

going to leave a scar on the tundra in the summertime, which is quite short—and I will show you a picture of the summertime, this area, which clearly is a result of the technology. There is a well that has been spudded in. You can see there are no roads to it because there was an ice road only during the winter.

Winter is pretty long up there. It is about 10½ months a year. There are only about 40 days of ice-free time when the Arctic Ocean is open.

Nevertheless, in spite of the facts relative to being able to open ANWR, America's environmental community has latched onto this, and they have misrepresented issue after issue. The issue they continually propose is that there is only a 6-month supply. We don't know what is in ANWR and they don't know. The range is from 5.6 billion barrels to 16 billion barrels. If it were somewhere in the middle, it would be as big as Prudhoe Bay, and Prudhoe Bay has contributed 20 to 25 percent of the total crude oil production in the U.S. in the last 27 years.

Those are facts. If you look over here on this chart, you will see the 800-mile pipeline. That infrastructure is already in place. That is one of the construction wonders of the world. As a consequence, it has been able to move this volume of oil. It is only utilized to half of its capacity. It is currently carrying a little over a million barrels a day. It can carry as many as 2 million barrels a day. So if oil is discovered in this magnitude, you would be putting a pipeline over from the ANWR area to the 800-mile pipeline down to Valdez, and it is a relatively simple engineering operation.

The question is, Do we want ANWR open and do we want to avail ourselves of the likelihood of a major discovery? People ask, why ANWR? That is the area where geologists tell us is the greatest likelihood for the greatest discovery in the entire continent of North America. So to suggest it is a 6-month supply is unrealistic and misleading. If we didn't import and produce any oil, theoretically, it might be a 6-month supply. On the other hand, it is just as probable to suggest it would supply the Nation with 20 to 25 percent of its total crude oil for the next 30 or 40 years. If it comes in in the magnitude that we anticipate, it would offset imported oil from Iraq for 40 years and from Saudi Arabia for 30 years. The other issue is that it would take an extended time-frame to get on line. I remind colleagues that in 1995 we passed ANWR. It was vetoed by the President. If we would have that on line today, we would not be as dependent on Iraq as we are currently. So it is a matter that will come up before the Congress as part of the energy bill.

The House has done its job; it has passed H.R. 4 with ANWR in it. It is up to us to address this issue now. I encourage my colleagues to try to reflect accurate information, not misleading information that would detract from

the knowledge that we have gained in new technology in opening up this area safely and protecting the caribou. There is always a new argument. New ones continually pop up. One is the question of the polar bear. Most of the polar bears are over by the area near Barrow, as opposed to the ANWR area. We acknowledge that there are a few in the ANWR area. But the point is, under the marine mammal law, you can't take polar bears for trophies in the United States. That has significantly increased the lifespan of the polar bear. If you want to hunt polar bear, go to Russia and Canada. You can't do it in the United States. These are facts that are overlooked as we look at the arguments against opening this area.

The last point is, why disturb this unspoiled, pristine area? The fact is, this area has had the footprints of man on numerous occasions. It was an area where there were radar stations, an area where there is a Native village called Kaktovic, which has roughly 280 people. This is a picture of the village. This is in ANWR—physically there. There is an airport and radar stations. You can see the Arctic Ocean. We have pictures of the local community hall with kids on a snowmobile. This is village life in Arctic Alaska, way above the Arctic Circle. We have a picture showing kids going to school. These kids have dreams and aspirations just as our kids. They are looking for a future—jobs, health care, educational opportunities. They are the same as anybody else. Nobody shovels the snow here; nevertheless, it is a pretty hardy environment. To suggest that somehow this land is untouched is totally unrealistic and misleading.

Speaking for these children, I think we have an obligation to recognize something. I have another chart that shows the Native land within ANWR and the injustice that is done to these people, and I think it deserves a little enlightenment.

This is the map that shows the top, and there are about 92,000 acres in ANWR that belong to the Native people of Kaktovic. It is a smaller chart. We should have that chart. What we have here—and let's go back to the other chart that shows Alaska as a whole because I can make my point with that one. Within this area of the green, which is the Arctic Coastal Plain, up top we have the village of Kaktovic, and that little white spot covers the land that they own fee simple—92,000 acres. They have no access across Federal land, which is what ANWR is. They are landlocked by Federal ownership. So as a consequence, the concept of having fee simple land really doesn't mean very much if you can't use the land and have access, and so forth.

They believe there is an injustice being done here in their Native land. While it is theirs, it doesn't provide them with any access—here is the chart I am looking for. Madam President, we have the specifics here. This general area that you are looking at in

pink is what we call the 1002 area. That is a million and a half acres, where we are talking about providing leases. The Native area is the white area. This is the 92,000 acres. You can see the area offshore; that is the Arctic Ocean. It is free of ice for only about 40 days a year.

The problem the Native people have is access because they cannot have any surface access outside their 92,000 acres of land. If they wanted to move over to where the pipeline is, they would move west and beyond the area on the chart. The question is, Is it fair and equitable that these people are prevented from having access?

We think there should be some provision in the ANWR proposal to allow the Native residents of this area to have access across public land for their own benefit. We intend to pursue this in some manner in this debate as we develop the merits of opening up ANWR. If we were to open it up for exploration, this would not be a question. Clearly, there is a lack of support by Members, based on information from the environmental community that this area is undisturbed and should not be initiated for exploration of oil and gas, even though geologists say it is the most likely area for a major discovery. Still we have an injustice and an inequity to these people. I don't think there has been enough attention given to the plight of these people who, as any other aboriginal people, are ensured certain rights under our Constitution, and those rights have not been granted them.

As a consequence, there is an injustice to the people of the village of Kaktovic and members of the Arctic Slope Aboriginal Corporation, which is the governing body in that area.

With that explanation, I encourage Members to think a little bit about fairness and equity and what we owe these aboriginal people. We certainly owe them reasonable access out of the lands they own fee simple.

Madam President, nobody else is requesting recognition, so I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. CLINTON). The clerk will call the roll.

The 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 stand in recess until 2:15 p.m. today.

There being no objection, the Senate, at 12:19 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CLELAND).

Mr. REID. 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.

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

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 517) to authorize funding for 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 pending amendment No. 2917, in the nature of a substitute.

Feinstein amendment No. 2989 (to amendment No. 2917), to provide regulatory oversight over energy trading markets.

Dorgan amendment No. 2993 (to amendment No. 2917), to provide for both training and continuing education relating to electric power generation plant technologies and operations.

Mr. REID. Mr. President, I have conferred with the managers of the bill, and with Senator DASCHLE, on the Feinstein amendment, which is pending. During the break, there was a long conversation with the two managers, and with Senator FEINSTEIN and Senator GRAMM. It is believed it would be in the best interest to set this amendment aside and move to some other matters. Everyone should understand that we have every belief that Senators GRAMM and FEINSTEIN are working in good faith to try to come up with some way to resolve this issue. If in fact they do not, though, Senator DASCHLE has indicated that he would be ready to file a cloture motion on the Feinstein amendment so we can move forward on that. We hope we do not have to do that. I am confident that we will not. But in case we cannot resolve the matter, Senator DASCHLE is ready to file a cloture motion on the Feinstein amendment.

We will ask to move off this important matter dealing with derivatives. The two managers have some amendments they can work on that wouldn't take long at all.

I have spoken to Senator LEVIN. He is going to come and offer an amendment and/or substitute on the provision in the bill that deals with CAFE standards. That should begin in the next 15 minutes or so. Is that in keeping with what the two managers understand?

Mr. BINGAMAN. Mr. President, in response, let me say it is in keeping, and I know the Senator from Idaho is here and ready to offer an amendment. His amendment is acceptable.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, before I make some brief comments on the

amendment, I thank the assistant majority leader for allowing us to set aside what is an important but I think contentious amendment if we don't work out the tremendous complication of dealing with derivatives. It is a complex area and we well ought to know what we are doing. Members and staff of the Banking Committee are now working with Senator FEINSTEIN on it. We are hopeful something can be worked out in this area.

I am pleased both sides have agreed to the amendment that I will send to the desk.

Mr. MURKOWSKI. Mr. President, if the Senator from Idaho will yield, Senator LANDRIEU also has an amendment—the hydrogen protection amendment—which we understand has been agreed to. She will offer that amendment after Senator CRAIG's amendment. We hope to dispose of both.

There are two more amendments that we have not agreed to—Senator DOMENICI on spent fuel and Senator LANDRIEU on licensing new reactors. But we can continue to work on those if we can dispose of the two.

I, of course, support Senator CRAIG's amendment as well.

AMENDMENT NO. 2995 TO AMENDMENT NO. 2917

Mr. CRAIG. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside, and the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Idaho [Mr. CRAIG] proposes an amendment numbered 2995 to amendment No. 2917.

Mr. CRAIG. 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 direct the Secretary of Energy to carry out a program within the Department of Energy to develop advanced reactor technologies and demonstrate new regulatory processes for next generation nuclear power plants)

At the appropriate place in the amendment, insert the following:

#### SEC. . NUCLEAR POWER 2010.

(a) DEFINITIONS.—In this section: (1) SECRETARY.—The term "Secretary" means the Secretary of Energy.

(2) OFFICE.—The term "Office" means the Office of Nuclear Energy Science and Technology of the Department of Energy.

(3) DIRECTOR.—The term "Director" means the Director of the Office of Nuclear Energy Science and Technology of the Department of Energy.

(4) PROGRAM.—The term "Program" means the Nuclear Power 2010 Program.

(b) ESTABLISHMENT.—The Secretary shall carry out a program, to be managed by the Director.

(c) PURPOSE.—The program shall aggressively pursue those activities that will result in regulatory approvals and design completion in a phased approach, with joint government/industry cost sharing, which would allow for the construction and startup of new nuclear plants in the United States by 2010.

(d) ACTIVITIES.—In carrying out the program, the Director shall—

(1) issue a solicitation to industry seeking proposals from joint venture project teams comprised of reactor vendors and power generation companies to participate in the Nuclear Power 2010 program;

(2) seek innovative business arrangements, such as consortia among designers, constructors, nuclear steam supply systems and major equipment suppliers, and plant owner/operators, with strong and common incentives to build and operate new plants in the United States;

(3) conduct the Nuclear Power 2010 program consistent with the findings of A Roadmap to Deploy New Nuclear Power Plants in the United States by 2010 issued by the Near-Term Deployment Working Group of the Nuclear Energy Research Advisory Committee of the Department of Energy;

(4) rely upon the expertise and capabilities of the Department of Energy national laboratories and sites in the areas of advanced nuclear fuel cycles and fuels testing, giving consideration to existing lead laboratory designations and the unique capabilities and facilities available at each national laboratory and site;

(5) pursue deployment of both water-cooled and gas-cooled reactor designs on a dual track basis that will provide maximum potential for the success of both;

(6) include participation of international collaborators in research and design efforts where beneficial; and

(7) seek to accomplish the essential regulatory and technical work, both generic and design-specific, to make possible new nuclear plants within this decade.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the purposes of this section such sums as are necessary for fiscal year 2003 and for each fiscal year thereafter.

Mr. CRAIG. Mr. President, the amendment authorizes a new program within the Department of Energy called Nuclear Power 2010. The new program was proposed in the administration's fiscal year 2003 budget. Senator MURKOWSKI, Senator LANDRIEU, Senator DOMENICI, and Senator THURMOND are supporters of this effort. We think it is the appropriate direction to go in the development of a new energy package.

The goal of Nuclear Power 2010 is to aggressively pursue activities that will result in the completion of designs for the next generation of nuclear reactors.

This program will also look for ways to reduce the regulatory uncertainties which have been obstacles to the building of new nuclear plants. This program would incorporate cost sharing between government and industry to ensure that the outcome of this program will be not only beneficial but useful to both sides as new designs are developed.

This program will also garner the tremendous creativity of the technical minds within the Department of Energy and our National Laboratories—some great minds that have been sitting somewhat idle in the area of new design and reactor development over the last number of years.

In my home State of Idaho, for example, Argon West was the first ever nuclear effort that lit the first lightbulb. Strangely enough, a lot of folks don't