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## Senate

The Senate met at 10 a.m. and was called to order by the Honorable HARRY REID, a Senator from the State of Nevada.

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, Lord and Sovereign of the United States, we come to you in prayer with two things gripping our minds. We have a new realization of the force of evil in our world. We are stunned by the continued evil acts of the cowardly, but cunning sniper who has taken the lives of nine people in our area. Dear God, intervene and bring this person or persons to justice. Comfort and sustain the victims' families. Reading the news and watching on television the aftermath of the massive attack of terrorism in Bali, further convinces us of our battle against an evil, world-wide terrorist movement. Lord, help us to deal with this insidious treachery. At the same time, Pakistan boils with anti-American sentiment. And we seem to have made little progress in negotiation with Iraq.

All this brings us to a deeper reliance on You. Quiet our turbulent hearts; renew our dependence on You. Thank You for the great women and men of this Senate. Strengthen them, give them courage, inspire their discernment, guide their decisions. With them we fall on the knees of our hearts and commit our lives to You. Reign supreme in this chamber and in the mind and soul of every Senator. You are our Lord and Saviour and are greater than evil. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable HARRY REID led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, October 15, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HARRY REID, a Senator from the State of Nevada, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. REID thereupon assumed the chair as Acting President pro tempore.

### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now begin a period of morning business not to extend beyond the hour of 11 a.m., with Senators allowed to speak therein for up to 10 minutes each.

The order for the quorum call is rescinded. In my capacity as a Senator from Nevada, I suggest the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

### ORDER OF PROCEDURE

The ACTING PRESIDENT pro tempore. In my capacity as the Senator from Nevada, I ask consent that the order with respect to the consideration of H.R. 3295, the Election Reform legislation, be modified to reflect consideration of the conference report beginning at 3 p.m., Tuesday, October, today, under the same conditions as the previous order, with all other aspects of this order remaining in effect.

There being no objection, that is the order.

I also ask consent, in my capacity as a Senator from Nevada, the Senate stand in recess until 1 p.m. today; and at 1 p.m. the Senate proceed to a period of morning business until 2 p.m., with Senators permitted to speak for up to 10 minutes each, and at 2 p.m. the Senate stand in recess until 3 p.m.

There being no objection, the Senate, at 10:34 a.m., recessed until 1:05 p.m. and reassembled when called to order by the Presiding Officer (Mr. BENNETT).

The PRESIDING OFFICER. In my capacity as a Senator from Utah, I suggest the absence of a quorum. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. STABENOW). Without objection, it is so ordered.

### ORDER OF PROCEDURE

Mr. REID. Madam President, it is my understanding that there is an order for the Senate to stand in recess between 2 o'clock and 3 o'clock today. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. REID. Madam President, I ask unanimous consent that the order be vitiated.

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

Mr. REID. Madam President, I ask unanimous consent that the Senate be in a period of morning business until 3 o'clock, with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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The assistant legislative clerk proceeded to call the roll.

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

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

### ESTABLISHING PRIORITIES

Mr. THOMAS. Madam President, I come to the floor today to talk a little bit about where we are and, hopefully, about where we are going, and, more particularly, some comments about energy, which I think is one of the real important points that we must talk about.

First, let me say that certainly we find ourselves in a difficult position as we close this session. I think we have brought ourselves into that position by not moving more quickly on some of the issues that have been out there and that now we desire to have passed.

It is very difficult to resolve some of these issues in the ending moments of a session. Certainly, we are not going to be here much longer. Clearly, we are going to go into a recess before the election. Particularly those who are running are very anxious to do that. And, indeed, to be fair to voters, people who are running should be out in the country talking about their positions.

So it seems to me what we have before us is the chore of putting some priorities on the many issues that are out there and making the determination as to which of those are going to be the issues that we emphasize and indeed move to finish. And there are lots of them out there.

We can talk about the issue of bankruptcy which, of course, is something that has been ongoing for a long time. We have not been able to come together on the fairness of that. We can talk about reinsurance for construction, particularly for large buildings. That issue is very important to the economy. It is one we have not been able to resolve, mostly because of a liability issue.

Certainly, an unemployment extension is something that needs to be dealt with, as it expires in the fairly near future. On the other hand, the points of view are quite different in terms of the most effective and efficient way to do that.

We have Medicare givebacks, as it is called, which is in relation to taking up the slack in hospital costs in provider payments over a period of time, which, if not corrected, very likely will cause some providers not to deal with Medicare patients. It is very important. I happen to be from a rural State. There are activities related to that which specifically have to do with rural health care. And we would like to do that.

And there are other issues. But there are a great many items, of course, which, when you come to the end of the session, everybody wants to take a look at. These are all items that have

not been done during the year, and when putting them together it can become a very haphazard kind of approach. Frankly, I think the leadership responsibility, and the responsibility for all of us, is to cut through that and to establish some priorities and talk about those things that need to be done. It sounds increasingly as if we will be back in a lame duck session after the election is over to finish some of the items. Most apparent among them are appropriations bills.

We do not have a budget. It is the first time in many years we have not had a budget. A budget is very important, not simply because there would be a budget but because it is a process for holding down spending. And if the appropriations bills exceed the budget that has been agreed to, then you can ask for a point of order, and then have to have more votes to pass it than you do without it. So it is not just the idea of a budget for the sake of a budget; it is a mechanism that helps hold down spending.

I think we have passed just 1 out of 13 of those appropriations bills. Hopefully, in the next 2 days, we will pass another. We must pass the Defense appropriations bill, in my judgment, because the need for defense dollars certainly has increased over last year. And the continuing resolution we will pass will simply extend the authority of the other appropriations bills we passed last year at their levels.

So we have some items that have to be done. I think we are going to be dealing, of course, with election reform. It is very important. It is hardly our biggest priority, in my view, because it does not apply to this election. But it will apply in the next election. We have some time in that regard. Nevertheless, it is on the agenda.

As I said, we are going to be dealing with the Defense appropriations bill. It is a must-do piece of legislation, in my opinion. Certainly, then, in order to continue to have the Government operate, we have to pass a CR. I suppose maybe there are other items with which we need to deal. In my view, those seem to be the items that are necessary and that we need to do.

One of the issues out there that has been difficult—but I think we have worked at it for a very long time—is an energy policy. We have not had an energy policy in this country for a very long time. We need an energy policy. We need it particularly now in terms of the turmoil in the Middle East. A good deal of our energy is imported from the Middle East. We need an energy policy now because of our economic condition. Energy is certainly a big part of our economy and our security. Those are two issues that are most important to all of us. And to do that well, we need an energy policy.

The President asked for an energy policy nearly 2 years ago—a year and a half ago. He outlined an energy policy that he sent to us. We have been all this time trying to come up with our

own energy policy. Certainly, we have a broad energy policy. We have talked about lots of things that go into it. We talked about production. We talked about the availability of energy sources.

We have gotten ourselves into the position of importing nearly 60 percent of our energy. And that situation is very iffy because of the condition we are now facing. So we do have to do some things.

We talk about production in the energy bill. We talk about production in terms of encouraging the production of oil, production of coal, the production of gas. Some of the proposals have to do with access to public lands where, such as in my State, for example, 50 percent of the State belongs to the Federal Government. And in many of the Western States more than that belongs to the Federal Government.

So we have to devise a plan where we can take advantage of those resources and, at the same time, of course, take care of the environment. We can do that. And we have shown we can do that.

We are particularly interested in coal as being a source of energy that we pursue more. People are in favor of that. We have to do more about clean air. We have to do some research on coal. We have to do what is necessary to provide clean-coal energy. More than 55 percent of electricity is now produced from coal. And 95 percent of our fossil fuel is coal. So coal is very important to our energy use.

In the bill there are a number of items that have to do with encouraging the clean use of coal, whether it be in research or whether it be incentives to build new plants or upgrade existing plants to make them more clean, including existing plant credits.

Oil and gas: Of course oil provides about 40 percent of our Nation's energy. Natural gas is providing more than it did in the past. But, nonetheless, we need to continue to work on that.

Oil has been a controversial issue, of course. The idea that you open up less than 2,000 acres out of millions has seemed not to be acceptable by environmentalists. Another opportunity would be, perhaps, to go from private land to cross some of the ANWR with a right-of-way. I don't know whether that will be acceptable.

Nevertheless, I think we have to move forward. And we have to have more geophysical research. We are working on that. We can do something about rental payments. All of these areas of concern encourage production.

Along with this, we have to continue to look at conservation: conservation in homes, conservation in the kinds of equipment that we have in our homes. We have to also take a look at automobiles to do something with CAFE standards to reduce energy use. But there are many things we can do in terms of conservation, and indeed we should.