

way a lot of us believed it should. The Senator from Delaware is coming back at such time as I hope he can offer this amendment, with something on which he has spent hours and days, coming up with something that is reasonable and will meet many of the goals that need to be met, allowing the United States to become less dependent on production.

I say to my friend from Delaware, I am very glad he is in the Senate. He has brought to the Senate the same style that he had in the House of Representatives and, I am sure, to the office of Governor, although I am not as aware of his work as a two-term Governor of the State of Delaware. But he has brought, really, a fine dimension to the Senate. I am proud of the work he has done, as should be the people of Delaware.

Mr. CARPER. If the Senator will yield, I say to my friend, our assistant majority leader, those words mean more than you know. I have been called any number of things as Governor, as a Member of Congress, and as a Member of the Senate, and studious is one of the kinder and more generous.

It is an honor to work with the Senator. I thank him for his leadership.

The PRESIDING OFFICER. Who yields time? Who seeks recognition?

Mr. CARPER. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

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

Mr. BAUCUS. Madam President, I ask unanimous consent that the Senate go into legislative session and that the energy bill be the pending business.

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

The clerk will report the bill by title. The senior assistant bill clerk read as follows:

A bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes.

Pending:

Daschle/Bingaman further modified amendment No. 2917, in the nature of a substitute.

Dayton/Grassley amendment No. 3008 (to amendment No. 2917), to require that Federal agencies use ethanol-blended gasoline and biodiesel-blended diesel fuel in areas in which ethanol-blended gasoline and biodiesel-blended diesel fuel are available.

Landrieu/Kyl amendment No. 3050 (to amendment No. 2917), to increase the transfer capability of electric energy transmission systems through participant-funded investment.

Schumer/Clinton amendment No. 3093 (to amendment No. 2917), to prohibit oil and gas drilling activity in Finger Lakes National Forest, New York.

Dayton amendment No. 3097 (to amendment No. 2917), to require additional findings for FERC approval of an electric utility merger.

Feinstein/Boxer amendment No. 3115 (to amendment No. 2917), to modify the provision relating to the renewable content of motor vehicle fuel to eliminate the required volume of renewable fuel for calendar year 2004.

Murkowski/Breaux/Stevens amendment No. 3132 (to amendment No. 2917), to create jobs for Americans, to reduce dependence on foreign sources of crude oil and energy, to strengthen the economic self determination of the Inupiat Eskimos and to promote national security.

Reid amendment No. 3145 (to amendment No. 3008), to require that Federal agencies use ethanol-blended gasoline and biodiesel-blended diesel fuel in areas in which ethanol-blended gasoline and biodiesel-blended diesel fuel are available.

The PRESIDING OFFICER. The Senator is recognized.

Mr. BAUCUS. Madam President, I appreciate the recognition. If no further statements are to be made at this time, I yield the floor.

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

#### UNANIMOUS CONSENT AGREEMENT—H.R. 8

Mr. DASCHLE. Madam President, throughout the morning we have attempted to find ways to move the process along. I thank a number of Senators on both sides of the aisle for their cooperation. We are at a point now where procedurally I think we are in a position to move forward. We will make a unanimous consent request following this one having to do with amendments to the energy bill. But that is a separate matter. This has primarily to do with the question of estate taxes.

I ask unanimous consent that when the Senate considers Calendar No. 33, H.R. 8, the estate tax bill, no later than June 28, the only amendments in order are as follows:

Senator GRAMM of Texas, an estate tax amendment; the majority leader, or his designee, an estate tax amendment which shall be subject to two second-degree amendments to be offered by Senator DASCHLE, or his designee, with Senator DASCHLE's amendment being the first one offered; that all of the above amendments deal solely with the subject of estate tax; that all of the above estate tax amendments be subject to a 60-vote Budget Act point of order and that no other amendments or motions be in order to the bill, except

motions to waive the Budget Act; and that if any of the above amendments, after each has had its motion to waive vote, is adopted, the bill be read a third time and the Senate vote on final passage of the bill without any intervening action or debate, and that if none of the amendments achieve 60 votes to waive the Budget Act, the bill be placed back on the calendar; further, that there be 2 hours for debate on each of the above amendments equally divided in the usual form; further, that upon the granting of this consent, Senator BAUCUS be recognized to offer the Baucus-Grassley Finance Committee tax amendment to the energy bill, and that the amendment be agreed to and the motion to reconsider be laid upon the table, without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

Mr. DASCHLE. Madam President, let me just say, it is the intention of Senator LOTT and me to offer the unanimous consent request shortly which would make in order a number of amendments pertaining to the energy bill that, hopefully, will bring us to closure.

What we have done in this case is simply agree to a debate on the estate tax legislation sometime prior to June 28. Senators will have an opportunity to debate the estate tax bill. I know there is a great deal of interest on both sides of the aisle.

We will also now entertain the Baucus amendment as it relates to the tax provisions of the energy bill. All Senators, of course, still retain their right to offer amendments on taxes prior to cloture.

Madam President, I yield the floor and thank all of my colleagues for their cooperation.

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

AMENDMENT NO. 3286 TO AMENDMENT NO. 2917 (Purpose: To provide energy tax incentives)

The PRESIDING OFFICER. Under the previous order, the pending amendments are set aside.

The clerk will report the Baucus amendment.

The legislative clerk read as follows:

The Senator from Montana [Mr. BAUCUS], for himself, Mr. GRASSLEY, Mr. ROCKEFELLER, Mr. HATCH, Mr. THOMAS, Mr. HAGEL, and Mrs. CARNAHAN, proposes an amendment numbered 3286.

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

Mr. BAUCUS. Madam President, this amendment consists of the energy tax incentives reported by the Finance Committee.

Let me explain why this amendment is necessary.

The short term energy crisis has ended. But the long term problem has not.

Earlier this year, at a House hearing, Energy Secretary Abraham summed up the energy situation. He said that "Over the last 12 months we have seen energy supply shortages, natural gas and gasoline price spikes in the Midwest and California, and terrorist attacks within our borders."

He was right on target. His words emphasize that energy independence matters. It matters to our economy, to our national security, and to the well-being of average American families.

Take one example. Gas prices.

Remember last summer. The price was \$1.70 per gallon. A record high.

Just 6 weeks ago, the national average retail price for gasoline was \$1.14 per gallon.

Since then, gas prices have climbed again. Today, the national average price is back up to \$1.42 per gallon.

Over the past several years, prices have been extremely volatile.

This volatility has had a sharp economic effect, disrupting businesses and lives.

Here is why. The difference between \$1.14 per gallon and \$1.70 per gallon is 56 cents per gallon.

The average household uses about 1,100 gallons of automobile gasoline a year. All else being equal, that amounts to a swing in household fuel expenditures of more than \$600, just for transportation.

That is like a \$600 tax increase, on every American family.

For a small business, the economic impact of these price swings can be even worse.

And the situation is not likely to improve anytime soon.

Between now and 2020, worldwide demand for oil is projected to increase from 76 million barrels a day to nearly 120 million barrels per day. That's an increase of almost 60 percent.

Clearly, the more we depend on only one source of energy, the more we are subject to price fluctuations.

With that background, let's turn to the legislation.

The chairman of the Energy Committee, Senator BINGAMAN, has designed the underlying energy legislation that is the basis for our energy policy.

Now why should tax incentives be part of the bill?

The use of tax incentives to promote energy development is not some radical new idea. From the time of the enactment of the income tax in 1916, we have had tax incentives for the production of oil and gas.

In 1978, we went further. We created the first tax incentives for renewable fuels and for conservation.

These incentives were effective. Last July, at a Finance Committee hearing, economist Kevin Hassett told the committee that the tax credits "were fairly successful at stimulating conservation activity." More specifically, he found that "a 10 percentage point credit would likely increase the probability of investing [in conservation] by about 24 percent."

The Finance Committee amendment takes this experience to heart. We use targeted tax incentives to promote investments that are critical to energy independence.

We do this in three important ways. First, we create incentives for new production, especially production from important renewable sources.

Second, we create incentives for the development of new technology.

Third, we create incentives for energy conservation.

Let me explain each in turn.

First, new production. Regardless of the source, total U.S. energy production directly affects our dependence on foreign sources of energy.

If U.S. production rises, while consumption remains constant or falls, we become less reliant on foreign energy. Unfortunately, the opposite is expected to occur.

Through 2020, energy consumption is projected to increase more rapidly than domestic production. If that happens, our reliance on foreign energy—shown on the chart as "net imports" of energy—will increase accordingly.

Here is how we address the problem.

We extend the wind and biomass credit for an additional 5 years. We also qualify many more sources as renewable fuel sources, including geothermal, solar, plant life, and other sources.

We create incentives for clean coal. If you retrofit to use currently available clean coal technology, you are eligible for a production tax credit. If you use advanced technology, you're eligible for both an investment credit and a production credit.

We create a new credit for oil and gas production from marginal wells, and a limited tax break for geological and geophysical expenditures.

Each of these tax incentives will encourage more energy production, from a variety of renewable and traditional sources.

Let me turn to the second key element of the bill. New technology.

Think big. Think new. Think way into the future.

New technology can bring both energy independence and a cleaner environment.

Before long, our cars and trucks will run on electricity, new and alternative fuels, and fuel cells. And maybe someday, when we get home from work, we'll plug our fuel cell automobiles in to generate the electricity for our homes.

But we need to make investments in these technologies today. History tells us it can take a very long time to deploy new technology. The first commercial telephone service was offered in 1876, but it took more than 90 years to make the service available to 90 percent of residences in the United States.

It would be a shame if it takes half that time to bring these promising new technology vehicles to market.

So here is what we do.

We create tax credits for the purchase of new technology vehicles.

These vehicles of the future. They'll be powered by alternative fuels, by fuel cells, and by electricity.

In the near term, we provide tax credits for the purchase of hybrid vehicles, which run partly on electricity and partly on gasoline.

What is so great about these vehicles?

For starters, fuel cell and electric vehicles are zero-emissions vehicles. In the meantime, hybrid and alternative fuel vehicles can speed us toward the development of these zero emissions vehicles.

On top of that, when it comes to emissions and fuel economy, these vehicles have significant advantages compared to traditional fuel vehicles.

To make sure of this, we provide tax credits only to vehicles that meet very stringent emissions standards.

There's a related point. New vehicles require new fuels. And it takes new infrastructure to deliver these fuels. Therefore, we provide tax incentives for the installation of new refueling station technology and for the purchase of alternative fuels.

All told, these investments in new technology will transform automotive transportation in the United States, so that it is cleaner, more fuel efficient, and less reliant on imported oil.

The third key element of the bill is conservation.

Conservation is the only way to solve the problem of excessive dependence on foreign imports. When we increase conservation, it has the same effect as if we reduce consumption. We see that this will lessen our reliance on foreign sources of energy.

Conservation also will have positive environmental effects. Namely, cleaner air.

Perhaps most important, tax investments in energy conservation will reduce monthly energy bills.

How do we accomplish this?

We create incentives for people to get more complete energy consumption information with devices like the smart meter, which allows people to track energy use in their homes.

We create incentives for people to buy energy efficient refrigerators, air conditioners, and other appliances.

And we encourage energy efficient construction, to make homes and commercial buildings more energy efficient.

Those are the three key elements of the bill. New production, new technology, and conservation.

We also address several other issues. Perhaps the most important is electric utility restructuring. This is important for investor owned utilities, municipal utilities, and cooperatives. And, of course, for consumers.

But there is a lot of uncertainty. We all remember the rolling blackouts in California. Many other states also have been affected. In Montana, the legislature has had to delay the implementation of a law calling for retail choice, because the state does not yet have a competitive market in place.

There is similar uncertainty in other states and nationwide.

To my mind, we don't yet know what a restructured electric industry will look like.

In light of this, the amendment tells the Treasury Department to report back to us by the end of the year on restructuring and the tax issues it raises. The study will help us make the right decisions to address future issues raised by restructuring.

Senators BINGAMAN and MURKOWSKI may wish to go further, as part of this bill, and Senator GRASSLEY and I are discussing options with them now.

At the same time, there are some current problems, that we do know how to address.

The amendment does so with respect to nuclear decommissioning funds and the treatment of cooperatives.

Before closing, I'd like to acknowledge all of those who helped write the Finance Committee bill.

The President's budget called for tax incentives for renewable resources, residential solar systems, alternative fuel vehicles, and combined head and power systems.

Those are included.

Our committee members have also made very important contributions.

Our ranking member, Senator GRASSLEY, has worked hard to make this a balanced, bipartisan bill.

Senator HATCH and others were the principal authors of the alternative fuels provisions.

Senator ROCKEFELLER was the principal author of the clean coal provisions. Other Members were responsible for other important provisions.

I also appreciate the help of the leaders of the Energy Committee, Senators BINGAMAN and MURKOWSKI. We are lucky that they also are members of the Finance Committee, and we benefited from their expertise and dedication.

In other words, this has been a cooperative effort, all around.

Pulling this together, we have a package of tax incentives that are important in their own right and that will complement the broader energy bill.

In short, this amendment is good environmental policy and good energy policy.

Don't get me wrong. This bill is not a panacea. It is a work in progress. It is just a step. But it is a good step. A step in the right direction.

I thank members and urge adoption of the amendment.

The PRESIDING OFFICER. Under the previous order, the amendment is agreed to and the motion to reconsider is laid upon the table.

The amendment (No. 3286) was agreed to.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. MURKOWSKI. Madam President, may I ask the Senator from Montana, my understanding is that there is going to be a managers' amendment out of the Finance Committee on the energy tax aspect.

Mr. BAUCUS. The Senator is correct. Given the posture we are in, I assume procedurally that is available at this time. But that is an assumption. I am not positive. That is an assumption. If procedurally that is available, the Senator is correct.

Mr. MURKOWSKI. Well, I would like to have some assurance that we will have an opportunity for input in the managers' amendment before I would agree to a unanimous consent which I assume will be forthcoming. The Senator from Montana has not proposed a unanimous consent, he has just proposed this; is that correct?

Mr. BAUCUS. In answer to the Senator, the Finance Committee tax incentives are now part of the energy bill. The Senate has adopted them. They are in the bill now. I am not at this point attempting to seek a UC request.

Mr. MURKOWSKI. Well, it would be my hope we could work to—

Mr. BAUCUS. I understand. I have been working with the Senator and with the distinguished chairman of the committee to try to figure out what appropriately could be put in that package.

Mr. MURKOWSKI. It would appear, Madam President, it would be a combination of either specifically identified amendments that could be agreed upon or we would have to address the issue of germaneness. If I have the assurance of the chairman of the Finance Committee that he is willing to work with us on that aspect, I would be satisfied.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Madam President, might I inquire of the Senator from Montana, it is the Senator's intention that the Finance Committee version—not a modified version of that—be offered for inclusion in the underlying bill; is that correct?

Mr. BAUCUS. I say to my good friend, the Senate has already adopted the measure that passed the Finance Committee. That is now an adopted amendment and now part of the energy bill.

Mr. KYL. The reason I ask is, there was some confusion at the desk as to which version the Senator was offering.

Mr. BAUCUS. That is correct.

Mr. KYL. Since there was not an amendment pending at the desk.

Mr. BAUCUS. The two versions at the desk were identical.

Mr. KYL. I thank the Senator.

Mr. MURKOWSKI. I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

The majority leader.

Mr. DASCHLE. Madam President, I want to just announce that we will be offering a unanimous consent request shortly that would propose that we limit the number of amendments to be taken post cloture to a certain number. I believe we are going to suggest seven on a side. But let me say, with or without that unanimous consent request,

post cloture, Senators would still be eligible to offer amendments having to do with certain tax provisions or any other provisions of the bill.

What we are simply trying to do is to find a way, at long last, to bring this bill to closure. I remind my colleagues that I laid this bill down on February 15. It is now April 23, and the only way we are going to bring this to conclusion so that we can move to other legislation is to either get this unanimous consent request that Senator LOTT and I are about to propound or cloture.

So I ask my colleagues for their cooperation in this regard. And failing the unanimous consent, as my colleagues may note, I have moved the cloture vote to 2:30 this afternoon. So one or the other will occur. Either we will get a UC or we will have a vote on cloture at 2:30 this afternoon.

I yield the floor.

The PRESIDING OFFICER. The Republican leader.

Mr. LOTT. Madam President, I appreciate the work we have been able to do to try to get a reasonable agreement as to how to proceed on the death tax matter. I think the agreement just entered is fair to all sides.

Also, I think it is very important that we have the tax section as a part of our energy package, when it is completed, because many of the important incentives to get more production and to find alternative fuels and develop new technologies—whether it is hybrid cells or whatever it may be—are in that section. We have almost \$15 billion that came out of the Finance Committee unanimously, as I recall. So that needed to be included. The fact that it is included is a very important recognition that work has been done by Senator GRASSLEY, Senator BAUCUS, and others.

With regard to the unanimous consent request we are going to propound to limit the number of amendments and get to passage by a time certain, I also think that is the right thing to do. There may be many amendments that are out there, but we could not get an agreed-to number. I know we can accept a limited number of five or seven, whatever that number may be. Also, we are prepared to make a commitment to get final passage on this legislation no later than Thursday at 6 o'clock. I think that is the responsible thing to do. I support that. And Senator DASCHLE and I have been working for the last 24 hours to try to come to that agreement.

It is time we bring consideration of this bill to a conclusion. We have had a full debate, lots of amendments. I am sure nobody is perfectly happy with it, but to have expended over 5 weeks and then not be able to bring this to conclusion, would be disastrous for our country, and the Senate would look very bad.

So I hope we come to an agreement on how to get a vote on this legislation, complete action, and send it to conference for final activity.

With that, I yield the floor, Madam President, and suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. CLINTON). Without objection, it is so ordered.

Mr. DASCHLE. Madam President, yesterday was the 1:30 p.m. filing deadline. The Baucus-Grassley amendment was not part of the substitute then so people couldn't draft amendments to that section. To be fair, I ask unanimous consent that Members have until 1 p.m. tomorrow to file first-degree amendments to the Baucus-Grassley title and that Members have until 10 a.m. Thursday to file possible second-degree amendments to those amendments.

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

Mr. DASCHLE. I thank the Chair and yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DASCHLE. Madam President, I have noted on a couple of occasions this morning that it was our intention, in close consultation with the distinguished Republican leader, to see if we might find a way to bring closure to the bill, either with or without cloture. But I ask unanimous consent that immediately following cloture, notwithstanding the cloture vote, and notwithstanding the provisions of rule XXII, the Senate resume consideration of the energy bill with the opportunity of each leader or his designee to offer seven amendments which are either energy or tax related.

The PRESIDING OFFICER. Is there objection?

The Republican leader.

Mr. LOTT. Reserving the right to object, and I will not object, I want to say again, this is the right way to proceed. We have been on this legislation for 5 weeks. We have had a full debate. Senators on both sides of the aisle have had opportunities to offer their amendments. This will give us seven more opportunities on each side. We will have to get a limit. We will have to have a process, which will not be easy for either one of us. But we have discussed this in our caucus. We are prepared to accept the limitation. This would also be the process that would get us to a conclusion by, I believe, Thursday or Friday, at the latest, of this week.

I support this initiative, and it is a bipartisan effort. I thank Senator

DASCHLE for making the request. I withdraw my reservation.

The PRESIDING OFFICER. Is there objection?

The Senator from California.

Mrs. FEINSTEIN. Madam President, reserving the right to object, I would like to ask the majority leader if three amendments would be considered among his amendments. The first would be Senator SCHUMER's amendment to remove the ethanol mandate, the renewable fuels mandate from the bill; second would be Senator BOXER's amendment to remove the safe harbor provisions relating to liability; and the third would be my amendment to remove PADDs I and PADDs V from the renewable fuels requirement.

Mr. DASCHLE. Madam President, I certainly want to work with the distinguished Senator from California to accommodate her and other Senators who wish to be heard on the ethanol question. I know this is a very important matter for them. At this point, I would not be able to confirm that three of those seven amendments would be related to ethanol, although I would not want to assume that they would not be part of it.

I think we would want to negotiate with all of our colleagues to accommodate as many Senators with an interest in offering amendments as possible. Keep in mind, as I said earlier, this is in addition to, cloture notwithstanding. Those amendments that are eligible to be offered postcloture, we anticipate they would still be offered. It could be, and I would guess most likely would be, the case that one or more of those amendments would be able to be offered without the inclusion in this unanimous consent request.

Mrs. FEINSTEIN. In response to the majority leader, if I may, Madam President, we do not know at this time whether they would all be germane under the bill. Based on the fact that the majority leader is only reserving seven spaces and will not permit three spaces for this, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DASCHLE. I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Alaska.

Mr. STEVENS. Madam President, I had a commitment to offer an amendment to the energy bill dealing with the right of the Eskimo people of Alaska to proceed with oil and gas development on their lands. This weekend I conferred with them and their representatives, and they would prefer not to raise that issue at this time and to allow the process to go forward in terms of the energy bill and in terms of

their rights which they may wish to raise at another time but do not wish to have me raise at this time.

Under the circumstances, I want the manager of the bill to know we will not offer the amendment that would permit drilling on the lands in the Kaktovik area that are owned by the Kaktovik Eskimos, and the subsurface rights owned by the North Slope Borough. I believe the decision is a right one, and I am going to honor their request not to introduce the amendment at this time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

# RECESS

Mr. REID. Madam President, I ask unanimous consent that the Senate recess begin now rather than at 12:30 p.m.

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

Thereupon, the Senate, at 12:28 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. MILLER).

The PRESIDING OFFICER. The Senator from Nevada.

## NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 2001—Continued

MODIFICATION OF SUBMITTED AMENDMENT NO. 3274

Mr. REID. Mr. President, Senator LANDRIEU has timely filed an amendment, No. 3274, but there was a typographical error on page 2, I am told. This has been reviewed by the minority, and they have no problem with our doing this. I ask consent this be allowed.

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

Mr. REID. Mr. President, I suggest the absence of a quorum and ask unanimous consent the time be charged equally against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Who yields time?

AMENDMENT NO. 3257 TO AMENDMENT NO. 2917, AS MODIFIED

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that amendment No. 3257 be modified with the change that is at the desk, the amendment be agreed to, and the motion to reconsider be laid upon the table.