

wants these authorities to expire. I do not believe the President of the United States would be willing to let these provisions expire when we all agree they are important tools for our Nation's law enforcement authorities. It would be irresponsible and a dereliction of duty for the administration to allow these provisions to expire. By refusing to reauthorize these parts of the PATRIOT Act, the President and the Republican leadership are playing politics with the American people's safety.

We have bipartisan support for reauthorizing the PATRIOT Act. That was proven in a unanimous vote in the Senate. We want a 3-month extension of the PATRIOT Act in its current form so that we can pass a better bill than the one that came before the Senate today in the form of a conference report, a better bill that will have the confidence of the American people. The American people are afraid. They are afraid of Big Brother. We, this great country, should not become Big Brother. We need more checks in this law to protect the privacy of ordinary American citizens who have nothing to do with terrorism. I support giving the Government the tools it needs to fight terrorism. I voted for the first PATRIOT Act, but we need more oversight and checks to protect against Government overreaching and abuse of these tools.

We have had these years to find out how the first PATRIOT Act worked. We know there were problems with the first PATRIOT Act. We need to correct these problems. Just as Senator MCCAIN persuaded the President, we needed to check potential excesses in interrogation tactics. We also need to ensure that we have put in place checks on the Government's power to trample on the privacy of innocent Americans.

I would hope people would understand that legislation is the art of compromise and that the Republican leadership in the Senate, in the House, and the White House should move to work on a compromise, accept our 3-month suggestion, giving Senators LEAHY and SPECTER, the leaders of our Judiciary Committee, time to work out the differences.

ARCTIC NATIONAL WILDLIFE REFUGE

Mr. President, I wish to quickly comment on another matter of vital importance to the country. It appears that the majority is strongly considering whether to hold our troops hostage at a time of war in order to sneak in a last minute special interest rider that cannot be passed within the Senate's rules. Senate Democrats support the Defense appropriations conference report, but it would be an egregious abuse of power on behalf of the oil and gas industry to allow the thing we call ANWR to violate the Senate rules and attach a special interest provision in this legislation. Because Republicans cannot get

the support for this provision in the House, the Senate would be asked to violate our rules so that the majority can reward its friends in the oil and gas industry.

We had procedures in the Senate where we lost on ANWR. It was placed in a bill called reconciliation. The House stripped it out. We did not. Let us play by the rules.

I do not support ANWR. It is the most important issue in America to the environmental community. There is no issue more important than ANWR. It is a sign of what this country is all about environmentally. If the majority proceeds along this course and is permitted to abuse its power and run roughshod over the Senate rules, there will be no prohibition against exceeding the scope of conference on any conference report. To further show the cynicism of people who are pushing this, they are telling people: Do not worry about it, we will violate the rules today, change precedent, and we will change them right back tomorrow.

This is an abuse of power. It would have far-reaching consequences for this body. It would be a huge mistake for the Senate and the American people. We can do better than that. Let us have a fair fight where we have winners and losers. That is the way ANWR was done. I was disappointed when that was lost, but it was lost fairly and squarely. Do not violate the rules. That is what I tell my friends on the other side.

We realize that with the 45 votes we have, we cannot do it on our own. We need help from people of good will on the other side of the aisle. There are people who believe as fervently in this environmental standard as I do, and I would call upon them to vote their conscience, to do what is right for this body and do what is right for this country. This is a procedural vote that makes the Senate different from any legislative body in the history of the world. The Senate is the greatest deliberative body in the history of the world. Do not be playing fast and loose with the rules that govern this Senate.

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

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

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

THE PATRIOT ACT

Mr. DURBIN. Mr. President, we have been informed that President Bush's radio address tomorrow will be about the PATRIOT Act. It is not a surprise. This is an important issue. It is one we

should discuss and should discuss as a nation.

We passed the PATRIOT Act because of our concern about the threat of terrorism. It is an act with over 100 different provisions in it. It was passed with only one dissenting vote in the Senate. It included sunset provisions on some controversial parts of it, so that 4 years after we passed it we could take another look to make sure that, in fact, we had done the right thing, we were not overstepping. We want to give our Government enough power to protect us, but we certainly don't want to surrender our basic rights and liberties if it is not needed.

So we had the reauthorization of the PATRIOT Act up before us and debated it in the Senate Judiciary Committee on which I serve. We reached a bipartisan consensus for reauthorizing that act, a unanimous vote at the Senate Judiciary Committee. I have never seen it on an issue of this magnitude, but it happened. I believe it was an indication that there is a reasonable way to craft the PATRIOT Act so that, in fact, it serves our needs of national security but does not go too far. That bill then passed the Senate on a voice vote. There was no controversy, no debate, because we had struck a legitimate bipartisan compromise.

Then the bill went to conference, and in conference other forces were at work. As a result of their work, the bill was changed. It was changed in significant ways, ways which I believe went too far, too far in giving the Government authority and power over our personal lives and privacy that is unnecessary. I believe that any person suspected of criminal or terrorist activity, any activity that is considered to be part of a terrorist network, should be treated in the harshest and most serious way. I want to keep America safe. I want my family, my children, everyone's family, to be safe. But I want to make certain that when we draw up this PATRIOT Act, we do not go too far.

As a result of the conference committee, a bipartisan group of Senators, Republicans and Democrats, came together in opposition to this conference report—a bipartisan group of Senators. Today, this morning, we had a vote on the Senate floor. This vote was what we call cloture, whether we will close debate, and as a result of the vote the matter is still open, still unresolved.

It is important to know one thing before the President's address. I hope the President will honestly tell the American people tomorrow what happened today in the Senate.

Early this morning, Senator FRIST, who is on the floor at this moment, the Republican majority leader, met with Senator HARRY REID, the Democratic leader, to discuss this important topic. At the time, Senator REID told him that we believed we were not going to close down debate on the PATRIOT Act and asked if there was a way that we could reach an agreement on a bipartisan basis to extend the bill, extend