

EXECUTIVE SESSION

MOTION TO PROCEED

Mr. REID. I now move to consider the nomination of William Baxter of Tennessee to be a member of the Board of Directors of the Tennessee Valley Authority, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

Mr. REID. I announce that the Senator from North Dakota (Mr. CONRAD), the Senator from North Carolina (Mr. EDWARDS), and the Senator from California (Mrs. FEINSTEIN) are necessarily absent.

Mr. NICKLES. I announce that the Senator from Pennsylvania (Mr. SPECTER) and the Senator from New Hampshire (Mr. SMITH) are necessarily absent.

I further announce that if present and voting the Senator from New Hampshire (Mr. SMITH) would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 342 Leg.]

YEAS—95

| | | |
|--------------|------------|-------------|
| Akaka | Dorgan | Lugar |
| Allard | Durbin | McCain |
| Allen | Ensign | McConnell |
| Baucus | Enzi | Mikulski |
| Bayh | Feingold | Miller |
| Bennett | Fitzgerald | Murkowski |
| Biden | Frist | Murray |
| Bingaman | Graham | Nelson (FL) |
| Bond | Gramm | Nelson (NE) |
| Boxer | Grassley | Nickles |
| Breaux | Gregg | Reed |
| Brownback | Hagel | Reid |
| Bunning | Harkin | Roberts |
| Burns | Hatch | Rockefeller |
| Byrd | Helms | Santorum |
| Campbell | Hollings | Sarbanes |
| Cantwell | Hutchinson | Schumer |
| Carnahan | Hutchison | Sessions |
| Carper | Inhofe | Shelby |
| Chafee | Inouye | Smith (OR) |
| Cleland | Jeffords | Snowe |
| Clinton | Johnson | Stabenow |
| Cochran | Kennedy | Stevens |
| Collins | Kerry | Thomas |
| Corzine | Kohl | Thompson |
| Craig | Kyl | Thurmond |
| Crapo | Landrieu | Torricelli |
| Daschle | Leahy | Voinovich |
| Dayton | Levin | Warner |
| DeWine | Lieberman | Wellstone |
| Dodd | Lincoln | Wyden |
| Domenici | Lott | |
| NOT VOTING—5 | | |
| Conrad | Feinstein | Specter |
| Edwards | Smith (NH) | |

The motion was agreed to.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. DORGAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. 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.

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

NOMINATIONS OF WILLIAM BAXTER TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that the nomination of William Baxter for both TVA positions be confirmed en bloc, the motions to reconsider be laid on the table en bloc, the President of the United States be immediately notified of the Senate's action, and the Senate return to legislative session.

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

The nominations were considered and confirmed en bloc as follows:

TENNESSEE VALLEY AUTHORITY

William Baxter, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for the term expiring May 18, 2011.

William Baxter, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for the remainder of the term expiring May 18, 2002.

Mr. FRIST. Mr. President, I rise to speak in support of the confirmation of Bill Baxter to be a member of the Tennessee Valley Authority's Board of Directors.

The Tennessee Valley Authority has played and will continue to play a critical role in the future of Tennessee and the entire TVA region. TVA is the Nation's largest public power producer serving over 8.3 million customers through its 158 distributors with revenues of \$7 billion annually. In addition, TVA manages the fifth largest river system in the country.

Over the last 7 years as a Senator from Tennessee, I have come to realize that TVA is more than a power public company, more than steward of a river system, it is an integral part of the valley's economy and community.

An organization of this size with such an important role must have the very best leadership and management team in place. The board must be able to lead the organization into a future which presents many challenges including inevitable restructuring of the electric industry, addressing air quality issues, and managing TVA's debt.

I am pleased that President Bush has nominated an individual who has the experience and the skills to help lead TVA into this dynamic future. In addition, I have known Bill for most of the last decade and can personally attest to his intelligence, integrity, and ability. Simply stated, Bill Baxter is the right man for the job.

A TVA Director must fill three needs for the agency that Bill Baxter fits exceptionally well: business acumen, a commitment to public service, and leadership skills that will benefit the entire Valley. I will elaborate briefly

on each of these. Bill is a business man, and a good one, who for over 20 years has shown he knows how to manage a company and meet a bottom line. He is chairman of Holston Gases, Inc., a distributor of propane, industrial, medical, and laboratory gases. Holston Gases, Inc., has eight distribution facilities throughout middle and east Tennessee.

Bill is a public servant who knows the importance of economic development. He served as Commissioner of the Tennessee Department of Economic and Community Development for several years, returning to his family business early this year. During his tenure in State government, Tennessee achieved 3 consecutive years of record private capital investment and job creation, shattering all previous records and winning national acclaim.

Bill is also a community leader who knows that a successful community must have citizens who are willing to give of themselves. That is why Bill has served as United Way chairman, board chairman for the Knoxville Zoo, and in a variety of other civic and philanthropic roles. He is also extremely loyal to his college alma mater, Duke University, where you will find him in the stands during basketball season.

Bill's energy knows no bounds; his ability to assess a situation and make good business decisions is second to none; and as a life-long Tennessean, he deeply cares about the Tennessee Valley. For Bill Baxter, the opportunity to serve on the TVA Board is a life-time dream come true.

Bill's background in business, government and as a community leader will be a great addition to the TVA Board, and I know he is looking forward to joining Chairman Glenn McCullough and Director Skila Harris as quickly as possible. Mr. Baxter comes before the Senate with my full confidence and highest recommendation.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that I be allowed to speak in morning business for not more than 10 minutes.

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

Mr. MURKOWSKI. I thank the Chair.

ENERGY SECURITY

Mr. MURKOWSKI. Mr. President, I wish to address some comments made by the majority leader this morning. Comments made by the majority leader this morning indicated he was postponing consideration of energy legislation until next year. I do not believe this is being responsive to the security needs of this Nation. As we know, the

House has passed comprehensive energy legislation. It has now been almost 6 months since the administration transmitted its report and recommendations on national energy policy to the Congress.

I do not think there is any question that had it not been for that the change of leadership in the Senate, we would have had energy legislation completed before the August recess.

When we left for the Thanksgiving recess, we assumed we would return to consider the stimulus legislation, followed by appropriations bills and items related to terrorism. The majority leader has stated that the energy legislation would come to the floor as soon as issues relating to the terrorist attacks of September 11 were addressed. Now we seem to have a change, again. The majority leader has announced we will turn to the railroad retirement bill and the farm bill this week before we return to energy.

I ask my colleagues: Is railroad retirement more important to our Nation's security than protecting our Nation's energy supply? Is the farm bill more important to protecting our Nation's security? This is like Lucy pulling the football from Charlie Brown. It seems the majority leader can always find something else to do rather than address the critical energy needs of this Nation and the energy security threat.

We see new threats appearing. I find this terribly disturbing, especially in light of two recent events that could jeopardize our national security. First was the announcement yesterday by the Attorney General that there was reason to believe that threats exist against our Nation's natural gas supplies should bin Laden be captured or killed. Second is the strong statement by the administration against Saddam Hussein and Iraq about their continuing efforts to develop weapons of mass destruction.

I need not remind this body, as I have often said, that we import a significant amount of oil from Saddam Hussein—more than 1 million barrels per day in September alone. Just last week two Navy sailors were killed defending against Iraq's illegally smuggling oil.

I am going to quote from an article that appeared in an Alaska paper and is entitled "Iraqi oil: 2 sailors die":

For reasons mysterious to us, a few Alaskans become irrational when it is suggested that oil from ANWR would be preferable to oil imported by the U.S. from Iraq. Anything, it seems, is better than opening the Arctic National Wildlife Refuge.

Well, maybe not anything. Everyone surely must be heartsick over the loss of two American Navy men a few days ago when a rusty tanker smuggling 12,000 barrels of Iraqi oil sank in the North Arabian Gulf.

The two sailors from the USS Peterson boarded the overloaded rust-bucket as part of the U.S. effort to prevent Iraq from illegally diverting oil to shady foreign buyers, who resell it on the spot market—with much of it winding up in American refineries.

When the tanker, the Samra, went down, it took with it four Iraqi crewmen and the

American sailors. The oil was in tanks hidden under bags of grain in the hold.

At the risk of further angering opponents of opening ANWR, we point out that Petty Officer 1st Class Vincent Parker, 38, of Preston, Miss., and Petty Officer 3rd Class Benjamin Johnson, 21, of Rochester, N.Y., died because our own domestic oil resources are not sufficiently developed.

It seems we have a grave inconsistency. On one hand, we are importing oil from Iraq; on the other, enforcing a no-fly zone. And now we have had the loss of two Navy sailors defending against Iraq's illegal oil.

Should an attack on our natural gas supplies occur or should there be some disruption in our supply of imported energy, we will see energy prices skyrocket and risk seeing our recession quickly turn into a depression.

Should this occur, I hope the American people will understand the majority leader's position that they will just have to wait until next year for some relief on energy legislation.

I was also quite surprised to hear the majority leader state that all committees of jurisdiction have had the opportunity for input on the legislation he will introduce when, in fact, just the opposite is true.

In order to frustrate the will of Senators, the majority leader had to resort to the extraordinary measure of closing one of the standing committees of the Senate, the Committee on Energy and Natural Resources, so that it would not report partisan energy legislation.

Despite the requirements of both the Senate and committee rules that we hold business meetings at least monthly, we have been forbidden to meet and, in fact, have not had a business meeting since the August recess. I ask: Is this allowing the Senate to work its will?

Now that the majority leader has postponed consideration of comprehensive energy legislation, will he allow the Energy and Natural Resources Committee to consider this legislation? That appears pretty evident.

I respectfully suggest the majority leader lift his prohibition on our committee so we can hold a business meeting to immediately consider this legislation. I do not think it will take the committee more than one business meeting to report an amendment or amendments to the Senate. If the majority leader introduces his version this week and allows the Energy Committee to meet next week, I am confident we will be able to report bipartisan legislation in time for consideration by the full Senate.

Should this not occur, I believe it to be my obligation as ranking member of the Energy and Natural Resources Committee to bring the debate about our Nation's energy security to the floor of the Senate as soon as possible, using whatever procedural means are available. I alert all my colleagues that it is my intent to use whatever means are necessary to get an energy bill before this Senate before we recess.

I further remind my colleagues, as we look at a stimulus package, there is no better stimulus than the ANWR issue in the energy bill. Where else are you going to generate about 250,000 jobs in this country? Where else are you going to generate about \$3 billion in revenue from lease sales? And where else are you going to do this without the cost to the taxpayers of any amount of money?

This is a money generator. It is a jobs issue. The Senate should move on this issue expeditiously.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from Massachusetts.

Mr. KERRY. Madam President, what is the matter before the Senate?

The PRESIDING OFFICER. The motion to proceed to H.R. 10 is the pending question.

Mr. KERRY. I ask unanimous consent that I be permitted to proceed as in morning business.

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

SENSIBLE ENERGY POLICY

Mr. KERRY. Madam President, at some point that is appropriate—this is not the time; I might do it after I ask unanimous consent and speak on some other business—I certainly would want to speak to the issue the Senator from Alaska has raised a number of times on the floor of the Senate.

I will say, a moment ago he asked the question: Where else are you going to provide 250,000 jobs a series of times? The fact is, there is a sensible energy policy for this country and a way to provide many more than 250,000 jobs by properly pursuing a series of measures other than violating the Arctic National Wildlife Refuge. It is such a false premise, such a false offering for jobs that it really obviates most of the commonsense approaches to energy that the Senate has yet to debate.

I very much look forward to the debate the Senator promises us. It will be a good debate. There are millions of jobs awaiting Americans in a sensible energy approach, and millions of Americans understand that and are waiting for us to move to that approach as rapidly as possible.

What is really interesting about the debate about the Arctic wildlife refuge, so much as there is a debate, is that not a drop of oil is going to come in the near term and answer any of the immediate needs of national security with respect to our dependency.

Moreover, most of the world's reserves are everywhere else but the United States. So whatever Alaska has to offer, we have great respect for Alaska. We love the 95 percent of the oil shelf that is available for drilling. It is not going to be a literal drop in the bucket with respect to the independence issue or the global price of oil. So these are all issues that await us.