

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.

It is an important debate for the country to have. There will be no difference in the outcome whether that debate takes place in December or takes place in January, as the majority leader has promised us. So I anticipate the budget of this country, which still awaits action by the Senate, and the Defense appropriations bill itself, which is important to the funding of our troops immediately, ought to take precedence over that other debate which incidentally has been begging for its proper attention for some 30 years or more.

I do not think another month is going to make all that much difference in the outcome. So I do look forward to it.

UNANIMOUS CONSENT REQUEST—
S. 1499

Mr. KERRY. Madam President, Senator BOND and I have been trying to bring S. 1499 before the Senate since it was introduced, but literally for more than 1 month steadily, we have been held up, depriving the Senate of an appropriate debate and depriving us of an opportunity to achieve maybe 90 to 95 votes for this legislation.

I ask unanimous consent that the Senate now proceed to Calendar No. 186, S. 1499; that the Kerry-Bond substitute amendment which is at the desk be considered and agreed to, and the bill, as amended, be read three times, passed, and that the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Madam President, I object reluctantly on my behalf and on behalf of other Senators. I believe both Senator KERRY and Senator BOND wish to speak on the issue, and I will speak to it when they have completed their remarks.

The PRESIDING OFFICER. The objection is heard.

Mr. KERRY. Madam President, I understand the Senator from Arizona has indeed objected to this bill for a period of time now, as I referenced moments ago. I regret that. We have tried to work out the issues with respect to what is the American Small Business Emergency Relief and Recovery Act of 2001. The ranking member of the Small Business and Entrepreneurship Committee, Senator BOND, has joined me for some period of time now in trying to move this important legislation for the small businesses of our country. We have 55 cosponsors of this bill, a majority of the Senate, prepared to help the small businesses of the country. Two United States Senators, I regret to say, oppose this bill, and we are not able to proceed forward.

We have the support of the Airport Ground Transportation Association, the American Bus Association, the Association of Women's Business Centers, the CDC Small Business Finance, the Chicago Association of Neighborhood

Development Organizations, the Citizens Financial Group of Rhode Island, the Clovis Community Bank of California, the Coastal Enterprises of Maine, the County of San Diego, the Delaware Community Reinvestment Act Council, the Fairness in Rural Lending Group, the Florida Atlantic University Small Business Development Center, the Helicopter Association, the National Association of Development Companies, the National Association of Government Guaranteed Lenders—some 5,000-plus lenders—the National Community Reinvestment Association, the National League of Cities, the National Limousine Association, the National Restaurant Association, the National Small Business United, National Tour Association, the Rural Housing Institute, the Rural Opportunities, Small Business Legislative Council, the U.S. Conference of Mayors, the United States Chamber of Commerce, the United States Tour Operator Association, the Women's Business Development Center, and others.

This amendment incorporates a number of improvements that Senator BOND and I have made at the recommendation of the administration and of other colleagues and of the business community. It seeks to provide help to small businesses nationwide that are struggling because of the events of September 11, exacerbating an already declining economy in the months prior to September 11.

They need access to working capital until normal operations resume, or until they can restructure or change the business to address the market changes. Many small businesses simply cannot find the working capital they need, even though they are a viable business under normal circumstances, because of this momentary downturn, because of an abrupt cutoff of business due to the reduction in auto rentals, hotel rentals, visits to restaurants, travel and therefore business with travel agencies. All of those immediately impacted by the events of September 11 are living out an aberration in the economy. It is not the normal course of doing business. Those are businesses that could be viable in a matter of months, which we do not want to lose, providing in the normal course of business we provide them with adequate access to credit.

The problem is, all across the country, we know credit has tightened up as a consequence of the outlook of the economy. So we create this self-fulfilling prophecy, this cycle of a downward trend as a consequence of people saying: I think the economy looks bad. . . . We have to hold back on those loans. . . . Consequently, they hold back on the loans and then, indeed, the economy looks bad because the failures ensue because working businesses do not get their capital.

In American Banker, they wrote the following:

Lenders were already skittish following the steep economic decline of the past year.

The events of September 11 have diminished their confidence and dimmed their prospect for recovery.

This bill is geared to try to provide emergency lending completely within the current law and capacity of the Small Business Administration. It builds on SBA's disaster loans, the 7(a) working capital loans, the 504 loans for equipment and building improvements, the venture capital investments and expanded access to SBA's business counseling. SBA has done an extraordinary job of leveraging small amounts of money into larger amounts of money in the country.

Let me point out that one of the objections of our colleagues who keep stopping us from proceeding forward is that this bill will cost money. Based on a 1992 study by Price Waterhouse, the \$17 billion of 7(a) loans authorized by this bill will yield tax revenues from the small businesses borrowers of about \$2.5 billion in the first year alone, more than off-setting the cost of the entire bill.

This bill is fiscally responsible. The Congressional Budget Office (CBO) has informally scored S. 1499 at \$860 million if all aspects are fully funded and utilized. CBO has estimated that the vast majority of the loans provided by S. 1499 (those made under section 7(a) of the Small Business Act) will cost 3 percent; that means that for every \$100 loaned, the cost to the government is \$3. This is a cost-effective way to provide necessary access to capital to small businesses throughout the country.

The judgment that is made in making a loan is how assured is that return on investment or what is the track record of the people to whom you are lending. The fact is that the track record of the Small Business Administration over the last years has been improving steadily and is at a rate today that would suggest this is a positive undertaking for the Government of the United States. It is particularly important for us to engage in it. In fact, the Administrator of the SBA recently said at a conference that the cost of the 7(a) program will be 50 percent less in FY 2003.

I might point out that if one were to take a number of the businesses that have been helped by the Small Business Administration—and I will be very quick because I know my colleague from Missouri wants to speak—the entire budget of the SBA for several years has been paid for many times over by the tax revenues that have come from the success stories of the companies that the SBA has funded. How many of our colleagues are aware that SBA was involved in funding Fed Ex, SBA was involved in the funding of Callaway Golf, SBA was involved in the funding of Intel? Intel alone has returned more in terms of the tax revenue in this country than the entire annual budget of SBA.

So we have many small businesses that are currently trying to stave off