

Time and again, these good citizens have been asked to sacrifice their livelihoods for the sake of textile trade liberalization. In 2001, the textile and apparel sector lost almost 141,000 domestic jobs. In North Carolina alone, more than 20,000 jobs were lost last year. The steady erosion of the manufacturing base in North Carolina is creating a genuine crisis, both for the men and women who are out of work, and the communities which depend on a healthy domestic textile industry.

The so-called Andean Trade Preferences Act proposes to unilaterally allow duty-free imports of apparel products from the Andean region. This legislation will exacerbate the problems facing our communities rather than assisting our industries and workers.

Mr. President, with all respect, I do not believe the Senate should proceed to the Andean trade bill, and I, therefore, feel obliged to oppose the leader's request.

Mr. LOTT. One other issue. I really am bothered by the fact we are going to be leaving town and have not extended the debt ceiling. The Treasury Department has indicated they may or likely will have to take action around April 1 to deal with the fact that the debt ceiling may have been reached, and that they would do a number of things, as other administrations have done, possibly even dip into the pension fund to carry us over.

Senator DASCHLE and I talked about the need to move this before we left, to move it clean and move it for a year, but we have not been able to get that cleared. I think the Senate would look much better, and it would have been a wise thing for us to do to move the debt ceiling extension.

I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 168, H.R. 6, and that all after the enacting clause be stricken; further I ask that the text of a Senate bill which is at the desk, which is in the debt limit extension, be inserted in lieu thereof; further I ask that the bill be read a third time and passed, with a motion to reconsider laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. HOLLINGS. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, with regard to the last request and the objection, I want to indicate that I, too, would have objected. Congress has had a long tradition of linking the budget process reform to increases in the statutory limit on Government debt. Obviously, no one knows this better than the Senator from Texas when in 1985 Congress enacted the Gramm-Rudman-Hollings law as an amendment to the debt limit bill, and in 1987, after the Supreme Court ruled the first Gramm-

Rudman-Hollings law unconstitutional, then Congress added the reaffirmation of the Gramm-Rudman-Hollings law to the debt limit. Then in 1990, Congress enacted the Budget Enforcement Act in the same legislation with an increase in the debt limit.

There is a logical link between the debt limit issue and controlling of deficits. I think the Senate should only vote to raise the debt limit if it is linked with reforms to prevent the need for future debt limit increases, and I hope that when we return to this issue there is an opportunity for an amendment with a limited time agreement so we can perhaps address this important matter.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DASCHLE. Mr. President, I hope everybody realizes this was an exercise without any real value because the House went out last night. Even if we had passed it tonight, there is no prospect for the House to take this legislation up until after they come back in 2 weeks. We have been waiting for the House to give us some indication as to the size of the debt limit increase they support and some understanding of what they will do. We have yet to hear what the House plans are with regard to the debt limit.

The last I heard is they were having some difficulty in reaching agreement, and because they have not reached an agreement, they do not have the votes to increase the debt under any conditions at this point. There is some indication now they are planning to offer the debt limit increase as an amendment to the supplemental, but the supplemental has yet to be presented to the Congress. So we do not have a supplemental. We do not have any indication from the House as to what their intentions are with regard to the size or the timeframe within which the debt will be considered and extended. So even if we did take up the debt limit tonight, as I wish we could do as well, unfortunately we are still going to have to wait until after the House acts on the legislation for us to be able to complete our work.

So I do hope when we come back we can work in a bipartisan manner and send clean legislation either to the House or wait for the House to send similar legislation to us.

I yield the floor.

#### NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 2001—Continued

The PRESIDING OFFICER. The Senator from Arizona is recognized.

AMENDMENT NO. 3057 TO AMENDMENT NO. 3016

Mr. KYL. Mr. President, I have an amendment at the desk numbered 3057.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 3057.

Mr. KYL. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 9 after line 7 insert:

“(n) PROTECTION OF CONSUMERS.—Upon certification by the Governor of a State to the Secretary of Energy that the application of the Federal renewable portfolio standard would adversely affect consumers in such State, the requirements of this section shall not apply to retail electric sellers in such State. Such suspension shall continue until certification by the Governor of the State to the Secretary of Energy that consumers in such State would no longer be adversely affected by the application of the provisions of this section.”

Mr. KYL. I will take a couple of minutes to explain this amendment. It is very straightforward. Since we have been through the debate, we do not have to have a great deal more. We have tried twice, once myself and once Senator MURKOWSKI, to give the States more authority to deal with the problem of renewable energy. Both of our amendments have been rejected. We accept that.

This amendment is one last attempt to preserve some semblance of ability by the States to protect their electric consumers in the event the costs of this Federal mandate program should be too great and allows, therefore, the Governor to opt out or waive the provisions of the program in that one eventuality.

From the Energy Information Administration of the Department of Energy, we have an account of every single utility in the country in every single State, by State, showing exactly what this Federal mandate in the Bingaman provision is expected to cost retail consumers. It averages around a 4-, 5-, 6-percent per year increase, but it varies from region to region and utility to utility.

The point is, when customers begin to feel the pinch of the Federal mandate in the Bingaman amendment, they will ask you or your Governors is there anything they can do. My amendment says, yes, the Governor would have the ability in that event to waive the provisions of the Federal mandate, if he finds those provisions are adversely affecting the retail customers of the State.

These figures may not be accurate. If that is the case, fine. But if these figures are accurate, I suspect your constituents, your voters, your retail electric customers, are going to want some relief.

This is the last liferaft, folks. We have been defeated on everything else. This is at least a liferaft that provides some ability of the program to be waived so it would not adversely affect them. I ask my colleagues to consider not the utilities in your State; what we are saying is, if it should transpire that the Bingaman amendment adversely affects people, shouldn't we have some kind of escape valve, some ability for

the Governor to say: We are going to opt out until the situation transpires in a better way for the people of our State, for our electric customers. That is what this amendment does. I hope my colleagues will support it.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ALLEN. Mr. President, I would like to ask a question of the Senator from Arizona on the renewable energy matter. I was looking at the information he has provide and saw that under the Bingaman provision electricity bills in Virginia would increase by 5.5 percent on average—some, for example at Virginia Power, would go up by 4.8 percent.

Having served previously as Governor of Virginia, we would take a bunch of businesspeople up to New York City. We called it a report to top management. We talked about the attributes of coming to Virginia and locating businesses in our State. We talked about taxes, right-to-work laws, and regulations. But a key factor was the cost of electricity. Virginia's electricity costs are generally lower than those of the national average.

A Governor heads up economic development efforts. Do I understand your amendment correctly that a Governor who knows how to attract more jobs into a State, as that usually is a priority for a Governor, if he or she saw this was harmful for creating jobs in his or her State, could waive out of this Federal mandate if it was harming the competitiveness of the State and businesses?

Mr. KYL. Mr. President, the only way a Governor could waive the provisions with respect to his State would be if he found that the renewable portfolio standard would adversely affect consumers in his State. So he would have to find it is adversely affecting the retail electric consumers in his State for him to be able to waive the mandated provisions of the Bingaman proposal.

Mr. ALLEN. I thank the Senator.

In view of this, we ought to trust the people in the States. The Governors can determine whether this is adversely affecting their consumers and the ability of their citizens to get good jobs. The definition of consumers is not restricted just to individuals. They are also business enterprises. We ought to trust the people in the States who have the same concerns as everyone in this body to make this determination as to how it may affect their respective States.

I urge my colleagues to support the amendment of the Senator from Arizona.

Mr. KYL. I ask unanimous consent Senator HELMS be listed as a cosponsor.

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

Who yields time?

Mr. BINGAMAN. How much time remains?

The PRESIDING OFFICER. The Senator has 10 minutes and there are 4 minutes on the side of the opponent.

Mr. BINGAMAN. I yield 3 minutes to the Senator from Vermont.

Mr. JEFFORDS. Mr. President, one would hope we would not have to continue with the barrage of amendments that attempt to deprive the American public access for increased renewable resources. Make no mistake, the American public has made it very clear they support renewable energy. Poll after poll indicates the overwhelming majority of Americans support requiring utilities to produce electricity from renewable energy resources.

Americans want clean energy. They want technology that leaves the air clean, that does not contribute to lung cancer, that does not sicken their children. They want to diversify or domestically produce energy to buffer against price instability, and to lessen the vulnerability of our energy infrastructure through terrorist attack.

But we have yet another amendment that would weaken efforts to encourage production of renewable energy. This amendment allows a State to opt out of the energy program at any time the Governors certify it would adversely affect the consumers of the State. Clearly, this is no standard at all.

First, a certification that something "may adversely affect" consumers is pretty close to being as loose a statutory requirement as anyone can craft. The obvious effect is to allow States to opt out, leaving a piecemeal and unpredictable program.

As I said before, one of the overarching benefits of the Federal renewable energy standard is that it encourages regional generation and distribution of renewable energy. State provisions often limit credit to renewable energy generated within the States. A Federal standard encourages utilities to meet these renewable energy requirements by purchasing and selling renewable energy beyond State boundaries.

This recognizes a reality that our electricity generation is in fact regional in nature, with customers in California using energy provided from New Mexico, and a variety of New England States receiving their power from New York. Exempting States on a piecemeal basis serves to significantly weaken the regional application of a nationwide standard. A national standard must be uniformly applied to be effective.

When the American public says they want laws supporting renewable energy, they do not mean sham laws that, on their face, are going to do nothing.

We have already spoken at length about all the reasons we need it. We have mentioned the health benefits, et cetera, so I am not going to spend any more time doing that, other than to say this amendment should be defeated.

I yield the floor.

Mr. BINGAMAN. Let me speak briefly, and I will yield the remainder of my time, and I hope the Senator from Arizona will as well.

This will be the third time we have had essentially the same vote: The Kyl amendment earlier this morning, and then the vote we just had on the Murkowski amendment, and now this one. This amendment says that although we have a renewable portfolio standard, the majority of the Senate has agreed that makes sense, any Governor who doesn't agree with it can take his State out. He can sign a certification saying in his opinion—

The PRESIDING OFFICER. The Senate will be in order.

Mr. BINGAMAN. The point I was making is this amendment would essentially give Governors the option of taking their State out of this program by signing a certification to the effect that in their opinion this adversely affects folks in their State.

The reality is the majority of the Senate has expressed their view. The majority of the Senate has indicated they believe putting a reasonable renewable portfolio standard in the law makes sense and this proposal does that in a gradual, moderate way.

I think it would be a terrible mistake for us at this point to totally gut that provision, as the Kyl amendment would do. Anyone who voted against the Kyl amendment earlier today should oppose this amendment as well. Anyone who voted against the Murkowski amendment just now should vote against this amendment as well.

I am advised there may be others wishing to speak, so I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. MURKOWSKI. Mr. President, I have had several of my colleagues say don't worry, this is a green vote; it will be dropped in conference.

Let me tell you what we have done here. We have excluded the right of States to have a choice. We have mandated that one size fits all.

As this chart shows, under the previous vote we just completed, we were going to give recognition to the States that addressed the initiative of coming up with renewables. But what we were going to do was force the others that had not to perform under the 10-percent mandate.

The idea of the Senator from Arizona, to give the Governor some discretion, I think is responsible legislation. Why should we sit here and mandate that one size fits all? The States know what is best for them, and we should concur with that and recognize, indeed, that they have their own best interests at heart and they are responsible people. They are elected just as we are.

I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. GRAMM. Mr. President, I was struck in listening to our dear colleague from Vermont tell us about how many people are for this renewable energy and what a strong base of support there is for it. I guess the logical question is: If everybody is for it, why are

we making them do it? If everybody is for it, why would any Governor opt his State out when he has to stand for reelection?

The problem is, not everybody is for it and the costs may be—in some States and under some circumstances—prohibitive. So I urge people, take into account that things in your State may align in such a way that you would want the option, under those circumstances, to opt out. On that basis, I urge people to please vote for the Kyl amendment.

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. Mr. President, as I understand it, all time has expired on the Republican side. I think we are prepared to yield back the remainder of our time.

The PRESIDING OFFICER. There is 2 minutes remaining.

Mr. DASCHLE. I will say, this will be the final vote for tonight. There will not be any votes tomorrow. But I do hope we can come back in 2 weeks, and we are all going to help finish this bill on time; right? The week we get back.

With that understanding, there will be no votes tomorrow, and the first vote will be on Tuesday, the second day of the week we come back.

I yield the floor.

Mr. GRAMM. Let no one say the final action before the recess is not bipartisan.

Mr. MURKOWSKI. We yield back the remainder of our time.

Mr. BINGAMAN. We yield our time.

Mr. REID. Mr. President, 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 amendment No. 3057.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Wyoming (Mr. ENZI), the Senator from Texas (Mrs. HUTCHISON), the Senator from Alaska (Mr. STEVENS), the Senator from South Carolina (Mr. THURMOND), and the Senator from Ohio (Mr. VOINOVICH) are necessarily absent.

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

The result was announced—yeas 37, nays 58, as follows:

[Rollcall Vote No. 59 Leg.]

#### YEAS—37

Allard	Frist	Miller
Allen	Gramm	Murkowski
Bennett	Hagel	Nickles
Bond	Hatch	Roberts
Bunning	Helms	Santorum
Burns	Hollings	Sessions
Campbell	Hutchinson	Shelby
Cleland	Inhofe	Smith (NH)
Cochran	Kyl	Thomas
Craig	Lott	Thompson
Crapo	Lugar	Warner
DeWine	McCain	
Domenici	McConnell	

#### NAYS—58

Akaka	Dorgan	Lieberman
Baucus	Dubin	Lincoln
Bayh	Edwards	Mikulski
Biden	Ensign	Murray
Bingaman	Feingold	Nelson (FL)
Boxer	Feinstein	Nelson (NE)
Breaux	Fitzgerald	Reed
Brownback	Graham	Reid
Byrd	Grassley	Rockefeller
Cantwell	Gregg	Sarbanes
Carnahan	Harkin	Schumer
Carper	Inouye	Smith (OR)
Chafee	Jeffords	Snowe
Clinton	Johnson	Specter
Collins	Kennedy	Stabenow
Conrad	Kerry	Torricelli
Corzine	Kohl	Wellstone
Daschle	Landrieu	Wyden
Dayton	Leahy	
Dodd	Levin	

#### NOT VOTING—5

Enzi	Stevens	Voinovich
Hutchison	Thurmond	

The amendment (No. 3057) was rejected.

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

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

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 3058 TO AMENDMENT NO. 3016

Mr. BINGAMAN. Mr. President, under the unanimous consent, I believe the Senator from Maine now is in order to offer her amendment which is an agreed-to amendment.

The PRESIDING OFFICER. The Senator is correct. The Senator from Maine.

Ms. COLLINS. Mr. President, on behalf of myself and Senator SNOWE, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for herself and Ms. SNOWE, proposes an amendment numbered 3058 to amendment No. 3016.

Ms. COLLINS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To clarify the definition of "repowering or cofiring increment")

On page 8, line 15, delete the period and add ", or the additional generation above the average generation in the three years preceding the date of enactment of this section, to expand electricity production at a facility used to generate electric energy from a renewable energy resource or to cofire biomass that was placed in service before the date of enactment of this section."

Ms. COLLINS. Mr. President, I rise to offer an amendment that recognizes the value of America's existing renewable energy resources. The Bingaman amendment does not give credit to existing renewable energy facilities. I believe a facility should receive credit at least for new renewable energy generation that is higher than the facility's average generation over the previous three years. My amendment would allow existing facilities to receive credit for increased generation of renewable energy.

I support increasing our use of renewable energy. I believe it is important

that any comprehensive energy legislation significantly boost the use of electricity produced from clean resources such as biomass, wind, geothermal, and solar energy. I support a significant renewable portfolio standard, which requires electricity suppliers to sell electricity that has a minimum amount of renewable energy.

Promoting our renewable energy resources will help diversify our energy supplies, increase our energy security, and reduce pollution. It will move us one step closer to a cleaner energy future that reduces our reliance on fossil fuels.

States are leading the way in demonstrating the benefits of clean energy standards. Twelve States, including Arizona, Connecticut, Iowa, Maine, Massachusetts, Minnesota, Nevada, New Jersey, New Mexico, Pennsylvania, Texas, and Wisconsin, have already adopted a renewable portfolio standard. A national RPS will complement and enhance the groundbreaking efforts by these states and will provide particular benefits to hard-pressed agricultural and rural areas. Perhaps most important, a national RPS would create a new and vibrant national market across all states, and help to maintain America's international leadership in these energy technologies of the future.

I commend the efforts to develop renewable energy in my home State of Maine. Maine has been a leader in developing renewable energy. In fact, Maine has enacted a state-wide renewable portfolio standard of 30 percent. No other State has adopted as high a standard as Maine.

Even though I am emphatically in favor of increasing renewable energy production, we must do so in a fair and equitable way. The proposal before us, offered by my friend from New Mexico, Senator BINGAMAN, unfairly discriminates against existing renewable energy resources. Unfortunately, the Senator from New Mexico has drafted legislation that does not properly give credit to existing renewable energy production.

Why should we discriminate against States which have been proactive and invested heavily in renewable energy? I know my home State of Maine, as well as California and a number of other States, have invested huge resources into developing our renewable energy resources. These States have developed new technologies and set an example for other States to follow. Let's not penalize those States which have worked to develop our renewable energy industry from the ground up.

Ideally, every existing renewable energy resource should receive full credit. I would like to see existing renewable energy resources receive 100% credit. Doing so would help bring our total renewable energy generation to a higher level at less cost. Under the Bingaman approach, existing renewable energy resources will find themselves in an unfair competitive environment with new renewable energy

sources. Existing renewable energy facilities will shut down, and new ones will be built next door. That is a poor use of resources. It will cost more money and raise electricity prices. Wouldn't it be better if States could form partnerships with each other to develop renewable energy resources in the most cost efficient manner possible? Surely we should allow States which don't have a lot of existing renewable resources to save money by buying inexpensive, existing credits from other States.

I am offering this amendment that would provide at least partial recognition of those hard working Americans who have built our existing renewable energy resources. I would like to see all existing renewable energy resources included in this standard. However, my amendment does not go that far in an attempt to accommodate Senator BINGAMAN.

My amendment merely says that increased output at existing renewable energy facilities should be counted. If an existing renewable energy facility were to increase its renewable energy output by 50%, then under my amendment that facility would receive credit for that 50% increase. Thus, consistent with the interest of Senator BINGAMAN's proposal, my amendment only gives credit to new renewable energy production.

Those who have developed America's existing renewable energy resources should have their efforts recognized. At a minimum, I hope my colleagues will at least join me in giving these hard working Americans who have led the way on renewables partial credit. I ask my colleagues to join me in supporting this amendment.

To reiterate, my amendment merely says that increased output at an existing renewable energy facility should be counted under this bill. If an existing renewable energy facility were to increase its renewable energy output by 50 percent, then under my amendment that facility would receive credit for that 50-percent increase. Thus, I believe it is consistent with the intent of Senator BINGAMAN's proposal in that it gives credit to expand renewable energy production.

I ask for consideration of the amendment, and I thank both Senator BINGAMAN and Senator MURKOWSKI for their assistance in this matter.

The PRESIDING OFFICER. Who yields time?

Mr. BINGAMAN. Mr. President, the amendment is acceptable on this side.

Mr. MURKOWSKI. It is cleared on this side, Mr. President.

The PRESIDING OFFICER. If all time is yielded back, the question is on agreeing to amendment No. 3058. Without objection, the amendment is agreed to.

The amendment (No. 3058) was agreed to.

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

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

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 3016, AS AMENDED

Mr. BINGAMAN. Mr. President, I believe the next item under the unanimous consent agreement is a vote on the Bingaman amendment.

The PRESIDING OFFICER. The Senator is correct. The question is on agreeing to amendment No. 3016, as amended. Without objection, the amendment, as amended, is agreed to.

The amendment (No. 3016), as amended, was agreed to.

#### VITIATION OF ACTION—AMENDMENT NO. 2996

Mr. BINGAMAN. Mr. President, last week the Senate adopted an amendment by Senators MURKOWSKI and DASCHLE relating to rural and remote community grants. There were a number of inadvertent errors in the amendment as adopted. Accordingly, I ask unanimous consent that the adoption of amendment No. 2996 be vitiated.

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

#### AMENDMENTS NOS. 3059 THROUGH 3069 EN BLOC TO AMENDMENT NO. 2917

Mr. BINGAMAN. Mr. President, you have at the desk 11 amendments. I ask for their immediate consideration en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for himself and Mr. MURKOWSKI, proposes amendments en bloc numbered 3059 through 3069 to Amendment No. 2917.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

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

The amendments (Nos. 3059 through 3069) are as follows:

#### AMENDMENT NO. 3059

(Purpose: To authorize rural and remote community electrification grants)

(The text of the amendment is printed in today's RECORD under "Text of Amendments.")

#### AMENDMENT NO. 3060

(Purpose: To strike section 264)

On page 65, strike line 18 and all that follows through page 67, line 4.

#### AMENDMENT NO. 3061

(Purpose: To permit the Department of Energy to transfer uranium-bearing materials to uranium mills for recycling)

On page 121, line 24, strike "and" and all that follows through page 122, line 2 and insert:

"(5) to any person for national security purposes, as determined by the Secretary; and

"(6) to a uranium mill licensed by the Commission for the purpose of recycling uranium-bearing material."

#### AMENDMENT NO. 3062

(Purpose: To define the term "traffic signal module")

On page 289, after line 4, insert the following:

"(41) The term 'traffic signal module' means a standard 8-inch (200mm) or 12-inch

(300mm) traffic signal indication, consisting of a light source, a lens, and all other parts necessary for operation, that communicates movement messages to drivers through red, amber, and green colors."

#### AMENDMENT NO. 3063

(Purpose: To provide test procedures for traffic lights)

On page 289, after line 21, insert the following:

"(11) Test procedures for traffic signal modules shall be based on the test method used under the Energy Star program of the Environmental Protection Agency for traffic signal modules, as in effect on the date of enactment of this paragraph."

#### AMENDMENT NO. 3064

(Purpose: To establish an efficiency standard for traffic lights)

On page 301, after line 5, insert the following:

"(z) TRAFFIC SIGNAL MODULES.—Traffic signal modules manufactured on or after January 1, 2006 shall meet the performance requirements used under the Energy Star program of the Environmental Protection Agency for traffic signals, as in effect on the date of enactment of this paragraph, and shall be installed with compatible, electrically-connected signal control interface devices and conflict monitoring systems."

#### AMENDMENT NO. 3065

(Purpose: To clarify those entities eligible to participate in the Renewable Energy Production Incentive program)

On page 60, line 20-23, strike "an electricity-generating cooperative exempt from taxation under section 501(c)(12) or section 1381(a)(2)(C) of the Internal Revenue Code of 1986" and inserting "a nonprofit electrical cooperative".

#### AMENDMENT NO. 3066

(Purpose: To insert provisions relating to electric energy)

On page 407, line 4, after "including", insert "flexible alternating current transmission systems,".

#### AMENDMENT NO. 3067

(Purpose: To include geothermal heat pump efficiency among the technologies to be reviewed under section 1701 of the bill)

On page 568, line 20, insert "geothermal heat pump technology," before "and energy recovery".

#### AMENDMENT NO. 3068

(Purpose: To provide for the updating of insular area renewable energy and energy efficiency plans)

On page 574, following line 11, insert the following:

#### SEC. 1704. UPDATING OF INSULAR AREA RENEWABLE ENERGY AND ENERGY EFFICIENCY PLANS.

Section 604 of Public Law 96-597 (48 U.S.C. 1492) is amended—

(1) in subsection (a) at the end of paragraph (4) by striking "resources" and inserting "resources" and

"(5) the development of renewable energy and energy efficiency technologies since publication of the 1982 Territorial Energy Assessment prepared under subsection (c) reveals the need to reassess the state of energy production, consumption, efficiency, infrastructure, reliance on imported energy, and potential of the indigenous renewable energy resources and energy efficiency in regard to the insular areas."; and

(2) by adding at the end of subsection (e) "The Secretary of Energy, in consultation with the Secretary of the Interior and the chief executive officer of each insular area,

shall update the plans required under subsection (c) and draft long-term energy plans for each insular area that will reduce, to the extent feasible, the reliance of the insular area on energy imports by the year 2010, and maximize, to the extent feasible, use of renewable energy resources and energy efficiency opportunities. Not later than December 31, 2002, the Secretary of Energy shall submit the updated plans to Congress.”.

AMENDMENT NO. 3069

(Purpose: To provide for access to the Alaska natural gas transportation project and other purposes)

(The text of the amendment is printed in today's RECORD under “Text of Amendments.”)

AMENDMENT NO. 3069

Mr. MURKOWSKI. Mr. President, amendment No. 3069 incorporates all of the changes Senator BINGAMAN and I have worked out with the State of Alaska, the Alaska Legislature, the pipeline companies, the North Slope oil and gas producers, and northern Alaska petroleum explorers.

One might imagine with the diversity of interests represented by this group of participants, there was not always unanimous agreement on each point.

But at the end of the day, I believe what is contained in this substitute amendment is a fair compromise between often divergent points of view.

I want to thank Senator BINGAMAN and his staff for all of the hard work they invested in working with me to craft this challenging amendment.

Although Alaska North Slope gas has been available for over 30 years, development and commercialization has not been possible due to lack of local market and lack of transportation to commercial markets.

The cost and risk associated with building a project of the magnitude we are speaking was just too daunting.

All of you are aware of last year's efforts on the part of Exxon/Mobil, Phillips, and British Petroleum to evaluate the commercial viability of transporting Alaska gas to markets in the lower 48.

At the completion of their economic evaluation they determined that the project was “not” economically viable at this time.

This negative economic determination set the stage for Congress's involvement in the Alaska gas debate.

A way needed to be found to reduce both the cost and the risk associated with the construction of this \$20 billion project.

As you may know Senator DASCHLE and BINGAMAN introduced their energy bill last December—language was contained in that bill to assist in constructing the Alaska Gas Transportation Project.

While that language was a good start, it did not address all of the problems that needed to be resolved in order to achieve the goal of cost and risk reduction.

It also failed to address issues of significant concern to the people of Alaska.

For the past several months Senator BINGAMAN and I have been engaged in

discussions with all the interested parties in an attempt to come up with language that would remove as many barriers as possible standing in the way of constructing this project.

The amendment that Senator BINGAMAN and I are offering today accomplishes this goal.

I believe both the interest of Alaska and the nation are well served by the language we have crafted.

It protects Alaska's interests by: prohibiting the “Over-the-Top” route thus keeping construction and operational jobs in Alaska “and” along with providing Alaskans with the opportunity to heat their homes and develop a gas based industry in our State; making it clear that Alaskans have full regulatory authority over gas coming off the mainline in our State; providing the opportunity for newly discovered Alaska gas to find its way to markets in the south; making special provisions for the transport of Alaska royalty gas to markets in Alaska; and setting up a \$20 million dollar program to train Alaskans in the skills they will need to compete successfully for the high paying jobs created by the construction and operation of the Alaska Gas Transportation System.

The national interest is protected by significantly reducing the risk associated with construction of a system that will provide the nation with a secure, abundant, and domestically produced supply of gas that will last well into the middle of the century.

The national interest is served by: providing gasline builders with two separate and updated authorities to permit the project; providing expedited judicial review of legal challenges that might otherwise slow down the project; and creating a project coordinator to make sure that the scores of State and Federal agencies permitting the project are working together and not creating artificial bureaucratic barriers that will slow or halt the construction process.

I firmly believe that the language contained in this amendment will go a long way towards reducing both the cost and the risk associated with the construction of the Alaska Natural Gas Transportation System.

A system that will serve the special interests of Alaska and the Nation for decades to come.

Mr. BINGAMAN. Mr. President, these 11 amendments have been cleared on both sides. I urge their adoption en bloc.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendments en bloc.

The amendments (Nos. 3059 through 3069), en bloc, were agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. BINGAMAN. Mr. President, I also move to reconsider the vote on the adoption of amendment No. 3016.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 3023

Mr. BINGAMAN. Mr. President, I have two other amendments that are at the desk at this moment. Amendment No. 3023, which is an amendment by Senator LINCOLN related to the biodiesel credit, is cleared, and I urge that we go ahead and proceed with it.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to amendment No. 3023.

The amendment (No. 3023) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 3041

Mr. BINGAMAN. Mr. President, I ask unanimous consent that amendment No. 3041 be voted on.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to amendment No. 3041.

The amendment (No. 3041) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. BINGAMAN. Mr. President, that completes the items we intended to complete today.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I yield to the Senator from Florida for how much time?

Mr. GRAHAM. Two minutes.

Mr. BYRD. For not to exceed 2 minutes.

The PRESIDING OFFICER. Without objection, the Senator from Florida.

AMENDMENT NO. 3070 TO AMENDMENT NO. 2917

Mr. GRAHAM. Mr. President, I wish to offer an amendment and ask that it be laid aside for consideration after we return.

This amendment will add to the list of items which are acceptable as renewable energy municipal solid waste. When we return, I will make a more extended statement. In a State such as mine, the options for dealing with solid waste are essentially two: One is to bury it in a landfill; two is to incinerate it. Of those two, clearly, the incineration is a more benign impact on our environment. Given the high water table we have, land disposal of the solid waste creates serious issues of water quality. In my opinion, we should allow, as we have allowed this afternoon through the amendment of Senator CRAIG, expanded use of biomass, and now Senator COLLINS extended use of hydropower, we should recognize the fact that both in terms of environment and energy, allowing solid waste to energy to be one of the allowable renewable energy sources is in the national interest.

I offer this amendment. I ask that it be set aside and look forward to a fuller discussion when we return.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Florida [Mr. GRAHAM] proposes an amendment numbered 3070.

Mr. GRAHAM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

AMENDMENT NO. 3070

(Purpose: To clarify the provisions relating to the Renewable Portfolio Standard)

Strike Sec. 606(1)(3) and replace with the following:

“(3) ELIGIBLE RENEWABLE ENERGY RESOURCE.—The term ‘renewable energy resource’ means solar, wind, ocean, or geothermal energy biomass, municipal solid waste, landfill gas, a generation offset, or incremental hydropower.”

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, does the Senator from Alaska wish to be yielded to?

Mr. MURKOWSKI. Let me thank my good friend, the senior Senator from West Virginia. I appreciate the opportunity to respond very briefly with a statement.

Mr. BYRD. How much time?

Mr. MURKOWSKI. About 40 seconds.

Mr. BYRD. Mr. President, I yield to the distinguished Senator for whatever time he may consume, up to 2 minutes, without losing my right to the floor.

Mr. MURKOWSKI. Mr. President, I thank the President pro tempore for his generosity.

Mr. President, I will file an amendment, but I shall not bring it up at this time. This amendment would require the cessation of importing oil from Iraq, which is currently at 1.2 million barrels a day, until such time as the President certifies that Iraq, one, allows U.S. inspectors access to suspected sites for the development of weapons of mass destruction; and, two, ceases to cheat the U.N. oil program by smuggling oil out through third countries.

It will be my intention to bring this amendment up upon our return from the recess.

I yield the floor.

AMENDMENT NO. 3042

Mr. ROCKEFELLER. Mr. President, I am proud to submit today, along with my colleague Senator CARNAHAN, amendment No. 3042 to provide tax incentives to promote the use of a new type of energy-efficient technology for beverage vending machines. The Natural Resources Defense Council estimates that, when fully implemented, this new technology could reduce national energy use by up to 6 billion kilowatt hours, kWh, per year. This translates to an annual electricity savings of \$600 million, by encouraging the sale of new energy-efficient vending ma-

chines for bottled and canned beverages.

Our amendment provides a \$75 tax credit for the purchase of each qualifying energy-efficient vending machine. This incentive is necessary because vending machines are purchased by bottlers and other beverage machine operators and placed at third party locations to benefit consumers, but the types of machines purchased are not decided by the organization that pays the electricity bill. Unlike most products, the benefit of a vending machine's reduced energy consumption is captured by the third party location not by the machine's purchaser. Therefore, there is currently no economic incentive for machine operators to purchase energy efficient vending machines, many of which have useful lives of ten to twenty years.

For instance, colleges all across the country have beverage vending machines for the students to use. A soft drink bottler purchases these machines from a manufacturer, and places them in student unions at universities, such as Wheeling Jesuit in Wheeling, WV. Wheeling Jesuit and other customers of the bottler have no control over what kind of machines are purchased. Because Wheeling Jesuit, and not the vending machine operator, pays the electric bill, the vending machine operator has no incentive to save Wheeling Jesuit money with more energy-efficient machines that would cut down on the college's electricity bills. This amendment would change all of that, because the vending machine operators would receive the tax credit for their purchases. The new energy efficient machines will save the typical site owner \$200 a year and more than \$2,000 over the life of the machine.

Technology is now available to reduce the energy consumption of refrigerated bottled and canned vending machines by as much as 50 percent. One of the manufacturers using this technology to make energy-efficient vending machines has operations in my home State of West Virginia, in the small town of Kearneysville. This energy-saving technology has been recognized by the Natural Resources Defense Council, and will be recognized next week at the Environmental Protection Agency's Energy Star Awards. This tax incentive will make it easier for bottlers to do the right thing, environmentally, while benefiting forward-looking manufacturers like the one producing these energy-efficient machines in the Eastern Panhandle of West Virginia.

Without this incentive, the likely result is that bottlers will take advantage of this improved technology much more slowly, and energy will continue to be needlessly wasted.

Each new energy-efficient machine would save more than 2,000 kWh per year over its less-efficient predecessor. With approximately 225,000 new vending machines purchased every year the energy savings potential is enormous.

Once all machines are switched to the more energy efficient models, our Nation can save six billion kWh per year. That is enough energy to power approximately 600,000 U.S. households for an entire year.

Another feature of this tax credit is that it will provide a substantial energy savings to our nation without burdening the average American. Citizens will not even know the vending machines are energy-efficient. There will be no change to the temperature of the beverages or the outward appearance of the machines. The tax incentive will tend to keep the price of the beverage where it is today.

This amendment provides a boon to energy savings at little cost. This amendment will provide an energy savings of approximately three to one over the cost of the tax incentive. Not only does this amendment make good sense for energy efficiency; it makes good economic sense, too.

Every small step we take toward reducing our nation's total energy consumption contributes to a more prosperous economy and a brighter future for ourselves and our children. I urge my colleagues to support this amendment.

AMENDMENT NO. 3043

Mr. ROCKEFELLER. Mr. President, I am committed to helping craft national energy legislation that takes energy production and conservation, balanced with environmental concerns and economic issues, into consideration. Today, I am pleased to join my colleagues Senator ALLEN, Senator SPECTER, and Senator WARNER, in submitting amendment No. 3043 to the Senate energy bill to create an important tax incentive that I believe will encourage the recycling of coal combustion waste materials produced in the process of reducing sulfur emission in coal-fired electric utility boilers.

Currently in the United States, many coal-fired power plants are equipped with sulfur dioxide scrubbers, the purpose of which is to significantly reduce the amount of sulfur dioxide released into the air. In the process of cleaning the air, these scrubbers produce more than 20 million tons of coal combustion waste or sludge per year. Stabilization of the sludge increases the waste materials to over 40 million tons per year, and this amount is expected to more than double as the Clean Air Act Amendments of 1990 continue to phase in. At this time, less than 20 percent of this waste material is recycled. In fact, the balance of the sludge is disposed of in landfills at a cost to electric utilities of as much as \$40 per ton, depending upon the locale. I am concerned that, as landfills become full, and new landfills become more difficult to site, the costs to utilities, and ultimately to electric consumers, will continue to escalate.

A tax credit is needed to encourage utilities that are controlling their sulfur dioxide emissions to recycle the waste material their scrubbers



produce. By helping to alleviate and perhaps eliminate the cost of disposing of the waste products generated by using important emission control systems, we can realize the multiple environmental benefits: Cleaner air and less combustion waste being landfilled.

There are basically two types of scrubbing, or emission control systems, currently in use. One produces a wet sludge and the other a dry sludge. Wet sludge is more difficult and costly to treat. Accordingly, the proposed credit is \$6 for each "wet ton" and \$4 for each "dry ton" recycled by a third party. The credit will have a 10-year limit and includes strict requirements to determine that the sludge has actually been "recycled" and that a value-added product, with genuine marketplace appeal, is created.

The tax credits will stimulate the development of new technologies to recycle the sludge and encourage existing technologies to enhance their recycling efforts. The 10-year life of this credit will provide sufficient time to aid the start-up of new companies and technologies and the further development of existing technologies; thereafter these recycling efforts should be self-supporting. The cost of these credits is less than \$75 million over the next 10 years and could, in part, be offset by taxes generated by new businesses as well as the savings to the economy through reduced energy costs.

I remain committed to promoting the use of coal as a primary energy source for this nation, and I wholeheartedly embrace tax incentives for the installation of clean coal technologies. I believe this credit to encourage combustion waste recycling efforts is an important addition to our energy policy. It will support economic development and protect the environment. I strongly urge my colleagues to support this amendment.

#### AMENDMENT NO. 3044

Mr. ROCKEFELLER. Mr. President, I am pleased to join my colleagues, Senators BEN NELSON and CHUCK HAGEL, in submitting amendment No. 3044 addressing energy metering at consumers' homes and the availability of reliable energy usage data for consumers to use in making energy consumption decisions. The amendment we are submitting is very straightforward, and I urge my colleagues to support it.

Under the Energy Tax Incentives Act a tax credit and accelerated depreciation is established for the benefit of electric and gas suppliers that install energy meters that provide consumers with real-time information about the amount of energy they are consuming and the cost of that energy. This provision was passed by the Senate Finance Committee, and will become a part of the bill now under consideration.

The intent of these provisions is to promote energy conservation by allowing consumers to monitor, in real time, their energy use and its cost. By providing consumers with access to cur-

rent energy use and cost information, consumers will be better able to change their usage patterns, thereby conserving energy and saving money in the process. The one problem my cosponsors and I see with this provision is that it is limited to only one or two specific metering technologies, and I strongly believe there are other very cost effective and beneficial metering technologies, collectively referred to as "time of use" technology that would similarly allow consumers to better conserve energy.

Our amendment would simply expand the availability of this tax provision to include those suppliers who provide consumers with time of use metering technology. One of these time of use technologies is manufactured by a company doing business in Scott Depot, WV. I have not brought this amendment to the floor of the United States Senate solely because it may benefit a business in my home State. I have brought this amendment to the floor because I believe it will enhance the effectiveness of the underlying bill by giving consumers and their utilities a number of options for conserving energy through the auditing of their energy use.

By using time of use technology, consumers could easily and conveniently determine how much energy they consumed during different times of the day and the specific costs associated with their use during each time period. Consumers would have access to time of use information for pre-selected time segments of each day. Each selected time period would have the exact price of the energy consumed.

For example, a consumer in New Manchester, WV, using this technology could determine how much energy was used between 6-7 p.m. each night. By knowing this information, this consumer would be able to change his or her energy-use habits during specific time periods, or as an overall policy. If helpful, consumers could also easily be provided with historic time of use information so they could compare their current use and costs with their past use to see the extent they have been conserving energy and saving money. I believe this type of metering technology would be particularly beneficial to many consumers in West Virginia.

This is a good amendment, and I think that it improves the energy efficiency provisions of the underlying bill, without favoring one technology over another.

#### AMENDMENT NO. 3045

Mr. ROCKEFELLER. Mr. President, amendment No. 3045 is very simple but it could make a life or death difference to miners who work in one of the most dangerous occupations in America.

This amendment would require the Secretary of Labor, in consultation with the Secretary of Energy, to review current staffing levels of mine inspectors, and considering current needs and expected retirements, to hire and train as many new mine inspectors as

are needed to maintain proper safety in coal mines. The Secretary is to maintain the number of mine inspectors at a level no lower than current levels. When filing these positions, my amendment encourages the Secretary of Labor to give consideration to experienced miners or mine engineers.

Coal miners are dying in alarming numbers in accidents that might be prevented if more mine inspectors were on the job. Coal mine fatalities increased in 2001 for the third year in a row. Forty-two miners died in mine accidents in the United States. Forty-two miners lost their lives. This is the most since 1995.

Already in 2002, eight miners have died in American coal mines. Improved technology is increasing the productivity of our mines. We should also be seeing improvements in mine safety, not a rising death toll.

Two of the miners who have died this year were West Virginians. On January 2nd, a 44-year-old miner with 23 years of experience was fatally injured when unsupported roof rock measuring seven feet by five feet fell on him in the Justice #1 mine in Boone County, WV.

Just over a month later, on February 20th a 53-year-old miner at the Radar Run #2 mine in Greenbrier County was crushed by loose rock, some as large as 30 feet long, 30 feet wide, and 10 feet thick.

These deaths are tragedies for the families and friends of the miners who died. If these accidents could have been prevented, it is unforgivable. Our industry and Federal mine safety system are supposed to protect miners to the maximum extent possible. The sheer number of mine deaths tells me that we are not doing enough to ensure miners' safety.

I am proud that West Virginia produces much of the coal that powers the national economy. Over 50 percent of our electricity comes from coal. But in producing this fuel, year in and year out, too many West Virginia miners become casualties.

Twelve of the 42 miners lost in coal mines in the United States last year were West Virginians. Nine West Virginians, died in both 1999 and 2000. Since 1992, 114 of the 406 American miners who have died in mine accidents have been West Virginians. This is unacceptable. We must do a better job of preventing these accidents, with the goal of eliminating them altogether.

West Virginia miners are not the only ones dying in coal mines. Last September 23rd, two explosions in the Jim Walter #5 mine in Brookwood, AL, took the lives of 13 coal miners, in the single largest coal mine disaster in the United States since 1984. Twelve of these miners had rushed into the mine to save trapped co-workers. That kind of heroism is frequently found in the history of coal mining. We need to make it less necessary.

Anyone who has gone down into a mine knows that accidents happen. This amendment will cut down on preventable accidents.

Retirements will reduce the current number of mine inspectors by 25 percent in the next five years. Despite this trend, and the number of mine fatalities, the President's fiscal year 2003 budget request cuts the Mine Safety and Health Administration budget by \$4 million.

The premise is not that more money will necessarily solve the problem. The premise is this: The energy bill properly sees coal as a vital part of the nation's energy mix. The amendment intends to make sure that the hard-working men and women who bring that coal out of the ground are not doing so at an unacceptable risk to their lives.

#### AMENDMENT NO. 3072

Mr. DURBIN. Mr. President, amendment No. 3072 to the energy bill to establish a Consumer Energy Commission. This amendment is simple, yet it has the potential to significantly benefit American families and businesses. It should garner widespread support.

Like many of my colleagues in the Senate, I am pleased that we have turned to debate on an energy bill to address our nation's energy challenges. This debate marks the first time Congress has comprehensively considered energy policy since 1992. As we consider the many facets of this important topic, we must remember what has happened with energy in our country during the past decade.

One word you will often hear to describe energy during the past decade, especially in the last few years, is "crisis." The California electricity experience has been cast in terms of a crisis, and many have pointed to Enron as an indication of problems in our energy policy. While we may disagree with the extent of the energy crisis, as well as ways to address it, I think we can all agree that one energy challenge our nation faces is consumer price spikes.

Let us take the example of gasoline. We all know that prices have significantly fluctuated at the pump. The Administration's energy policy indeed cites "dramatic increases in gasoline prices" as one of the challenges we face. The Consumer Federation of America and Public Citizen have also called attention to energy price spikes, explaining that American consumers spent roughly \$40 billion more on gasoline in 2000 than in 1999. In the spring of 2000, the cost of gasoline in Chicago shot up to \$2.13 per gallon, well-above the unusually high national average of \$1.67 per gallon at the time.

Yet gasoline is not the only energy product for which consumers have had to pay dramatically fluctuating costs in recent years. Residential heating oil, residential natural gas, commercial natural gas, industrial natural gas, and motor gasoline, have all had fluctuating prices over the past 15 years.

If we break down these numbers month-by-month, you can see incredible price spikes. In just a matter of one month, the national average price of gasoline jumped by 20 cents per gal-

lon, residential heating oil rose by 10 cents per gallon, and residential natural gas leapt by 50 cents per thousand cubic feet.

In some areas of the country and sectors of the economy, price spikes were greater and had drastic impacts. Home heating and cooling bills crippled family budgets in the Midwest and Northeast. Farmers and industries dependent on natural gas for the production of fertilizer and other chemical products suffered economically.

To address the chronic national problem of significant energy price fluctuations, I am offering an amendment to the energy bill that would establish a Consumer Energy Commission. This 11-member Commission would bring together bi-partisanly appointed representatives from consumer groups, energy industries, and energy- and trade-related agencies, to study the causes of energy price spikes and make recommendations on how to avert them.

It is true that the Federal Trade Commission recently studied gasoline price spikes in the Midwest. Indeed, several studies have investigated potential abuses of market power in the energy industry. Other studies have looked at the long-range supply and demand projections for energy products. But previous studies have tended to focus on a small set of issues, and on the perspective of industry or government. I think the best approach is not to look at these issues narrowly, but rather to consider the big picture. Most importantly, we need to give consumers a voice.

When consumers go to pay their grocery bills, or their tuition bills, or even their residential electricity bills in most states, and when businesses go to pay for raw materials, prices are rather predictable. But when they go to pay for their heating and cooling, natural gas, or gasoline, families and businesses face the frustrating reality of wild price swings. We need to bring consumers to the table with representatives of the energy industry and government, in order to study price spikes. We need these groups to work collectively, and to consider a range of the possible causes of energy price spikes. We need them to look at both the supply and demand sides, including such potential causes as maintenance of inventory, delivery of supply, consumption behaviors, implementation of efficiency technologies, and export-import patterns.

After the Consumer Energy Commission has studied energy price spikes comprehensively, its charge will be to develop options for how to avert or mitigate price spikes. These recommendations can range from legislative and administrative actions to voluntary industry and consumer actions that can help protect consumers from the fluctuating costs of energy products.

This Commission will be well-balanced, not only to reflect all groups with a stake in energy price spikes, but

also to reflect both political parties. No commission has ever before brought together such a diverse group to study such a complex problem in a holistic manner. No commission has ever promised to see things from the perception of consumers: families and businesses that routinely face energy price spikes. The Consumer Energy Commission is long overdue, and I urge my colleagues to support it.

#### AMENDMENT NO. 3074

Mr. DURBIN. Mr. President, amendment No. 3074 would establish a Conserve by Bike Pilot Program in the National Highway Traffic Safety Administration, as well as fund a research initiative on the potential energy savings of replacing car trips with bike trips. This program would fund 10 projects throughout the country, using education and marketing to convert car trips to bike trips. The research would document the energy conservation, air quality improvement, and public health benefits caused by increased bike trips. The goal is to conserve energy resources used in the transportation sector by turning some of our gas guzzling miles into bike rides.

There is no single solution for our Nation's energy challenges. Every possible approach must be considered in order to solve our energy problems. Something as simple as traveling by bike instead of car can play an important role in reducing our dependence on foreign oil. Energy conservation does not have to be difficult: it can be as economical, healthy, and environmentally friendly as a bike ride.

It would be unrealistic to expect Americans to make a substantial increase in the number of trips they make by bicycle. But even a tiny percentage of bike trips replacing our shorter cars trips could make a significant difference in oil and gas consumption.

Right now, less than one trip in one hundred, .88 percent, is by bicycle. If we can raise our level of cycling just a tiny bit: to one and a half trips per hundred, which is less than a bike trip every 2 weeks for the average person, we would save over 462 million gallons of gasoline in a year, worth over \$721 million. That's one day a year we won't need to import any foreign oil.

In addition to conserving our energy, an increased number of bike trips can improve our air quality. Significant declines in vehicle emissions would follow from increased bike trips. A study in New York City showed that bicycling spares the city almost 6,000 tons of carbon monoxide each year. A reduced number of trips made by cars would increase this number and help to clean our nation's air.

The Federal Highway Administration estimates that 60 percent of all automobile trips are under five miles in length. And these short trips typically emit more pollutants because cars during these trips run on cold engines. Engines running cold produce five times



the carbon monoxide and twice the hydrocarbon emissions per mile as engines running hot. These cold engine trips could most easily be replaced by bike rides.

Americans would experience additional advantages from increased bike usage. The decreased number of cars on our nation's highways would help reduce traffic and parking congestion. Congestion costs have reached as high as \$100 billion annually according to the Federal Highway Administration. A reduction in cars on the roads will decrease the high costs associated with congestion.

The "Conserve by Bike" amendment will also improve public health. The exercise from more frequent bike trips would help improve our physical well-being. Biking has proven to be effective in the prevention of heart disease, our nation's number one killer. And, biking has also shown to help individuals in the correction of health-impairing behaviors like smoking and alcohol abuse.

The "Conserve by Bike" amendment will help America take a simple but meaningful step in energy conservation. It will help fund 10 pilot projects that will use education and marketing to facilitate the conversion of car trips to bike trips, and document the energy savings from these trips. These projects will facilitate partnerships among those in the transportation, energy, environment, public health, education, and law enforcement sectors. There is a requirement for a local match in funding, so that these projects can continue after the federal resources are exhausted.

In addition, this amendment will fund a research initiative with the National Academy of Sciences. The study will examine such factors as weather, land use and traffic patterns, bicycle facility infrastructure, to identify what trips Americans could reasonably take by bike. It will also illustrate the benefits of converting bike trips to car trips, and explore ways that we can encourage Americans to pedal rather than gas guzzle.

It is imperative that Americans are fully informed of the entire range of benefits from biking in terms of energy conservation, air quality, and public health. We also need to provide the best resources in bike safety and convenience.

We have been spending a modest amount of federal, state and local funds on bicycle facilities since 1991. This amendment will leverage those investments and help people take advantage of the energy conservation choices they have in getting around their communities. I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I see the distinguished Senator from Iowa in the Chamber. Does he wish to have the floor?

Mr. GRASSLEY. For about 6 minutes. Would that be possible?

Mr. BYRD. Mr. President, my patience is becoming greatly strained, but I will yield to the Senator.

I ask unanimous consent that I may yield to the Senator from Iowa for not to exceed 10 minutes, without my losing my right to the floor.

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

Mr. GRASSLEY. Mr. President, I thank the Senator from West Virginia for his gracious attitude.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

#### ANDEAN TRADE PREFERENCES ACT

Mr. GRASSLEY. Earlier today, unanimous consent was requested on the part of Senator LOTT that the Andean pact come before the Senate. That request was not granted. So I rise to express my regret of that happening and to express my support for the fact that the Andean Trade Preferences Act legislation should be on the floor and should have been considered by now. I am concerned if the Senate doesn't act early on the Andean trade bill, that America's continued leadership in the international arena of trade will be severely impaired.

Specifically, I fear our failure to approve this legislation in a timely manner will undermine our ability to constructively engage with our Latin American neighbors at a time when many of them face enormous economic and political challenges.

Today, President Bush leaves on an important mission to Latin America. Just on Saturday, he will visit Peru, one of the Andean nations, where he will meet with four Andean leaders. President Bush's trip builds on a long tradition of promoting vigorous United States engagement with Latin America that started as far back as President Kennedy's Alliance for Progress in the 1960s.

As did President Kennedy, President Bush has a vision for Latin America. The President wants to tell our Andean neighbors—Peru, Colombia, Bolivia, and Ecuador—that the United States wants to be their hemispheric partner in peace. He wants to tell them that trade and prosperity go hand in hand.

President Bush wants to make the case that the benefits of trade are not just for rich countries like the United States; they are also for countries that aspire to become rich countries; for countries that want better, more secure lives for their citizens; for countries that want better health care, better education, and better futures for their children.

President Bush wants to encourage our Andean neighbors to use trade to promote economic development through a diversified export base as an alternative to the allure of the drug trade.

When President Kennedy unveiled his Alliance for Progress in 1961, he said if we were bold and determined enough,

our efforts to reach out to Latin America could mark the beginning of a new era in the American experience. This is just as true today as it was way back in 1961.

Through the Andean pact, and complimentary trade initiatives such as the Free Trade Area of the Americas, we can achieve a new era of hemispheric economic cooperation that benefits everybody—not just these four countries, not just the United States, but it has a benefit way beyond that.

The Andean nations know trade, not aid, is the best way to overcome the fragmentation of Latin American economies, and to build the self-sustaining growth that nourishes democratic institutions.

But because the Andean trade bill still languishes in the Senate—along with another important bill, trade promotion authority, another vitally important trade bill as well—the President's trip will not be as effective as it could have been if the Senate had acted. Obviously, we should expect our President to be successful and want him to be successful.

For a long time, we had a tradition in this country that politics stops at the water's edge. Unfortunately, that is not as true now as it once was. A lot of trade and foreign policy issues get entangled with our domestic partisan politics. I very much regret this development because it is very harmful to the U.S. leadership in any subject but particularly in the area of trade. It is harmful to the enhanced prospects for prosperity and peace that we are trying to promote around the world, and commercialization is a very useful tool in promoting world trade.

Mr. President, the other day, the lead editorial of the Washington Post addressed the issue of the Senate majority leader's failure to bring up the Andean trade pact. I would like to read a portion of that editorial, which appeared March 19 in the Washington Post:

The Senate's failure to help the four Andean states—Colombia, Peru, Ecuador and Bolivia—is particularly egregious. A package of trade concessions has passed through committee and commands an overwhelming majority of the full chamber. . . . Only a handful of Senators opposes the package. But the Senate leadership has failed to bring it to the floor, making it likely that Mr. Bush will arrive in Peru empty-handed . . . at a time when American leadership in Latin America is being questioned, the least the Senate could do is to pass a trade measure that almost nobody opposes.

As is clear from my point of view, the time to act was months ago. But it is never too late to do the right thing. We had that opportunity today and it failed. So I urge my colleagues to, just as soon as we get back from the Easter recess, put not only the Andean pact but other trade issues very high on the agenda and get them passed and help us to help these Andean nations, which