

in this legislation. We had hoped that would be an amendment. Again, it doesn't look as if we are going to have an opportunity to present this amendment. I don't think that is the Senate at its best.

I will vote for cloture on a bill that I actually think is a good piece of legislation but not without the opportunity for us to consider some of these amendments. They could have time limits where we could try to improve this bill. We can make sure this is good for the business community and good for the people in our country who want to have a chance to be a part of this new economy, as well as bringing in skilled workers from other countries. I think we could do all of it. It could be a win-win-win.

The Senate is at its best when we can bring these amendments to the floor and therefore have an opportunity to represent people in our States and be legislators. But when we are shut down and closed out, then I think Senators have every right to say we can't support this. That is certainly going to be my position.

I yield the floor.

HEALTH CARE LEGISLATION PROVISIONS

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent to speak for up to 10 minutes.

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

Mr. DOMENICI. Mr. President, I note the presence of Senator KENNEDY on the floor. I want to say to Senator KENNEDY and to Senator FRIST—who is not on the floor, but I have seen him personally—that I thank both of them for their marvelous efforts in having included in the health care bill, which was recently reported out, SAMSHA, and about five or six provisions contained in a Domenici-Kennedy bill regarding the needs of those in our country who have serious impairment from mental illness.

We did not expect to get those accomplished this year. We thank them for it. We know that we will have to work together in the future to get them funded. But when we present them to the appropriators, they will understand how important they are.

I thank the Senator.

ENERGY POLICY

Mr. DOMENICI. Mr. President, I spoke yesterday for a bit and in the Energy Committee today for a bit about energy policy. I guess I believe so strongly about this issue that I want to speak again perhaps from a little different vantage point.

I would like to talk today about the "invisible priority" that has existed in the United States for practically the last 8 years. The "invisible priority" has been the supply of reliable affordable energy for the American people.

Let me say unequivocally that we have no energy policy because the Interior Department, the Environmental Protection Agency, and the Energy Department all have ideological priorities that leave the American consumer of energy out in the cold.

Making sure that Americans have a supply of reliable and affordable energy, and taking actions to move us in that direction, is the "invisible priority." And that is giving the administration the benefit of the doubt.

"Not my job" is the response that the Interior Department of the United States gives to the energy crisis and to America's ever-growing dependence upon foreign oil and, yes, I might say ever-growing dependence upon natural gas. The other alternatives, such as coal, nuclear, or other—"not my job."

It is also the response that the Environmental Protection Agency gives when it takes actions, promulgates rules, and regulations. Their overall record suggests—let me repeat—"not my job," says the Environmental Protection Agency.

The Interior Department, making drilling for oil and natural gas as difficult as possible, says, "Don't bother us."

"It is not my job," says the Department of Interior. The Environmental Protection Agency's job is to get a good environmental policy based on sound science and be the enemy of an ideologically pure environmental policy at the expense of providing energy that we need.

My last observation: In summary, the "Energy Department" is an oxymoron. It is anti-nuclear but pro-windmills. I know many Americans ask: what is the Senator talking about? Nuclear power is 20 percent of America's electricity. At least it was about 6 months ago. We have an Energy Department for this great land with the greatest technology people, scientists and engineers, that is pro-windmills and anti-nuclear.

I will say, parenthetically, as the chairman of the Energy and Water Subcommittee on Appropriations, the last 3 years we put in a tiny bit of money for nuclear energy research and have signed it into law as part of the entire appropriation, and we do have a tiny piece of money to look into the future in terms of nuclear power. It is no longer nothing going on, but it is a little bit.

Boy, do we produce windmills in the United States. The Department of Energy likes renewables. All of us like them. The question is, How will they relieve the United States from the problem we have today? I guess even this administration and even the Vice President, who is running for President, says maybe we have a crisis. Of course we have a crisis. The Federal Government spent \$102 million on solar energy, \$33 million on wind, but only \$36.5 million on nuclear research, which obviously is the cleanest of any approach to producing large quantities of electricity.

Sooner or later, even though we have been kept from doing this by a small vocal minority, even America will look back to its early days of scientific prowess in this area as we wonder how France is doing it with 87 percent of their energy produced by nuclear powerplants.

With all we hear about nuclear power from those opposed, who wouldn't concede that France exists with 87 percent or 85 percent of its energy coming from nuclear powerplants? They do, and their atmosphere is clean. Their ambient air is demonstrably the best of all developed countries because it produces no pollution.

We have an administration that, so long as we had cheap oil, said everything was OK, and we couldn't even seek a place to put the residue from our nuclear powerplants, the waste product. We couldn't even find a place to put it. We got vetoes and objections from the administration. Yet there are countries such as France, Japan, and others that have no difficulty with this problem; it is not a major problem to store spent fuel.

Let me move on to wind versus nuclear. Nuclear produced 200 times more electricity than wind and 2,000 times more than solar. As I indicated, solar research gets three times more funding than nuclear research and development.

The wind towers—we have seen them by the thousands in parts of California and other States, awfully strange looking things. They are not the old windmills that used to grace the western prairie. They have only two prongs. They look strange.

We are finding wind towers kill birds, based on current bird kill rates. Replacing the electric market with wind would kill 4.4 million birds. I am sure nobody expects either of those to happen. However, more eagles were killed in California wind farms than were killed in the *Exxon Valdez* oil spill.

The Energy Department calls wind a renewable energy policy, and the Sierra Club calls wind towers the Cuisinart of the air.

I will discuss the SPR selloff. For almost 8 years, energy has been the "invisible priority" for the U.S. Government led by Bill Clinton and the current Vice President.

Incidentally, the Vice President, who is running for President, had much to do with this "invisible priority;" he was the administration's gatekeeper on almost all matters that dealt with the Environmental Protection Agency and almost all matters that dealt with the Department of the Interior in terms of the production of energy on public land.

Let me talk about the SPR selloff for a minute. Treasury Secretary Summers warned President Clinton that the administration's proposal—now decision—to drive down energy prices by opening the energy reserve would be "a major and substantial policy mistake." He wrote the President, and Chairman

Greenspan agreed, that using the SPR to manipulate prices, rather than adhering to its original purpose of responding to a supply disruption, is a dangerous precedent. Summers added that the move would expose us to valid charges of naivete, using a very blunt tool to address heating oil prices.

American refineries today have to make so many different kinds of fuel because of environmental protection rules that no one would believe they would be capable of doing. They were running at 95 percent of capacity last week. We have not built a new refinery in almost 20 years.

What has happened: America builds no energy, no refining capacity, because it is too tough environmentally to do that and live up to our rules and regulations. Yet you can build them in many other countries, and people are surviving and glad to have them—at least, new ones—because they are doing a great job for their economy and producing the various kinds of products that come from crude oil. Yet America, the biggest user in this area, has built none.

If we take the supply of SPR out of SPR, it will still need to be refined into heating oil. I have just indicated there is hardly any room because there is hardly any capacity.

The invisible policies wait ominously on the horizon, boding serious problems. We have found that natural gas produced in America, drilled for by Americans, offshore and onshore, is the fuel of choice. Now we are not even building any powerplants that use coal as the energy that drives them because it is too expensive, too environmentally rigorous, and nobody dares build them. They build them elsewhere in the world but not in America.

We use natural gas, the purest of all, and say fill your energy needs for electricity using natural gas. Guess what happened. The price has gone to \$3.35 per cubic foot; 6 months ago it was \$2.16. And the next price increase is when the consumers of America get the bills in October, November, and December for the natural gas that heats their house and runs their gas stove because we have chosen not to use any other source but natural gas to build our electric generating tower when hardly any other country in the world chooses that resource. They choose coal or some other product rather than this rarity of natural gas.

Now 50 percent of the homes in America are dependent upon natural gas. The companies that deliver it are already putting articles in the newspaper: Don't blame us; the price is going up.

Who do you blame? I think you blame an administration that had no energy policy and for whom energy was an "invisible priority." It was an "invisible priority" because the solutions lay within EPA, the Interior Department, and an Energy Department that was paralyzed by an attitude of anti-production of real energy. That is the

way they were left by Hazel O'Leary, the first Secretary of Energy under this President, and Mr. Pena; and Bill Richardson is left with that residue.

Fifty percent of homes are heated by natural gas. I predict the bills will be skyrocketing because we are using more and more of it because we have no energy policy, and American homeowners are the ones who will see that in their bills. When they start writing the checks with those increases, they are going to be mighty mad at someone.

Don't get fooled. The candidate on the Democratic side, if the election is not over by the time that happens, will blame those who produce natural gas for they are related to oil and gas production. Would you believe, as we stand here today, 18 percent of the electricity generated in America is produced by natural gas? Oh, what a predicament we have gotten ourselves into because we have an invisible energy policy ruled over by an Environmental Protection Agency that never asked a question about energy and an Interior Department that takes property and land of the United States out of production.

I want to tell you a couple of facts. As compared to 1983, 60 percent more Federal land is now off limits to drilling. On October 22, 1999, Vice President GORE, in Rye, NH, said:

I will do everything in my power to make sure there is no new drilling.

Then we have ANWR. It is off limits. Offshore drilling is off limits. We could double our domestic oil supply if we opened offshore drilling. Yet we will have more and more transports hauling in refined and crude oil products, creating more and more risk for our ports where they are bringing it in. Yet we maintain we cannot do any more drilling because it is too dangerous.

The multiple-use concept in our public domain is, for all intents and purposes, practically dead. We have 15 sets of new EPA regulations. Not one new refinery has been built since 1976. Now we have soaring gasoline prices. I understand my time is up.

Would Senator KENNEDY mind if I take 1 more minute? I will wrap it up.

I will close with one more fact, and I will put the others in the RECORD. Californians usually spend about \$7 billion a year in electricity. The price spikes were so dramatic that they spent \$3.6 billion in 1 month, the month of July—half of what they annually spend was spent in 1 month.

Why? California is a big electricity importer. There is growing demand. Silicon Valley companies are big energy users. Demand is up 20 percent in the San Francisco area over last year but no new capacity has been built.

Environmental regulations make building a new plant nearly impossible in California. I predicted exorbitant home heating bills this coming winter even while we were experiencing the gasoline price spikes in the Midwest.

It used to be that one type of gasoline was suitable for the entire coun-

try. There are now at least 62 different products. One eastern pipeline handles 38 different grades of gasoline, 7 grades of kerosene, 16 grades of home heating oil and diesel. Four different gasoline mixtures are required between Chicago and St. Louis—a 300 mile distance. As a result of these Federal/local requirements, the industry has less flexibility to respond to local or regional shortages.

We have 15 sets of new environmental regulations: Tier II gasoline sulfur, California MTBE phaseout; blue ribbon panel recommendations; regional haze regs; on-road diesel; off road diesel; gasoline air toxics; refinery MACT II; section 126 petitions; gasoline air toxics; new source review enforcement initiative; climate change; urban air toxics; residual risk.

The MTBE groundwater contamination issue is going to make the gasoline supply issue even more complicated and reduce industry's flexibility to meet demand.

S. 2962 includes a wide array of new gasoline requirements that are both irrelevant and detrimental to millions of American motorists. Legislation mandates the use of ethanol in motor fuel. This would cut revenues to the highway trust fund by more than \$2 billion a year.

The U.S. Department of Energy has projected that S. 2962 would increase the consumption of ethanol in the Northeast from zero to approximately 565 million gallons annually.

Frankly, Mr. President, no energy policy is better than this administration's energy policy.

ORDER OF PROCEDURE

The PRESIDING OFFICER. Under the previous order, the Senator from Utah was to be recognized.

Mr. KENNEDY addressed the Chair.

Mr. GORTON. Mr. President, I am authorized to yield myself time from the time reserved for the Senator from Utah.

Mr. KENNEDY. Reserving the right to object, I have been allocated, I believe, 30 minutes. I was supposed to go after the Senator from Utah. Generally, we go from one side to the other, in terms of fairness in recognition. I have waited my turn. The Senator from Utah is not here. I am on that list. I have requested time.

The PRESIDING OFFICER. The Senator is correct. Under Senator HATCH's time, there was an order agreed to that there were two Republicans and then Senator KENNEDY for 30 minutes.

Mr. KENNEDY. I thank the Chair.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington is asking, as I understand it, unanimous consent to speak under the time of the Senator from Utah. Is there objection?

Mr. KENNEDY. Mr. President, I object to that.