

I am proud of the attitude they bring even now to their work and to their mission, and I am especially proud of the fact that under these circumstances they have been so responsive, courageous, and upbeat.

I simply want to encourage all colleagues to continue to conduct their work with the knowledge that we are taking every step and we will take additional steps as we become more aware of what can be done in a preventive way to deal with these circumstances in the future.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Alaska, Mr. MURKOWSKI.

Mr. MURKOWSKI. I thank the Chair.

In regard to the comments by the majority leader, when I left my office we had found a very strange envelope, which appeared with no postage, that was apparently left in the office with no identification. We contacted the Capitol Police and were advised there would be someone on the scene very soon.

When I left the office, the police were in the office. They were waiting for the specialist to come over to identify the particular envelope. We were advised at that time we were No. 12 on the list of official notices that had been given to the Capitol Police relative to strange, unidentified postal packages or letters that have come in.

I wish to emphasize we have no indication of what was in this particular article. It was not mailed. It did not have stamps. Nevertheless, I think it represents the precautions that are necessary to be taken.

Again, I do not want to alarm anyone, but I commend the Capitol Police for the manner in which they came on the scene with instructions. I think all offices received instructions today on how to handle mail.

Mr. President, I ask unanimous consent that I may speak as in morning business for 15 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Alaska is recognized for 15 minutes.

#### NOMINATIONS

Mr. MURKOWSKI. Mr. President, I listened very carefully to the comments from the majority whip relative to the next business at hand, the foreign operations appropriations bill and the issue of holding that up because of judges. It is my understanding that there are 52 judges in committee. Currently, 8 have been passed out of committee. It seems the committees could work more expeditiously to get the judges out of committee so we can address them. I understand 12½ percent of all Federal judicial positions are open at this time. As I indicated, there are 52 pending nominations with only 8 confirmations.

The reality is the committees have a lot of work to do. I encourage, as a consequence of that, they be expeditious

so we can get on with the business at hand.

#### HOMELAND ENERGY SECURITY

Mr. MURKOWSKI. Mr. President, I will be speaking each day this week on the issue of homeland energy security. I have come before the Senate on many occasions to discuss our needs for national energy in this country, some form of a national energy policy. I think my colleagues' focus for the most part is on the issue of opening and exploring that small sliver of the 19 million acres known as ANWR, an area the size of the State of South Carolina. This is a sliver because it represents roughly 1.5 million acres open for exploration that only Congress can allow, and the realization in the House-passed bill that there was only an authorization of 2000 acres, not much bigger than a small farm. This is the issue of opening up ANWR in my State of Alaska.

Last spring, for example, Senator BREAUX and I proposed a comprehensive bipartisan energy policy with some 300 pages. All that most people focused on was the two pages remitted to opening ANWR. I am a man of few words. It is fair to say some of the radical environmental groups have used ANWR as a cash cow in that they have milked it for all it is worth from the standpoint of membership and dollars. It is a great issue because it is far away—the American people cannot see for themselves and understand and appreciate the dimension, size, and magnitude nor the response we had in producing Prudhoe Bay, which could be transferred to the ANWR area.

ANWR will be opened. The radical environmental groups will move on to another issue in the course of future action. Nevertheless, this discussion is not just about ANWR. I am not in favor of opening ANWR simply because it is the right thing to do for my State or it is the right thing to do for the Nation. My concern with our increasing dependence on unstable sources of energy is not a smokescreen for narrow political gain. I am in fear of opening ANWR simply as an integral part of our overall energy strategy, a policy balance between production and conservation.

I was pleased to note the President's remarks a few days ago when he commented: There are two other aspects of a good, strong, economic stimulus package, one of which is trade promotion authority, and the other is an energy bill. Now there was a good energy bill passed out of the House of Representatives, and the reason it passed is because Members of both parties understood an energy bill was not only good for jobs or stimulus, it is important for our national security to have a good energy policy.

I urge the Senate to listen to the will of the Senators and move a bill that will help Americans find work and also make it easier for all of us around this

table to protect the security of the country. The less dependent we are on foreign sources of crude oil, the more secure we are at home. We have spent a lot of time talking about homeland security. An integral piece of homeland security is energy independence, and I will ask the Senate to respond to the call to get an energy bill moving.

The facts speak for themselves. In 1973, we were 37 percent dependent on foreign oil and the Arab oil embargo brought us to our knees. How quickly we forget about gas lines around the block. In 1991, we fought a war with Iraq largely over oil. We spent billions and billions of dollars to keep Saddam Hussein in check largely in order to keep a stable source of supply coming from the Persian Gulf.

I ask unanimous consent to have printed in the RECORD an editorial from October 11 in the Washington Post by Robert Samuelson.

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

[From the Washington Post, Oct. 11, 2001]

#### NOW DO WE GET SERIOUS ON OIL?

(By Robert J. Samuelson)

If politics is the art of the possible, then things ought to be possible now that weren't before Sept. 11. Or perhaps not. For three decades, Americans have only haphazardly tried to fortify themselves against a catastrophic cutoff of oil from the Middle East, which accounts for about a third of world production and two-thirds of known reserves. Little seems to have changed in the past month, although the terrorism highlighted our vulnerability. Oil is barely part of the discussion.

Over the past 30 years, we have suffered Middle East supply disruptions caused by the Yom Kippur War of 1973, the fall of the shah of Iran in 1979 and Iraq's invasion of Kuwait in 1990. We have fought one war for access to oil—the Persian Gulf War. How many times do we have to be hit before we pay attention? No one can foresee what might lead to a huge supply shutdown or whether the present attack on Afghanistan might trigger disastrous changes. A collapse of the Saudi regime? A change in its policy? Massive sabotage of pipelines? Another Arab-Israeli war? Take your pick.

Even if we avoid trouble now, the threat will remain. In 2000 the United States imported 53 percent of its oil; almost a quarter of that came from the Persian Gulf. Weaning ourselves from Middle Eastern oil would still leave us vulnerable, because much of the rest of the industrial world—Europe, Japan, Asia—needs it. Without it, the world economy would collapse. Of course, countries that have oil can't benefit from it unless they sell it. The trouble is they can sell it on their terms, which might include a large measure of political or economic blackmail.

They, too, run a risk. Oil extortion might provoke a massive military response. It is precisely because the hazards are so acute and unpredictable for both sides that Persian Gulf suppliers have recently tried to separate politics from oil decisions. (Indeed, prices have dropped since the terrorist attacks.) But in the Middle East, logic is no defense against instability. We need to make it harder for them to use the oil weapon and take steps to protect ourselves if it is used.

The outlines of a program are clear:

Raise CAFE ("corporate average fuel economy") standards. America's cars and light

trucks—pickups, minivans and sport-utility vehicles—consume a tenth of annual global oil production, about 8 million barrels a day out of 77 million. Tempering oil demand requires lowering the thirst of U.S. cars. The current CAFE standards are 27.5 miles per gallon for cars and 20.7 mpg for light trucks. With existing technologies, fuel economy could be raised by 17 percent to 36 percent for cars and by 27 percent to 47 percent for light trucks without harming safety and performance, according to the National Research Council. Changes would have to occur over a decade to give manufacturers time to convert.

Impose a gasoline or energy tax. People won't buy fuel-efficient vehicles unless it pays to do so. Cheap gasoline prices also cause people to drive more. An effective tax would be at least 35 cents to 50 cents a gallon. It ought to be introduced over two or three years beginning in 2003. (To impose the tax would worsen the recession.) A 50-cent-a-gallon tax might raise about \$60 billion a year. Some of this might be returned in other tax cuts; some might be needed to cover higher defense and "homeland security" costs.

Relax restrictions against domestic drilling. The other way to dampen import dependence is to raise domestic production. It peaked in 1970 and since then has dropped about 28 percent. The easiest way to cushion the decline is to open up areas where drilling is now prohibited, including the Arctic National Wildlife Refuge (ANWR) and areas off both the Atlantic and Pacific coasts. This would aid both oil and natural gas production.

Expand the Strategic Petroleum Reserve. Tapping the SPR is the only way to offset a huge oil loss until a military or diplomatic solution is reached. Created in 1975, the SPR was envisioned to reach 1 billion barrels. At the end of 2000, it had 541 million barrels, roughly where it was in 1992. The failure to increase the SPR in the Clinton years was astonishingly shortsighted. When oil prices are low—as now—the SPR should be slowly expanded to at least 2 billion barrels. Other industrial countries should also raise their oil stocks.

What prevents a program such as this is a failure of political imagination. There ought to be a natural coalition between environmentalists and defense groups. Environmentalists want to reduce air pollution and greenhouse gas emissions. Defense groups want to limit our vulnerability to oil cutoffs or blackmail. A common denominator is the need to control cars' gasoline use. But these groups aren't allies, because their dogmas discourage compromise. Environmentalists don't like more drilling in places such as ANWR, despite modest environmental hazards; and defense types (read: the Bush administration) want to expand production and dislike CAFE, because it compromises the freedom they seek to defend. Both shun unpopular energy taxes.

The American way of life doesn't depend on \$1 or \$1.50 gasoline. It does depend on reliable sources of energy. Unless vast reserves are discovered outside the Middle East—or new technologies eliminate the need for oil—the world's dependence on fuel from the Persian Gulf seems destined to grow. The dangers have been obvious for years, and our failure to react ought to be a source of deep national embarrassment. This is a long-term problem; anything we do now won't have significant effects for years. But if we fail to heed the latest warning, the neglect would be almost criminal.

Mr. MURKOWSKI. In this article he rightly points out:

Even if we avoid trouble now, the threat will remain. In 2000 the United States imported 53 percent of its oil.

I pointed out that factually, it was 56 percent and will be closer to 62 percent in the next few years, according to the Department of Energy, with the biggest increase coming from the Persian Gulf. Mr. Samuelson points out the terrible threat to our economic stability created by this state of affairs.

I don't necessarily draw the same conclusions, but I agree we need a comprehensive program to address the situation. There are those who tried to shut down the discussion on energy that are so bound to narrow parochial interests of one group that they refuse to address the clear and evident need for energy now. What we need is a balanced policy based on conservation and increasing our own domestic production. These are solutions that are available and as a consequence we must look to develop these solutions—not a moratorium on discussion of what that balance will mean. I fear we will not address this situation until it is too late. That seems to be the case.

I fear the United States is in denial about the reality of the situation. What is it going to take to wake up? Is it going to take another crisis, the overthrow of our friends in the gulf? We know that Saudi Arabia, one of our staunchest allies in the gulf, has told the United States that it is unable to cooperate in freezing the assets of bin Laden and his associates. What kind of signal does that send us? The money supply is his lifeline. Evidently, bin Laden is still intact. The Saudi regime is providing little help to Federal investigators with background checks on suspected terrorists. The Saudi Government, as we have learned, has also asked Britain's Prime Minister, Tony Blair, to stay away for the time being and not visit the Kingdom as part of its efforts to build support for the international coalition against terrorism. What kind of a signal is that? I understand why the Saudi regime is uncomfortable with being helpful in our efforts to track down bin Laden, and I can understand why the Saudis are uncomfortable, seemingly overfriendly to the United States at this time. There is a sizable constituency in Saudi Arabia that supports bin Laden, and we know that.

By overtly choosing sides against him, the regime would endanger its own rule. But by siding with the United States, the Saudis risk an uprising which could make the ones going on in Pakistan, Israel, and Indonesia right now look very tame.

The Saudis are rightly worried about their political future, and I can understand that. But I also suggest if the Saudis are worried about the stability of their regime, then we should be worried, too. If the Saudis, from whom we get 16 percent of our oil, view our close relationship as destabilizing, we should, too.

It is interesting to look at where we get our oil. Let me show you this chart. This is pretty much where the inputs into the United States come

from. There are about 6 million barrels a day coming into the United States. Saudi Arabia is the largest contributor at about 1.7 million barrels, then Libya, Nigeria, Venezuela, Indonesia, Bahrain, Iraq, Kuwait, the United Arab Emirates, Qatar, and so forth.

The interesting thing is the significance of the oil that we seem to be getting from Iraq. It is a little over 1 million barrels a day. It was 862,000. Lest we forget, we are enforcing a no-fly zone over Iraq. From our friend Saddam Hussein, who since the Persian Gulf war has been a thorn in our side, we are importing nearly 1 million barrels a day. We are taking his oil, putting it in our aircraft and enforcing a no-fly zone in the air, which is very similar to a blockade, in theory.

What is he doing with our money? We know he takes the money for the oil and obviously pays his Republican Guard that contribute to his livelihood, or he develops a missile capability with biological warfare capability and for all practical purposes may aim it at Israel. So here we are taking the oil, fueling his aircraft, we bomb some of his sites. Aspects of that are associated, realistically, with where we have vulnerability. The vulnerability of our country speaks for itself.

Before I go to a couple more charts, I wish to identify our reliance on the Persian Gulf in the sense we rely on the Persian Gulf to get our children to school in the morning, inasmuch as our fuel comes from there; we get the food from the farms, inasmuch as the oil fuels our tractors; and to heat our homes in the winter.

There are some in this body who believe the urgency behind the development of energy policy faded on that disastrous day of September 11. There are those who would put aside the energy issue and move to more pressing affairs. I cannot disagree more. Mark my words, energy is front and center on the war on terrorism. If you go back and find out where terrorism is being funded, it is being funded indirectly through Mideast oil.

Bin Laden refers to oil as Islamic wealth. He believes the United States owes Muslims \$36 trillion because we paid artificially low prices for energy.

I think we are becoming more and more aware of bin Laden's writings. I ask unanimous consent to print an article bylined Donna Abu-Nasr, under the headline, "Bin Laden's Past Words Revisited."

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

[From the Associated Press, Sept. 28, 2001]

BIN LADEN'S PAST WORDS REVISITED

(By Donna Abu-Nasr)

All American men are the enemy, Osama bin Laden says. And the United States owes Muslims \$36 trillion, payback for "the biggest theft" in history—the purchase of cheap oil from the Persian Gulf.

A book with that and more of bin Laden in his own words has been snapped up by Arabic

readers in the weeks since he was named the No. 1 suspect in the Sept. 11 suicide bombings in New York and Washington. The book, "Bin Laden, Al-Jazeera—and I" by Jamal Abdul Latif Ismail, includes a 54-page transcript of the complete 1998 interview that was broadcast in abbreviated form on Al-Jazeera, a popular television program. Al-Jazeera has rebroadcast its version of the interview, conducted by Ismail, since the attacks. Those hungry for more often found copies sold out in book stores across the Mideast. Readers have been borrowing and photocopying the book from friends.

Bin Laden spoke to Ismail in a tent in mountainous southern Afghanistan four months after the August 1998 bombings of two U.S. embassies in Africa—attacks in which he's also a suspect.

Bin Laden began the interview with personal notes, saying he was born 45 years ago, in the Muslim year of 1377, in the Saudi capital of Riyadh. The family later moved between the two holy cities of Mecca and Medina and the port city of Jiddah.

Bin Laden's father, Muhammad, who was born in the Yemeni region of Hadramawt, was a prominent construction magnate who built the major mosques in Mecca and Medina and undertook repairs on Jerusalem's Dome of the Rock. He died when bin Laden was 10.

After getting a degree in economics at a university in Jiddah, bin Laden joined his father's company before beginning his road to jihad.

Even before President Bush mentioned the word "crusade" in describing the anti-terror campaign, bin Laden was using that term to describe alleged U.S. intentions against Muslims.

"There's a campaign that's part of the ongoing Crusader-Jewish wars against Islam," bin Laden told Ismail.

Asked about his 1998 fatwa, or edict, urging Muslims to target not only the U.S. military, but also American civilians, bin Laden said only American men were the target. "Every American man is an enemy whether he is among the fighters who fight us directly or among those who pay taxes," bin Laden said.

Bin Laden claimed Western attacks on Arabs, such as the British-U.S. bombings of Iraq, were directed by Israelis and Jews who have infiltrated the White House, the Defense Department, the State Department and the CIA.

His views on other issues:

—On reports he was trying to acquire chemical, biological and nuclear weapons, bin Laden said:

"At a time when Israel stores hundreds of nuclear warheads and bombs and the Western crusaders control a large percentage of these weapons, this should not be considered an accusation but a right. . . . It's like asking a man, 'Why are you such a courageous fighter?' Only an unbalanced person would ask such a question.

"It's the duty of Muslims to own (the weapons), and America knows that, today, Muslims have acquired such a weapon."

—On whether he's ready to stand trial in an Islamic court: "We are ready at any time for a legitimate court. . . . If the plaintiff is the United States of America, we at the same time will sue it for many things. . . . it committed in the land of Muslims."

—Bin Laden denied he was behind the 1998 embassy bombings, but acknowledged he "has incited (Muslims) to wage jihad."

—Asked about the freezing of his assets, bin Laden said even though the United States has pressured several countries to "rob us of our rights," he and his followers have survived. "We feel that the whole universe is with us and money is like a passing

shadow. We urge Muslims to spend their money on jihad and especially on the movements that have devoted themselves to the killing of Jews and the crusaders."

—On the U.S.-backed fight against the Soviet presence in Afghanistan: "Those who waged jihad in Afghanistan. . . . knew they could, with a few RPGs (rocket-propelled grenades), a few anti-tank mines and a few Kalashnikovs, destroy the biggest military myth humanity has even known. The biggest military machines was smashed and with it vanished from our minds what's called the superpower."

—Asked about the money the United States put on his head, bin Laden said: "Because America worships money, it believes that people think that way too. By Allah, I haven't changed a single man (guard) after these reports."

—Bin Laden claimed the United States has carried out the "biggest theft in history" by buying oil from Persian Gulf countries at low prices. According to bin Laden, a barrel of oil today should cost \$144. Based on that calculation, he said, the Americans have stolen \$36 trillion from Muslims and they owe each member of the faith \$30,000.

"Do you want (Muslims) to remain silent in the face of such a huge theft?" bin Laden said.

—His message to the world: "Regimes and the media want to strip us of our manhood. We believe we are men, Muslim men. We should be the ones defending the greatest house in the world, the blessed Kaaba. . . . and not the female, both Jewish and Christian, American soldiers." Bin Laden was referring to the U.S. troops that have deployed in Saudi Arabia since 1990 following Iraq's invasion on Kuwait.

"The rulers in the region said the Americans would stay a few months, but they lied from the start. . . . Months passed, and the first and second years passed and now we're in the ninth year and the Americans lie to everyone. . . . The enemy robs the owner, you tell him you're stealing and he tells you, 'It's in my interest.'

"Our goal is to liberate the land of Islam from the infidels and establish the law of Allah."

Mr. MURKOWSKI. I will just refer to two very short paragraphs.

All American men are the enemy, Osama bin Laden says. And the United States owes Muslims \$36 trillion, payback for "the biggest theft" in history—the purchase of cheap oil from the Persian Gulf.

It further goes on to say:

Bin Laden claimed the United States has carried out the "biggest theft in history" by buying oil from Persian Gulf countries at low prices. According to bin Laden, a barrel of oil today should cost \$144. Based on that calculation, he said, the Americans have stolen \$36 trillion from Muslims and they owe each member of the faith \$30,000.

If there is any motivation in the connection of oil, I remind you of that.

Control of Arab oil is the core of bin Laden's philosophy and at the heart of Saddam Hussein's politics. There is no question about it; oil is the key, not only to bin Laden but Saddam Hussein. Our Achilles' heel in this war is our dependence on foreign oil. Bin Laden knows it. Saddam Hussein knows it.

That the Senate does not yet seem to know it is to our immense discredit. I hope I have helped enlighten us a little bit today. That we do not recognize it and did not recognize it on September 11 is to our immense discredit. If we do not recognize it soon, God help us all.

I thank the Chair.

The PRESIDENT pro tempore. The Senator from Oregon, Mr. WYDEN.

#### PROHIBITING UNDERCOVER INVESTIGATIONS

Mr. WYDEN. Mr. President, today I rise to say the national antiterrorism legislation passed by this body is in grave danger of being rendered useless. The bill passed by this body corrected an immediate and severe impediment to the undercover investigations that must be employed to shut down terrorism in our Nation. The antiterrorism bill passed by this body included legislation introduced by Senator LEAHY, Senator HATCH, and myself that would untie the hands of Federal prosecutors in my home State of Oregon and remove the roadblocks that currently all but prohibit undercover investigations there.

Unfortunately, the antiterrorism legislation passed by the House strips that provision and rips back open the enormous loophole that potentially makes Oregon a safe haven for dangerous criminals and terrorists everywhere.

For more than a year now, State and Federal prosecuting attorneys in Oregon have been legally prohibited from advising or participating in law enforcement undercover investigations. Without advice of counsel, law enforcement operatives cannot conduct wiretaps, sting operations, or infiltrate dangerous criminal operations. Covert investigations in my State have been shut down for more than a year. If the Senate does not insist on antiterrorism language to restart these investigations in Oregon, the national antiterrorism legislation will not be national at all; it will cover 49 States and it will give dangerous criminals, including terrorists, not just a license but practically an engraved invitation to set up shop in Oregon with little fear of detection or apprehension through undercover or covert methods. It would endanger, not just the people of my State but all Americans.

I wish to explain briefly how this situation came about. It started here in Washington in 1998. An amendment to the omnibus appropriations bill started the ball rolling in Washington, DC. A McDade-Murtha amendment required Federal prosecutors to abide by the State ethics laws and rules in the State in which they work. In Oregon, the State bar association enacted a disciplinary rule making it unethical for attorneys to take part in any practice involving "deceit or misrepresentation of any kind."

When an Oregon attorney misrepresented his identity to investigate a claim, the State supreme court found him guilty of an ethics violation. The McDade-Murtha amendment backed that up. It became very clear no matter how vital the investigation, no matter how great the need, no matter how dangerous the criminals, attorneys—including Federal, State, and