

The red spots on this chart show where these other communities were contaminated. The larger the spot, the more shipments. We can see these spots all over the country. Yet these communities are not compensated for it, although one community is; other communities are not.

The problem of (community contamination is not limited to the sites receiving ore from Libby. Community asbestos contamination can result from many different sources. For example, medical experts believe it may result from exposure to asbestos after the collapse of the World Trade Center. Because of the long latency period, we often do not learn about community asbestos contamination until long after it occurs. Certainly these victims of asbestos are entitled to fair treatment as well. They should not be arbitrarily excluded from compensation as if their suffering is somehow less worthy of recognition than the suffering of other asbestos victims. Yet, that is what S.852 does.

This is a bill that shifts more of the financial burden of asbestos-induced disease to injured workers by unfairly and arbitrarily limiting the liability of defendants. It does not establish a fair and reliable system that will compensate all those who are seriously ill due to asbestos. It lacks a dependable funding stream which can ensure that all who are entitled to compensation actually receive full and timely payment. These are very basic shortcomings.

We cannot allow what justice requires to be limited by what the wrongdoers are willing to pay. I intend to vote "no" and I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to address the Senate until 3 p.m.

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

Mr. ALEXANDER. Thank you, Mr. President. The Presiding Officer will be relieved because I am to preside at 3 p.m.

NUCLEAR POWER

Mr. ALEXANDER. Mr. President, today, President Bush made an announcement of something he calls the Global Nuclear Energy Partnership. It is part of the President's 2007 budget for the U.S. Department of Energy. In that budget, at a time when there is not much extra money, there is \$250 million to deal with the objectives of the Global Nuclear Energy Partnership.

Part of the initiative we have heard about before. It calls for advanced technology for nuclear reactors—reactors from which we can produce clean energy, reactors which are smaller than the reactors that we have today

that produce about 20 percent of all the electricity we use in the United States. But I want to call attention to a part of the President's proposal which we have not heard much about before—at least from him—that is the part about reprocessing and recycling the fuel that is used in nuclear reactors. That has been something we haven't been doing in the United States for a long time, except in limited cases, and it is something that requires a great deal of attention. My hope is that, while it is a small part of a large budget, the idea of reprocessing and recycling spent fuel from nuclear reactors would have a significant, measured, and careful bipartisan discussion on the floor of the Senate.

Even though it is a small part of the big budget, dealing with the issue of reprocessing spent fuel can make a big difference in the solution to a number of large problems.

For example, whether we are able to deal with global warming within a generation, the only technology we have, of which I am aware, which will produce large amounts of carbon-free energy which would permit the United States and the world to reasonably hope to deal with global warming in this generation is nuclear power.

Even though it is 20 percent of our electricity in the United States today, it produces 70 percent of the carbon-free electricity.

Solving the reprocessing and recycling problem which deals with the issue of energy independence—and it has been talked a lot about on both sides of the aisle—if we want to be independent of other countries, we have to have ways to produce large amounts of energy in a clean way. And other than conservation and efficiency, nuclear power, in my judgment, is the only way to do that today.

A third area has to do with clean air. We have other forms of energy production such as coal, a very important form, but coal still produces large amounts of sulfur and nitrogen pollution. It produces mercury. The idea of recapturing the carbon and the integrated gasification process of making that coal-produced electricity clean is something we still have a lot of work to do on.

Dealing with reprocessing will have a lot to do with solving the problems of proliferation concerns that we have about other countries getting hold of spent fuel and turning it into material that can produce nuclear weapons. We read about it every day in terms of Iran and North Korea. It has to do with a balance of payments in the United States.

Some country is going to produce these advanced nuclear technology powerplants. Russia, for example, might produce 30 or 40 of these. When it does, it will have the technology available to sell those powerplants to India, China, and other parts of the world where they need large amounts of energy which is clean. The United

States will be left behind if we are not a part of that process.

I have mentioned all of these issues as if they were American issues—global warming, energy independence, clean air, proliferation, balance of payments. These are worldwide issues. By one account, 30 percent of pollution in the Los Angeles basin comes from Asia. If India and China aren't able to deal with the global warming issue, with the clean air issues, and with the proliferation issue, every American will be affected.

Today, there are about 430 nuclear reactors in the world being used to produce electricity. About 100 are in the United States. We have a classified number—maybe it is about the same—of them which have been used in our nuclear Navy since the 1950s. It is not difficult to imagine a world with 1,000 nuclear reactors. There are 124 nuclear reactors on the drawing board today, or under construction. Until recently, none of those were in the United States. We haven't built one new nuclear powerplant from scratch since the 1970s. It is very odd because we have a large demand in this country for large amounts of low-cost, clean energy. We invented the technology. We have used it in our Navy since the 1950s without a single incident.

France is now about 80 percent reliant on electricity from nuclear powers. And Japan, which suffered under our use of nuclear weapons, has used nuclear power to produce electricity.

Things though are changing. While nuclear power has some problems, so does every other alternative for producing the large amounts of energy that we and the world needs.

Coal, which I mentioned, produces pollutants, and no one has yet produced a way to deal with all of the carbon that is produced by coal to make it the strategy for future.

Many environmental groups—I am one of those persons who is hopeful about that—but the idea of recapturing such large amounts of carbon and putting it underground is something we haven't able to do yet.

Drilling for new oil produces lots of arguments in this body and close votes. Importing oil produces many resolutions and arguments in this body as well.

Wind energy is appealing to some, but you would have to cover up the whole State of Massachusetts to produce what one or two nuclear powerplants would be able to produce.

Today, solar energy is less than one-tenth of 1 percent of what we use in America.

So we need nuclear power. In order to have nuclear power, we are going to have to deal with the problem of where we put the spent fuel and what we do about proliferation.

I am glad that the President suggested in his budget today the Global Nuclear Energy Partnership. I am glad he put \$250 million in it to advance the idea of processing and recycling.

First, we should move ahead with the advanced technology and loan guarantees, the investment tax credits, the risk assurance that was enacted in the Energy bill in July.

Second, we should move ahead with research and discussion of reprocessing and recycling so that we can reduce by 90 percent the amount of waste that we would have to store at Yucca Mountain, or similar facilities, and reduce by more than that the heat in that spent fuel.

And finally, we should discuss an international protocol so that while other countries such as the United States, Russia, and others might invent the technology for small, new nuclear powerplants, there would be some sort of international protocol that would lease the spent fuel, supervise its processing, and supervise its permanent storage so that we and the world in this generation can deal with global warming, energy independence, clean air, and a variety of other issues that deal with our lives.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER (Mr. ALEXANDER). The Democratic leader.

ASBESTOS

Mr. REID. Mr. President, if the American people want to know what is wrong with Washington, they should take a look at what is being debated in the Senate this week—*asbestos* legislation.

I have said on a number of occasions that Lord Acton, whom I studied when I was in college, is right—power tends to corrupt, and absolute power tends to corrupt absolutely. Look what we have on the Senate floor today—*asbestos* legislation, legislation that, of course, is not ready to be here, but it is being brought here because of tremendous pressure by the folks downtown.

What do I mean by folks downtown? Washington has been run by the lobbyists. The Jack Abramoff scandal is no surprise to people who have been watching this. The K Street Project and other such things came about as a result of too much concentration of power.

Why do I say that this is an example of why we need lobbying reform in Washington today? This legislation is on the floor for one reason: 15 companies that are pushing this legislation. Thousands of companies oppose it.

The 15 companies that support this legislation spent \$144.5 million on lobbying in 2 years.

Actually, I am wrong; 13 companies spent \$144.5 million in 2 years on lobbying.

Why is this legislation on the floor today? Why are we not doing something about education?

My friend from Tennessee talked about another very important issue—whether this country should move to nuclear power.

Wouldn't it be nice if we had a debate on the Senate floor about that? Or

about wind energy? Or about why we don't have tax credits for wind, for Sun, for geothermal, and for biomass that last more than 2 or 3 years?

Why are we not taking a look at nuclear energy? That would be good. We could have a debate on this floor about these topics and spend a couple days very profitably.

But we are not doing that. Instead we are talking about asbestos because 13 companies spent \$144.5 million in 2 years lobbying to get it here. For the 13 companies, I guess that was money well spent because they are going to save billions if this legislation passes.

It would be nice if we spent some time on the Senate floor talking about why this country is going into financial bankruptcy because of its spending these last 5 years.

Remember, during the last years of the Clinton administration we paid down the debt by \$5 trillion. Not this administration. We are going to be asked in a few days to increase the debt ceiling above \$8.2 trillion.

As I said, it would be nice if we had a debate on the Senate floor about education.

I know my friend, the Presiding Officer, has been working in conjunction with the distinguished Senator from New Mexico, the junior Senator from New Mexico, JEFF BINGAMAN, about why this country is falling behind scientifically in this country. It would be nice if we had a debate on that.

However, these folks who Senator ALEXANDER and Senator BINGAMAN are talking to about increased funding for research cannot afford to spend \$144.5 million in 2 years for lobbyists to get the goods. So we will spend time the Senate does not have on this piece of legislation that is flawed, flawed, flawed. Later I will explain what is wrong with it.

We will spend valuable time on the Senate floor because the lobbyists won. Chalk one up for the lobbyists. Do we need lobbying reform? Yes. For example, we do not even know all the companies involved in this so-called asbestos study group. ASG would have to disclose their membership under the lobby-reform legislation we have proposed. They would not be able to do it in secret, then pay their money under the plan.

I bet they are jumping with joy today—some of whom we do not know who they are—because they were able to buy their way into the Senate, paying for a bunch of lobbyists.

These 13 companies employed 168 lobbyists. It is pretty easy to figure out what is going on.

I am going to vote opposing the motion to proceed. Rarely do I do that. It is so important that I do it here. I don't know if we have enough votes to stop it from going forward, but for the good of the American people, I hope so. If we do not, there are a lot of other ways we can fight this very bad piece of legislation.

The Super Bowl was last night. The underdog, Pittsburgh Steelers, won.

However, turning from football to lobbying, the lobbyists are not underdogs when they are given \$144.5 million to bring a bill to the Senate. They are on the winning side. \$144.5 million was paid to lobbyists by 13 companies. That is why we are here today. That is why we need lobbying reform. With reform we would at least know all the companies involved in the so-called ASG, asbestos study group. Talk about a blight on legislative standards, bringing this bill to the Senate and leaving real problems to someone else another day.

This bill is anything but fair. But like a lot of things around here, we still call it the Fairness in Asbestos Injury Resolution Act. This is part of the Orwellian world we live in here, where the Clear Skies Initiative pollutes the skies, where the Healthy Forests Initiative ruins our forests, where the Leave No Child Behind Act leaves children behind, where the Budget Deficit Reduction Act increases the deficit. Now, we are going to be asked to deal with the Fairness in Asbestos Resolution Act, which is anything but fair.

It is unfair to victims of asbestos exposure. It is unfair to small businesses. It is unfair to thousands of businesses in this country. It is unfair to the American taxpayer. If this goes through, they likely will have to bail out the trust fund created under the bill. It is unfair to organized labor. It is unfair to the insurance industry. It is unfair to veterans.

As I said, I don't lightly oppose a motion to proceed. I recognize that generally it is the prerogative of the majority leader to set the agenda. In this case, however, opposing this motion is absolutely justified. This is a terrible piece of legislation to bring before the Senate with the state of the legislative calendar that we have. I wish the Government Operations Committee, led by Senators Lieberman and Collins, would get Congress some lobbying reform. That is what we need to do. That would be more important than this.

This bill is not ready for consideration. It is not even a close call. There are so many unanswered questions raised by the current bill, too many questions about solvency and adequacy of the trust fund, too many questions about the impact of this bill on the lives of countless Americans with asbestos-related illnesses. This alone should disqualify this legislation from being on the Senate floor.

The Senate could debate this bill for the next 60 legislative days, and we still could not fix the structural flaws of this trust fund. The only reasonable approach is to take it back to the Judiciary Committee and find a better approach.

This bill should also be referred to the Senate Committee on the Budget before the Senate debates it. Senator CONRAD and Senator GREGG have said it is not ready for the Senate floor. They have written a letter to me and to Senator FRIST asking for more time to review the massive fiscal impact of this program.