

from the passage of a prescription drug program this year, people are in pain.

This is not a hyperbole. This is not rhetoric. This is reality for hundreds of thousands of seniors from every State and from every political persuasion. This is a 911 call. If we fail to pass a prescription drug benefit this session, if we fail to start the clock running towards the time when this benefit will be available to all Medicare beneficiaries, we will have ignored their pleas for help.

I appreciate being provided with a few moments to share some of these voices of pain. I am also painfully aware that the stories I am going to tell are not unique. They are common. They have become near clichés here in Washington. I would wager that every one of us has a constituent who has written us about splitting pills to make prescriptions last longer. My guess is that every Member of this Chamber has heard from someone who has to make that difficult choice between food or prescription drugs. And we hear from doctors handing out free samples of medicine whenever they can get them and begging for help on behalf of their patients.

We get letters describing situations as "desperate" and from numerous people who tell us they are at wits' end. The tragedy is that we have been telling these stories for so long they are beginning to sound like nothing more than 30-second TV clips. The fault is ours for failing to act. These are not 30-second sound bits. These are real stories of our friends, our neighbors, in many cases our parents and grandparents. Someday they could be all of us.

These are people such as Nancy Francis of Daytona Beach, FL. Ms. Francis used to be able to get the medication she needs through Medicaid as a medically indigent older person. Then the Government did her a great favor. It raised her monthly Social Security check. Because of that raise, she is now too rich by all of \$6.78 a month, to qualify for Medicaid. This \$6.78 leaves her fully dependent upon Medicare for health care financing.

Medicare is a good system with a gaping hole. It does not cover prescription drugs. Medicaid, the program for the medically indigent, paid for nine prescriptions Ms. Francis takes in order to stay active and well. Medicare pays for none. Ms. Francis can put every penny of that \$6.78 a month towards her prescriptions and it won't make a dent. So for some months, Ms. Francis just doesn't buy any prescription drugs. Then she waits and hopes she will be able to stay alive long enough for help to arrive.

Then there is Mary Skidmore of New Port Richey, FL. Mrs. Skidmore worked for 20 years renting fishing boats. Her late husband worked on the railroad. Now she thinks she may have to get another job. Mrs. Skidmore is 87 years old. She has two artificial knees. No one, she says, will hire her. She

needs a job to pay for a new hearing aid. Without a hearing aid, she cannot hear sermons at her church on Sunday. But with \$300 a month in prescription medication bills, a hearing aid is a luxury that Mrs. Skidmore cannot afford.

She takes medication for her heart, cholesterol, bones, and blood pressure. Giving up this medicine is not an option. It is, in her words, "what keeps me going."

Mrs. Skidmore's medication bills have even kept her from marrying her boyfriend. He has enough to pay for the utilities in the home they share, but not much else. If she marries him, she will lose her former husband's railroad pension—a pension that she counts on to survive.

Marsaille Gilmore of Williston, FL, is a little bit luckier. Between Social Security and a little bit of income from investments, she and her husband can usually pay for the \$300 to \$400 per month she spends on prescription medication. Sometimes they even have a little left over to go out to dinner—but not to the movies. Mrs. Gilmore says the movies are too expensive.

Some months, the Gilmores are not so lucky. Recently, their truck broke down. It is now in the shop, and things are stretched pretty tight. Sometimes things are so tight that the Gilmores think about going to Mexico to stock up for half the price on the very same medications they now buy in Williston.

Remember Elaine Kett? I told her story last week. Elaine is 77 years old. She spends nearly half her income on medication. This chart indicates the number of prescription drugs which Mrs. Kett fills every month. The total is \$837.78 a month or \$10,053.36 a year. That figure is almost exactly half of Mrs. Kett's total annual income. Her prescriptions are helping to keep her alive. How ironic then that in her plea for help she writes that the cost of medication is "killing her." It is the very thing she depends upon for life; it is the source of her quality of life.

Dorothy Bokish is in a similar trap. She pays \$188 in rent each month and \$162 for her prescription drugs. That leaves her with \$238 a month for food, heat, air-conditioning, and gas. It doesn't leave much for her to buy gifts for her grandchildren or to take herself to an occasional show. I shudder to think what would happen should something go wrong—or, if I may say, more wrong—for Mrs. Bokish.

What would she have to give up if her water heater broke or a storm knocked out a window in her home? What does she have left to give up? What some seniors are considering giving up is unconscionable.

A central Florida man told his family, which is helping to buy his medication so his wife can afford to continue to take hers, he is considering giving up his medication so that his wife can live. If he does so, he will certainly die.

Another Florida senior has gone through two grueling heart surgeries and has been prescribed medication to

stave off a third. But he can't afford to fill the prescription. He says he thinks sometimes he would rather die than go through surgery again. He says that sometimes the struggle to survive is just too much.

I am profoundly embarrassed when I tell these stories. I am embarrassed that in these times of unprecedented prosperity as a nation, we have not come together to find some way to ease this pain. These seniors and countless others wait and wait and wait. There are those who now say we have to wait until another election to even begin the process of providing meaningful prescription drug coverage. Many of them won't be able to wait until the next month, much less until another extended period of indecision here.

The time to act is now. This is quite literally a matter of life and death. It is also quite literally a challenge to our Nation's basic sense of decency and values. It is my hope that before this session of the Congress concludes, we will have responded to the highest values of our American tradition.

Mr. President, I yield the floor and 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. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KYL). Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, parliamentary inquiry: How much time do I have?

The PRESIDING OFFICER. The Senate is in morning business. Under the previous order, this hour is under the control of the Senator from Wyoming, Mr. THOMAS.

Mr. DOMENICI. I thank the Chair.

#### ENERGY

Mr. DOMENICI. Mr. President, I would like to talk about two things today. The first is energy policy—or America without an energy policy.

Let me say with as much certainty as I can muster that we have no energy policy because the Interior Department of the United States, the Environmental Protection Agency of the United States, and the Energy Department all have priorities, and they are ideological priorities that put the production of energy for the American people last. There is some other objective, motive, or goal that is superior to the production of oil and gas and the development of an energy policy that uses coal.

Do you think Americans know today that we have not built a coal-burning powerplant in America in 12 years? Do you think Americans know that the only thing we are doing to increase our electric capacity so they can have light, electricity, and everything else in their homes is to build a powerplant

with natural gas? We have built five—all with natural gas. And we sit back and wonder why natural gas has gone from \$2 to \$5.63 in 9 months.

Let me be the first to predict that the next crisis will be when natural gas goes even higher, because we have made it the only fuel we can use—under what? Under the policies of the Environmental Protection Agency, which has their own rules, their own regulations, and their own ideologies. I have not heard them say once we have adjusted an environmental concern because we are worried about America's energy policy.

I wonder if the occupant of the chair has ever heard the Environmental Protection Agency say we must be doing something wrong because there are no new refineries being built in America—none, zero, zip. The greatest nation on Earth has not built a new refinery to convert crude oil into the products of everyday use for years. We have, in fact, closed 38 refineries to environmental concerns—albeit they are small.

We own millions of acres of land. That is why I say the Interior Department is part of our energy policy. But they have different concerns. They never consult on energy issues. So what do they do? They lock up millions of acres of land that could produce oil or natural gas and say, We are not going to touch them.

Why don't you ask Americans? Why don't you ask Americans whether they want to be more beholden to the cartel or whether they would like to use a little bit of their property to go in and drill an oil well? Do it with whatever protection you want for the environment.

Let's have a serious debate about ANWR, an American piece of real estate that is beautiful and something we should protect. It has many millions and millions of barrels of American oil that could be produced by American companies for American use. And every time it is brought up on the floor of the Senate, the environmentalists in America consider that even to take a little, tiny piece of that huge refuge and go see how many millions of barrels of oil are there would be the biggest environmental disaster ever.

But who is worrying about Americans who want to use oil and have it refined so they can drive their automobiles? Who would like to use the coal we have in abundance and make sure we use it as cleanly as possible, and build powerplants so we don't run out of electricity and so we don't have brownouts in California?—Brownouts which some are predicting today because the policies that could have affected the production of electricity for California have not been judged on the basis of our energy needs, they have been based only upon environmental purity.

That is why the United States of America is the most difficult piece of geography occupied by humans in the

world in terms of establishing in America a powerplant. It is the most difficult and expensive place in the world to build a powerplant with the greatest engineers and scientists around. We can't build one because there is no agreement between the Environmental Protection Agency and the public holders of land to work together. The question is never asked: What would be good for American energy policy?

Let me move on. Let me make sure we understand. We don't have someone making energy policy, or setting the rules, or saying to the American private sector: Here are the rules; go work under them. We have none because Interior, EPA, and Energy all have priorities, and none of their priorities makes the production of oil and gas and the development of our coal high priorities.

The Interior Department is making the drilling for oil and natural gas as difficult as possible. EPA, rather than devising good environmental policy based on sound science, it has become the enemy. This is due to an ideological, pure environmental policy at the expense of providing energy we need. This is not understood by most Americans. Yet we have an Energy Department. Sometimes I feel sorry for the Secretary of Energy because there is no authority for them to do much about anything. But we do have a strange oxymoron. We have an Energy Department that is anti-nuclear power and pro-windmills to produce electricity and sources of electrical power for America.

I might repeat, we have an Energy Department that is pro-windmill and anti-nuclear. I give Secretary Richardson credit for moving slightly under the prodding of Congress to do a little bit of research in future years on the use of nuclear power, which may end up falling on America as being the only thing we can do in 15 or 20 years that is environmentally clean by the time we get around to explaining it as safer than most any other source of energy. Yet only recently do we have an energy policy that would consider anything that has to do with nuclear power now or for the future.

Treasury Secretary Summers warned the President that the administration's proposal—now a decision—to drive down energy prices by opening the Government's emergency oil reserves—and I quote—"would be a major and substantial policy mistake." Summers wrote the President—and Greenspan agreed—that using the Strategic Petroleum Reserve to "manipulate prices rather than adhering to its original purpose of responding to a supply disruption is a dangerous precedent."

You see, fellow Senators, we have established a Strategic Petroleum Reserve in the afterglow of some foreign country saying, "We are cutting off your oil supply." And, even though it was a small amount, they said, We are cutting it off—and we were dependent on it. Lines were forming at our gaso-

line stations. Do you recall? In the State of New York, the lines were forming at 5:30 in the morning, to my recollection. People were so mad at each other that, if they thought somebody went ahead of them in line—in one case in eastern America, they even shot the person who went ahead of them in the line.

We said we ought to find a place to put crude oil so that if anybody stops the flow of crude oil to America, or engages in some kind of war, or mischief that denies us our energy, we will have a certain number of days of supply in the ground for use. Mr. President, that is a lot different than an America which is now without any energy policy.

We say the prices have gone too high, even though everything I have said contributed to it: An Interior Department that won't let you produce oil, an Environmental Protection Agency that has no reason to consider whether their rules and regulations are so stringent, too stringent, beyond reasonable, whether in the area of refineries, in the area of building a powerplant, in the area of producing more energy through wells that we drill, their policies have nothing whatever to do with energy needs of our country.

With all that piled on America, we have an election coming up and the oil prices are a little too high. We would like to take a little bit of that oil out of the reserve and put it on the market and use it. Secretary Summers added that the move "would expose us to valid charges of naivete, a very blunt tool to address heating oil prices." That is from the Secretary of the Treasury a couple of weeks ago.

Of course, over the weekend, a spokesman for this administration and for the Gore campaign got on the national networks and said: The Secretary is with us. Of course, he works for the President.

They all sat down and said: What is the worse thing that can happen to the Gore campaign? Clearly, they all said if these oil prices keep going up. It is not a question of, can we produce heating oil; our refineries are at the maximum production already. This release of additional barrels from the reserve can do nothing for that. It is just that the price is so high that a lot of poor people in northeastern America who still use heating oil, and those in the West are not aware how many, but there are millions; they are not going to be very happy. That is the issue. That is why the petroleum reserve is being used.

The truth is, in our country it behooves people like myself and many others to at least make sure the public understands why we are in the mess we are, who got us there, what was done to make it so that it wouldn't happen the way it has. All the answers come down to the fact that nobody was worried so long as the prices were cheap, so long as those OPEC countries were producing more than was needed in the world, keeping the prices down at \$10 or \$11 or \$12 a barrel.

While we lived happily and merrily, month by month, with that situation, firing up our great economic recovery, at the same time we were destroying millions of little stripper wells that were producing three and four barrels per well. They closed down because the price was too cheap. Even today, we are producing less oil than we were 3 or 4 years ago because we destroyed oil production capacity when we let it go too low, while we were exhilarated with the fact that the cartel was cheating on itself and the price of oil was coming down. We didn't bother to find out how much that was affecting New Mexico in an adverse manner. When it went up in price, we went to them and said: Now it ought to come down; it is too high. I don't imagine for the first few months they greeted us with too much joy or willingness to help us after we sat by and watched it go so low without any concern for what happened to them.

Refineries were running at 95 percent last week. To take a supply out of SPR, it would still need to be refined into heating oil. Obviously, I have explained that isn't the issue. The issue will be the price. We don't have enough refining capacity to take the SPR and add to the supply of heating oil.

What else does this using the reserve as it was not intended by Congress do? It sends the wrong signal to the private industry in America. If I am in the business of storing heating oil, and the Federal Government starts stockpiling, I cut my reserve and I assume somebody will come in here asking us to prohibit them from cutting their own reserves. Clearly, they cannot keep their storage to maximum capacity while the government is building its own capacity to compete—something we won't figure out until it is too late. Then somebody will say: Why did this happen? They should not have cut back on their reserves.

I indicated natural gas prices were going up, up, and away. This fantastic fuel is \$5.35 per 1,000 cubic feet; 6 months ago it was \$2.16. We are talking about oil and derivatives of oil because of the cartel. From \$2.16 to \$5.35 is not because of any cartel; it is because of the huge demand for natural gas. When the demand gets so big the production can't go up so fast, what happens? The price goes up. That is a big signal and a sign to us.

No one seems to be concerned in this administration that we haven't built a powerplant to generate electricity for the growing demand, such as in California. We haven't built a new powerplant of any significance because the only thing we can build it with is natural gas. We cannot build it with coal, even though they were being built around the world. America's environmental laws are out of tune with America's energy needs. They haven't been tuned to be concerned about America's energy future. It is just ideological—as pure as you can get it in terms of environmental cleanliness. That is it for America.

Inventories are 15 percent below last winter's level and 50 percent of America's homes are heated with natural gas. They are beginning to see it in their bills. Clearly, America has almost no competitor for that. We don't have an abundance of electricity to take its place. In fact, brownouts are expected in many parts of the country because we are underproducing what we need by way of electricity.

Natural gas fires 18 percent of the electric power. I am sure there are many sitting back saying: Isn't that neat? We haven't had to worry about nuclear. We don't have to clean up coal to the maximum and use some of it to produce electricity in America. We just build natural gas powerplants. We used to forbid it. I think the occupant of the Chair remembers that during the crisis we said don't use natural gas for powerplants. We took that out.

Here goes America. Next crisis, will there be enough natural gas or will the price be so high? It will not be just to those who are burning it for powerplants. It will be in 50 percent of the homes in America. They will start asking: Where is an energy policy with some balance between energy sources instead of moving all in one direction because all we were concerned about was the environment?

Compared to 1983, 60 percent more Federal land is now off limits to drilling. I spoke generally of that. Now I will be specific. As compared with 1983, there is 60 percent more Federal land that is off limits for drilling. On October 22, 1999, Vice President GORE said in Rye, NH: I will do everything in my power to make sure there is no new drilling.

I guess what we ought to be working on is when will we no longer need any crude oil, which is refined into gasoline and all those wonderful products? Because, if you brag to America that you will do everything in your power to make sure there is no new drilling, we have to ask the question: Where are we going to get the oil?

I will move to another item that I spoke of generally a while ago, a great American reserve of crude oil called ANWR, up in Alaska. I believe any neutral body of scientists—geologists, engineers—could go up there and take a look and report to the Congress and the people of this country that ANWR could produce oil for America without harming that great natural wilderness. I am absolutely convinced that is the case. Yet you cannot believe the furor that attends even a mild suggestion that we ought to do something such as that. Perhaps somebody will even quote what I just said, saying that I am for destroying the ANWR, that I am for destroying that wilderness area, that natural beauty.

No, I am not. I am for trying to put together a policy that increases our production of crude oil so we can at least send a signal to the world that we do not want to increase our dependence. We want to do something for our-

selves, and wouldn't it be nice if there were a stable oil market so Americans could get involved in production here at home, hiring Americans? It would be owned by Americans if that happened in ANWR. What a stimulus for American growth in oil-patch-type activities.

OCS, offshore drilling—off limits. There is no question we could double our domestic supply if we could open up some of the offshore drilling areas. Clearly, the more we have to import crude oil, the more the environmental risk in getting it here in tankers where something could happen to them. The amount keeps going up. Yet right in various of our bays and ocean fronts, there is natural gas in abundance. And there exist wells where we have proved we know how to do it. But somebody says: Oh, my, no more of that. That's environmentally degrading.

What are we going to talk about when Americans say we cannot afford the natural gas because the only thing we are fueling powerplants with and using in America is natural gas? We have it out there in the oceans and in some bays—yet we would not dare touch it? There are 43 million acres of forest land that are off limits for road-building, thereby making exploration and production impossible.

The Kyoto agreement would envision doubling the use of natural gas, thus doubling electricity costs. No policies address either consequence. Multiple use, which we used to think was a great thing for our public lands, is only words today. Multiple use means if there are natural resources that can help Americans and can help prosperity and help us grow, that ought to be used along with recreation and other things. That has almost left the vocabularies of those in high places who manage our public lands. There are 15 sets of new EPA regulations that affect the areas we are talking about. Not one new refinery has been built since 1976. This administration's energy policy has, in my opinion, been in deliberate disregard of the consequences on the consumers' checkbook and their standard of living and the way people will be living in the United States.

This summer we had soaring gasoline prices and that left motorists in America—as prices soared they got more and more sore, but they didn't know who to get sore at. The prices are still pretty high.

Other consequences that have been deliberately disregarded are the electricity price spikes California experienced this summer. Californians usually spend about \$7 billion a year in electricity. This spike was so dramatic they spent \$3.6 billion in the month of July, only half of what they spent annually before that. That is a great question to be asked—why? California is a big electricity importer. They have ever-growing demands because of Silicon Valley. These companies use a lot of electricity and a lot of energy. Demand was up 20 percent in the San

Francisco area last year, but there is no new capacity. Environmental regulations make building a new power-plant in California impossible. That may be what they want. But I wonder where they are going to get the energy? Where are they going to get the electricity when nobody else has any to spare?

I predict in a very precise way that home heating bills this coming winter will be exorbitant, even while we are experiencing the gasoline spikes in the Midwest. It used to be one type of gasoline was suitable for the entire country. You remember those days. There are now 62 different products—one eastern pipeline handles 38 different grades of gasoline, 7 grades of kerosene, 16 grades of home heating oil and diesel, 4 different gasoline mixtures are required between Chicago and St. Louis, just a 300-mile distance.

As a result of these Federal and local requirements, industry has less flexibility to respond to local and regional shortages. There are 15 sets of environmental regulations—tier II gasoline sulfur, California MTBE phaseout, blue-ribbon panel regulations, and regional haze regulations—on-road diesel, off-road diesel, gasoline air toxics, refinery MACK II, section 126 petitions, and there are 6 more.

S. 2962 includes a wide array of new gasoline requirements that are both irrelevant and detrimental to tens of millions of American motorists. Legislation mandates the use of ethanol in motor vehicles that would cut revenues to the highway trust fund by \$2 billion a year as one side effect. The U.S. Department of Energy has projected this one bill would increase the consumption of ethanol in the Northeast from zero to approximately 565 million gallons annually.

I have taken a long time. I have given a lot of specifics and some generalities. But I conclude that it is not difficult to make a case that we do not have an energy policy; that the U.S. Government has not been concerned enough about the future need for energy of our country, be it in natural gas, in the products of crude oil, how do we use coal, how do we make electricity.

Frankly, things were very good. They were good because the cartel was selling oil in abundance. While America was enjoying its economic success story, a big part of that was because the cartel was having difficulty controlling its own producers. We lived happy and merrily on cheap oil as our production went down and we sought no other alternatives, and our demand grew as did our use of natural gas. Americans and American consumers are left where, in many cases, they are going to be put in a position where they can't afford the energy that will permit them to live the natural lifestyle that is typically American—living in a home and having in it electric appliances and whatever else makes for a good life, with an automobile, or

maybe two, in the driveway. It will not be long that the voices from those situations, those events in America, those kinds of living conditions will be heard loud and clear. There will not be enough of a Strategic Petroleum Reserve to solve their problems because we have not cared enough to do something about it.

I yield the floor.

#### SCIENCE AND SECURITY IN THE SERVICE OF THE NATION

Mr. DOMENICI. Mr. President, I am pleased to make these remarks while the occupant of the chair is the distinguished junior Senator from Arizona because these remarks have to do with the Baker-Hamilton report. The Secretary of Energy asked these two men—one an ex-Senator, one an ex-House Member—to compile a report with reference to the national weapons laboratories and the missing hard drive incident. These hard drives were apparently taken out, put back, and found behind a copy machine, and everybody is wondering what happened. I will talk about this report.

I urge—and I do not think I have to—the occupant of the chair to read it soon. It is short and to the point.

The findings of this Baker-Hamilton report confirm what some of us suspected and have said in one way or another many times about the science and security at our National Laboratories.

The report concludes that the vast majority of employees of our National Laboratories are “dedicated, patriotic, conscientious contributors to our national security and protectors of our national secrets.”

The report states, however, that these individuals, the ones who are responsible for the viability of America's nuclear deterrent, have been hounded by ongoing investigations and security procedures that render them incapable of achieving their mission.

That is a very powerful statement. This commission is very worried about how the morale of the scientists at our National Laboratories, in particular Los Alamos, is affecting their ability to do their momentous work.

They go on to say that while new security measures and processes continue to be imposed, the authors found that X Division—the one that was involved in the last episode—is: ambiguously lodged in a confused hierarchy, subject to unclear and diffuse authority, undisciplined by a clear understanding of accountability for security matters, frightened or intimidated by the heightened sense of personal vulnerability resulting from the efforts to address recent security lapses.

These are hard-hitting, accurate findings.

The scientists at our laboratories need clear lines of authority and accountability. The Department of Energy needs to simplify the lines of command and communication.

The report overwhelmingly endorses the creation of the National Nuclear Security Agency—which we are beginning to understand exists, and we are going to begin to understand what it means when we say the NNSA—and the need to reinforce “the authority of the NNSA Administrator.”

The NNSA Administrator must have more authority, not less. General John Gordon, the general who is in charge, is in fact the head man and is an excellent person to lead this agency and implement the organizational structure needed for the job.

They reached some other very important conclusions on the current environment at our national laboratories: Demoralization at Los Alamos is dangerous; that poor morale breeds poor security.

There is a severe morale problem at the labs, and they cite four or five general conclusions:

“Among the known consequences of the hard-drive incident, the most worrisome is the devastating effect on the morale and productivity at the laboratory. . . .”

They also say that “. . . (the) current negative climate is incompatible with the performance of good science.”

The report states, “It is critical to reverse the demoralization at LANL before it further undermines the ability of that institution both to continue to make its vital contributions to our national security and to protect the sensitive national security information.”

They recommend “urgent action (is required) . . . to ensure that LANL gets back to work in a reformed security structure . . .”

Incidentally, they conclude that while they laud the Secretary of Energy for trying to create more security with the appointment of a security czar and the like, as some of us said when it was created, it fails to do a job; and remember the Senator from New Mexico saying we are creating another box but it is not going to have clear lines of authority, it is not going to have accountability, people are still not going to be in a streamlined process of accountability. I said it my way, they said it another way, but we concluded the same thing.

There are many other conclusions in this brief report. I urge all of my colleagues to read this report and reflect on their conclusions.

They call for a review of security classifications and procedures, security upgrades at LANL, need to deal with cyber security threats, and adopt or adapt “best practices” for the national labs.

Then, under “Resources” they underscore:

Provide adequate resources to support the mission of the national laboratories to preserve our nuclear deterrent, including the information security component of that mission.

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