The PRESIDING OFFICER. Approximately 55 minutes.

Mr. MURKOWSKI. So I would have perhaps 30 minutes left. I propose that I be allowed to proceed when we come back. I have probably a little less than 55 minutes. I am somewhat reluctant to start and be interrupted. I would propose to the leader that we might use the remaining time for Senators who want to speak in morning business, and I be allowed to introduce my opening statement at 2 o'clock when we come back. We will probably have statements and take amendments as they come up.

Mr. REID. Mr. President, if I could respond to my friend from Alaska, what the Senator from Alaska proposes is that we go into a period of morning business until 12:30, and at 2:15, when we return, the Senator from Alaska be recognized for up to 1 hour; at 3:15, the Senator from South Dakota, the majority leader, or his designee would offer a modification. The Senator has suggested that he proceed at 2:15.

For the convenience of everyone, I propose that the majority leader, or his designee, at 2:15 lay down the modification, which would take a matter of a few minutes at the most, and then the Senator from Alaska would have 1 hour to present his opening statement.

Mr. MURKOWSKI. If I may respond, I certainly have no objection to the procedure of the majority leader laying down his modification. I don't want to be bound by a time agreement. We didn't discuss a time agreement on opening statements. It is not my intention to speak at length, but I would not like to be limited necessarily.

Mr. REID. I think that is entirely appropriate. I would like to hear the Senator speak longer than an hour.

Mr. MURKOWSKI. I am sure the Senator would.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that the period from now until 12:30 be deemed as morning business; at 2:15 Senator DASCHLE, or his designee, be recognized to offer the modification; and, the Senator from Alaska, the ranking member on the committee, be recognized to give his opening statement.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

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 President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BINGAMAN). Without objection, it is so ordered.

ENERGY POLICY

Mr. CARPER. Mr. President, I simply begin by thanking you, first, for your statement in the Chamber today, but also, more importantly, for the leadership that you, Senator MURKOWSKI, and others have demonstrated to bring us to this point today. I cannot speak for the rest of my colleagues, but I am delighted we are in this Chamber and have begun the debate. It has been long delayed, but it is a most important debate on whether or not we are going to have an energy policy for this country of ours.

At the end of the Vietnam war, as a young naval flight officer, I moved from California to Delaware to enroll in the University of Delaware Business School. One of my earliest memories of coming to Delaware is sitting in line, waiting to buy gas for my car. We were in the middle of an oil embargo, and at that time you could only buy gas every other day. We did not have an energy policy in the mid 1970s. We do not have one today.

Twenty-eight years ago, some 30 percent of the oil we used in our country was imported. We had a trade balance that was pretty much even. There was not much of a deficit. Greenhouses at the time were something in which we grew plants. We did not worry about greenhouse gases and whether or not we would have a hole in the ozone layer of our atmosphere. That was 28 years ago. Today, almost 60 percent of the oil we consume comes from other places around the globe. A lot of it we buy from people who don't like us very much and, I am convinced, use some of the money we send them to try, in some cases, to hurt us or our interests.

Our trade deficit has ballooned to $300 billion, and not all of it but a good chunk of it is attributable to the oil we import. Today, when people talk about greenhouses, we still grow plants in them, but we also worry about greenhouse gases and what is going on with the hole in the ozone layer, what is going on with a rising global temperature, and what is going to happen to our sea level in this world over the next 100 years if we do nothing about it.

The question we are going to be answering in the next couple weeks is, What kind of energy policy should we have in this Nation?

Like most of my colleagues, I would argue that the answer to that question has two parts. One part says we create more energy. And while we work to do that, in a variety of ways, the second part says we need to conserve more energy.

Let me talk a little bit about both of those issues: First, the creation of more energy and, second, the conservation of energy.

I live in a State where, I am told, we actually grow more soybeans in Sussex County, DE, than any other county in the country. We also have more chickens in Sussex County than any other county in the country, including those in Arkansas. We can look to those soybeans for a source of energy. Frankly, we can look to those chickens as a source of energy, as well, as we go along.

We raise soybeans in Delaware to feed chickens. We feed them the hull of the soybean. The oil that comes out of the soybean we do all kinds of things with in this country. We create soy foods, soy milk. We also can create something called soy diesel fuel: 20 percent soy, the rest is diesel. We can burn it in our diesel-consuming machines, and it works just fine. It is energy efficient. It works well in the machines, and the emissions are no worse, for the most part, than any regular diesel fuel. In some cases, they are actually better.

We have too much soybean in this country; we have a glut of that commodity. It is a good alternative to use the soybeans that are in excess on our farms to help lessen our reliance on foreign oil.

We have figured out how we can burn animal waste to derive the Btu value, including chicken litter, in ways that are environmentally friendly.

In my State, we have the biggest independent producer of solar energy panels in the country. We are proud of the work they do at AstroPower. And it is not just at AstroPower; there are places all over this country that are relying more and more on solar energy in developing evermore efficient ways to create that solar energy.

Windmill farms are becoming more common in this country. Hopefully, as we continue to perfect that technology, they will become even more efficient.

Others have spoken, and will in the weeks ahead, about geothermal energy, how we can take hot air in the summer and run it 300 feet underground to cool it off, and then use it to cool our homes in the summer; and we can take cold air in the winter, run it 300 feet underground to warm it up, and then use it to warm our homes and businesses in the winter.

Those are just some of the ideas of renewable energy that we can use, that we can rely on, that we are more relying on, and need to do more so in the future.

We also have, as Senator BINGAMAN said earlier, a lot of coal in this country. I think he said we are the ''Saudi Arabia of coal.'' I am privileged to represent the State of Delaware in the Senate. I was born in West Virginia. I know full well they have a lot of coal there and other places around our Nation. We ought to find ways to burn that coal without doing more harm to our environment. We can do that. Clean coal technology is very promising. We need to continue those efforts.

There has been some discussion already today about natural gas. We are starting to rely more on natural gas from other places around the world. We have a lot of it in our country. But consumption is going right through the roof because we have such good environmental consequences compared to other fossil fuels we use. There are

huge finds of natural gas in the northern parts of Alaska. We ought to bring it down here and use it.

Similarly, in the Gulf of Mexico there are huge deposits of oil and natural gas that are available to us to be extracted safely and in an environmentally sound way. Those are sources on which we need to rely.

A year or so ago, I reported back to my colleagues about a trip in which I led a bunch of Boy Scouts from Delaware on down to Norfolk Naval Station. The trip was on a weekend a year ago last January. We visited a lot of ships and submarines. It was a lot of fun for the adults and for the young Scouts.

One of the ships we visited was the *Teddy Roosevelt*, a nuclear-powered carrier. It is about 1,000 feet long. It is about 25 stories high. It carries a crew of roughly 5,000 men and women. Underway, it has about 70 aircraft or so that it takes with it. It needs to refuel about once every 25 years—once every 25 years.

For us to walk away from nuclear power as if it is from a day gone by I think is a mistake. I fully acknowledge the security concerns that revolve around nuclear power and terrorism. I acknowledge the legitimate concerns about disposal. But having said that, the potential is real, and we have only begun to realize it. I urge us not to walk away from that technology while we work to solve the issues regarding security, the environment, and disposal.

Another very promising area for creating new energy is fuel cells.

The idea that we can take hydrogen, which we have in abundance, and derive energy from that hydrogen and end up with a waste product that is H_2O—what a bonanza, what potential.

This is 2002. By 2012, we will have cars, trucks and vans traveling the highways of America powered by fuel cells. We will have homes, buildings, and factories that are going to be powered by fuel cells.

In Government, if we are smart enough to, one, invest in the research and development; two, help commercialize those new technologies, including fuel cells; and, three, in addition to doing those things, if we will provide tax incentives to encourage producers to produce those more fuel and energy efficient, environmentally efficient, and friendly sources of energy, and to encourage consumers to buy them, we will do this country and this planet a real favor.

Let me talk about a couple of efforts on the conservation side. We will have a substantial debate on CAFE standards in the next 2 weeks. That deals with the efficiency of the cars, trucks, and vans we drive.

I would suggest we consider and keep in mind these principles as we go forward. As we seek to reduce the amount of oil our cars, trucks, and vans consume, one, let's work to find meaningful reductions in oil consumption by motor vehicles.

Two, let's set measurable objectives so we actually know we are making progress and we can measure our progress against the objectives.

Three, let's provide a reasonable time line for the auto industry to make the changes it needs to make to bring more energy-efficient vehicles to the market.

Four, let's make sure we don't get rid of, as collateral damage, the domestic auto industry; but when we finish our work in 10, 15 years from now that we still have a strong and vibrant, even more strong domestic auto industry.

Fifth, we ought to set some long-range goals for car makers and truck makers with respect to oil consumption. We should defer to other entities, to NHTSA, within the Department of Transportation, to actually do the intermediate setting of goals for fuel efficiency.

Six, we need to think outside the box with respect to the auto industry so that they have some additional tools to work with to help them get to the target we are going to set.

One of those I have already mentioned is fuel cells. Fuel cells is where we are going to be in 10 or 15 years. Today, we are, for the most part, the internal combustion engine. The bridge to the future with cars, trucks, and vans is with hybrids. We are starting to see the introduction of gas hybrid vehicles that are getting 50, 60 miles per gallon. I continue to be struck by a presentation I received from Daimler-Chrysler where they shared with us a model vehicle they could produce which gets 75 miles per gallon. It is a four-door passenger vehicle, the SX–3. They cannot sell them in this country. It is a diesel hybrid vehicle. They can sell them in Japan and Europe.

We need to work with the auto industry to help them achieve the next tier of standards, tier 2 standards, for emissions that include nitrogen oxide. We need to be mindful that diesel-powered vehicles, which now account for about 40 percent of the sales in Europe, can do a lot to help us reduce our reliance on foreign oil and reduce carbon dioxide emissions which lead to greenhouse gasses and global warming.

The last topic I want to address is what the Government can do: One, we can invest our money, our taxpayer money in research and development in ways that will help us to create more energy and to conserve more energy.

We can use the buying power of the Federal Government on both the civilian and military side to help commercialize new technologies. If companies, particularly in America, are building more fuel-efficient vehicles, whether they are gas hybrids, diesel hybrids, and eventually fuel cells, we should use our buying power to commercialize those technologies in the marketplace.

Lastly, if manufacturers are going to build hybrid vehicles, fuel-cell-powered vehicles, that will enormously reduce our reliance on foreign oil and that are good for the environment, we should provide a tax incentive for producers to produce them and for us, as consumers, to buy them.

Two general points with respect to conservation: Air conditioners, we have the technology to build air conditioners that will cut our reliance on electricity or reduce our consumption of electricity by 30 percent. We can do that. We have the technology. We need to commercialize the technology. We ought to build them, and we as consumers ought to buy them.

On transmission lines, we have seen presented in our Energy Committee transmission lines which are able to transmit electricity across the country and reduce the loss of energy through those transmission lines by some 30, 35 percent below what is currently occurring. That is another thing we can do and ought to do in order to conserve energy.

Let me close with this: I am troubled, having felt for 28 years that we need a comprehensive energy policy, by the voices I hear inside this body, and outside, who say we are not going to agree on an energy policy.

In the wake of September 11, we must develop the political will to hammer out an agreement on energy policy that conserves more energy and produces more energy at a time when almost 60 percent of our oil comes from overseas, comes from some of the people who don't like us and who use the resources we give them to threaten us. How can we not pass an energy policy bill? We are smarter than that; we are better than that. The American people deserve better than that as well.

I yield the floor.

The PRESIDING OFFICER (Mrs. CLINTON). The Senator from Texas.

Mrs. HUTCHISON. Madam President, I am so pleased that finally we are going to address an energy policy for our country. It has been a long time coming.

I thought, even since before I came to the Senate, we were not looking forward enough to address the future energy needs of our country. September 11, 2001, turned an energy policy from a possible economic, far-reaching element that we should put into our policy think-tanks to a national security issue.

The fact is, if we do not have energy supplies within our own country, under the control of our own country, we are not going to be a country that is economically self-sufficient, strong, and stable. And we most certainly cannot prosecute this war on terrorism if we do not have a strong and stable economy.

The fact is, today we import 60 percent of our oil for national consumption. If we had a sudden closing of Middle East oil to our country, it would have a profound impact on the stability of our economy. What we cannot take, as we are looking at a fragile recovery in our economy, is another hit.

We have the chance to do what is right, to plan for the future, and to stabilize our self-sufficiency. What we need is a balanced energy policy.

We need a policy that addresses conservation, that says to Americans: You can do certain things and cut back on your consumption, and that will save millions of barrels of oil that we would need to import or millions of feet of natural gas or electricity or whatever.

The bottom line is that we can have incentives for conservation. We need to look at alternative sources of renewable energy. That is certainly something we are just beginning to scratch the surface on, to see what the capabilities are.

Nuclear power is certainly a clean energy, and we know we can build safe nuclear powerplants. We have seen other countries that are practically totally dependent upon nuclear power, and it is a safe and environmentally sound way to produce energy. We stopped building nuclear powerplants, and, frankly, I think we need to look at ways we can safely build nuclear powerplants today. That would provide a huge source of energy in our country, and it would certainly be a way to become more independent.

Last but not least, we need to have more exploration and drilling in our own country. We need to have an energy supply that we can provide at home. So if we had a balanced approach, we would be able to become much closer to energy self-sufficiency. That is the kind of bill we need. It is not the kind of bill that will be laid before us.

The bill that will be laid before us does practically nothing for the production side and relies totally on the other two prongs—conservation and renewable energy sources—and it is not a balanced approach. We must go full force on all fronts.

There are two things that will be very valuable. One is in the bill, and that is to encourage production by small businesspeople with marginal well tax credits. They could actually cost nothing because the price of energy is so high right now. If the price falls below break-even, which is $15 to $18 a barrel, we need a floor for the small guys, the 15-barrel-a-day well businesses—and to put that into perspective, 15 barrels a day is barely break-even in the best of times. A normal, good well would produce 1,000 barrels or 10,000 barrels a day. We are talking about 15 barrels a day. A well like that, when the price goes to $11 per barrel, has to shut in. It cannot stay in business. It is too small. The margins are too low, and you have to have a break-even point, which is about $15 to $18 a barrel.

So if you have a tax credit for that small driller of 15 barrels a day or less, if the price goes below $15 per barrel, you can keep those people in business; whereas, they would shut in the wells, as thousands did when the price of oil, 2 years ago, sank to $11 a barrel. In fact, those little bitty wells have a great capacity. There are 500,000 of those around the country. Many have not been reopened because of the fluctuation and the view that if prices went down, they would have to shut in again, and they don't want to go to the expense of reopening. If we had those 500,000 wells working and producing 10 to 15 barrels a day, that would equal 20 percent of America's needs—the amount we import from Saudi Arabia every day.

Think of the stability for that small businessperson just with a tax credit, if the price falls below break-even, which costs the Treasury nothing but keeps small business jobs going and creates stability for our country for 20 percent of our oil needs. That provision has been introduced and it will be part of our debate.

We need to keep that provision, and I don't think we will lose it. But it is a significant part of our energy bill that is very important that we pass, hopefully, within the next few weeks.

The second part is opening up ANWR, the Arctic National Wildlife Refuge. There has been a lot said about the environmental concerns about drilling in ANWR, but I think people who make this argument do not understand the new technology for drilling. For example, the wildlife refuge is an area the size of South Carolina. It is, obviously, a vast area. The amount we would be limited to drilling in from the House bill that has come to the Senate, and which everybody agrees is reasonable, is approximately 2,000 acres of land. That is an area the size of Dulles Airport. So the area is the size of South Carolina, and the area of drilling is limited to an area the size of Dulles Airport. That is what we are talking about. It would have all of the environmental restrictions to make sure that land is preserved and not damaged in any way for the wildlife there.

In fact, the part where you would really do most of the drilling is not an area that has trees or any kind of vegetation. It is frozen a good part of the year, and it is basically barren flat land. Other parts of the wildlife refuge do have beautiful trees and wildlife, and it would not be encroached on at all. So we are talking about, I think, a very environmentally safe operation—to go in and drill. If we don't, let's look at what happens to the environment.

If we decide not to drill in ANWR, the drilling will be done in Russia, right across the channel from Alaska. Will Russia put the same environmental concerns in place that we have if we do it on American soil? I don't know, but I doubt that the Russian environmental requirements would be as much as we would put on it if it were in Alaska. If Russia does this, using the same resources under the ground that would be what we would drill from Alaska, then you will have foreign ships coming in and out right through the Alaska channel. Oil spills that could happen, if we were not in control of the requirements for those ships, could be very damaging.

So I think, environmentally, it would be much safer to drill on our shores with our environmental requirements, with our requirements on the ship that would come in and take the oil out, than to have it done 15 miles away in Russia, where we would have no control. So I think the argument is better made to do it where we can control it, where we would have the standards that would make sure it does not encroach on any kind of wildlife or wilderness area. That is why Alaskans are for drilling in ANWR. That is why the State that would be most affected very much wants this to happen.

I think it will be a huge help for our national defense if we go forward and drill in ANWR. Today, we import a million barrels a day from Iraq. Oddly enough, in September of 2001 we were importing a million barrels a day from Iraq.

Do we really want to depend on the good will of Iraq for almost 20 percent of the needs of our country—for jobs, for companies that need energy to continue to operate, for the gasoline we buy at the pump? Do we really want to depend on Iraq for 20 percent of our needs?

I do not think that is a prudent position. We can create the same amount of oil from our shores in an environmentally safe way as we import from Iraq every day.

We are going to have to make some sacrifices in our country to become energy self-sufficient. It is part of our effort in the war on terrorism. It is part of what we should step up to the plate and do to make sure our country is secure; that we do not depend on the good will of Iraq, Saudi Arabia, Venezuela, or anyone else who produces oil that is exported to America. We are friends with Saudi Arabia. We are friends with Venezuela. But do we really want to be dependent on any country? Do we really want to be dependent on a country that has clearly exhibited hostilities to the United States as Iraq certainly has?

I hope not. I hope the Senate will pass a bill that will have the goal of creating energy self-sufficiency in our country. Only then will we be truly able to control our own economy. Only then will we not have to go begging with a tin cup to other countries to ask them not to cut back on their supply to our country.

This is not a nation that does well at begging with a tin cup. This is a nation that has taken the lead in the war on terrorism; that is standing behind our military and our President in the prosecution of this war; that is standing behind those men and women who are in harm's way today. To not go forward with an energy policy that protects those in the field and those at home and strengthens our freedom, our democracy, and our economy will be walking away from one of the most important responsibilities we have.

I hope we will pass an energy policy that does all that needs to be done: That creates incentives for conservation; that asks Americans to conserve;

that puts in place a program asking Americans to do certain things, not forcing them but asking them.

I hope we will look at new sources of energy, such as nuclear power, wind energy, and solar energy—all the sources that are renewable—and producing in our own country, creating the jobs in our country rather than exporting them overseas, giving good living wages to people in our country to drill for our own natural resources. That is a balanced energy package. Anything less would be an abdication of the responsibility of the Senate.

I thank the Chair, and I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:34 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. CANTWELL).

NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 2001—Continued

The PRESIDING OFFICER. The Senator from New Mexico.

AMENDMENT NO. 2917, AS FURTHER MODIFIED

Mr. BINGAMAN. Madam President, I ask unanimous consent that the amendment before the Senate be modified with the language that is already at the desk.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment (No. 2917), as further modified, is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Energy Policy Act of 2002''.

SEC. 2. TABLE OF CONTENTS.

Sec. 1. Short title.
Sec. 2. Table of contents.

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Sec. 207. Electric reliability standards.
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Sec. 209. Access to transmission by intermittent generators.
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Sec. 221. Short title.
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Sec. 225. State access to books and records.
Sec. 226. Exemption authority.
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Sec. 228. Applicability.
Sec. 229. Effect on other regulations.
Sec. 230. Enforcement.
Sec. 231. Savings provisions.
Sec. 232. Implementation.
Sec. 233. Transfer of resources.
Sec. 234. Inter-agency review of competition in the wholesale and retail markets for electric energy.
Sec. 235. GAO study on implementation.
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Sec. 237. Authorization of appropriations.
Sec. 238. Conforming amendments to the Federal Power Act.

Subtitle C—Amendments to the Public Utility Regulatory Policies Act of 1978

Sec. 241. Real-time pricing standard.
Sec. 242. Adoption of additional standards.
Sec. 243. Technical assistance.
Sec. 244. Cogeneration and small power production purchase and sale requirements.
Sec. 245. Net metering.

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Sec. 252. Consumer privacy.
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Sec. 254. Applicable procedures.
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Sec. 257. Application of subtitle.
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Subtitle E—Renewable Energy and Rural Construction Grants

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Sec. 262. Assessment of renewable energy resources.
Sec. 263. Federal purchase requirement.
Sec. 264. Rural construction grants.
Sec. 265. Renewable portfolio standard.
Sec. 266. Renewable energy on Federal land.

TITLE III—HYDROELECTRIC RELICENSING

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Sec. 302. Charges for tribal lands.
Sec. 303. Disposition of hydroelectric charges.
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Sec. 307. Relicensing study.
Sec. 308. Data collection procedures.

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Sec. 402. Office of Indian Energy Policy and Programs.
Sec. 403. Conforming amendments.
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Sec. 406. Renewable energy study.
Sec. 407. Federal Power Marketing Administrations.
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Sec. 605. Orphaned and abandoned oil and gas well program.
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