

stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:36 p.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. INHOFE].

The PRESIDING OFFICER. The Senator from Georgia.

Mr. SESSIONS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. SESSIONS. I object.

The PRESIDING OFFICER. Objection is heard.

The assistant legislative clerk continued the call of the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. The Chair, in his capacity as a Senator from Oklahoma, objects.

Objection is heard.

The clerk will call the roll.

The assistant legislative clerk continued the call of the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. MURKOWSKI. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue the call of the role.

The assistant legislative clerk continued the call of the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### ORDER OF PROCEDURE

Mr. MURKOWSKI. Mr. President, on behalf of the leader, I ask unanimous consent that Senator MCCAIN, Senator BREAUX, and Senator MURRAY be recognized to speak on the issue of pipeline safety for up to 15 minutes, followed by Senator REID for 9 minutes; Senator MURKOWSKI to be recognized to speak for 20 minutes on energy policy; Senator DURBIN for up to an hour on postclosure debate; and that all time be charged to the postclosure debate. Further, I ask unanimous consent that no action occur during the above described time.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, reserving the right to object, I say to my friend from Alaska we would like to proceed on the postclosure debate as rapidly as possible. We have a number of people who want to speak on that. I hope that this afternoon we can move along.

I also ask that the unanimous consent agreement be changed to allow Senator WELLSTONE 5 minutes for purposes of introduction of a bill. He would follow Senator MURKOWSKI.

The PRESIDING OFFICER. Is there objection?

Mr. REID. The ranking member and the chairman of the committee also asked that following Senator WELLSTONE, Senator HATCH be recognized for 30 minutes and Senator KENNEDY be recognized for 30 minutes.

Mr. MURKOWSKI. I have another request that Senator THOMAS be recognized for 5 minutes in the order.

Mr. REID. Democrat, Republican; Democrat, Republican.

Mr. MURKOWSKI. That is fair enough to me.

Mr. REID. I ask, further, that Senator BIDEN be allowed 15 minutes. We would also say, if there is a Republican who wishes to stand in before that, or after Senator BIDEN, they be given 15 minutes.

Mr. MURKOWSKI. I wonder if I could ask the Presiding Officer—so we will have the clarification of the words—to indicate what the unanimous consent request is.

The PRESIDING OFFICER. The Chair would repeat the original unanimous consent request and add to that, Senator WELLSTONE for 5 minutes, Senator HATCH for 30 minutes, Senator KENNEDY for 30 minutes, Senator THOMAS for 5 minutes, Senator BIDEN for 15 minutes, and a Republican to be named later for 15 minutes, alternating from side to side.

That is the amended unanimous consent request.

Mr. MURKOWSKI. I believe Senator THOMAS wanted to follow Senator WELLSTONE with 5 minutes.

Mr. REID. That is fine.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Louisiana.

Mr. BREAUX. Mr. President, thank you.

#### PIPELINE SAFETY LEGISLATION

Mr. BREAUX. Mr. President, I want to take a few minutes to speak to my colleagues in this body as well as to our colleagues in the other body regarding the subject on which the Senate has spent a considerable amount of time; that is, pipeline safety, legislation which passed the Senate by a unanimous vote, with Republicans and Democrats supporting a unanimous consent request to pass this legislation without any dissent and without any arguments against it whatsoever.

On September 9, that bill passed the Senate and is now pending over in the other body where our House colleagues are taking a look at this legislation, trying to figure out what course they should take.

This legislation passed this body by unanimous consent because of the good work for over a year by colleagues in both parties. I particularly commend and thank the chairman, who I understand is coming over from the Commerce Committee, Senator MCCAIN, for his good work and for working with me

as a member of the committee but also taking the rather unusual step of inviting other interested Senators to actually participate in the markup in the Commerce Committee.

I credit Senator MCCAIN for making it possible for Senator MURRAY of Washington to come over and actually sit in on the hearings, which is unusual for a Member, to take the time not only to attend to her duties in her own committee but to take time to listen to witnesses in another committee, which she did sitting at the podium with those of us on the Commerce Committee and also participating in asking questions.

It was a good combination between what Senator MCCAIN allowed, which was a little unusual, and what Senator MURRAY was able to participate in because of her strong interest and because of what has happened in her State with the recent tragic accident involving a pipeline which exploded, resulting in the tragic death of individuals from her State.

The result of those hearings was a compromise piece of legislation, which is a 100-percent improvement over the current situation with regard to how we look at the issue of pipeline safety. This is an issue that is extremely important to my State. We have over 40,000 miles of buried natural gas pipelines in the State of Louisiana.

If you look at a map of our State, it shows all of the buried pipelines. It looks like a map of spaghetti in an Italian restaurant because we have pipelines all over our State transporting the largest amount of natural gas coming from the offshore Gulf of Mexico as well as onshore pipelines that distribute gas not just to the constituents of my State but to constituents throughout the United States who depend upon Louisiana for a dependable source of natural gas. Pipelines in Louisiana are important not just to Louisianians but also to people from throughout this Nation.

The bill we have is one that requires periodic pipeline testing. It says if we can do it from an internal inspection, we will do it that way. If that is not possible, we have to do it with what we call a "direct assessment" of the lines, which actually means companies would have to dig them up and physically inspect the lines.

We require enhanced operator qualifications to make sure the people who are doing the work are trained and have a background in this particular area. We call for investments in technology to look at better ways of doing what is necessary to ensure their safety.

States would be given an increased role. But I have to say that the primary role would be the Federal Government's because these are interstate pipelines we are talking about under the pipeline safety area.

Communities would also be given increased involvement. I think it is important to let them know where the

lines are and that they are being inspected and also to hear their suggestions. They don't regulate the pipeline safety requirements, but they should be involved by being heard.

I think to the credit of everybody, particularly Senator MURRAY, this type of feature involving local community involvement is 100 percent better than it used to be because in the past there was very little involvement whatsoever.

The problem we take to the floor today to talk about is time. This is not rocket science. We don't have a lot of time to complete this bill. We hope our colleagues in the House who use this Senate vehicle will bring it to the floor in the other body and handle it in an expeditious fashion.

I repeat, this bill passed the Senate by a unanimous vote. It should not be controversial. It should be something that our friends and colleagues in the other body, Republican or Democrat, would be able to say we worked together with our Senate colleagues in an equal fashion and came to an agreement that this is good legislation.

It increases the safety of pipelines that are buried throughout the United States to help assure that we will not have some of the tragic events we have had in the past. The companies we have dealt with in my State support this measure. They want some improvements. They have been very helpful in making suggestions, as well as individuals and groups of concerned citizens who have made recommendations. We have taken all of them into consideration. We have a good piece of legislation that we hope our colleagues will be able to take up. Let's get it signed. If we let some of the details guide the actions in the other body, unfortunately, we may end up with nothing instead of a good bill.

I think we should recommend this to our colleagues and do so today.

Mrs. MURRAY. I thank my colleague from Louisiana for his efforts in making sure we pass a bill that will improve the safety of family and children who work or play near pipelines in this country. He is right; the House has an obligation now to take up the bill that we have passed in the Senate and move it forward. I thank him and I agree with his comments.

We have been joined by the chair of the Commerce Committee, Senator McCain, who has done a tremendous job in moving this legislation forward. I personally thank him, as well.

It has been 16 months since a pipeline exploded in Bellingham, Washington and killed 3 young people. Back then, few Americans knew about the dangers of our Nation's aging pipelines. But in the past year—especially after the explosion in New Mexico last month—it became clear that this Congress had to do more to protect the public.

As my colleagues know, it is difficult to reform any major industry in just one year. But it was clear that we couldn't wait any longer to make pipe-

lines safer. We in the Senate had a responsibility to protect the public, and I am pleased that the bill we passed earlier this month will go a long way to making pipelines safer. It is a dramatic improvement over the status quo.

That's why I've been so dismayed by what has happened in the House in recent weeks. The House of Representatives has not passed—or even marked up—any pipeline bill, but some Members have already called our bill inadequate. They also claim that they can pass a better bill this year—with just a few scheduled legislative days left in this Congress. I don't see it happening.

I have worked on this issue for over a year and that's why I want to address those claims—because they are based on three incorrect assumptions. The first fallacy is that the Senate bill will not improve safety. We worked long and hard over many months to pass a strong bill. And this bill will improve safety.

Let's look at some of the provisions. Expanding the public's right to know about pipeline hazards;

Requiring pipeline operators to test their pipelines;

Requiring pipeline operators to certify their personnel;

Requiring smaller spills to be reported;

Raising the penalties for safety violations;

Investing in new technology to improve pipeline safety;

Protecting whistle blowers;

Increasing state oversight; and

Increasing funding for safety efforts.

These are clear improvements over the status quo and they will make pipelines safer. This is not a perfect bill, but we should not make the perfect the enemy of the good. Let's take the steps we can now to improve pipeline safety.

Some also suggest that the Senate bill relies on the Office of Pipeline Safety too much. Now it is clear that OPS has not done its job in the past. That is why this bill requires OPS to carry out congressional mandates. And we in Congress have a responsibility to hold OPS accountable for doing its job. I intend to remain vigilant in this area.

Our bill includes more resources for the agency. And today public scrutiny on the agency—especially after a report by the General Accounting Office and a report I requested from DOT's inspector general—have put the agency under a microscope. I am confident that OPS today has a renewed commitment to safety. And I am pleased our bill includes the right amount of new resources and tools to make pipelines safer.

Let me turn to another assumption that has been made by some.

They suggest this bill could be amended significantly this year. That's a long process even under normal circumstances. And this year there are only a few days left. I don't see how it could happen this year.

So some critics say—we'll start again next year—we'll do better next year.

That means it will be at least a year—maybe longer before the issue is even brought up again.

And how can we have so much faith that we'll get anything stronger—or anything at all—under a new Congress and a new President?

Let me ask a simple question:

Would you take that bet if your family's safety depended on it? I wouldn't. And I don't think we can shirk our responsibility to protect the public this year.

Before I finish, I do want to say something about those who have raised concerns about the Senate bill. They are good people with good motives.

In some cases, they have paid too high a price. They want safer pipelines. That is exactly what I want. Unfortunately, here in Congress—their position ends up “making the perfect the enemy of the good.” And that means no reform at all.

Looking for some “better bill” really means no bill at all this year. Rejecting the Senate bill really means accepting the inadequate, unsafe status quo for at least another year. I don't want another American family to look at this Congress and say, “why did you drop the ball when you were so much closer to improving safety?”

Passing the Senate bill means we will finally get on the road to making pipelines safer. Once we're on that road we can always make course corrections. But we've got to get on that road to start with and that's why I urge my colleagues in the House to pass the Senate bill immediately.

We've got a strong bill. Let's put it into law.

Let me make it clear: It is critical that the House take up this bill this year. Senator McCain has done an outstanding job. We owe the people in my State, New Mexico, and other States that have had accidents, to do the right thing this year. I encourage this Congress to act.

I yield the floor.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Arizona.

Mr. McCain. Mr. President, before she leaves the floor, I thank Senator MURRAY. Without her unrelenting efforts and that of her colleague, Senator GORTON, I know we would not have passed the legislation through the Senate, and I know it would not have been as comprehensive nor as carefully done. I thank the Senator from Washington for her outstanding work, including that on behalf of the families who suffered in this terrible tragedy in her home State. I come to the floor today to once again bring to the attention of my colleagues the urgency of passing and sending to the President pipeline safety improvement legislation. While the Senate acted two weeks ago and passed S. 2438, the Pipeline Safety Improvement Act of 2000, the House has yet to take action on pipeline safety legislation. Despite the efforts of Mr. FRANKS, chairman of the

House Subcommittee on Economic Development, Public Buildings, Hazardous Materials and Pipeline Transportation, who has introduced pipeline safety legislation that is almost identical to S. 2438, the full House has not advanced a pipeline safety bill. Time is running out.

I thank our colleague from Louisiana, Senator BREAUX, for his active participation. His knowledge and expertise on this issue has been essential.

Mr. President, each day that passes without enactment of comprehensive pipeline safety legislation like that approved unanimously by the Senate places public safety at risk. As my colleagues may recall, just prior to Senate passage of the Pipeline Safety Improvement Act, a 12-inch propane pipeline exploded in Abilene Texas, after being ruptured by a bulldozer. That accident resulted in the fatality of a police officer. Sadly, that accident brings the total lives that have been lost in recent accidents to 16.

In Abilene, the victim was a 42-year-old police detective who just happened to pass by in his car as the propane exploded across State Highway 36. Just last month, 12 individuals lost their lives near Carlsbad, New Mexico, after the rupture of a natural gas transmission line. And we cannot forget about last year's tragic accident in Bellingham, Washington, that claimed the lives of three young men.

I repeat what I said two weeks ago during the Senate's consideration of the Pipeline Safety Improvement Act: we simply must act now to remedy identified safety problems and improve pipeline safety. To do less is a risk to public safety and will perhaps result in even more needless deaths.

It is my hope that I will not have to come to this floor again to implore our colleagues in the House to take action. It is not typical for me to urge the other body to take up a Senate bill without modification, but time is running out.

I also point out the strong support of our legislation by the administration.

I will quote from Secretary Slater's press release issued after Senate passage of S. 2438:

I commend the U.S. Senate for taking swift and decisive action in passing the Pipeline Safety Improvement Act of 2000. This legislation is critical to make much-needed improvements to the pipeline safety program. It provides for stronger enforcement, mandatory testing of all pipelines, community right-to-know information, and additional resources.

I further want to point out my disappointment that some in the other body are willing to put safety at risk for what appears to be pure political gain.

I am aware of a series of "Dear Colleagues" transmitted by some in the House harshly criticizing the Senate bill. This same bill, unanimously approved by the Senate, is strongly supported by Secretary Slater for being a strong bill to advance safety. Therefore, I find the criticism by a handful

of House Members quite revealing when one of those harshest critics only last year voted in support of moving a clean 2-year reauthorization of the Pipeline Safety Act out of the House Commerce Committee and the other critic has not taken any action that I have seen to advance pipeline safety during this session. They just don't want a bill because they are betting on being in charge next year. That is the kind of leadership the American people would reject.

I do not consider enacting S. 2438 to be the end of our work in this area. Indeed, I commit to our colleagues to continue our efforts to advance pipeline safety during the next Congress.

I am willing for the committee to continue to hold hearings on pipeline safety and will work to advance additional proposals that my colleagues submit to promote it. But little more can be done in the time remaining in the session. I don't see how it could be possible to move any other pipeline safety bill prior to adjournment. Therefore, it is urgent for the House to act now.

The time is long overdue for Congress and the President to take action to strengthen and improve pipeline safety. We simply cannot risk the loss of any more lives by lack of needed attention on our part. Therefore, I urge my colleagues in the House to join ranks and support passage of pipeline safety reform legislation immediately so we can send the bill on to the President for his signature. Lives are at risk if we don't act now.

I thank my colleagues, and I yield the floor.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, may I ask how much time I am allotted under the unanimous consent agreement?

The PRESIDING OFFICER. The Senator from Alaska is provided up to 20 minutes.

#### ENERGY

Mr. MURKOWSKI. Mr. President, I rise to address the Energy bill which has been introduced by Senator LOTT. We have had a good deal of discussion about this country's continuing dependence on imported petroleum products, particularly crude oil, to the point that currently we are about 58-percent dependent.

As a consequence of the concern over the lack of adequate heating oil supplies, particularly in the eastern seaboard, the President, on the recommendation of the Vice President, made a determination to release about 30 million barrels from the Strategic Petroleum Reserve. That is a significant event.

I question the legality of that action. I question the meaning or significance of that action, but we can get into that a little later in my comments. I am

also going to touch on our realization of the high price of natural gas, following our recognition of our dependence on imported oil.

Oftentimes, we do not see ourselves as others see us. I am going to read a paragraph from the New York Times article of September 26 called "Candidate In The Balance." It is by Thomas L. Friedman.

I quote:

Tokyo. It's interesting watching the American oil crisis/debate from here in Tokyo. The Japanese are cool as cucumbers today—no oil protests, no gas lines, no politicians making crazy promises. That's because Japan has been preparing for this day since the 1973 oil crisis by steadily introducing natural gas, nuclear power, high-speed mass transit and conservation, and thereby steadily reducing its dependence on foreign oil. And unlike the U.S., the Japanese never wavered from that goal by falling off the wagon and becoming addicted to S.U.V.'s—those they just make for the Americans.

I think there is a lot of truth to that. As we reflect on where we are today, I think we have had an acknowledgment at certain levels within the administration that they have been "asleep at the wheel" relative to our increasing dependence on imported oil.

This did not occur overnight. This has been coming on for some time. We can cite specifics over the last 7 or 8 years, and in every section, U.S. demand is outpacing U.S. supply.

We saw crude oil prices last week at a 10-year high—\$37 a barrel—twice what they were at this time last year.

It is rather interesting to note the Vice President's comments the other day that the high price of oil was due to profiteering by big oil. That is certainly a convenient political twist, isn't it—profiteering by big oil. There was no mention that last year big oil was very generously making crude oil available at \$10 a barrel. You think they did that out of generosity? Who sets the price of oil? Does Exxon? British Petroleum? Phillips?

Big oil isn't the culprit; it is our dependence on the supplier. Who is the supplier? The supplier is OPEC, Saudi Arabia, Venezuela, Mexico. They have it for sale. We are 58-percent dependent, so they set the price.

With crude oil at a 10-year high, gasoline prices are once again above \$1.57, \$1.59, in some areas \$2 a gallon.

Natural gas—here is the culprit, here is what is coming, here is the train wreck—\$5.25 to \$5.30 for deliveries in the Midwest next month. What was it 9 months ago? It was \$2.16. Think of that difference.

Utilities inventories are 15-percent below last winter's level. How many homes in America are dependent on natural gas for heating? The answer is 50 percent, a little over 50 percent; that is, 56 million homes are dependent on natural gas in this country. How many on fuel oil? Roughly 11 million.

What about our electric power generation? Fifteen percent of it currently comes from natural gas. What is the increasing demand for natural gas? We