lawyers—are giving other trial lawyers a bad image and are ripping off the system.

Having said that, there are trial lawyers in this country who deserve our respect, who are honest, who do not buy off judges, who do not abuse the system, who do not forum shop into these jurisdictions that you know are going to violate the basic strictures of society, giving huge verdicts to those who don't even deserve anything. These trial lawyers are people who basically help keep society straight. Many of them were people who basically sued the companies that were most responsible for these problems.

But now we are coming down to a lot of personal injury lawyers who really should be ashamed of themselves. You have seen the ads in the newspapers and so forth. They are as trumped up as anything I have ever seen, and they are even on television. Nobody should exploit the suffering of others, including ourselves. We are trying to do our very best to make sure everybody who truly suffered gets just compensation under the circumstances. That is what this bill will do. We have worked hard to get it here and it is time that we pass it.

I hope my colleagues on the other side don't filibuster the motion to proceed. That should not be done on something this important.

Mr. President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

GAS PRICES

Mr. WYDEN. Mr. President, like you, I was home over the last few days and very much enjoyed being with you, and I particularly enjoyed the honor we received from the Classroom Law Project. It has been a tremendous privilege to be able to team up with you on those kinds of initiatives.

I want to discuss one of the issues about which I heard a great deal and I am sure you did as well when we were home. Gas prices in Oregon have now hit an all-time high. Over this past weekend, folks in Eugene and Medford in particular were paying more than $2 a gallon. Of course in our State this works a tremendous economic hardship. Folks have to drive long distances in many communities, and particularly for small businesses it is of tremendous economic concern at this time.

In light of what I saw last night on the news program ''60 Minutes,'' I want to talk for a few moments about a resolution I have introduced recently calling on President Bush to put some real heat on the Saudis and OPEC to increase oil production in order to help the kind of people I saw over this last week in Oregon who are getting mugged at the gas pump.

When I introduced this resolution recently, to put some real pressure, a full-court press on OPEC to increase oil production, I wrote a resolution that mirrored what a number of our colleagues offered during the years when Bill Clinton was President.

There was an objection to the Senate considering my resolution to start putting some pressure on OPEC and the Saudis to increase production. It seems to me given what a lot of us saw on ''60 Minutes'' last night, I hope some of our colleagues and friends on the other side of the aisle would now reconsider my resolution and reconsider their objection to it.

In an interview last night on the CBS news magazine, the Washington Post's Bob Woodward talked about the substance of a reported conversation between our President and Saudi Arabia's Ambassador to the United States, Prince Bandar. Reading a portion of Mr. Woodward's new book, correspondent Mike Wallace said last night, ''Bandar wanted Bush to know that the Saudis hoped to fine-tune oil prices to prime the economy 2004. What was key, Bandar understood, were the economic conditions before a Presidential election.''

I want to start my discussion this afternoon with the question, Should the United States allow a foreign power to decide our Nation's energy security? Certainly this is a troubling question.

It seems to me the pieces of the gas price puzzle are beginning to come together. I will tell you that I believe it forms a very troubling picture.

On March 31, the New York Times reported a senior official in an OPEC country as having said the United States is placing ''very little'' pressure on the oil cartel to increase gas prices. The Saudi official continued by saying of OPEC's discussions with the United States, ''We're telling them, keep your mouth shut.''

Days later, OPEC moved to ratify a 1-million-barrel-per-day production cut that would further drive up gasoline prices in our country. The Reuters news service then reported the Saudi Foreign Minister was asked whether the United States had expressed any disappointment over OPEC's production cut. The Saudi Foreign Minister said, ''I didn't hear from this Bush administration. I'm hearing it from you that they are disappointed.''

Last night on ''60 Minutes,'' Bob Woodward told us the Saudi Ambassador indicated to the President that ''certainly over the summer, or as we get closer to the election, they could increase production several million barrels a day and the price would drop significantly.''

I can understand why the Saudis would want to cut production right before the heavy summer driving season, the period that is coming upon us. The Saudis want to boost their profits. I have always said OPEC is going to stand up for OPEC. Anybody who thinks OPEC stands up for the American consumer thinks Colonel Sanders stands up for chickens.

I understand the Saudis and that country are going to be interested in everything that will boost their profits. I can understand why any President would want gas prices to be low with an election coming fast. But what about what the American families want?

We know what the Saudis want. We know about the climate before a Presidential election. While the Saudis count the profits and the President counts on the word of the Saudis, American consumers are counting out more and more of their hard-earned dollars just to fill up at the gas pump.

When the market opened this morning, U.S. crude oil futures were $37.74 a barrel, which is about $8.50—or about 30 percent—higher than a year ago.

As I noted over this last weekend, Oregon families were paying an all-time high for gasoline. A number of our communities have seen prices of over $2 a gallon.

With gas prices through the roof, the administration should have pressured OPEC ahead of the cartel's planned reduction cut, and the President should have used his relationship with the Saudis to bring relief to American consumers.

Let me repeat that. You have the prices soaring through the roof. You have the administration with an opportunity ahead of time to put pressure on OPEC ahead of their planned production cut. Certainly the President has had the kind of relationship with the Saudis that would ensure they listen seriously, and yet we saw this morning's report indicating the White House had different priorities when it came to gasoline prices, OPEC, and the Saudis.

My view is there just isn't any substitute for leadership when our families are hurting financially. Unfortunately, we haven't seen it in recent days.

I call on the Senate once again to send a clear message that the American people come first. The President ought to be using his relationship with the Saudis to help reduce gasoline prices now—not at a time of his choosing or the Saudis' choosing. It ought to be at a time when it best meets the needs of our consumers, and that is right now.

I ask the Senate to once again consider my simple resolution. It parallels the one that was authored by our friends and colleagues now in the Cabinet, Senator Abraham and Senator Ashcroft, who were then serving in this distinguished body. The resolution I authored mirrors theirs to bring pressure to bear on OPEC and the Saudis to increase production. The Senate ought to be able to act at least as quickly on my resolution as it did on the one that passed in 2000. That was good enough

for President Clinton, and it ought to be good enough for this President.

As I noted, we have had a number of our former colleagues in support of it. The previous resolution was introduced on February 28, 2000, and was passed on March 27. I am very hopeful with crude oil prices at a 13-year record high the Senate will now apply the same principle in this administration that was applied in the Clinton administration. We ought to say on a bipartisan basis that every American President ought to have a full-court press in place in order to stand up for the consumer, to stand up to OPEC, and to speak up for our families who are getting clobbered at the gas pumps.

In conclusion, this morning I noted the White House had no comment on the Saudi promise to cut oil prices. They said, Well, you can ask Prince Bandar, and essentially said they weren't going to get involved.

I will say based on what I heard this weekend that standing on the sidelines isn't good enough. This is an area that the Senate ought to come together on in a bipartisan basis, the way it did in 2000. It is a key part of I think a comprehensive strategy to hold down gasoline prices.

I have been trying to get the Federal Trade Commission off the sidelines. Certainly a lot of these refinery shutdowns smell because they look more to be boosting profits than boosting competition. But today I come to the floor of the Senate, given that very troubling report last night on ''60 Minutes'' and say I think there needs to be a full-court press and a comprehensive push on OPEC in order to lower gasoline prices.

We have seen this troubling issue raised in the last 24 hours which makes me feel the question of how much pressure is being put on OPEC and when it is being put doesn't seem to be done in a way that is going to best get relief to the American consumer. The American consumer deserves to have a White House that is pushing now and pushing hard to get relief for the consumer at the gas pumps.

I hope my colleagues on the other side of the aisle will reconsider their objection to my resolution to urge OPEC to increase production and increase it quickly so it can be passed by this body on a bipartisan basis as soon as possible.

I yield the floor. I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. DEWINE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ASBESTOS LITIGATION REFORM

Mr. DEWINE. Madam President, shortly, we hope to be taking up S. 2290, the asbestos bill. I have come to the Senate this afternoon to talk a little bit about the legislation. It is a good bill. It is a bill that, quite frankly, needs to be passed. I believe our civil justice system generally works very well. Like many of my colleagues on both sides of the aisle, I think our State and Federal courts are a vital part of our entire system of government. Our court system ensures a level of fairness and justice for our citizens that is second to none in the entire world.

Our civil justice system works well when we let juries decide disputes between two individuals or a limited number of parties. It usually works well in class action cases with large numbers of individuals with similar injuries caused by one or a handful of defendants. But we all have to admit our justice system is not perfect. It doesn't always work.

We all know our justice system has failed to deal with the asbestos crisis. I use the term ''crisis'' because that is exactly what it is. The system is not adequately protecting the rights of victims nor defendants. As things stand now, some victims are successful in getting jury verdicts that compensate them fairly. But many victims have no one to sue and receive perhaps 5 percent or 10 percent of the total value of their claims from asbestos bankruptcy trusts. That is not right. It is not fair.

On the other extreme, some victims receive huge awards or settlements that are way out of proportion to their injuries. The bottom line is, more and more victims face a risk of never being compensated for asbestos-related illnesses at all, ever.

It is our responsibility in the Senate to deal with this crisis. We must not wait any longer to act. I would like to take a moment to talk about why we have this asbestos crisis and why the courts are ill equipped to deal with it.

First, the sheer volume of claims is staggering. So far through the year 2002—the last figures we have—730,000 individuals have made claims for asbestos exposure, and the most recent Rand study estimates that anywhere between 1 million and 3 million total individuals could make claims in the future.

The second factor is the unusual nature of the illnesses caused by exposure to asbestos. As witnesses before the Senate Judiciary Committee testified, there is a long latency period between exposure to asbestos and the actual illness or impairment. People are exposed to asbestos for long periods of time and then don't show symptoms of illness for 25 or sometimes even 30 years. Not everyone exposed to asbestos ever gets sick, thank heavens. Yet our tort system requires a potential victim to file his or her claim for injury within a year or two from discovering the potential harm. What this means is the vast majority of people who are filing claims don't have any actual symptoms at that time, and many may not ever even get sick. Still they have to sue to protect their rights.

Third, many of those who are exposed to asbestos feel compelled to sue immediately because the number of financially sound potential defendants is rapidly diminishing. Someone who has been exposed to asbestos, even if he or she has no symptoms, may decide to sue now or take the risk that nobody will be left to pay a claim down the road.

Clearly, this system isn't meeting the needs of victims, and it also is causing tremendous problems for the business community. Candidly, asbestos liability is bankrupting many potential defendants as claims are now being brought against businesses that have a very remote connection to the manufacture of asbestos. So the impact of asbestos claims is overwhelming, not just to some of our Nation's largest companies but to our small businesses as well.

As a consequence, tens of thousands of workers, people employed by these businesses, are, in fact, being affected. Thousands and thousands and thousands of people are being affected. Employees and their families who never had any exposure to asbestos are, in fact, feeling the effects in lost wages, and for many of them lost jobs.

The impact in my State of Ohio is particularly severe. From 1998 to the year 2000, Ohio was one of the top five States in which asbestos litigants chose to file their suits. This is partly because Ohio is the home of many businesses that at one time or another used asbestos in products. It is also likely the result of a litigation strategy in which attorneys look for a court that has a history of allowing overly generous verdicts for claimants. This is known, of course, as forum shopping. But either way, literally thousands of companies have been named as defendants in our Ohio courts.

Out of 8,400 firms that have been named as defendants nationwide, over 7,000 have been named in cases filed in Ohio. Of the 66 or so companies that filed bankruptcy because of asbestos-related liability, more than 20 of these companies are headquartered or have significant facilities in Ohio.

Perhaps most important is the impact this has on jobs. More than 200,000 people worked for those bankrupt companies. Not every job was lost, but many were because of the bankruptcy and many employees were affected in other ways. It is simply devastating for an employee whose employer goes bankrupt—wages are cut, promotions are scaled back, and pension funds can be completely wiped out. Of course, many of these 200,000 employees are in Ohio.

Let me be clear—I believe that companies should be held accountable for their conduct. I am concerned, however, about the many companies that now find themselves held responsible for the actions of other companies. These companies employ thousands of