president said; both new supplies and conservation are needed because "we can't conserve our way to energy independence." Simple, compelling messages. The only trouble is, they're not exactly right.

The problem isn't "running out of" resources, it's getting them to the right places at the right time. While many consumers struggle with high bills, there's not a crisis of supply unless you live in California. And America won't reach true energy independence through any combination of production and conservation, at least as long as transportation runs on oil.

That's not to say there aren't serious challenges. There are, and meeting them will require hard choices. But it's important to be clear about the critical issues. Those include expanding infrastructure—such as pipelines, transmission lines and refineries—so that electricity and fuel can be produced and delivered when needed. They also include a serious look at how to guard against damaging price spikes or supply interruptions in deregulated energy markets. Currently, one effect of deregulation has been the erosion of incentives for maintaining the extra supply or generating capacity that can cushion against sudden jumps in demand.

Along the way, policymakers must be clear-eyed about prices. Protecting against economy-damaging price hikes is one thing; promising an endless supply of cheap energy is another. The energy debate ought to include a hard look at where prices should be to reflect energy's true cost and to encourage responsible use. Any discussion must acknowledge that the world market will continue to set oil prices, no matter what America does to boost domestic supply.

It's also worth noting that the energy market is responding already. Natural gas drilling increased last year. Vice President Cheney noted this past week that growing electricity demand will require the equivalent of 1,300 to 1,900 new power plants during the

next two decades; power suppliers already have reported to the Energy Department plans to add more than 40 percent of that capacity between now and 2005. For the short term, as President Bush acknowledged last week in ordering federal energy use cut in California, conservation can ease the pinch between supply and demand.

However, conservation and increased efficiency are also critical components of any long-term policy. They can contribute much more than the administration has so far been inclined to admit. Candor must be part of the discussion. The issues are complex and call for balanced and wide-ranging solutions; one way to get them is to avoid oversimplifying the debate at the start.

Mr. MURKOWSKI. I agree with a good deal of the editorial's comments relative to the fact the energy crisis is upon us. They indicate we cannot conserve our way to energy independence, and I agree with that. But what I find a little bit inconsistent is the reference that somehow we are going to have to interject some kind of Government control on prices. Now, they did not go into a great deal of detail suggesting that we increase supply and that the traditional increase of supply should take care of the price.

Clearly, California is the victim of a situation of supply and demand because for a number of years California simply decided it was easier to buy energy outside the State of California than developing energy from sources within. Clearly, last year, California found itself depending on imported energy from other States. Those States chose to market that energy at the going price—whatever they could get for it. The difficulty, of course, is that now California finds itself in a mess.

The controls on retail pricing which exist in California have resulted in the consumers taking the full brunt of what that energy costs. By having a wholesale cap on California's energy, why, it is acting to inhibit investments coming into California to build more plants.

It should be noted that Vice President CHENEY, in commenting on the growing electricity demand, indicated that the country is going to have to put in about 1,300 to 1,900 new powerplants during the next two decades. The Department of Energy evidently supports that reference because they indicate that is between the plants they anticipate as necessary to pick up the shortage.

What we have is a reference in general terms that we should address this crisis but not specifically how we are going to address it or specifically what means we are going to use. The Washington Post editorial indicates that conservation and increased efficiency are critical components. And they are, Mr. President, but we should recognize one fact. Less than 4 percent of our power generation in this country currently comes from renewables or alternatives. In other words, the renewables would be the wind power, hydropower,

and it certainly could be fuel cells or various other components. The point is we have invested about \$6 billion in subsidies and grants for renewables. They still only take a very small percentage.

What I find rather ironic is that there is no identification of just how we are going to get out of this energy crisis. We are going to get out of it by going back to our traditional energy sources—coal, nuclear, oil, gas, hydro—and recognizing we can do a better job of conservation and work towards renewables.

What is frustrating is there is no identification of any consistency of what people will support. As a consequence of that, we find ourselves with the recognition that not only do we have an energy crisis but we also have an inadequate distribution system, whether it be our pipelines or whether it be our electric transmission lines. Many of these have not been expanded over the last several years.

We also have a shortage of refinery capacity in this country. We have not built a new refinery in 25 years. It is almost the perfect storm coming together. We don't have the refining capacity. We have not built any coal-fired powerplants since 1995. We have not built a new nuclear powerplant in over 10 years. We have been concentrating on natural gas. We saw the price of natural gas go up to \$2.16 per thousand cubic feet 18 months ago. Now it is \$4 or \$5. It has been as high as \$8.

Here we have, if you will, not only an aging infrastructure for delivery but a rather curious inconsistency in our foreign policy. We are currently importing about 700,000 barrels a day from Iraq. Many people forget that in 1991–1992 we fought a war over there. We lost 147 American lives. Yet today we enforce a no-fly zone over Iraq. We have flown over 230,000 individual sorties enforcing that no-fly zone and putting American men and women in danger. Saddam Hussein proceeded valiantly and, fortunately, he has been unsuccessful in his effort to shoot down one of our aircraft. We are putting men and women in harm's way so we can continue to get oil from the Mideast—get it from one person who is an enemy.

I can simplify it. I have used this often. But it seems as if we take his oil and put it in our airplanes and then fly missions over Iraq. He takes the money that he gets from us and develops a missile capability after paying his Republican Guards to keep him alive and aims his missiles at our ally, Israel.

What kind of a foreign policy is that? As a consequence, we see our Nation 56-percent dependent on imported oil.

It is kind of interesting to note what other people are saying. A noted investment banker, Matt Simmons, told the Committee on Energy and Natural

Resources, which I chair, that “we are now in the early stages of the most serious energy crisis this country has ever faced—worse than 1973. As the crisis unfolds, it could become the most critical threat to our economy since World War II.”

I don't know if we are heeding that call, but we certainly try. Several of us—Senator JOHN BREAUX and myself, among others—have introduced comprehensive bipartisan solutions in our energy bill pending before the Energy Committee. The objective is to promote the use of alternative fuels, encourage efficiency, increase domestic supplies of energy, a balanced, comprehensive approach that addresses all of our conventional sources and uses of technology as a consequence of the advancements we have made in the last several years. We have provisions to provide for more efficient appliances in our homes, alternative fuel cars, and to make it easier for communities to make schools more efficient. It encourages the development of clean coal, nuclear, and other domestic energy sources.

One of the problems with this bill is you might not know what is in it because most of the coverage has been around one single issue in my State of Alaska; that is, whether or not we should include the development of ANWR in the bill.

ANWR is a very small piece of land, but it has turned into the focal point of a very large argument. The reason is the environmentalists need an issue such as ANWR—an issue that is far away, that Americans can't see for themselves. If one looks at the makeup of the huge area that includes ANWR and recognizes how insignificant that very small portion is that we are planning to open, one begins to understand the merits of, indeed, the realization that we can do it safely.

In any event, I think it is important to note the inconsistency relative to several of our major newspapers and their positions on this as evidenced by editorials that have been written over the last several months. I refer first to an article in the New York Times. That was March 5, 2001. It comments on the bill that we have introduced. The highlight of the editorial suggests that this paper last addressed the folly of trespassing on this wonderful wildlife preserve of ANWR for what by officials estimate is likely to be a modest amount of economically recoverable oil. As a consequence of that, they go on in a later article of January 31, 2000, indicating that the country needs a rational energy strategy, but the first step in that strategy should not be punching holes in the Arctic refuge, even with improved drilling techniques. They go on to say Mr. Bush's plan to open the refuge is environmentally unsound and as intellectually shaky as it was when Ronald Reagan suggested it 20 years

ago and when Mr. Bush's father suggested it a decade ago.

Isn't that rather curious? I will put the poster up because I think all Members should have an opportunity to reflect on the inconsistency of our national news media on this issue. It did three articles. They did an article on April 23, 1987. It reads:

Alaska's Arctic National Wildlife Refuge . . . the most promising untapped source of oil in North America.

. . . A decade ago, precautions in the design and construction of the 1,000-mile-long Alaska pipeline saved the land from serious damage. If oil companies, government agencies and environmentalists approach the development of the refuge with comparable care, disaster should be avoidable.

Then they came long on June 2, 1988, and indicated:

. . . the potential is enormous and the environmental risks are modest . . . the likely value of the oil far exceeds plausible estimates of the environmental cost.

. . . the total acreage affected by development represents only a fraction of 1 percent of the North Slope wilderness.

. . . But it is hard to see why absolutely pristine preservation of this remote wilderness should take precedence of the nation's energy needs.

Isn't that rather ironic? The New York Times has suddenly done a flip-flop when in June of 1988 they supported it, and in March of 1989 they stated:

. . . Alaskan oil is too valuable to leave in the ground.

. . . the Single most promising source of oil in America lies on the north coast of Alaska, a few hundred miles east of the big fields at Prudhoe Bay.

. . . Washington can't afford . . . to treat the [Exxon Valdez] accident as a reason for fencing off what may be the last great oil-field in the nation.

It is interesting to note that the New York Times has done a flip-flop. It seems to me that it is more dangerous today when we are importing 56 percent of our energy from overseas and worse than it was in the late 1970s when we were importing 37 percent.

In 1973, when we had the Arab oil embargo, there was a reaction in this country. We created the Strategic Petroleum Reserve, and we made a mandate not to be dependent on the Mideast. As a consequence, we had a very accurate effort in legislation, and so forth, to ensure that we would not increase our oil imports. We had a crisis. We recognized it. We wanted development of oil here at home. But now the New York Times has suddenly turned around with very little explanation given.

In fact, I had an opportunity to meet with the editorial board of the New York Times. I asked for an explanation of why they had changed their position when clearly the situation and the crisis as a consequence of increased imported energy and the California crisis had heightened. The response to me was: Well, we had a different editor

then, and he is gone. I don't think that is a reasonable explanation.

You might think I am picking on the New York Times. But I had the same situation with the Washington Post. The Washington Post some time ago supported opening up ANWR. But as of December 25, 2000, they indicated:

Gov. Bush has promised to make energy policy an early priority of his administration. If he wants to push ahead with opening the plain as part of that, he'll have to show that he values conservation as well as finding new sources of supply. He'll also have to make the case that in the long run, the oil to be gained is worth the potential damage to this unique, wild and biologically vital ecosystem. That strikes us as a hard case to make.

Then in another editorial from the Washington Post dated February 25:

Mr. Bush wants to open the Arctic National Wildlife Refuge to oil exploration. . . .

America cannot drill its way out of ties to the world oil market. . . . But the most generous estimates of potential production from the Alaska refuge amount to only a fraction of current imports. To reduce dependence on foreign oil requires reducing dependence on oil in general, through lowered consumption [and so forth].

They did not say how we are going to move the transportation network of this country: our ships and our planes. We do not fly in and out of Washington, DC, on hot air. We have to have jet fuel from refineries. Somebody has to produce it.

My point is the Washington Post, too, has changed. One wonders why. Because in 1987, on April 23, an editorial in the Washington Post read:

. . . Preservation of wilderness is important, but much of Alaska is already under the strictest of preservation laws. . . .

. . . But that part of the arctic coast is one of the bleakest, most remote places on this continent, and there is hardly any other place where drilling would have less impact on the surroundings life. . . .

. . . That oil could help ease the country's transition to lower oil supplies and . . . reduce its dependence on uncertain imports. Congress would be right to go ahead and, with all the conditions and environmental precautions that apply to Prudhoe Bay, see what's under the refuge's [of ANWR]. . . .

That sounds pretty good. Then on April 4, 1989, they further say in an editorial:

. . . But if less is to be produced here in the United States, more will have to come from other countries. The effect will be to move oil spills to other shores. As a policy to protect the global environment, that's not very helpful. . . .

. . . The lesson that conventional wisdom seems to be drawing—that the country should produce less and turn to even greater imports—is exactly wrong.

How ironic can these two national organizations—the New York Times and the Washington Post—be in completely flip-flopping the position they both had in the mid-1980s, to turn around and now be in opposition when we truly have an energy crisis in this country? I encourage my colleagues to inquire of

the Washington Post and New York Times why that is so.

The explanation I got, as I indicated, from the New York Times is they changed editorial editors, and that person is gone. I asked the Washington Post for an explanation. The explanation from the Washington Post is rather interesting: Of the group who was there, one person volunteered an explanation. That explanation was that they thought President-elect Bush was a little too forward on the issue in his comments during his campaign. I do not think that is an adequate answer either.

I will tell you what we have. We have general comments about an energy policy and the need for an energy policy but no specific identification of how we are going to achieve, if you will, more production of energy in this country, more transmission lines, and how to use our technology to lessen the footprint.

One of the ways, clearly, is to reduce dependence on foreign imported oil and by opening up the Arctic National Wildlife Preserve. By doing that, we can hasten the day when we can reduce our dependence on imported oil.

Let me conclude with one reference and I do not have the charts in the Chamber to show you, but I think it is important to keep in mind that ANWR is the size of the State of South Carolina. It is 19 million acres. We have taken 8.5 million acres and put them in a wilderness in perpetuity. Nine million acres are in a refuge. Congress has the sole discretion on opening up the 1.5 million acres. It is estimated that if the oil is in the abundance that it needs to be, it will take a footprint of roughly 1,000 to 2,000 acres. That is about half the size of the Dulles International Airport.

To me, one of the startling things about new technology is a statement an engineer made in my office saying he could drill under the Capitol Building and come out at gate 17 at Reagan Airport. That gives you some idea of the advanced technology for oil and gas drilling.

I know my friend, the chairman of the Committee on Finance, is anxious to be heard and to ask for 5 minutes of my time. I will grant him 5 minutes of my time. One of these days I will expect reciprocity.

I am going to be speaking again on this crisis in energy and the role of the national environmental community in challenging the realistic manner in which we can achieve greater relief from the energy crisis in this country. I will be doing that in the coming days. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, now I know who I have to thank that I can get 5 minutes. So I thank the Senator from Alaska. But in show of my appreciation, I say to him that on the matter he spoke about in relation to our

energy needs, I look forward to helping solve a great deal of our energy issues because through our Committee on Finance we will be dealing with a lot of tax issues that deal with the efforts to spur production and alternative energies.

A very big part of your program that you have introduced—and we compliment you for being a leader in trying to solve the energy crisis—will be the work of the committee on which the Senator and I serve. I will be very happy to work on that.

IN RECOGNITION OF JOANN OWENS

Mr. GRASSLEY. Mr. President, the month of May, since 1963, has helped the Nation focus on the contributions and achievements of America's older citizens because the month of May is a month where we recognize these achievements. Congress does this by cooperating with various organizations in bringing senior interns to Washington, DC, for 1 week out of the month of May. There are other things that are done as well.

The image of those over the age of 65 is dramatically different than it was as recently as a generation ago. Older Americans increasingly redefine modern maturity. They reshape cultural boundaries, and they dispel age-old stereotypes associated with getting older. They are leaders in our families, in our workplaces, and in our communities.

Each week this month I am going to recognize a different Iowan and highlight what these older Iowans are doing as a contribution to the workplace and communities. The one I recognize this week is a 68-year-old woman from Sioux City, IA. JoAnn Owens understands the value of family and understands community involvement. Through her initiative, her concern, and her commitment, she has touched the lives of many in her family and in the entire Sioux City community.

Born and raised in Sioux City, Ms. Owens moved to New York in her twenties and spent much of her adult life on the east coast. In 1993, at the age of 60, she moved back to Sioux City to care for her ailing mother. Seeking a way to keep herself active, and at the same time stimulate her mind, Ms. Owens began to volunteer in the community. For the last 7 years, she has served as a senior companion by providing care to people in the community who need extra assistance in order to live independently.

She currently volunteers 4 days a week helping young people suffering from brain injuries to develop their academic skills. Ms. Owens also serves as a volunteer judge for the Woodbury County Drug Court Program. She is a member of the city's Human Rights Commission and active in the Quota Club, an international service organization.

Ms. Owens describes herself as a woman motivated by challenges. As a volunteer with the Sioux City Police Department, Ms. Owens took the initiative to develop a program to provide domestically abused women with cellular phones so they could better protect themselves. She also spent a series of weeks attending the Sioux City Police Citizens Academy where she was trained on the responsibilities and challenges facing police officers.

Ms. Owens' concern for her family is also a driving force for her involvement. Her desire to play an active role in her mother's care prompted Ms. Owens to join the care review board at the care center where her mother lived. Although Ms. Owens' mother passed away 5 years ago, she is still involved as a resident advocate, currently serving as the chairperson for the care review committee. She visits with the residents at least once a month and works with staff to take care of any problems at the center.

Ms. Owens has six grandchildren and one great-grandchild. Her concern for their education motivated her to become a member of the Board of Education equity committee. She is currently the chairperson of the committee. Her mission is to ensure that education in Sioux City is equally and equitably dispensed to all students.

Beyond her community involvement, Ms. Owens enjoys raising tomatoes, reading, and feeding the birds, squirrels and rabbits. She lives with her cat Mr. Roberts and her dog Jordan.

I thank Ms. Owens for helping to make Sioux City a better place to live. Her initiative and compassionate care for others is an example to us all that we should contribute to our communities, no matter what our age.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LIEBERMAN. Mr. President, am I correct that the Senate is now in a period of morning business?

The PRESIDING OFFICER. That is correct.

BUDGET RESOLUTION DELIBERATIONS

Mr. LIEBERMAN. Mr. President, I rise today to speak about the deliberations that are now going on in both Houses of the Congress about the budget resolution, which will be before the Senate certainly some time this week.

This is a most important time in this session and, I believe, is a moment of historic opportunity for our economy.

As I have followed the debate, I have seen questions raised about, where is the Centrist Coalition in the Senate? Where are the so-called moderates? I know some voted for the Senate-passed budget resolution when it came up in the Senate earlier. I think some of those moderates are having second thoughts or are raising questions about the state in which that resolution came out of the conference committee, from which, as we know, Members of the Democratic Party were excluded.

I want to speak with my colleagues today about my own feelings on this budget resolution. I do so as someone who has been a proud founding member of the Senate bipartisan Centrist Coalition, a founding member of the Senate New Democratic Coalition, because I truly believe this budget resolution, as it has come out of the conference committee, challenges and tests each of us on our fundamental views about what Government is about and what, most of all, fiscal responsibility is about.

I have always believed that at the heart of being a so-called centrist or moderate is fiscal responsibility—that we will take care of the people's money here—more than a trillion dollars of it that we have charge of every year—with the same fiscal responsibility that the American people handle their own money in their personal lives, in their families, and in their businesses.

As I looked at this budget resolution that has emerged from the conference committee, it is my strong feeling that it lacks more than just the two missing pages that are now being retrieved. This budget resolution profoundly lacks fiscal responsibility. It will not only do nothing to address the economic downturn that more and more Americans are feeling the pinch and pain of right now; I fear that it will set us on the road back to increasing debt, to budget deficits, to increasing interest rates that go with increasing deficits and debt, and to the rising unemployment and falling investment that go with higher interest rates.

This budget resolution is fiscally irresponsible. It is a tax plan, as colleagues have said, that is trying to look like a budget plan. I will put it this way: It is a tax plan, but it is not what we need, which is a prosperity and progress plan. It does not answer the question of how we continue the prosperity and progress of the last several years.

I want to cite a few concerns I have about this budget resolution as it has emerged from the conference committee, which we will debate this week. First, to the best of my understanding, there is no longer a short-term, immediate economic stimulus component to this budget. During the recent debate on the Senate-passed budget resolution, several of us in both parties spoke to the need for an economic stimulus, as we watched important economic indicators going down. When the budget