

The PRESIDING OFFICER (Mr. STEVENS). Will the Senator withhold that request?

Mr. NICKLES. I withhold it.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. I thank the Chair.

Mr. President, I would like to follow on the comments made by my good friend, the senior Senator from Oklahoma, relative to the bill before this body.

I come to this Chamber as a Senator that represents a State that does not have a single HMO. As a consequence, with our small population, spread over a large land mass, I do not expect to see many HMOs moving into Alaska anytime soon. But I think this fact has led me to perhaps have an objective view, to look at this legislation with more neutral eyes. And what I see troubles me. I think it should trouble all Americans.

We do have a crisis in our health care system. Right now, there are 42.6 million Americans who are uninsured. These individuals lack even the most basic coverage and must continually worry about how they will pay for health care services.

Will they become sick and fall into a situation where they fail to receive proper medical attention? Will they become hospitalized but have their hospital bills drive them into bankruptcy? Should they pay their doctor bills or pay their rent? Which is it? These are the real concerns facing 1 out of every 6 Americans.

With such a staggering number of uninsured, and such real difficulties they could face, why have the proponents of the bill so cavalierly shrugged off the additional costs of this Patients' Bill of Rights? For every 1 percent increase in premiums, 300,000 more Americans will be faced with the reality of being uninsured. That is 300,000. The Congressional Budget Office has estimated that the McCain-Kennedy bill will increase health care premiums by 4.2 percent.

I think Americans need to know more about this matter. Further, more than 1 million people will lose their health care coverage because of this pending bill. Who is going to protect their right to even be a patient? Who will ensure that they will even have access to a doctor? How are they going to have direct access to a hospital or, for that matter, an emergency room? What new rights will 1 million newly uninsured individuals have in this country?

That is the real problem. And there is real concern for all of us. And don't think there won't be a cost for those who are still lucky enough to retain health care insurance. There would be a cost.

Last year, the average family spent \$6,351 on health care expenses. That payment is expected to now go up 13 percent to more than \$7,000, even without the McCain-Kennedy bill. If it is

enacted as it is currently drafted, those families would have to take on even more financial burdens. Newly uninsured individuals will still receive some modest level of care through expensive emergency room visits or hospitalizations. If they are unable to pay, however, this bad debt will be passed on to those among us, and, as a consequence, the Federal Government will also pick up a significant share. We will all pay more when more and more care is delivered to uninsured individuals.

I have talked to some of my constituents in Alaska. One thing is perfectly clear. They want quality health care for their families, not a prime slot on the local court's docket.

Let's not be coy about who is really pushing this legislation. It is the trial lawyers, and the trial lawyers smell blood in the water.

I applaud Senator FRIST and Senator BREAUX, and others, for putting forward a more well-thought-out Patients' Bill of Rights. They have this part right: Americans want to see their doctor and their specialist in a timely and appropriate manner; they do not want to see their employer, who has gone the extra mile to offer health care benefits, dragged into court.

Under the McCain-Kennedy bill, an employer could be subjected to unlimited economic damages, unlimited non-economic damages, and up to \$5 million in punitive damages.

I have served in this body for a little over 20 years. During that time, I have worked to strengthen and support America's small businesses.

I firmly believe that small businesses are the backbone of our economy and represent the ideals that form this great Nation. Those are the folks who take the real risks. The individuals who start a small business are the risk takers. Obviously, it is a very tough process. They have to be the bookkeeper, the timekeeper. They have to be the first aid master. Anything imaginable you have to do yourself in a small business. You don't have a clinic to go to. You don't have all the assets that a large corporation has almost within house.

That any American could work hard, open a business, create hope and opportunity for their families is what small businesses are all about. When they succeed, of course, they hire employees and eventually offer health care benefits. We should not punish them just because they offer these benefits.

The bottom line effect of this legislation is to force employers to either drastically rewrite their health insurance plans or drop coverage altogether. Whose rights are served then?

While McCain-Kennedy may claim to have a copyright on the so-called Patients' Bill of Rights, I think nothing could be further from the truth. Rather, I think we must all understand that

the Frist-Breaux package contains comprehensive patient protections, all without threatening employers. These include:

Guaranteed access to emergency care: As such, a patient can go to the nearest hospital emergency room regardless of whether the emergency room is in their health care plan network or not;

Direct access to OB/GYN care: If OB/GYN care is offered, women can directly access that care;

Direct access to pediatricians: All Americans can choose a pediatrician as their child's primary care doctor;

Access to valuable and beneficial prescription drugs: Physicians and pharmacists will work to develop appropriate drug formulas;

Timely access to specialty care: If a plan lacks a specialist, the patient can go outside the network for no additional cost.

What better protections and rights than access to quality care? Quality care that the more than a million newly uninsured individuals will never, ever receive?

I am grateful that we are debating this bill. I am also grateful that this bill will be subjected to an amendment process. We have a lot of work to do. The first thing we should do is to make sure that employers are not subject to liability simply because they want to care for their employees. Together we can make this a true Patients' Bill of Rights bill. I am committed to having a solid piece of legislation sent to our President for his signature.

NOMINATION OF J. STEVEN GRILES

Mr. MURKOWSKI. Mr. President, I am very concerned. The Energy and Natural Resources Committee has oversight of the Department of the Interior. As a consequence, we have had the responsibility of holding hearings on the nomination of various individuals for the Department of the Interior.

It is rather ironic that the only individual at the Department of the Interior who has been cleared by the Senate in its entirety is Secretary of the Interior Gale Norton. We have had a situation with regard to the Deputy Secretary, Mr. Steven Griles, that deserves some examination by this body.

Mr. Griles was nominated on March 9 by our President. Hearings were held on May 16, as I chaired the Energy and Natural Resources Committee. He was reported favorably out of the committee by a vote of 18-4 on May 23 of this year. All this was prior to the switch by Senator JEFFORDS who made his announcement on May 24. At that time, we immediately began to try to move the nomination. The minority also tried to get a time agreement.

According to the information we have from the floor staff, Griles was

cleared on the Republican side on May 23. In an executive session on May 23, we did move one nomination. On May 24, we moved 19 nominations. On May 25, we moved 33 nominations. On May 26, we moved 8 nominations. In each case, Griles was cleared by the Republican side but objected to by the Democratic side. I wonder why.

During this period, a unanimous consent agreement was offered to allow for 2 hours of debate and a vote—the Democratic side said they needed 2 hours—with consideration the week we were to return from the Memorial Day recess.

That was again rejected by the Democrats, as was a modification that deleted the time certain and only included the time limitation. At that point, it was clear that the Democrats would control the floor and the timing on our return.

Yet in executive session on June 14, we cleared three additional nominations, but the Democrats would not clear Mr. Griles. Why?

As of today, Friday, June 22, Mr. Griles has been pending for 30 days without even a time agreement. Even if the majority leader wants to hold consideration of further nominations hostage in the sense of organizing resolutions, an agreement on time for debate has nothing to do with the resolution and the actual scheduling of the debate.

Who suffers by this politicizing? Obviously, the Department of the Interior as a functioning body, and the public whom the Department of the Interior serves. We have a new Secretary, again, the only person down there who is confirmed. She needs help. I encourage the leadership on the Democratic side to let this nominee go. He has not been nor is he a part of the general holdup on the other nominees because action was taken on him prior to the change in the leadership in the Senate.

I am kind of amused by some of the comments of my colleagues on the other side who indicate a puzzlement, saying there have been no attacks on Griles. They simply have said all the nominations are on hold while the Senate reorganizes because of the switch of the Senator from Vermont.

I think the explanation I have given is not only accurate but gives thought to some of the excuses we have heard from the other side as to their justification. There is no justification.

ENERGY

Mr. MURKOWSKI. Mr. President, I rise to discuss a matter I know is very close to the interests and the heart of my colleague who occupies the chair. That is the issue of energy.

As we look at energy in view of the calendar, it is quite obvious that while energy appears to be the No. 1 issue in the minds of most Americans today, it

certainly is not on the minds of the leadership in the Senate body. Energy is not even on the calendar.

It is my understanding, after the Patients' Bill of Rights, we will probably go to a supplemental. We may have the minimum wage, any number of things. Energy is not on the list.

I can only allude to what I assume is a political evaluation that somehow the Democrats are better off not working in a bipartisan manner to address the corrections that are going to be needed to bring about relief from this energy crisis but would rather object to any action being taken as they blame our President and his association with the energy industry as the cause of some of the problems associated with energy in this country.

When you think about it, you might say the Democrats are waging a war against the prosperity and freedoms associated with the character of this country.

The character of this country, to a large degree, is directly associated with a standard of living. That standard of living is based on affordable energy and a plentiful supply. Energy really powers our Nation's freedom, our national security. It gives us the flexibility to live our lives as we choose, to pursue our hopes and our goals. Energy powers the workplace, moves the economy, moving it forward and bringing all of us along with it.

As we know, as evidenced by the polls, the energy supply and price of energy are all part of the energy crisis in this country. Supplies are threatened, costs are rising, and the resulting crisis is undermining our economy.

When an issue of this magnitude touches so many families in so many ways, Congress simply must act. We must do what we can to help provide solutions to the crisis. But now with the change of leadership, what we seem to have on the other side is a lack of interest in even including energy on the agenda. We have asked the Democratic leadership time and time again to schedule on the calendar time so we can debate the comprehensive energy bills that have been introduced. These bills are pending in the Committee on Energy and Natural Resources, where I am now the ranking member. But the reality is we can't seem to move or get any time agreement or any priority in this body.

It is amazing that the emphasis seems to be blaming our President—a President who has proposed a methodology to fix it. He has developed from his energy task force report specific recommendations. One of the more interesting things is the manner in which some in the media are coming to the general assumption that there really isn't a shortage at all, and that this is something that has been trumped up by the oil industry, big oil, with the knowledge and support of the President.

How ridiculous, Mr. President. I have a chart here that shows why things are different, why this crisis exists. Anybody who suggests there is no crisis is not being realistic.

This is America's energy crisis today. It starts with our increased dependence on foreign oil. We are importing 56 percent of the total oil we consume in this country. In 1973, when we had gas lines around the block, when we had the Arab oil embargo, as a consequence of that, we were 37-percent dependent. We created a Strategic Petroleum Reserve. We felt that we never wanted to exceed 50 percent in imports because it would affect national security. Now we are 56-percent dependent and the Department of Energy says that it will be 66 percent by 2010.

Secondly, natural gas—which we have taken for granted for a long, long time—was about \$2.16 per thousand cubic feet 14 months ago. Today it is \$4, \$5, \$6. It has quadrupled. We are looking for electric energy from the resource of gas. So that has changed.

The nuclear industry—well, we haven't built a new nuclear plant in more than 10 years—nearly 20 years. We licensed a plant approximately 10 years ago. We are not doing anything in nuclear.

We are concerned about air quality and emissions and we are concerned about Kyoto, global warming, climate change. What particular source of energy contributes more relief and does not emit any emissions of any consequence? Nuclear energy. The nuclear industry contributes 22 percent of the power generated in this country. We haven't done a thing in that area.

When we talk about gasoline prices, why are they so high? Obviously, it is the law of supply and demand. Even Congress can't change that. We haven't built a new refinery in 25 years. The last new one was built in my State of Alaska. The demand is up and we have more people driving.

An interesting thing to notice, while we have other sources of energy for power generation, is that America moves on oil. I wish we had another alternative, but we don't. Our ships, our trains, trucks, cars, airplanes—we don't fly in and out of Washington, DC, on hot air. Somebody has to drill the oil and refine it and transport it and put it in the airplanes, and so forth.

My point is clear. We don't have any other alternative for energy to move America, other than oil at this time. The technology simply doesn't exist.

We haven't built a new coal-fired plant in this country since 1995. Suddenly, we find that our electric transmission lines haven't been expanded, our natural gas transmission lines haven't been expanded. That is why we have an energy crisis. That is why it is different than ever before. It has all kind of come together like the "perfect storm." Everything has come together