

is the precondition for the second wind, the grubbier, less illusioned effort that often enough leads to some acceptable outcome.

Today in Iraq local commanders seem to be allowed to try anything. We are allowing former Baathists to man a Falluja Brigade to police their own city. We are pounding Moktada al-Sadr while negotiating with him. There is talk of moving up elections so when an Iraqi official is assassinated, he is not seen as a person working with the U.S., but as a duly elected representative of the Iraqi people.

Some of these policies seem incoherent, but they may work. And back home a new mood has taken over part of the political class. The emerging responsible faction has no time now for the witless applause lines the jeering jackdaws on left and right repeat to themselves to their own perpetual self-admiration and delight. Even in a political year, most politicians do not want this country to fail.

There are, for example, members of Congress from both parties who feel estranged from this administration. They feel it does not listen to their ideas. But in this troubled hour, they are desperate to help. If but a call were made, they would burst forth with intelligent suggestions: about Iraq, about political tactics, about getting additional appropriations.

Remember, the most untrue truism in human history is that there are no second acts in American life. In reality, there is nothing but second acts. There are shakeout moments and redundantly, new beginnings. The weeks until June 30 are bound to be awful, but we may be at the start of a new beginning now.

Mrs. HUTCHISON. I yield the remainder of my time to the Senator from New Mexico.

Mr. DOMENICI. How much time do I have?

The ACTING PRESIDENT pro tempore. There is 12 minutes remaining.

#### HIGH ENERGY PRICES

Mr. DOMENICI. Madam President, again this morning I will talk about energy. I hope I have an opportunity each week until we come to our senses and pass an energy bill to remind the American people one of the reasons gas prices are spiraling, one of the reasons we are skeptical about our future is the tremendously high price of crude oil.

That will never be reduced until America makes a commitment, until the people of the world and the producers of oil understand the United States of America is not going to sit by and do nothing. We are going to have a comprehensive policy with one objective. That is to produce more alternatives that can be used by the American people to satisfy and supply their energy needs. That means we want to do more to produce natural gas, not sit idly by and let the demand increase and soon be dependent on foreign countries for natural gas.

The occupant of the Chair comes from a State that has an abundance of natural gas. But we have to bring it to the lower 48 States. The Energy bill which we propose, that the other side of the aisle for the most part defeated, had a powerful provision which will bring natural gas from Alaska. It also

had a provision that will get the maximum amount of natural gas from our sources in America.

The price of gas in California this week averaged \$2.27; in San Francisco, it hit \$2.79; in Brooklyn, it was \$2.49. Each time our citizens pump a gallon of gas in their cars, they should remember a majority of the Senators in this body, led by the Republicans, has been trying to pass a comprehensive energy legislation package. They are blocked each time by a filibuster led by the other side of the aisle, the Democrats, who, for some reason, find an excuse on every energy bill we propose. Either this must be changed, that must be changed, or this must be added—until we end up with nothing.

Fellow Senators, the Energy bill is not a silver bullet to lowering the price of gasoline. It does, however, set forth a plan for the future. The Energy bill will increase domestic oil and natural gas production that helps balance supply with our growing demand. The Energy bill does a number of technical things. It removes a 2-percent oxygenate mandate that will make it easier on refineries to make gasoline that can be traded between regional markets. The Energy bill addresses the proliferation of boutique fuels. There are a number of State-specific gasoline reformulations that make refining more challenging and make marketing inefficient. We can go on and on.

This bill provides basic research in hydrogen power. Many ask, How are we going to get ourselves off of this tremendous demand for gasoline and crude oil derivatives? One is hydrogen power. How do we do that without an energy bill that sets a policy of spending the research money on hydrogen power with the automobile manufacturers to come up with a solution?

We try, as part of a comprehensive energy bill, I said, try as we may—we cannot satisfy the other side of the aisle. I wonder if they really want an energy bill. I am beginning to think it is their way or no way. They might even think the President of the United States might be helped too much with an energy bill. I hope that is not true.

The benefits are being denied to the American people. Some people want to kick the political football around and they hope they can score a touchdown. We are actually going to score in higher energy prices—and higher energy prices hurt the economy. I am a football fan. But that is one touchdown I don't want to see scored.

Right now we are focusing on high gasoline prices. High gasoline prices are tied to the price of oil. What has been making the price climb? We know there is huge demand in the world led by China, which is gobbling oil like you would think there was no end to the supply. In addition, there is a risk factor being built into the price because of terrorism and the vulnerability of oil production. There is a risk factor that is causing those who produce and sell it on the world market to not go rock

bottom but to go as high as they can because they are afraid of terrorism.

We have to be hopeful that the cartel and those who are producing oil, who are listening to our President, some of whom have been friends of America, we are hopeful they will see the light of day, that this price they are forcing on the world is not good for them, either; it is bad for their friends; it is bad for the world. Ultimately, it is not good for the producing countries.

Our President is taking a leadership role with reference to the energy-producing countries. He is trying to cajole, to talk to them, to work on them so they will increase production and hopefully bring down the price of oil. Some want to embarrass the President by offering resolutions directing him to do what he is doing. Some want to use the Strategic Petroleum Reserve as if that reserve, which is there for emergencies, could, in fact, help with these high oil prices. The last time we tried, it affected gasoline prices by 1 cent. Do we want to reduce the emergency oil we have and then find in a few months the terrorists do something and we are short of oil and then we have a real problem because of it? SPR was for that kind of situation.

Perhaps people forgot the last time Iran cut a little bit of the supply to the world, America was affected in a dramatic way. That caused us to build SPR so we could never be immediately cut off and immediately forced to have our economy disrupted by a challenge from outside. Why do we want to risk that when the consequences will be very little?

Maybe some think they can blame an economic downturn, because of high energy prices, on President Bush. They will not succeed. President Bush's economic policy has brought America from a recession to a vibrant, growing economy. Its gross domestic product increases are the highest in 20 years—not 2 years, not 5 years, in 20 years. So they are not going to deny that by filibustering an energy bill.

But I can tell you, the purpose of debating in the Senate is to let the American people know who is responsible for what. And I don't know what to do. We have tried everything with reference to getting an energy bill. Maybe we ought to ask the Democrats to sit down and talk about what they need. I am not sure we could get anything out of that because I am not sure they know. Because it seems to me anything we try just cannot get anywhere because one group or another, principally on the other side of the aisle, seems to find fault; and there we go, we get nothing done.

Now, we have some who want to investigate the oil companies because of the prices. I have, in this statement, a list of the investigations that have occurred and who has done them. They are powerful, neutral bodies that have done them. They did one for California because their prices went skyrocketing. Nobody can find collusion or

price fixing. What has happened is the world demand is monstrous, and the cartel and others that are not part of it want to hold supply down to let prices go up.

And what do we do? We sit here in the U.S. Congress, wring our hands, and complain and worry and talk about President Bush needing a plan. Look, he gave us a plan. If you want to argue about how he did it, go ahead, but look at it and see what it will do. For the most part, the things in that plan are exactly what America needs. We need to maximize our own production of oil. It will not be sufficient, but we can do some things. We need to maximize the production of natural gas. We need to maximize the potential use of coal. We need to build every alternative into our national plan. Wind energy and solar energy need the incentives that are required. And, yes, in the end we have to put some incentives in to get started with nuclear again. But we do not have to have all of these. We need the basics. You cannot even get those done.

So from my standpoint, I hope we will quit blaming, quit wringing our hands, quit talking, especially on the other side of the aisle, about what we need to do, when, in fact, they are denying the very things they say we need to do by not voting for the things they are talking about. In fact, I think we could go through the RECORD and find that many on the other side have gotten up and made speeches about what we need to do, and you could go down and tick them off, and most of them are in the Energy bill. Most of the things they talk about are in the Energy bill, but for some reason they would rather talk about it than vote for it. They would rather talk about it than offer amendments and get the thing going.

I think what we ought to do soon is offer a bill and offer a unanimous consent suggestion that we put it up here and we have 10 amendments on each side and then we proceed to vote. I think that would be a fair way to handle the energy crisis of America. It would say, quit fooling around. You get 10 amendments. That ought to be enough to get your purposes out there. We get 10. Then it is over with, and we vote. But I am sure if you tried that, every excuse in the world would be forthcoming. Nobody will say: We need an energy bill. Let's do something. They will say: Oh, no, it doesn't have this. There is a chance, a risk we will get hurt. They won't take care of this and they won't take care of that and we will get nowhere.

So I close by saying I was also privileged to hear the President speak this morning. The Senator from Texas talked about it. I, frankly, have nothing but admiration for his fortitude, his strength, and his determination. I think if the United States and its people can quickly assess the blame with reference to the prisons and get on with letting our President and the military people stabilize Iraq and let

them begin to decide their future as free people who do not have to worry about getting killed, the sooner we can let that happen, the sooner America will be back on the right track. But I am not sure that everybody in this country wants to get that over.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. DOMENICI. Madam President, I ask unanimous consent to have 1 additional minute.

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

Mr. DOMENICI. Madam President, I close by saying I would hope that as we prepare to go out for recess, everybody in this body will examine their conscience, examine their positions, and that maybe they can come back and say: Let's sit down. Let's get an energy bill. Let's get the maximum kind of flexibility for production of alternatives in this country. Let's see if we can't make the American electric energy grid more powerful, stronger, more reliable, and see that it can grow and prosper.

It is our future. How we energize it is our challenge. We cannot do it with natural gas alone. We have to have alternatives. That is what we had proposed. We must decide that we are going to try. I chose this committee—left the Budget Committee—because I knew how important this was, but, frankly, I never thought there would be so many people who wanted to make it so hard for us to get an energy policy as has happened. I could not believe it, as a veteran Senator. Frankly, I am amazed there are still those on the other side who want to blame somebody, want to tell us what we ought to do but do not want to vote for anything.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

Mr. CARPER. Madam President, as Senator DOMENICI prepares to leave the Senate floor, I thank him for his tenacity and his earnest desire to lead us to a balanced energy policy. I think he knows there are plenty of us on this side who do want to reach the right balance, and I have enjoyed trying to provide a little bit of that balance.

Mr. BIDEN. Madam President, will the Senator yield for a unanimous consent request?

Mr. CARPER. I am happy to yield.

#### ORDER OF PROCEDURE

Mr. BIDEN. Madam President, I ask unanimous consent that the Democratic side be given an additional 10 minutes of morning business, with the time equally divided between Senator CARPER and myself. Before the Chair acts on this request, I am told it has been cleared by the Republican side.

Mr. DOMENICI. We have no objection.

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

Mr. DOMENICI. Madam President, I wonder if the Senator will yield for 30 seconds?

Mr. CARPER. I yield.

Mr. DOMENICI. Madam President, I say to the Senator, I heard your remarks, and I do want to say to the Senator, that while I do not know your overall feelings about an energy bill, I will say on a couple of very difficult issues that I think are very important that were contentious—and many people on your side did not think we ought to do—you stood tall because you understand that we need diversification and you are not afraid to make votes. And I thank you for that.

Mr. CARPER. I thank the Senator.

Madam President, on a brighter note, with respect to energy policy, a week or so ago we passed a major bill called FSC/ETI. Some people call it the JOBS bill or a trade bill. But provisions of the Energy bill were incorporated in that legislation, important provisions that include incentives for renewable forms of energy—solar, wind, geothermal—and incentives to encourage people to buy more energy-efficient vehicles, hybrids, fuel-cell vehicles, to make them more affordable, to get more of them out on the road, and using less gasoline and diesel fuel, and also incentives for us to begin converting to a greater use of what I call biofuels—ethanol—and something we do in Delaware a lot on the Delmarva Peninsula where we take soybean oil and mix it with diesel fuel.

They were able to do something good for the environment and actually reduce significantly our use of diesel-powered vehicles.

While it is still mid-May, we have a fair amount of time to go before we finish here. Before we finish, I hope we will find common ground on the rest of the energy policy, and that it is also respective of our environment and the clean air concerns we have, and gives the States the ability to recover damages for their drinking supply that has been damaged by MTBE.

#### GUEST CHAPLAIN RABBI BERNHARDT

Mr. CARPER. Mr. President, I express to Senator BIDEN my appreciation for his inviting a wonderful woman, a rabbi from Delaware, to come here to be our guest Chaplain, and to say how pleased we are, all of us, to welcome Ellen Bernhardt. She gave the invocation about 40 minutes ago. I told her it was one of the best invocations I have heard in the 3 years I have been privileged to be a Senator. It was as good as any I have heard. We thank you for not only coming to bring the blessing of that invocation, but to remind us about what really matters.

I also thank her for just what she does in Delaware. She has been a rabbi, I think, about 17 years. She is a native of Philadelphia. For the last 11 years or so, she has run a school in Delaware which is, I believe, the only Jewish day