

understand Senator COLLINS will be coming in a few moments. After she speaks, we intend to yield back the remaining time and move to a vote. I anticipate we will have a vote on the conference report in probably about 10 minutes. We will ask for the yeas and nays. So Members should be alerted that we will proceed in that manner.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, in a moment, I will yield to Senator COLLINS. But let me, again, thank the chairman for the expert and professional way in which he handled this bill and moved it through the process. It is not the beginning; it is not the end; it is the middle of the process. But as a result of this bill, we will have put in place the mechanisms to produce the vaccines we need as a nation in order to protect ourselves from some of the most virulent biological agents with which we might be attacked—a very important step.

As a result of this bill, we will begin the process of significantly upgrading all the public health capabilities across this Nation, whether it is in large States, small States, large cities, small cities. That is very critical because, as we learned so well in the instance of 9-11, the public health capability of dealing with a crisis is one of the core elements of the first responder, the first line of defense when it comes to a situation resulting from someone attacking our Nation, especially with a biological or chemical agent.

So these two basic streams of effort, which are the core of this bill—the bill has a lot more in it, but that is the core of this bill—are going to make, I believe, a dramatic and significant difference in our capabilities as a nation to handle the threat which we, regrettably, confront now of someone using a biological or chemical agent against us as a nation.

Mr. President, I yield up to 5 minutes, if she wishes it, if I have it, to the Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine is recognized for 4 minutes.

Ms. COLLINS. Mr. President, first, I begin by thanking Senator KENNEDY, Senator JUDD GREGG, Senator BILL FRIST, and all of those who have worked so hard to bring this important legislation to the floor.

I am convinced that the bioterrorism bill to which we are about to give final approval will make a real difference in our Nation's ability to detect and, in the unfortunate event, respond to a bioterrorism attack.

I am particularly pleased that the legislation includes food safety provisions which I have advocated for some time.

In 1998, in my capacity as chairman of the Senate Permanent Subcommittee on Investigations, I conducted a 16-month investigation into the safety of imported food. What we found was truly frightening. We discov-

ered that the FDA inspects fewer than 1 percent of all shipments of imported fruits and vegetables. And we discovered that the safety net for ensuring that imported food was, indeed, wholesome and safe was deeply flawed.

We found that an unscrupulous shipper could very easily ship tainted food from one port to another without detection. If the system was that vulnerable to an unethical shipper, think what a determined terrorist could do.

So I am convinced the provisions included in this bill will make a real difference in helping to ensure the safety of our food supply.

I note that the Secretary of Health and Human Services, Tommy Thompson, recently testified before the HELP Committee that one of his greatest concerns was the vulnerability of our food supply.

I believe the provisions that are included in this bill will help to ensure that our food supply is safe from a terrorist attack.

We have a long way to go in the war against terrorism, but this major bioterrorism legislation is an important step in securing the United States of America.

Again, I commend the two leaders of our committee and all of those who have worked so hard to bring us to agreement on this important legislation.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, finally, again, I thank my colleague, Senator GREGG, and Senator FRIST, Senator COLLINS, and all of our Members for their cooperation and their help.

I urge our colleagues to vote in favor of the conference report.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. KENNEDY. I yield the remainder of our time.

Mr. GREGG. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

All time is yielded back.

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

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. INOUE) is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) is necessarily absent.

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

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 124 Leg.]

YEAS—98

Akaka	Dorgan	McCain
Allard	Durbin	McConnell
Allen	Edwards	Mikulski
Baucus	Ensign	Miller
Bayh	Enzi	Murkowski
Bennett	Feingold	Murray
Biden	Feinstein	Nelson (FL)
Bingaman	Fitzgerald	Nelson (NE)
Bond	Frist	Nickles
Boxer	Graham	Reed
Breaux	Gramm	Reid
Brownback	Grassley	Roberts
Bunning	Gregg	Rockefeller
Burns	Hagel	Santorum
Byrd	Harkin	Sarbanes
Campbell	Hatch	Schumer
Cantwell	Hollings	Sessions
Carnahan	Hutchinson	Shelby
Carper	Hutchison	Smith (NH)
Chafee	Inhofe	Smith (OR)
Cleland	Jeffords	Snowe
Clinton	Johnson	Specter
Cochran	Kennedy	Stabenow
Collins	Kerry	Stevens
Conrad	Kohl	Thomas
Corzine	Kyl	Thompson
Craig	Landrieu	Thurmond
Crapo	Leahy	Torricelli
Daschle	Levin	Voinovich
Dayton	Lieberman	Warner
DeWine	Lincoln	Wellstone
Dodd	Lott	Wyden
Domenici	Lugar	

NOT VOTING—2

Helms Inouye

The conference report was agreed to. Mr. REID. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

ORDER OF BUSINESS

Mr. REID. Mr. President, we have a number of Senators who indicated they wish to speak. We thought we would be able to start the vote earlier, but we cannot. Each time we get real close, someone else raises an objection. The Republican side does not want us to start on this now for obvious reasons. I can appreciate that.

We have a number of Senators desiring to speak. I assume we should arrange some time. Senator BINGAMAN desires 10 minutes.

Mr. BINGAMAN. Ten minutes would be fine.

Mr. NICKLES. I believe we have a couple of people. I suggest we try and accommodate speakers until 5:40, and then Senator BYRD wants to speak, and then there will be a motion to table and we will start a series of rollcall votes.

Mr. REID. Senator BYRD will speak before 5:40.

Mr. NICKLES. Yes.

Mr. REID. Senator BINGAMAN will speak for 10 minutes, then Senator

SNOWE will speak for 10 minutes. Senator BYRD, how much time would you require?

Mr. BYRD. Seven minutes.

Mr. REID. We can get you 10 minutes.

Mr. NICKLES. Senator SNOWE would like 15 minutes, Senator SANTORUM would like 5 minutes, and I would like 5 minutes on the Byrd amendment.

Mr. REID. So that is 25 minutes—it doesn't work.

Mr. NICKLES. If the assistant leader will yield, 20 minutes on each side should accommodate everyone's request.

Mr. REID. Senator BINGAMAN 10 minutes; Senator BYRD has 10 minutes, and would like his 10 minutes prior to the vote occurring.

MAKING TECHNICAL CORRECTIONS TO H.R. 3448

Mr. REID. I ask unanimous consent the Senate proceed to the consideration of S. Con. Res. 117, which is at the desk, and submitted earlier by Senator KENNEDY.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 117) to correct technical errors in the enrollment of the bill.

There being no objection, the Senate proceeded to the consideration of the concurrent resolution.

Mr. REID. I ask unanimous consent the concurrent resolution be agreed to, and the motion to reconsider be laid upon the table, without any intervening action or debate.

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

The concurrent resolution (S. Con. Res. 117) was agreed to, as follows:

S. CON. RES. 117

Resolved by the Senate (the House of Representatives concurring). That, in the enrollment of the bill (H.R. 3448) to improve the ability of the United States to prevent, prepare for, and respond to bioterrorism and other public health emergencies, the Clerk of the House shall make the following corrections, stated in terms of the page and line numbers of the official copy of the conference report for such bill that was filed with the House:

(1) On page 1, after line 6, insert before the item relating to title I, the following:

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(2) On page 40, line 3, insert before the semicolon the following: "(including private response contractors)".

(3) On page 75, line 18, strike "subsection (c)(1)" and insert "subsection (c)".

(4) On page 75, line 25, strike "paragraph (3)(B)" and insert "paragraph (3)(C)".

(5) On page 87, strike lines 11 and 12 (relating to a redundant section designation and section heading for section 143).

(6) On page 264, line 11, insert before the period the following: "and with respect to assessing and collecting any fee required by such Act for a fiscal year prior to fiscal year 2003".

The PRESIDING OFFICER. The Senator from New Mexico.

ENERGY BILL CONFERENCE

Mr. BINGAMAN. Madam President, last Friday, May 17, marked the 1-year anniversary of the release of President Bush's National Energy Policy. And the day after tomorrow, May 25, will mark the one-month anniversary of the Senate's completion of its consideration of the Energy Policy Act of 2002. I believe that it is appropriate to take stock of where we were 1 year ago, where we are today, and what we need to do next to move this process forward.

One year ago, when President Bush released his National Energy Policy Plan, his proposal was little more than a glossy brochure. The summary of all the recommendations in the President's Plan, which appeared as the first appendix in his report, amounted to a mere 17 pages of text. Most of these recommendations were stated in very broad terms, and only about 20 actually related to legislation. A classic example of the recommendations in the President's Plan is the following one relating to electricity reform. Here is the electricity recommendation in last year's plan, in its totality:

The NEPD Group recommends that the President direct the Secretary of Energy to propose comprehensive electricity legislation that promotes competition, protects consumers, enhances reliability, promotes renewable energy, improves efficiency, repeals the Public Utility Holding Company Act, and reforms the Public Utility Regulatory Policies Act.

That was it for electricity. Now those 44 words include some very good thoughts. I am sure that a lot of work went into developing them. But it wasn't something that Congress could immediately turn around and send to the President's desk for signature.

So, over the last year, we have done a tremendous amount of work in Congress, and especially in the Senate, to put real flesh on the bones laid out in the President's plan. In the Senate Energy Committee, we held over 2 dozen hearings in this Congress on various aspects of energy policy, seeking to get broad and inclusive input into our bill.

In the case of electricity, instead of the 44 words contained in the President's plan, the Senate developed and passed 80 pages of legislative text on electricity reform. Our provisions sought to give real meaning to the general principles of protecting consumers, promoting competition, and promoting renewable energy. We had a lot of help and input from the Administration, but the work was really done here in the Senate.

We are now at the beginning of the next phase in the legislative process. That is conference with the House of Representatives. We have a lot of work to do, but it cannot begin until the leadership of the House of Representatives decides who will represent them in a conference.

I have to confess that I am getting a little frustrated at the delay in moving to this next phase. When the Senate

passed its bill, the House majority whip put out a press release calling this body a bunch of "do-nothing Daschlecrats" and stating:

Now, it's important that we move quickly to work out the differences between the House and Senate bills.

I agree with the second part of his comments, but his own colleagues in the House of Representatives apparently do not. Senators DASCHLE and LOTT named our Senate conferees on May 1. After three weeks of silence from the House on who their conferees might be, it seems that all we are getting from the House is a lot of delay.

And there is a tremendous amount of work to be done to have a successful energy conference, even before we sit down around a table somewhere.

First, we will have to decide how the conference will be organized, including how it will be chaired. We seldom go to conference on energy bills. The last conference on an energy bill, the Alaska Power Administration Sale and Asset Transfer Act, took place 7 years ago, in 1995. The House of Representatives chaired that conference. If one accepts the notion that conference chairmanships alternate between the Houses, then that means that it is now the Senate's turn to chair an energy conference.

And, judging from both the lack of forward motion from the House on naming their conferees and some of the informal comments from the House leadership on their vision of what a conference would look like, I think that there might be some important advantages to Senate chairmanship of the conference.

A number of leading members of the House of Representatives seem to be of the opinion that there should be a lot of televised meetings of conferees. I have nothing against openness, but I don't think that lots of televised meetings would be conducive to actually getting an energy bill out of conference. My prime mission in chairing a conference would be getting a bill, not getting Nielsen ratings. We should regard the time that conferees are actually present in the same room as a limited resource, to be used to promote forward motion, and not grandstanding.

Second, there have been rumblings that some in the House leadership might prefer to delay a conference until September. There are so many complex issues to be dealt with in this bill that delay would result in no conference report. I would prefer to see us begin work as soon as the organization of the conference itself was worked out, much along the lines of how issues were dealt with during past energy conferences.

I am very much looking forward to learning whom we are supposed to be negotiating with from the House of Representatives. I'm not going to initiate discussions with the House of Representatives, though, that might be regarded as attempts to pre-conference