

This legislation also encourages the Superintendent of the National Fire Academy to coordinate with Federal, State and local agencies to develop the curricula to accomplish that training and ensure that it is available in all geographic regions to both career and volunteer firefighters.

In conclusion, I would just say that this reauthorization of the Fire Administration is vital to those who risk their own lives every day in this nation to protect our citizens and our resources. It provides them with the leadership, the tools, the planning and the training they need to effectively accomplish that mission and I urge my colleagues to support passage of this measure.

Mr. FRIST. Mr. President, I ask unanimous consent that the McCain substitute at the desk be agreed to, the committee substitute, as amended, be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The amendment (No. 2207) was agreed to, as follows:

(Purpose: To provide a complete substitute for the language reported by the Committee on Commerce, Science, and Transportation)

Strike all after the enacting clause and insert the following:

TITLE I—UNITED STATES FIRE ADMINISTRATION REAUTHORIZATION

SEC. 101. SHORT TITLE.

This title may be cited as the "United States Fire Administration Reauthorization Act of 2003".

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 1152), as amended, was passed.

PRESERVATION OF EXISTING JUDGESHIPS ON THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Mr. FRIST. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 399, S. 1561.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1561) to preserve existing judgeships on the Superior Court of the District of Columbia.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements related to the bill be printed in the RECORD.

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

The bill (S. 1561) was read the third time and passed, as follows:

S. 1561

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COMPOSITION OF SUPERIOR COURT.

Section 903 of title 11 of the District of Columbia Code is amended by striking "fifty-eight" and inserting "61".

FAIRNESS TO CONTACT LENS CONSUMERS ACT

Mr. FRIST. I ask unanimous consent the Senate proceed to consideration of H.R. 3140, which is at the desk.

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

The legislative clerk read as follows:

A bill (H.R. 3140) to provide for availability of contact lens prescriptions to patients, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements related to the bill be printed in the RECORD.

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

The bill (H.R. 3140) was considered read the third time and passed.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2004

Mr. FRIST. I ask unanimous consent the Senate proceed to the consideration of H.J. Res. 78, which is at the desk.

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

The legislative clerk read as follows:

A joint resolution (H.J. Res. 78) making further continuing appropriations for the fiscal year 2004, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. I ask the amendment at the desk be agreed to, the joint resolution, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the joint resolution be printed in the RECORD.

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

The amendment (No. 2208) was agreed to, as follows:

On page 2, line 7, strike "23" and insert "24".

The joint resolution (H.J. Res. 78), as amended, was considered read the third time and passed.

ORDERS FOR FRIDAY, NOVEMBER 21, 2003

Mr. FRIST. I ask unanimous consent when the Senate completes its business today, it adjourn until 9:30 a.m. Friday, November 21. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to

date, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of the conference report to accompany H.R. 6, the Energy Policy Act, and that there then be 60 minutes equally divided between the chairman and ranking member of the Energy and Natural Resources Committee; provided that the final 10 minutes be divided between Senator BINGAMAN or his designee in control of the first 5 minutes, and the chairman or his designee in control of the final 5 minutes on the motion to invoke cloture on the conference report.

Mr. REID. Reserving the right to object, I appreciate the majority leader allowing the full 60 minutes after the prayer and pledge.

I ask, so there is no confusion on this side—this has been cleared with Senator BINGAMAN—the time on our side be allotted as follows: Senator LIEBERMAN, 4 minutes; Senator MCCAIN, 4 minutes; Senator CANTWELL, 3 minutes; Senator SCHUMER, 4 minutes; Senator JEFFORDS, 4 minutes; Senator COLLINS, 4 minutes; and the final 5 minutes, as pursuant to the intended order be Senator BINGAMAN.

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

PROGRAM

Mr. FRIST. Tomorrow morning there will be 1 hour of debate prior to a cloture vote on the energy conference report. I hope the Senate will be able to invoke cloture on this long overdue issue. It is important that the Senate invoke cloture to allow the Senate to have an up-or-down vote on the bill that will strengthen the Nation's energy security by establishing a national energy policy.

I would also announce that the conference committee on the Medicare reform legislation has finished its work. That conference report will be filed in the House. We hope to consider and complete that measure just as soon as possible.

In addition, we have the Appropriations Committee which is completing its work on the appropriations process. And we will shortly consider that conference report as well.

Having said that, we will have roll-call votes tomorrow. A number of people have asked about the weekend schedule, and we have been very clear over the last week and a half that we will be in session this weekend. But the specifics of the weekend schedule, hopefully, we will be able to announce sometime midday tomorrow.

ORDER FOR ADJOURNMENT

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator GRASSLEY and Senator DODD.

The PRESIDING OFFICER. Without objection, it is so ordered.
The Senator from Iowa.

ENERGY POLICY ACT OF 2003

Mr. GRASSLEY. Mr. President, I am going to discuss the legislation before the Senate, the Energy bill. In order to secure our country's economic and national security, we need to have a balanced energy plan that protects the environment, supports the needs of our growing economy, and reduces our dependence on foreign sources of energy.

Balance has been my guiding light as I worked legislation through the Finance Committee, which I chair, for tax incentives for energy. I wanted to make sure we had a very balanced piece of legislation. By balanced, I mean balanced between fossil fuels, conservation, and renewable fuels.

We do have in the finance provisions of this Energy bill very balanced provisions for fossil fuels, for near-term energy needs, but we also legislate for the future as we have emphasis upon renewable fuels, wind energy, biomass, biodiesel, ethanol, and things of that nature. We have tax incentives for that.

Then we also have tax incentives for conservation. It is my belief that a well-balanced piece of energy legislation, with tax incentives for fossil fuels, for renewable fuels, and for conservation, is not only good for such policy, but I have come to the conclusion that is the sort of legislation we have to have to get the bipartisanship it takes to get a bill through the Senate.

Now, the other body, in writing similar legislation out of their finance committee—over there it is called the Ways and Means Committee—it seemed to me it was very tilted toward fossil fuels. It was my job, representing the Senate, to make sure from the conference with the House of Representatives we came out with a balance. I think we did come out with that balance.

I commend that balance to this body, to think about that as you vote on cloture tomorrow. Give us an opportunity to vote this bill up or down, and consider that my committee, in bringing this balance—for conservation, for renewable fuels, and for fossil fuels—tried to do what we could to get a majority vote in this body.

Now, of course, we need a supermajority vote, and that supermajority vote is to stop a Democrat filibuster against this bill. In a time like this, when the energy needs of our country are so great, and we are in a crisis situation, we should not tolerate a filibuster against this bill.

Every man, woman, and child in the United States is a stakeholder when it comes to developing a responsible, balanced, stable, and long-term energy policy.

The events of September 11 have made very clear to Americans how im-

portant it is to enhance our energy independence. We can no longer afford to allow our dangerous reliance on foreign sources of oil to continue.

But somehow we can wait; and we do wait. We should not wait, but we seem to wait in a way that causes that wait to make "too good of an impact." It has been over 10 years since we passed energy legislation in this body. But if we wait until we get that perfect piece of legislation, we may be waiting forever. And by waiting forever, we will suffer the consequences of less supply and higher prices.

I do not know about folks in all parts of the country, but I know I was brought up in the State of Iowa just to have dependence upon our sources of energy. When you go to the gas pump, you put the hose in your car, you move the lever, you expect to get gasoline. When you flip the light switch, you expect the lights to come on.

In order for that to happen, and for the price to be stable, just a small percentage at the margins of supply is necessary in order for us to have that stability and that certainty.

Some people in this country believe that one way to change American lifestyle is to force down the supply of energy. I happen to believe that Americans ought to have a massive amount of choice; that we do not need a bunch of bureaucrats or interest groups in Washington dictating to us that somehow, through an energy policy, by cutting back on the amounts of energy, they are going to bring about their "perfect" society.

This bill is obviously not perfect. And to those who complain about various provisions, I just remind them, if they drafted a "perfect" bill—and there probably would never be one—it would not pass the House or the Senate.

Some say the process has not been perfect. But if the process had been perfect for some, it would not have been perfect in the view of others. And that is fairly common in any legislative process.

While we are talking about process, I would like to clarify the role the Senate Finance Committee, which I chair, played in this bill. We have heard a lot about Republicans shutting Democrats out of the conference process. Well, that is not the way I operate as chairman. That is not the way my Democrat counterpart, Senator BAUCUS, operated when he was chairman of this committee when the Democrats were in the majority in the last Congress.

With respect to the tax provisions of the bill, the process was open. Senator BAUCUS attended conference committee meetings. Finance Committee Democratic staff worked side by side with my Republican staff in the conference negotiations.

I might add, they were a key asset for us in the protracted negotiations with the House Ways and Means Committee. Conference staff on both sides of the aisle was informed as the process moved forward.

If it is "perfection" you are insisting upon, then you are in the wrong business. Legislating is neither a perfect process nor does it produce perfect products.

The Energy Security Act of 1992—the last one that Congress passed—was not perfect. That quickly became clear.

In 1995, after extensive interagency review and analysis, under provisions of section 232 of the Trade Expansion Act of 1962, the Clinton administration concluded that oil imports threatened our national security.

Such a finding, under this law, gave him the authority to impose quotas and import fees on oil. But he chose to do nothing because he believed that import adjustments would be too harmful to the economy.

Within 3 years of passing what was called an Energy Security Act, the fact is, our national security only worsened. When national security is not in good shape, it is probably because our economic security has worsened.

So what do we do? Do we do nothing? Do we wait for a perfect piece of legislation? Do we wait for market forces to save us? We heard earlier today criticism of this Energy bill because it fails, in so many words, to allow the free market to work its magic. The bill is not perfect, it has been argued, because it favors one energy source over another. You can go on and on and on. I would like to talk about that favoritism, and I would like to talk about the marketplace.

During the debate on the 1992 Energy Security Act, the chairman of the Energy Committee at that time, former Senator Bennett Johnston of Louisiana, stated that each barrel of imported oil was subsidized by the taxpayers to the tune of \$200 per barrel. That is outrageous. Anybody listening to that says I had to misquote something.

But again, let me explain from this leading Senate expert on energy, as Senator Johnston was, he is telling us that imported oil is subsidized \$200 for each and every barrel. Is that favoritism, when we subsidize imported oil at \$200 a barrel? Are we picking winners and losers? What does that tell us about the so-called free market system? How can our domestic energy producers compete with that? It makes a mockery of the argument that we must sit idly by and let the marketplace control our energy policy.

How absurd can we be? On one hand, we subsidize imported oil, and we do that through the military expense it takes to protect the trail of oil from the Middle East to our shore or what we are doing in the Middle East now to preserve peace over there, cutting down on terrorism as part of that. But on the one hand we subsidize imported oil, and then we wonder why we become dangerously dependent upon that foreign oil. The Government, through a massive interagency review, declares that our national security is at risk because of imported oil but then declines