

this morning—the pressure was produced by energy. And it goes on and on.

When you went into your kitchen and opened the refrigerator to get out a glass of orange juice, the refrigerator was cooled by energy. The orange juice was processed by energy—and so on.

Did you walk here this morning? If you did, you used your own energy, but it was generated by all those other sources of energy. But if you drove here, then you used the standard form of energy that has kept this economy so vibrant for so many decades. Without question, we are an energy-intensive, extensive, involved economy. Without an abundant, available source of energy in all forms, this economy does not function well or it becomes increasingly dependent on those nations that produce energy and sell it to us.

Senator DOMENICI, myself, and others serving on the Energy Committee have recognized that, I believe, in a responsible way in S. 14. Now we have the opportunity to complete the debate on this legislation. There are hundreds of amendments that have been filed, and we will work very hard to get through all of them. But then all of them are not intended ever to be offered. They are merely offered as placeholders or for the political statement one of our colleagues may want to make as it relates to a constituent or to his or her particular views on energy.

So we hope—and I think the Senator from New Mexico, who is now in the Chamber hopes—we can work our way through those amendments over the course of the next week as we move toward completion of this bill before the August recess.

This bill has already been on the floor for hours over the course of the last several months, and we have had a variety of amendments already. So for anyone who will stand and wring their hands and say it cannot be completed by next week, they are simply saying: I don't want to complete it by next week—for whatever political purpose that might serve the individual.

Our leader, Majority Leader FRIST, says we will start early and work late; and we are prepared to do just that, starting on Monday with votes on this legislation and working through the remainder of the week.

At this time I will yield the floor to the chairman of the Energy and Natural Resources Committee and, once again, recognize him for the phenomenally hard work he has put into building a balanced national energy policy, reflected in S. 14.

I hope by next Friday evening we will have finalized this bill, gone to final passage, and that this will be the year when we put on the desk of the President of the United States a futuristic program for the assurance of the development of energy for generations of Americans to come—that product which will fuel a vibrant economy for our country.

I yield the floor.

The PRESIDENT pro tempore. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I understand we will have a number of amendments this morning. Yesterday we had two CAFE amendments. I understand there is a third—at least a third—that will be presented this morning. We are hoping that will be the extent of the CAFE amendments and that we will eventually vote on those and the Senate will work its will, as it has already in the past on CAFE standards. I understand there is a good chance there will be a number of amendments offered this morning.

There is no desire on my part to ask for votes today. Every effort will be made to work out with the minority a method of stacking them for Monday which would be far more accommodating to Senators.

While we wait to untangle some matters, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CHAFEE). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. 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. SESSIONS. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

NOMINATION OF WILLIAM H. PRYOR

Mr. SESSIONS. Mr. President, I wish to bring my colleagues up to speed on the nomination of Attorney General Bill Pryor from the State of Alabama for U.S. District Court for the Eleventh Circuit Court of Appeals.

Bill Pryor is an extraordinary nominee, one of the finest, most decent, most intelligent, and most ethical individuals I have ever had the pleasure of knowing. His reputation throughout the State of Alabama is extraordinary. His career as a lawyer is extraordinary. He would make a magnificent judge on the court of appeals.

Bill grew up in Mobile, AL. He attended the Catholic school there, McGill-Toolen. His father was band director there. They were active in their church. They are the kind of family we ought to emulate and lift up and be proud of. I have heard it said that Mr. Pryor was a John Kennedy Democrat in the 1960s. After some of the problems we have had, he probably has changed some of his views about his politics in the last few days. But he is a remarkable man, and his mother and family are remarkable.

Bill went to Tulane Law School, one of America's great law schools. He worked very hard. He finished at the top of his class. He was the editor in chief of the Tulane Law Review. The most prestigious position a graduating law senior can have is to be the editor of the law review for the law school. It is a quite an honor.

He clerked after that for Judge John Minor Wisdom, one of the great justices on the old Fifth Circuit Court of Appeals. Judge Wisdom has been known as a champion of civil rights in the South. He was one of those judges on the court of appeals during the time of the end of segregation and the movement toward integration. It was not easy. The court was constantly in the arena, whether they wanted to be there or not. Judge Wisdom has been recognized by all as being a champion in that area.

Bill Pryor is a man of religious faith. He attends church regularly. His wife and children do so. He is a Catholic, and he believes in the doctrine of the church. It seems that some of those beliefs he shares with millions of Americans and millions of people throughout the world have caused some of the difficulties he has had.

He helped me. When I was attorney general of Alabama, I put him in charge of appellate litigation and constitutional litigation. He wrote briefs to the court of appeals. He argued those cases personally. He had already been with two of Alabama's best law firms before he agreed to join me, giving up a very lucrative law career. The firms wanted him to stay. He was in a position to be partner and make a great deal of money. But he believed in public service. He and his wife talked about it. They agreed to come to work.

After I was elected to the Senate 2 years later, Governor James, then Republican Governor of Alabama, appointed Bill to be my successor as attorney general. In that position, he has stood courageously for the values he believes in. He has done so with clarity and conviction, winning the confidence and respect of people throughout the State, even those who are of a different political party and race.

For example, when he was sworn in, he said in his inaugural address: "The constitution and laws of this State should have not one thing in them that would discriminate against a person because of their race." We had in our Alabama Constitution an old amendment that said interracial marriages were banned. That had been declared unconstitutional by the Supreme Court, but Bill thought it ought not to be in there. He joined with State Representative Alvin Holmes who worked on the team of Dr. Martin Luther King, Jr., during those very tough days of civil rights. Together they led the battle, and the people of Alabama removed that amendment from the constitution.

Alvin Holmes said: No other politician in Alabama, Republican or Democrat, White politician, supported me in that effort but Bill Pryor.

He wrote one of the most powerful, moving letters anybody would ever want to see explaining the character of Bill Pryor and why he should be a Federal judge.

Along that line, Mr. Joe Reed, Representative Joe Reed, Dr. Joe Reed,

who is the vice chairman of the Alabama teachers union, the AEA, a member of the Democratic National Committee, who has chaired for 30 years the Alabama Democratic Conference, a powerful force in Alabama—there is nobody who has run for the Democratic nomination for President in these United States who does not know Dr. Joe Reed. He is the first person they would want to talk to as they consider how to be involved in winning a primary in Alabama. Dr. Reed supports him strongly.

Congressman ARTUR DAVIS, a Harvard Law graduate, former assistant U.S. attorney, African American, supports Bill Pryor.

The former Democratic Governor of Alabama has spoken highly of him. He has that kind of reputation. His reputation is that Bill Pryor does what is right; he follows the law, whether it is popular or not.

One of the issues that was important politically in the State—and each State has issues that arise given time—was separation of church and state. The issue became very contentious. Our Republican Governor, Bob James, had a very strong view about it. He played football and he said he didn't see anything wrong with a coach leading the kids in prayer. Frankly, I don't either. But the Supreme Court has ruled to the contrary.

Governor James had other very strong views. He had just appointed Bill Pryor to the attorney general office to be one of the youngest attorneys general in America. He had this idea about how these issues ought to be argued in court. But under the Alabama Constitution, the attorney general speaks for the State of Alabama in court. So they had a conversation or two, and Attorney General Pryor had to reluctantly tell the man who just appointed him, in a very hot political deal, that your position will not hold up according to the law; I cannot support that.

The Governor took a very strong position on the right of school officials to speak on religious issues, and reluctantly the attorney general had to file a brief on the subject. The attorney general filed a brief and said flat out that the Governor's position did not state the legal position of the State of Alabama. He argued the case according to the precedent of the Supreme Court. He also, in that confused time, wrote a legal opinion, which he sent to every school official in the State, setting forth what children could do in the free exercise of their religious beliefs and what schools could and could not do. In fact, those rules that he sent out were adopted almost in toto by the Clinton Department of Education as their directives to policy concerning the separation of church and state in schools. He followed the law, even though it was very tough for him to do so.

They have expressed real reservation about Mr. Pryor. They say he has strongly held views, that he is extreme

in his pro-life views, that he is very passionate, and that he would not follow the law, basically.

They have criticized him for his views on abortion. He didn't volunteer those views. But in the committee, one of the Senators looked right at him and asked him about that. He explained that he thought that taking an unborn life was immoral and that *Roe v. Wade* has led to the slaughter of millions of innocent unborn. You could have heard a pin drop. Nobody had really been asked that squarely. He answered it honestly. He said: But, Senator, I know the courts don't follow that view and it is not the law today, and I follow the law as it is written.

In fact, he had proof of it because, previously, when he was attorney general, Alabama passed a law to ban partial abortions. That law was a broad law. Under the Supreme Court rulings and other rulings, portions of that statute were not constitutional. Attorney General Pryor, as attorney general of Alabama, had to send a directive to all the district attorneys in Alabama directing them not to enforce portions of that law that violate the Constitution of the United States. So even though he thought, no doubt, partial-birth abortion was wrong—because he believes abortion is wrong, so he would certainly believe that horrible procedure would be wrong—he was a lawyer and he spoke up and he directed, as attorney general, every district attorney in the State to enforce that law, consistent with the Constitution. I think that demonstrates clearly his ability to understand and follow the law even if he does not agree with it.

The only other thing I know he has ever done with regard to abortion is to make clear that if there were a protest at an abortion clinic that violated the law and the right of people to attend that clinic, they would be prosecuted by him. He would enforce the constitutional right of people to go to clinics and have abortions under the laws of the United States.

Another issue we dealt with in the State was reapportionment. Most Republicans believed strongly that reapportionment had been very adverse to their ability to have a representative in the State legislature. As a whole, the State is a majority Republican State, with both Senators, the Governor, and five of the seven Congressmen being Republicans. But the legislature is about two-thirds Democrats.

A lawsuit was filed by the Republican groups to get the legislature reapportioned, hoping they would get a better shake in the numbers. It was a pretty legitimate suit. It had real merit to it. They wanted Bill Pryor to take the lead in it as attorney general. He was a Republican, after all. Some lawyers had known him for years and they had worked with him. Bill researched the law and said: You don't have standing, and this is not a legitimate lawsuit, and I cannot support it. They said:

What do you mean? They called me saying I have to get Bill to change his idea and help them win. But I told them then that Bill follows the law. If you have the law, do it; if you don't, he will not help you. So he resisted their actions. He defended the Democratic position. He defended, particularly, the African-American position. He actually lost the case in the court of appeals and appealed it to the Supreme Court of the United States and won it. He was right all along.

So I can give many examples of this brilliant lawyer who has stood firm for what he believes is right, who gives bipartisan, biracial support to the people in Alabama, a man who would flourish as a court of appeals judge, a man who loves America. He has sincere and great religious faith. He understands the rule of law and places all that in proper context. I am just proud of him. I am glad the committee has moved him forward. I hope we will see him confirmed as a Federal judge.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

TRIBUTE TO COLIN McMILLAN

Mr. BINGAMAN. Mr. President, I take a couple of minutes to speak about the tragic death of Colin McMillan, who was a very outstanding citizen of our State of New Mexico. He had distinguished himself as a businessman and also as a public servant in Roswell. In Santa Fe, he served in the State legislature, with a leadership position, and also here in Washington, where he served in the Department of Defense in the previous Bush administration. He was influential and effective in all of the positions he held. He was extremely well respected for his straight dealing and his integrity.

I met Colin first when I was in law practice in Santa Fe and he was in our State legislature. As I indicated, he had a very prominent position, a leadership position, in our State legislature back in the 1970s. Since then, our paths have crossed many times. Most recently, we spoke when he came to my office to discuss his nomination by President Bush to serve as the Secretary of the Navy.

This is a position I strongly supported him obtaining and I told him I was looking forward to him being back in Washington. I know he and his wife Kay were looking forward to returning to Washington. He spoke with great enthusiasm about his plans in that new position.

His death is a loss to us in New Mexico, and it is a loss to the country. We will be deprived of his leadership.

I know he was a very good friend of my colleague, Senator DOMENICI, for many years and a political ally in New Mexico for many years. His loss will be noted and regretted by all of us in New Mexico.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.