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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. GILLMOR).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 5, 2000.

I hereby appoint the Honorable PAUL E. GILLMOR to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Reverend Jim Fisher, Chaplain, U.S. Coast Guard, Washington, DC, offered the following prayer:

''Oh beautiful for heroes proved, in liberating strife,

''Who more than self their country loved, and mercy more than life!

''America! America! May God thy gold refine,

''Till all success be nobleness, and every gain divine!''

El-Shaddai, Almighty God of many heroes, present and past,

The manifestation of human strife may appear today in this sacred Hall. Challenges may be offered, retorts may be heard. For petty angers and egos, forgive, O Lord.

Cast upon each member of this noble assembly, each a hero of our homeland, the radiant countenance of Your Holy Face. Cause every member here to reflect anew upon their deep and abiding love for our Nation, and every inhabitant thereof.

May their unity and commitment become a source of inspiration for this divine dream we call America. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Illinois (Mr. PHELPS) come forward and lead the House in the Pledge of Allegiance.

Mr. PHELPS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

CONSIDERING MEMBER AS FIRST SPONSOR OF H.R. 2077, SEQUOIA ECOSYSTEM AND RECREATION PRESERVE ACT OF 1999

Mr. GEORGE MILLER of California. Mr. Speaker, I ask unanimous consent that I may hereafter be considered as the first sponsor of H.R. 2077, a bill originally introduced by Representative Brown of California, for the purposes of adding cosponsors and requesting reprints pursuant to clause 7 of rule XII.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 one-minutes per side.

CHAPLAIN JAMES R. FISHER

(Mr. PHELPS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PHELPS. Mr. Speaker, I rise today to give thanks and recognize Chaplain James R. Fisher of the United States Coast Guard, who has just delivered the opening prayer this morning in the United States House of Representatives.

I would first like to thank Chaplain Coughlin of the House for extending this prestigious invitation to Chaplain Fisher. Chaplain Fisher is a resident of Mt. Carmel, Illinois, which is in my district, and was the son of a United States Air Force career officer.

Chaplain Fisher received his bachelor's degree from Virginia Tech and went on to attend North Park Seminary in Chicago and Yale Divinity School in Connecticut for his religious education.

In 1983 he was ordained in the Evangelical Covenant Church in Chicago, Illinois. He also served as a missionary in the Yupik Eskimo Village of Mountain Village, Alaska.

Chaplain Fisher has a long and distinguished Naval career. He was commissioned in 1983 and has served on the U.S.S *Suribachi* and the U.S.S. *Essex*; been stationed at the Marine Corps base at Camp Pendleton of California; Naval Air Station in Sigonella, Sicily, in Italy; and is currently the deputy chaplain of the Coast Guard in Washington, DC.

Throughout his service in the Navy and Coast Guard, he has received many awards too numerous to mention in these remarks.

Chaplain Fisher's proudest accomplishment, though, has been his marriage to Lori Christian since 1977 and the three sons they share, Jacob, Caleb and Josiah.

Mr. Speaker, it has been my pleasure to introduce Chaplain Fisher, and I am very honored to do so.

TRIBUTE TO 2000 CENTRAL CABARRUS HIGH SCHOOL BASKETBALL TEAM

(Mr. HAYES asked and was given permission to address the House for 1

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minute and to revise and extend his remarks.)

Mr. HAYES. Mr. Speaker, it is my distinct honor and pleasure to rise today to pay special tribute to an outstanding group of student athletes from Concord in North Carolina's eighth district.

Several weeks ago, the Central Cabarrus High School men's basketball team completed a truly amazing season by winning the North Carolina High School 3A Basketball Championship.

The Vikings successfully completed the near impossible, defeating favored Greensboro Dudley. Led by seniors Mickey Mickens, David Hardy, Clayton Russell, Dough Naumann, and sophomore Nathan Cranford, Coach Scott Brewer's Vikings stepped up to the challenge.

These players are not only winning on the basketball court, they are also excelling in the classroom. Eight of the players' grade point averages are over 4.0 and the team's average is 3.71. Clearly, these young men excel in the classroom as well as on the basketball court.

Mr. Speaker, I would like to congratulate the students, teachers, parents, head coach Scott Brewer, his assistant coaches, and the 2000 North Carolina State 3A basketball champions, the Central Cabarrus High School Vikings.

This is a tribute to their entire school and their team work.

HELP BRING OUR CHILDREN HOME BY PASSING H. CON. RES. 298

(Mr. LAMPSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMPSON. Mr. Speaker, I rise today to tell the House about Joseph Cook and his children Daniel and Michelle. Their story is one of the most heartwrenching I have ever heard. In 1992, Joseph's ex-wife took his children to Germany on what was supposed to be a brief visit. Shortly after they left, he was told by Christiane that she was not coming back and that he would not see his children again. Christiane had been suffering from depression, had checked herself into a clinic, and placed Daniel and Michelle into the German foster care system. The German foster care system made no attempt to contact Joseph.

In 1993, Christiane returned to the United States but left Danny and Michelle in German foster care. Mr. Cook went to Germany with a full custody order in 1994, but the German courts have refused to return his children and the foster family has been extremely uncooperative.

Mr. Speaker, Danny and Michelle are being left to languish in a foster care system when they have a father who loves them and desperately wants to be with them.

Joseph Cook served in the United States Army, and I am urging this House to serve him in return. Pass H. Con. Res. 298 and help bring our children home.

FOUNDATION FIGHTING BLINDNESS MAKES CONGRESS AWARE OF EYE DISEASES

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, representatives from the Foundation Fighting Blindness are visiting congressional offices this week to discuss the importance of funding research initiatives at the National Eye Institute.

This week my colleagues received a set of paper glasses which may help them to understand what individuals suffering from retinitis pigmentosa and macular degeneration see.

Isaac, Daria and Ilana Lidsky, young adults from my congressional district, are among the over 6 million Americans who suffer from these retinal degenerative diseases. Another 9 million Americans have pre-symptomatic signs of retinal degeneration and as the baby-boomer generation ages, diseases such as these are poised to skyrocket.

Promising experiments have already been discovered in retinal transplantation and in gene and pharmaceutical therapies. However, additional funding for the National Eye Institute is urgently needed to advance these promising treatments to clinical trials.

I urge my colleagues to consider how life is viewed through the eyes of those going blind and to consider an increase to the National Eye Institute at a percentage higher or equal to the other institutes of the National Institutes of Health.

FOURTH ANNUAL U.S./MEXICO BORDER CONFERENCE

(Mr. REYES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. REYES. Mr. Speaker, today and tomorrow I, along with my colleagues that represent districts along the border, are cohosting the Fourth Annual U.S./Mexico Border Conference. Each year we bring together leaders on both sides of the U.S./Mexico border to look at the problems that exist along our border, to develop solutions, and to convey these solutions to policymakers of our Nation.

The border today looks much how the rest of the Nation will look in 20 years. We are a young, growing, dynamic population that is facing problems and experiencing unique issues that perhaps the rest of the Nation needs to focus on.

If our problems are not addressed now in the border region, we run the risk of impacting the entire Nation as well as affecting the critical tourism and trade relationship between the United States and Mexico.

At the conference, we are focusing on four major areas: education and the workforce, health and environment, economic development and infrastructure, and border security.

I urge my colleagues to join me and our other colleagues in learning more about the border and provide the direction and leadership that is needed.

SELF-DETERMINATION FOR THE PEOPLE OF WESTERN SAHARA

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, I rise today out of concern over reports that the United Nations may decide not to hold the referendum for self-determination for the people of Western Sahara.

Article 1 of the International Covenant on Civil and Political Rights states that, quote, ''All peoples have the right to self-determination,'' end quote. Both sides, Morocco and Western Sahara, in the U.N. Settlement Plan and Houston Agreement, agreed to self-determination for the Sahrawi people.

The U.N. has spent approximately $500 million on peacekeeping in the settlement plan over 10 years and $30 million on humanitarian aid in the same time period. It would be a shame, no a disgrace, to waste $530 million.

The credibility of the United Nations and the United States would be further eroded if they are willing to give up on the stalled agreements. The U.N. should remain committed to the peace agreement.

Mr. Speaker, the people of Western Sahara deserve the same respect and support of the people of East Timor or any other country. A free, fair, and transparent referendum must go forward.

ONLY IN AMERICA, ONLY IN AMERICA

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, today Congress will debate two bills. The first bill is partial birth abortions. The second bill is wildlife and sport fish restoration.

Unbelievable. Kill the babies but save the trout and the tit mouse. Beam me up. In fact, beam me up, Scotty.

See, I believe that Congress and America can and should save both the babies and the wildlife. Think about it.

I yield back an old street saying: Only in America, Mr. Speaker.

THE CLINTON ADMINISTRATION MUST ENFORCE THE LAWS ON ILLEGAL OBSCENITY AND PORNOGRAPHY

(Mr. GARY MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GARY MILLER of California. Mr. Speaker, we have a grave problem in our country today: illegal pornography and obscenity. It is rampant in our society. It is readily available to all our children on the Internet, and the health and safety of our children are at risk.

Under the Reagan and Bush administrations, the Department of Justice successfully and aggressively prosecuted illegal pornographers. They rarely lost any of the hundreds of cases brought to court. In one 2-year span, they successfully prosecuted over 200 obscenity cases.

Since President Clinton took office, prosecution of illegal pornographers and obscenity has all but ceased. Prosecutions are down 75 percent.

In 1997, there were only 6 prosecutions of illegal pornographers by all 93 U.S. attorneys. In March 1998, the Adult Video News Magazine, the trade magazine for the porn industry, announced it is a great time to be an adult retailer.

This lack of prosecution has sent a clear message to the makers of illegal pornography and illegal obscenity that it is okay to make and distribute such material. Under the Clinton administration they will not even be prosecuted for their crimes.

It is time for the Clinton administration to get to work and enforce existing anti-obscenity laws.

□ 1015

BREAST AND CERVICAL TREATMENT ACT COMING TO THE FLOOR BEFORE MOTHER'S DAY

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, it has been a full 5 months since the Breast and Cervical Treatment Act was passed unanimously out of the Committee on Commerce. This life-saving bill currently has 289 cosponsors and enjoys strong bipartisan support.

Mother's Day is approaching. What better gift for mothers and grandmothers around this country than to provide treatment for breast and cervical cancer to underserved women?

I learned today that the House leadership has agreed to move H.R. 1070 before Mother's Day. I applaud this decision and urge the Speaker to bring a clean bill to the floor for a vote.

How much longer must the mothers of this Nation wait?

SUPPORT PASSAGE OF PNTR FOR CHINA

(Mr. KNOLLENBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KNOLLENBERG. Mr. Speaker, I rise in strong support of granting Permanent Normal Trade Relations to China, so-called PNTR.

Some would have us believe that, by supporting China's session to the WTO, and by granting China PNTR, we will be sending jobs overseas. This is simply not true.

On the contrary, granting China PNTR will allow us to take full advantage of the bilateral agreement signed last November and drastically reduce the Chinese barriers to trade. As a result of increased opportunities to export, American businesses can only expand, creating new jobs of every kind, from unionized jobs to export control jobs.

With expanded exports, companies will grow, making them able to offer greater benefits to existing workers, not get rid of them.

I urge my colleagues to support PNTR for China on behalf of American workers, farmers, and businesses.

STOP TUBERCULOSIS NOW ACT

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute.)

Mr. BROWN of Ohio. Mr. Speaker, the gentlewoman from Maryland (Mrs. MORELLA) and I have introduced the Stop Tuberculosis Now Act. The legislation proposes to amend the Foreign Assistance Act. It authorizes $100 million appropriation to USAID for the purposes of diagnosing TB in high incidence countries.

TB is one of the greatest infectious killers of adults worldwide, killing 2 million people per year, killing more people last year than any year in world history. Thirteen hundred Indians, for example, die every day from tuberculosis. It is the biggest killer of young women and the biggest killer of people with HIV/AIDS in the world.

The World Health Organization estimates that one-third of the world's population is infected with the bacteria that causes TB including at least 10 million individuals in the United States. Eight million people around the world will develop active TB each year. TB is spreading as a result of inadequate treatment, and it is a disease that certainly knows no national boundaries.

We have a remarkably cost effective strategy for TB control, DOTS, the Directly Observed Treatment Short course, that uses inexpensive drugs at a cost of as little as $15 per person in developing countries. The strategy is only reaching one person in five. The question is not a medical one, it is a political one.

REPUBLICANS ARE REINVENTING GOVERNMENT

(Mr. HEFLEY asked and was given permission to address the House for 1 minute.)

Mr. HEFLEY. Mr. Speaker, the Clinton-Gore administration talked about reinventing government, but the Republican Congress is actually doing it.

For example, Federal laws prohibit convicted criminals from receiving supplemental security income. However, for years, the Social Security Administration relied on convicted prisoners to notify them of their ineligibility for SSI benefits. Not surprisingly, hundreds of prisoners convicted of robbery, rape, and assault continue to receive welfare benefits while in jail, courtesy of the American taxpayer.

Perhaps the worst example of this fraud and abuse, California's ''freeway killer,'' William Bonin, responsible for killing more than 44 people, received $80,000 in fraudulent SSI payments while on death row.

In response, Republicans developed and passed a solution to this problem. As a result, taxpayers today will save over $3 billion.

GUN SAFETY

(Ms. CARSON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CARSON. Mr. Speaker, every day across this country, our children are dying due to gun violence. Yet, Congress has failed to stop the killing and protect our children.

Over 2 weeks ago, the House went on record in support of the juvenile justice conference committee holding a meeting within 2 weeks. Their deadline has been ignored.

I am outraged that Congress has failed to move forward on gun safety legislation. How many more children have to die before we pass strong preventative child gun legislation?

My bill, H.R. 515, the Child Handgun Injury Prevention Act, which I introduced in the first session of this Congress, is a bill to prevent children from injuring themselves with handguns.

If enacted, this bill would require child-safety devices on handguns and establish standards and testing procedures for those devices. As of today, we have 76 cosponsors.

We cannot call ourselves ethical leaders when we stand by and do nothing while our children are being killed by gun violence. We have a moral responsibility to pass laws that protect our schools, our communities, and our families, a great act on our part prior to Mother's Day.

LAWS DO NOT MAKE THE DIFFERENCE, ENFORCING CURRENT LAWS DO

(Mr. HAYWORTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYWORTH. Mr. Speaker, it is interesting as so many come to the well to try and make sense of the senseless. But it is extremely difficult to understand how we can undue senseless acts when current laws are not enforced. Penalizing law abiding Americans who freely exercise their rights under the Second Amendment does not improve anyone's safety.

Indeed, the tragedy in Michigan that so many of us mourn could not have been reversed by expecting a 19-year-old criminal to put a lock on a loaded gun in a shoe box, preventing a 6 year old from getting the gun.

Laws do not make the difference. Enforcing the current laws do. While we have an administration that refuses to enforce current laws and in some cases refuses to obey current laws, we have the crux of the problem confronting America.

IN MEMORY OF BEN RANDALL

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I have lost a very dear friend, and the Houston community has lost a dear friend, and as well Texas, and maybe even the Nation. Ben Randall, a community activist lost his life just about a week ago. I rise today to pay tribute to an individual who never said no to the community needs of Houston, Texas.

Energetic, creative, thoughtful, and caring was Ben Randall. He loved his family. He loved his two sons, outstanding as they are, leaders in their own right, academic geniuses. Ben Randall was always so proud.

He worked for Texas Southern University. He was a community relations activist, working for Enron. He worked for small businesses and tried to develop opportunities for minority businesses to do and have greater economic opportunities. He helped on issues of fund-raising for any charity one can imagine.

He loved his God. He loved his church, Windsor Village United Methodist Church. He was an activist there. He had prayer partners. He prayed for others.

Whenever there was an opportunity to share his values and his commitment to the greatness of this Nation, Ben Randall was there. He loved this country.

Mr. Speaker, I would simply say that, as we bury him and as we buried him in his hometown of San Antonio, the tears of those of us who lived in Houston continue to pour.

We memorialize him today on April 5 in Houston because so many friends could not make it to San Antonio, but they needed to honor him and say good-bye. It is right to pay tribute to him and to do it with love, and do it with respect.

I say farewell to my friend, Ben Randall. He may be gone, but he will be forever in our memories. We salute him for the great humanitarian efforts he made on behalf of so many people. God bless him and God bless America.

TAX COUNTDOWN

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, the countdown is on. The tax clock is ticking. The day the American workers dread the most, tax day, is only 10 days away.

April 15 looms on the calendar each year as an ominous reminder of the crushing burden of the current Federal Tax Code. While the IRS often stands behind closed doors, American working men and women struggle to keep pace with an out-of-control Federal agency.

Over the next 10 days, taxpayers across this country will spend sleepless nights and countless hours in an attempt to figure out exactly the correct amount of their hard-earned money and how much they must send to the Federal Government.

Heaven forbid the amount will be off even by a single cent and cause the taxpayers the horror of facing the unbridled wrath of an audit by the Internal Revenue Service.

Mr. Speaker, we must act now to enact comprehensive tax reform, giving our working families a fairer, flatter, and simpler tax without an IRS.

Mr. Speaker, I yield back our antiquated and oppressive tax system that continues to burden too many hard-working Americans every year.

BALANCED BUDGET PROVES REPUBLICAN CONGRESS IS SERIOUS ABOUT ITS PROMISE TO BALANCE BUDGET AND CONTROL DEFICIT SPENDING

(Mr. BARTLETT of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Speaker, let me see if I have got this straight. I am supposed to be impressed that the government is not going to spend more money than it has. I am supposed to rejoice that the government is not going to make our $5 trillion national debt any worse. I am supposed to brag to my constituents that Washington is going to balance its budget.

Well, Mr. Speaker, by the standards of Washington, yes.

Balancing the budget should not be a big deal; it should not be treated as some great achievement. But I must say, after 30 years of expanding the welfare state every year, balancing the budget is no mean feat. Balancing the budget, which to me is only common sense, is an extraordinary thing in a town that has seen nothing but deficits since 1969.

This balanced budget is proof of two things. First, the Republican Congress is serious about its promise to balance the budget. Second, deficit spending does not have to be a way of life.

Now that is something to brag about.

CENSUS BUREAU SHOULD GET AWARD FOR BIGGEST GOVERNMENT SCREW UP

(Mr. CHABOT asked and was given permission to address the House for 1 minute.)

Mr. CHABOT. Mr. Speaker, if there were an award for the biggest government screw up of the year, the Census Bureau would win the award going away.

The Census Bureau, which has been planning the 2000 census for 10 years, now sent out 120 million pre-notification cards with the wrong address. That is right, Mr. Speaker, the wrong address. Most of us learned to address a letter by the time we left the third grade. I guess the folks at the Census Bureau were absent that day. This from the folks who want to use smoke and mirrors to adjust the final results of the census.

The American people know better, Mr. Speaker. The Census Bureau certainly has some explaining to do. If the Bureau cannot be trusted to address mail properly, how can we trust them with their risky statistical scheme.

GOVERNMENT NEEDS TO SPEND TAXPAYER MONEY WISELY

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, last year when the House proposed to Federal agencies that they cut out 1 cent of every dollar they spend, the Clinton administration screamed bloody murder. Cut out 1 cent from the Federal Government for every dollar we spend? There is no way. We are too efficient, too effective.

The Secretary of Interior said there is absolutely no waste in my department and yet went on to waste money after money.

Let me give my colleagues an example. The Social Security Administration sent out $3.3 billion in checks to people who were ineligible for it. Well, they might look there.

How about the rocket launchers? AL GORE is a big gun control advocate, but when one of the $1 million rocket launcher disappeared, there was no word from the administration. Now, that is scary enough, but then another one disappeared. Think about that. There are two rocket launchers at large somewhere in our society. Yet, the folks in the Gore-Clinton administration are telling us there is no waste in government.

Mr. Speaker, we have got to do a better job. We are not spending our money. Contrary to the government dogma that it is government money, it is not. It is taxpayer money. It is what people back home work real hard to send to us. We need to be fiduciaries of it. We need to spend it carefully.

PARTIAL-BIRTH ABORTION BAN ACT OF 2000

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 457 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 457

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3660) to amend title 18, United States Code, to ban partial-birth abortions. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) two hours of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit.

SEC. 2. After passage of H.R. 3660, it shall be in order to take from the Speaker's table S. 1692 and to consider the Senate bill in the House. It shall be in order to move to strike all after the enacting clause of the Senate bill and to insert in lieu thereof the provisions of H.R. 3660 as passed by the House. All points of order against that motion are waived. If the motion is adopted and the Senate bill, as amended, is passed, then it shall be in order to move that the House insist on its amendment to S. 1692 and request a conference with the Senate thereon.

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The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from Georgia (Mr. Linder) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 457 is a closed rule providing for consideration of H.R. 3660, the Partial Birth Abortion Ban Act of 2000. H. Res. 457 provides 2 hours of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary.

House Resolution 457 provides that, after passage of H.R. 3660, it shall be in order to take from the Speaker's table S. 1692, consider it in the House, and to move to strike all after the enacting clause and insert the text of H.R. 3660 as passed by the House.

The rule also waives all points of order against the motion to strike and insert. It provides that if the motion is adopted and the Senate bill as amended is passed, then it shall be in order that the House insist on its amendment and request a conference on the bill.

Finally, the rule provides for one motion to recommit with or without instructions, as is the right of the minority.

Mr. Speaker, I will not take time here to discuss the grizzly nature of this procedure at issue. Many of the other speakers today will address that. I would like to briefly note, however, that this rule allows the House to take this latest step in the ongoing saga of the effort to ban the dreadful partial-birth abortion procedure.

Legislation has passed this House by a veto-proof majority in the past two Congresses. The vote today will be the seventh time the issue has come before the House in the past 5 years. In fact, the bill we debate today has been adjusted from previous texts to account for the growing body of law dealing with partial-birth abortion.

While the President has prevented Congress from taking the action that the overwhelming majority of Americans support, the States have taken the lead on this issue. I urge my colleagues to stand today with the American people to preserve unborn life by supporting this rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Georgia for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I oppose this closed rule. The majority claims to favor full and free debate on important issues; however, on this controversial bill, the majority has chosen to prohibit any amendments from being offered.

I must also voice my strong concerns with the bill made in order by this rule, H.R. 3660, the so-called Partial Birth Abortion Ban.

Once again we have anti-choice legislation on the House floor. Like most of us, my schedule as a Member of Congress is erratic, but each year I have discovered that one of the legislative constants is that the House leadership finds plenty of time to force consideration of anti-choice legislation. As the Washington Post noted this morning, and I quote, ''The measure is probably unconstitutional and certainly bad policy, but the House is to take it up today for the third time in 5 years.''

This legislation has been fast tracked through Congress, denied input from other Members of Congress or the benefit of the subcommittee and full committee markup. But what is most offensive about the timing of the legislation is not simply the lack of debate time, it is the fact that the legislation is breathing down the neck of an upcoming Supreme Court hearing on the constitutionality of Nebraska's abortion law and is a blatant attempt to try to influence the court.

The fundamental principles of Roe v. Wade already protect a viable fetus. Roe recognizes that the State has a compelling interest in the welfare of a fetus that can survive outside the womb. And none of us, none of us, approve late-term abortions, except in circumstances to save the life and health of the mother.

But under this ban, the fundamental principles of the Roe v. Wade decision are gutted. The Supreme Court has consistently held that a woman's life and health must be protected throughout pregnancy. And no advances in medicine yet have guaranteed a perfect pregnancy. Due to the lack of health exceptions in abortion bans, President Clinton has vetoed similar legislation time and time again, and this bill is no different. It makes no exception for protecting a mother's health.

Moreover, the language of the bill is so intentionally vague that both doctors and the courts have scoffed at it, asserting that this terminology could ban all procedures regardless of the viability thresholds guaranteed by Roe. In fact, it would make it a criminal offense for a physician to perform not just one particular procedure, but the safest and most common procedure in reproductive health care.

Even the American Medical Association, which originally supported this legislation, no longer does. And can we blame them? What is a doctor to do, faced with losing his or her livelihood and potential jail time? I can assure my colleagues that the primary concern of most physicians will not be protecting the health of the woman if their own livelihood is at stake. Why would they risk 2 years in prison and loss of their license when they could simply make a decision?

The proponents of this legislation would have us believe that this ban will prohibit one procedure used to perform only post-viability abortions; that is the point after which the fetus can live on its own. However, the bill is written so that it could ban safe abortion procedures used prior to fetal viability.

Mr. Speaker, in the circumstances of late abortions, in most all cases, these are fetuses who are either badly malformed or in a condition that really threatens the health of the mother. In most cases these babies are desperately wanted, and there is no other choice to be made. It is heartbreaking for parents to have to make this choice, but it is even more heartbreaking for them not to be allowed to because a legislative body has said no.

By introducing this ban in tandem with the critical Supreme Court case, and at the start of an election year, the proponents of the bill are not just chipping away at the right to choose, they are taking a jackhammer to it. The American people have told us time and time again that when faced with life and death decisions they want to confide in their doctor, their family, and whomever else they choose to consult, but they never say they would like to consult their local Congressperson.

Throughout the managed care debate, Congress has said to the people ''we promise to put medical decisions back into the hands of the patients and the doctors,'' and yet with this vote today that promise is turned on its head. Congress, like HMOs, will dictate life and health decisions for women, not their doctors, their families or spiritual advisers.

It is unconscionable for this Congress to place its political agenda ahead of a woman's ability to have access to safe and appropriate health care. Like any other patient, a woman deserves to receive the best care based on the circumstances of their particular situation.

Mr. Speaker, we will hear arguments from staunchly anti-choice members who may resort to inflammatory charts and graphic images to pledge their support of the ban. But we will also hear from Members who are deeply concerned about the legislation and the precedent it would set. So far as I know, this Congress, nor any previous Congress, has ever outlawed a medical procedure.

But at the end of the day, after all the political fights subside, we must ask ourselves one fundamental question: Do American women matter? As a Member of Congress, the mother of three daughters, and a long-time advocate of women's health, I strongly believe the health of women matters in America.

I urge my colleagues to vote ''no'' on the rule and no on the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Mr. LINDER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. PAUL).

(Mr. PAUL asked and was given permission to revise and extend his remarks.)

Mr. PAUL. Mr. Speaker, I thank the gentleman for yielding me this time.

Like many Americans, Mr. Speaker, I am greatly concerned about abortion. Abortion on demand is no doubt the most serious social political problem of our age. The lack of respect for life that permits abortion has significantly contributed to our violent culture and our careless attitude toward liberty.

As an obstetrician-gynecologist, I can assure my colleagues that the partial-birth abortion procedure is the most egregious legally permitted act known to man. Decaying social and moral attitudes decades ago set the stage for the accommodated Roe vs. Wade ruling that nationalizes all laws dealing with abortion. The fallacious privacy argument the Supreme Court used must some day be exposed for the fraud that it is.

Reaffirming the importance of the sanctity of life is crucial for the continuation of a civilized society. There is already strong evidence that we are indeed on the slippery slope toward euthanasia and human experimentation. Although the real problem lies within the hearts and minds of the people, the legal problems of protecting life stems from the ill-advised Roe v. Wade ruling, a ruling that constitutionally should never have occurred.

The best solution, of course, is not now available to us. That would be a Supreme Court that would refuse to deal with the issues of violence, recognizing that for all such acts the Constitution defers to the States. It is constitutionally permitted to limit Federal courts jurisdiction in particular issues. Congress should do precisely that with regard to abortion. It would be a big help in returning this issue to the States.

H.R. 3660, unfortunately, takes a different approach, and one that is constitutionally flawed. Although H.R. 3660 is poorly written, it does serve as a vehicle to condemn the 1973 Supreme Court usurpation of State law that has legalized the horrible partial-birth abortion procedure.

Never in the Founders' wildest dreams would they have believed that one day the interstate commerce clause, written to permit free trade among the States, would be used to curtail an act that was entirely under State jurisdiction. There is no interstate activity in an abortion. If there were, that activity would not be prohibited but, rather, protected by the original intent of the interstate commerce clause.

The abuse of the general welfare clause and the interstate commerce laws clause is precisely the reason our Federal Government no longer conforms to the constitutional dictates but, instead, is out of control in its growth and scope. H.R. 3660 thus endorses the entire process which has so often been condemned by limited government advocates when used by the authoritarians as they constructed the welfare State.

We should be more serious and cautious when writing Federal law, even when seeking praise-worthy goals. H.R. 3660 could have been written more narrowly, within constitutional constraints, while emphasizing State responsibility, and still serve as an instrument for condemning the wicked partial-birth abortion procedure.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Speaker, I rise in very strong opposition to this rule and to the underlying bill.

Mr. Speaker, it is like Yogi Berra and deja vu all over again. It could be 1996, it could be 1998; but it is 2000. If anybody had forgotten that this was not an election year, because the presidential primaries have kind of waned, all they have to do is to look and see that this bill is up again and that it is being brought to the floor under a closed rule.

Now, my colleagues and my dear colleague from Florida, the sponsor of this bill, knows this bill is not going to become law this year. It is going to be vetoed by the President and then it is going to be sent back here later, and it will sit at the desk. And I would bet probably around September, or the middle of September, pretty close to the general elections in November, the leadership will decide to roll this bill out again. They will roll it out, and there will not be sufficient votes, certainly not in the other body and probably not in this body this year, to override the President's veto, but it will make for good press releases. Our friends at the NRCC will roll out some press releases on this, and it will be a political issue.

That is what this is really about. The fact is, if we really wanted to address the issue of late-term abortions, which I do and I think the vast majority of this House wants to do, then we would bring the Hoyer-Greenwood bill to the floor and debate it. Now, I know the gentleman from Florida has some problems with the Hoyer-Greenwood bill. Fair enough. Bring it to the floor under an open rule, and let us debate the issues.

This House, since its creation, has debated and written the laws of this Nation. But the Republican leadership has decided that only a few men in the leadership role can decide what the laws are; what is really important to the health of women or not. They are going to decide that rather than the whole House. But is that not what democracy is all about? Is that not the essence of the people's House, the House of Representatives; that we decide the laws, we debate the laws? Apparently, that is not the essence of the Republican leadership.

□ 1045

Mr. LINDER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Montana (Mr. HILL).

(Mr. HILL of Montana asked and was given permission to revise and extend his remarks.)

Mr. HILL of Montana. Mr. Speaker, I thank the gentleman for yielding me the time. I rise to support the rule, and I also support the bill.

I want to describe for the House again what this procedure is. A doctor artificially dilates the cervix, creating an opening that is of adequate size for the baby's delivery. Then the doctor, guided by an ultrasound device, takes hold of one of the baby's legs with a forceps. Then that leg is pulled into the birth canal and is fully delivered.

Then the other leg is accessed and it is delivered, followed by the baby's entire body, everything except the head. We would commonly refer to this as a breech delivery.

The doctor then uses one hand to trace up the spine of the baby up to the base of the baby's skull. And then with a Metzenbaum scissors, the doctor penetrates the base of that skull with those scissors and spreads the scissors open to create a passage large enough for a suction catheter to be inserted into the skull. And then the baby's brains are extracted with the suction device, and that causes the skull to collapse. At that point, the baby dies. And then the baby is fully delivered. The placenta is subsequently delivered, and all the remains are then discarded as medical waste.

The AMA, Mr. Speaker, says that this is not good medicine. Dr. Koop,

former surgeon general, says this is never medically necessary. Everybody in this room knows that this is wrong, that it is not legally and it is not morally defensible. The way for us to end it is to vote for this rule and to vote for this bill today.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman very much for yielding me the time.

Mr. Speaker, I entered this body in 1995 with enormous hopes and aspirations for this Congress meeting up to its mission and its obligations and its high constitutional calling. And that is, of course, that it includes the protection of the American people at the highest levels.

As a freshman, I wanted to do good and still offer myself for that purpose. It was interesting that was called the Gingrich revolution. We came in under the auspices of what many have called the Contract on America.

I remember my colleague, Pat Schroeder, introduced me to the high calling again on the Committee on the Judiciary and its importance. I am reminded as I go to elementary schools, in indicating that I am on the Committee on the Judiciary, the eyes are sparkling as I speak about the Constitution.

But here we stand again, Mr. Speaker, again not calling on those high values and respecting the constitutionality of our responsibility, but yet, in many instances, although I respect those who have come to the floor to support this legislation, taking legislation that ultimately has been noted as having unconstitutional aspects of it and again and again bringing it to the floor of the House.

I remember those first years when we listened to the voices of women who cried out to us not to have this legislation and indicated that the medical procedure that they had to ultimately give consent for to their physician and to make sure that they either lived or that they would have the opportunity to procreate in the future, it was a highly personal decision, it was one they wished they could not make. And yet we bring to the floor legislation that holds a physician criminal.

In the Committee on Rules yesterday, no one would simply provide for an amendment that I had offered that simply clarified that the woman, in essence the victim, would not be held civilly liable, would not be open to lawsuit if she, out of desperation to save not only her life, but to add to the ability of her having a family would have to consent to a procedure that her doctor advised that she might have.

But yet here we come again and, as my colleague has noted, so appropriately in an election year, to bring forward clearly an aspect of legislation that should be left to the private determinations under the ninth amendment under the Constitution that has been noted before.

In addition, the Greenwood-Hoyer amendment, where 40 States have already recognized the importance of designing this legislation in the same manner as that amendment, an amendment that would have garnered the support of so many of us, this amendment, however, was not allowed.

It has come to my attention that even in Texas we have a law regarding the medical procedure since 1987 that protects the life and health of the mother similar to the Greenwood-Hoyer amendment, yet the Rules Committee saw fit to vote even against this reasonable language.

Mr. Speaker, this is not a serious debate. I would ask that we would vote against this rule, respecting my colleagues who believe in this particular legislation. This is wrong headed and wrong directed. I ask my colleagues to vote against the rule and the bill.

Mr. Speaker, I am pleased to have an opportunity to speak on this important matter. I am disturbed that the Committee is inhibiting a full and fair debate about this critical matter.

"The Partial Birth Abortion Ban of 2000," H.R. 3660, is extreme and unconstitutional legislation that would endanger women's health because it lacks an exception even for serious threats to a woman's health. If enacted, H.R. 3660 would lead to undue government interference in doctor-patient relationships by subjecting physicians to arrest and imprisonment for using their best medical judgment in accordance with the wishes of their patients.

I am distressed that this committee refused to even consider any amendments to such a momentous piece of legislation that would essentially eradicate a women's freedom of choice as we have known it for over 25 years.

Despite proponents comments to the contrary, H.R. 3660 would actually allow civil actions against the woman who has already undergone a traumatic experience and essentially open the window for all types of abortions to be banned.

This is why amendments should have been allowed to bring this legislation in accordance with current legal doctrine.

If allowed, my amendments would have allowed Members to express their views whether the viability of the fetus should determine whether this ban should or should not apply and they would have ensured that money damages cannot be sought against a woman that has a "partial abortion."

The proposed statute is simply not a restriction on late-term abortion. To the contrary, H.R. 3660 is extreme and unconstitutionally legislation would endanger women's health because it simply undermines a woman's right to choose.

It is imperative that we take the proper safeguards not to allow any group to take advantage of this emotionally charged issue for financial gain. Although we live in a litigious society, we should be careful to not provide incentives for frivolous reasons.

Termination of a pregnancy is already a tragic event for any woman. When one is faced with such a decision, they should simply not be thinking of the adverse consequences of potential litigation. That is simply cruel to the woman.

Members should be afforded an opportunity to consider reasonable alternatives to penalties contained in the legislation for so-called "late term" abortions.

Because the ambiguous wording of this bill creates the potential to ban all forms of abortions in violation of Roe v. Wade, while also leaving open the possibility for the woman to be prosecuted under this new statute, it is necessary to add clarifying language.

Mr. Speaker, I believe many Members would want the opportunity to be heard on this crucial matter. Private medical decisions belong with the woman, their families, their religious leader, and the physicians, not politicians.

Mr. LINDER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to point out to the gentlewoman from Texas (Ms. JACKSON-LEE) that what she so derisively calls the Contract on America has been passed, 70 percent of which has been signed by President Clinton.

Mr. Speaker, I am happy to yield 3 minutes to the gentleman from Kentucky (Mr. FLETCHER.)

Mr. FLETCHER. Mr. Speaker, I certainly appreciate the gentleman from Georgia (Mr. LINDER) bringing this bill to the floor. I stand to speak today to support this bill.

It is a day that my daughter back home, surrounded by her mother, my mother, and my mother-in-law, are all viewing right now as she is having an ultrasound this morning to look at the child within her womb. There is a lot of excitement about that, and there should be.

It reminds me of the quote from Hubert Humphry, who says, ''The moral test of government is how that government treats those that are in the dawn of life.'' That is what this bill is about.

What is it about? It is about children. It is about decency. It is about compassion and love. It is about putting aside our selfish desires, whatever desperate situation we are in. And I agree that there are some desperate situations, and I have seen those, but setting those aside to look at the interest of the most vulnerable among us, those, as Hubert Humphry said, are in the dawn of life.

We have heard the discussions of the details of this procedure. We may not need to discuss how barbaric and gruesome a procedure that we wish to forbid here today. For I believe that all know, each one of us, everyone, deep down in our hearts, that killing a living, viable child who has made only a partial entry into this world of opportunity is wrong and morally inexcusable.

The President has vetoed this bill several times. Mr. Speaker, I would ask him that he reconsider, that he turn from his friends on the radical left and look deep into his heart and into the eyes of children, those eyes that glisten with hope for a future, and that he would sign this bill.

It is a bill of decency, goodness, fairness, and it is a bill of hope, a bill filled with the dreams, the dreams of those that want to come to know the joys of opportunity to be all that they can be.

I know that there are those that may consider the debate as one whether they are pro-life or pro-choice, but this goes well beyond that debate. This debate goes to are we going to be judged as a Nation, as Hubert Humphry said, a Nation whose moral test is decided on how we treat those at the dawn of life. This bill is about those that are at the very dawn of life and are we going to protect their opportunity, their future, and their dreams. I trust we can.

I encourage the President to sign this bill for decency, for fairness, and for moral integrity of this Nation.

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, I am strongly opposed to late-term abortions. But when the health of the mother is at risk in tragic cases, that choice should be made by a woman and her doctor, not by politicians in Washington, D.C.

This bill would prohibit abortions even when a mother's health is at risk. We have no right in this Congress to make that health decision for other people's wives and other people's daughters. No Member of this House has the right to risk any other woman's fertility, no Member.

What this Congress should do is to pass a bill that outlaws all late-term abortion procedures, not just one procedure like this bill does, and then include an exemption in rare tragic cases where a mother's health is at risk.

This is the kind of bill I helped pass in Texas in 1987. It was a bipartisan bill, unlike this one, designed not for political press releases and sound bites and attack ads. It was designed to save the lives of babies, something this bill would not do.

I would like to ask the supporters of this bill one question they refused to answer for the last 5 years. If they have such a low opinion of America's women that they truly believe mothers want to maliciously kill viable, healthy babies late in pregnancy just moments before natural childbirth, if they really believe that, how does outlawing one procedure while keeping all other procedures legal save even one baby's life?

The truth is this bill does not save one life, and pro-life citizens and leaders have even admitted that. The deceptive secret of this bill is that it would keep it perfectly legal to have late-term abortions under this bill, just use a different procedure.

Babies are not saved by this bill. But sadly, in tragic, sad cases, mothers' health and their ability to have children in the future will be put at risk.

The truth is that if there is one frivolous killing of one healthy baby after viability anywhere in America, that is one too many. And we would all want to prevent such a case.

The real tragedy is not that this bill will not become law. The real tragedy is that supporters of this bill could have added a health exemption into this bill at any point during the last 5 years and we would have outlawed all late-term abortion procedures, not just one procedure.

Let us vote no on this rule and no on this bill and then do what we should do. Let us pass a law that will outlaw all late-term abortion procedures while protecting women's health.

Mr. LINDER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to point out to the gentleman from Texas (Mr. EDWARDS) who said that the Texan law was bipartisan, unlike this one, that the last time it met the floor of the House it got nearly 300 votes, including the vote of his leader.

Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, I rise in support of this rule and urge my colleagues to vote for this good bill.

Partial-birth abortions should have been made illegal long before now. But the supporters of this procedure continue to tell us that it is needed. They claim that, without this procedure, the health and even the lives of mothers in this country will be at risk. By saying this, they seem to suggest that those of us who want to ban this procedure are somehow being insensitive or cruel.

But former Surgeon General C. Everett Koop says the procedure ''is never medically necessary to protect a mother's life or her future fertility. On the contrary,'' he says, ''this procedure can pose a significant threat to both.''

The American College of Obstetricians and Gynecologists says ''there are no circumstances under which this procedure would be the only option to save the life of a mother and to preserve the health of a woman.''

In 1995, a panel of 12 doctors representing the American Medical Association voted unanimously to recommend banning partial-birth abortion. The American Medical Association, the American College of Obstetricians and Gynecologists, and the most respected doctor in America are all telling the truth.

But not everyone is.

Not too long ago, Ron Fitzsimmons, executive director of the National Coalition of Abortion Providers, admitted that he lied through his teeth when he claimed that partial-birth abortions are rare and only on women whose lives are in danger or whose babies had severe defects. He also admitted that he had lied about how frequent partial-birth abortions are. There are thousands every year in America.

What Mr. Fitzsimmons showed us is that there are pro-abortion activists in this country so extreme in their position, so completely unwilling to listen to reason, that they will defend even this procedure which is indistinguishable from cold-blooded infanticide.

Stabbing a baby in the back of the neck with scissors is gruesome, even if his head remains an inch inside the birth canal.

Mr. Speaker, partial-birth abortion is so gruesome and so barbaric that it must be stopped immediately. It is completely unnecessary. It is in every case unjustifiable and in no case the lesser of two evils.

The will of the American people has been consistently clear in every poll on this issue. The House and Senate have both passed this ban before by large margins. Clearly, reasonable and thinking Americans want this ban to become law. A few extremists continue to stand in the way. We will be asked to recommit this bill so that they can add on a provision providing an exemption for what they call ''mental health.'' That will, of course, mean there is no ban at all. In fact, if they are having a bad day, they can have a partial-birth abortion.

Mr. Speaker, we have a good bill before us. It does not need to be changed. It already does what we know is the right thing to do. We should stop playing games and pass this good legislation so that America can go back to believing that their Government stands for decency. America knows that partial-birth abortion is wrong. They want us to do something about it.

I urge all my colleagues to support the ban on partial-birth abortion today.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to make clear that the AMA no longer supports this bill and that the gynecologists never did.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. TAUSCHER).

□ 1100

Mrs. TAUSCHER. I thank the gentlewoman for yielding me this time.

Mr. Speaker, I have prepared remarks; and I am an original cosponsor of this bill, but I cannot let the comments of the previous speaker and other speakers go by. I think that it is absolutely a horror for the American people to be told by any Member of Congress that American women may have a bad day and decide to have a partial-birth abortion. That is certainly not the fact, and that is certainly demeaning to every woman in this country. How dare anyone suggest that this is anything but about a very tragic, personally debilitating scenario, when very late in a pregnancy a mother and a father are told that that baby will not survive outside the womb and that medical procedures may be necessary to save the life and the health of that mother. Let us talk about the facts, ladies and gentlemen. Let us not cloud this. And let us not demean American women by suggesting that because they are having a bad day, they are going to get rid of a very precious child.

Let us ban late-term abortions. There is no one here that is pro-choice that is pro-abortion, but there are people here unfortunately that will twist the facts for their own political gain. This is a shameful day for this House. It is a shameful day that we will not protect the health and the life of American women and that we will not honor the mothers of this country by acting as if they can actually take care of their own children.

Mr. LINDER. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Mr. Speaker, I think anytime a woman chooses to abort a baby, it is a difficult decision. And it is a tragedy regardless of the reason for it. What we just heard is not an accurate representation of partial-birth abortion. All you have to do is look at the facts from Kansas this year. So far this year, there have been 180 partial-birth abortions performed in Kansas. Seven of them were from women from Kansas. The rest of them were from out of State. Not one of those babies had a lethal defect. There was nothing that was going to keep them from living an adequate and acceptable life. We can say that partial-birth abortion is about terminating pregnancies on babies that are not viable. But the facts do not bear that out. Does it occasionally happen? Yes. When it happens for a nonviable baby, it is being done only for the convenience of the abortionist. It is not being done for the safety and health of the woman. Because in fact if it was for the safety and health of the woman, they would terminate the pregnancy in a very much different way. They would not put at risk her reproductive future. They would not put her at risk for a pulmonary embolism from amniotic fluid, they would not put at risk the ability for her cervix to maintain its muscular strength by dilating it against its will. The facts about partial-birth abortion are that it is done for the abortionist, not for the woman. I know that because I have helped thousands of women deliver children. I have done D&Xs. I know the procedure very well. It is the last procedure I would ever do to help a woman eliminate a nonviable child. That does not go to say how right are we in expressing our knowledge, scientifically based, on whether or not we are accurate about a child's viability.

So let us dispel the three myths that are put forward. Partial-birth abortion in this country is not being done for the health of the woman. It is being done for the convenience of the abortionist. That is number one. Number two, it is not being done because children have lethal defects. It is being done so that late-term abortions can be accomplished. That is why it is being done. Number three, this procedure puts the health of a woman at much greater risk than any of three other procedures that could be used to terminate her pregnancy.

We can agree to disagree on whether abortion is right or wrong. I do not have any problem with that, and I have a great deal of respect for those who disagree with me on that issue. But you cannot confuse the medical facts of the risk that a woman is put to when this procedure is used on her. It is a marked increase in risk for her health. If in fact it was an emergency to eliminate this baby, we would do a saline injection, take the life of the baby and put prostaglandin in and have the baby deliver head first. The baby would be dead, it would come out, and the woman would have labored it out. But instead, we do not do that. We put in japonicum, which is seaweed, we allow it to dilate up, then we dilate the cervix further, we reach in with instruments, we turn the baby around, we pull the baby out, puncture the head, collapse the head and pull the baby the rest of the way out and then forcefully extract a placenta. When we do that, we expose the woman to loss of fertility and loss of competency of her cervix, we expose the woman to significant hemorrhage, and we expose the woman to fluid embolus from amniotic fluid. Nobody who is thinking about the woman would use this procedure.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. I thank the gentlewoman for yielding me this time.

Mr. Speaker, I wanted to come to speak specifically on the rule, because it is the rule that shows that this body is not serious about achieving consensus on this very serious and troublesome question. Because there is, after all, an alternative which has a very good chance of getting that consensus, the Hoyer-Greenwood alternative. Many like me would be reluctant to support that alternative because it compromises the health language; but in the name of getting a consensus on so troublesome, and deservedly so, an issue, we could get there this time. We are told this time it is constitutional. And the reason the other side has to talk to us about constitutionality this time is that the courts have handed them their heads. Not the Congress, not the President.

It is the courts that have told you you are in violation of the Constitution. The reason Hoyer-Greenwood is obviously a much preferable alternative boils down to two. The Republicans come forward with a bill that uses inflammatory lay language. Basically, it is a gotcha 30-second ad. Of course it does not speak to the gestational period, so the, quote, ''living fetus'' could be when it is, I do not know, 3 weeks old, and you could be prosecuted under this language. Would you think this has a moment's chance of standing up in court?

Hoyer-Greenwood, on the other hand, makes it clear that it is after viability. You ask the average American, you talk about after viability, they know what you are talking about. Hoyer-Greenwood says seventh, eighth and ninth month, unless it is very serious, you are not going to get an abortion. I do not know why that is not good enough for you. I am sure it is good enough for the American people. Serious health consequences? That means that people on my side who believe this should be between a woman and her doctor are indeed accepting a real compromise. It is you who are unwilling to accept a compromise, because Hoyer-Greenwood by limiting late-term abortions to the serious adverse health consequences of the woman virtually guarantees that there will be few seventh, eighth, and ninth month abortions.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Ms. STABENOW).

Ms. STABENOW. I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise today as one of the people who is under political attack by right-to-life on this issue which in my State is very clearly a political issue, not a policy issue, because they say I want to keep partial-birth abortions. I say I am a cosponsor of the bill of the gentleman from Maryland (Mr. HOYER) and the gentleman from Pennsylvania (Mr. GREENWOOD) that says not just partial-birth abortion but all late-term abortion should be illegal in this country except to save the life of the mother or if she has a serious health consequence, a serious threat to her life or her health. That is what this is about. This is an alternative that will be signed by the President and could very quickly be the law of the land to make it clear that not just one procedure but every late-term abortion procedure would be banned except if the mother's life is threatened or there is a serious health consequence to her continuing the pregnancy. And then she could still continue the pregnancy; but it would be her choice, not the politicians in Washington's choice. That is what this is about.

I find it along with my colleagues, the women of this House, totally offensive as a mother of two beautiful children to say that women in the final weeks of pregnancy would just have a bad day and decide to terminate a pregnancy that they had carried almost to term. We are talking about women who want children, who are bringing this child into the world, who are excited, who have put together the crib and the wallpaper in the baby's room and are excited and get to the point at the end where they find out that the doctor says, we have got a serious problem here and we are going to have to sit down and talk about it and there is going to have to be some decisions made because there is something that has gone wrong. When that happens, I want the woman, the doctor, her family and her faith and not the people in this room making that decision.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Mr. Speaker, I would just ask the gentlewoman from Michigan to look at the experience in Kansas. Every one of the partial birth abortions that have been provided for this year have been on the basis of the health exception. A health exception for the woman. Eight of them from Kansas, seven or eight from Kansas, the rest from outside of Kansas but on a health exception. Very few of those were based on the physical health of the woman, but on the fact that she did not want to have a baby.

Now, I understand that in our country that is okay. That is legal today. I want to make one other point, that we sometimes forget. Why is partial-birth abortion out there? Because if you abort a baby a different way, guess what? The baby is born alive. When the baby is born alive in most States if it is at viability, then you have to express the will of the State to do everything you can to keep that child alive. So we abort a baby, have a baby that is viable, and then we work to keep it alive because that is what the States say we must do. So partial-birth abortion is developed so you deliver a dead baby. That is why it is there, so you get around this idea that it is alive.

Again, I would remind the vast majority, upwards of 90 percent of all partial-birth abortions are on absolutely normal babies. Normal. Not abnormal. I have delivered tons of abnormal children. I have dealt with every consequence associated with terrible errors in reproduction. They are tragedies. But to couch partial-birth abortion on the basis of 1 or 2 percent of those issues, and that is what you are really talking about, 1 or 2 percent, not the vast majority, to justify it as a means to terminate the life of a well, healthy child is unconscionable. Most women if they truly had informed consent would never allow partial-birth abortion to be performed on them.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I was puzzled to hear the gentleman from Oklahoma say that they were not for physical health reasons in most cases. The reason I say that is I went to the Committee on Rules to ask for the right to offer an amendment that would have allowed this only in cases where there was severe, adverse, long-term physical health consequences.

□ 1115

Now, many do not think that does enough. It would not be enough for me to vote for the bill, but at least it would have met that argument.

So when the gentleman says, oh, but we are just talking about all health, not just physical health.

Mr. COBURN. Mr. Speaker, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Speaker, I would tell the gentleman I would fully support that amendment.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman, and he may have a chance to. But I assume that means the gentleman will vote against the rule, because I went to the Committee on Rules and asked for this amendment to be made in order.

This bill is being done in the most abusive way ever. Do we want to know what is a late-term abortion? The real late-term abortion bill is the one that the gentleman from Maryland was not about to offer. Late-term abortion describes this legislative procedure. We wait until late in the term so we can get maximum political advantage, and then we abort the legislative procedures; no committee vote, no amendments being made in order.

The gentleman from Oklahoma says well, 1 or 2 percent, so let us try to deal with the 1 or 2 percent. That is not what we have. This is a bill in search of a veto for use for political purposes. Members who sincerely want to restrict this procedure and some would want to restrict it more than I would want to, and I might lose on that. But the rule is calculated to get a veto. It does not allow what the gentleman from Oklahoma talked about.

The Committee on Rules specifically refused my amendment and many of the strongest pro-choice people think my amendment gives away too much; I do myself in some ways, but at least the body should be able to vote on it. The true late-term bill was the gentleman from Maryland's.

This is the most outrageous repudiation of the democratic procedure I have seen in 20 years. A bill where there is pending constitutional litigation where some courts have held this bill, in effect, unconstitutional at the circuit court level, does not have any committee consideration, comes to the floor with no amendment whatsoever, solely for the purpose of being used politically. The money that is being spent on this bill ought to be reported to the Federal Election Commission as a Republican campaign contribution.

Mr. LINDER. Mr. Speaker, I would inquire as to how much time remains on both sides.

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from Georgia (Mr. LINDER) has 11½ minutes remaining; the gentlewoman from New York (Ms. SLAUGHTER) has 9½ minutes.

Mr. LINDER. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. UDALL).

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding me this time.

Mr. Speaker, it was not so long ago that I stood on the State Capitol steps in Denver, Colorado commemorating the 27th anniversary of the Supreme Court ruling in Roe v. Wade which guarantees a woman the constitutional right to determine her own reproductive destiny. On that day I joined Coloradans in urging them to protect this deeply personal right and urging them to continue the fight against increasing efforts to chip away at these rights for which we fought so hard.

It strikes me that the House leadership today, if it was interested in good policy, not politics, would not have brought this bill to the floor. In just a few weeks, the Supreme Court will hear oral arguments on the substantially similar Nebraska partial-birth abortion ban which makes the timing of H.R. 3660 a bit more than suspect.

If the leadership were really serious about seeking bipartisan consensus in passing a law, the Committee on Rules should have permitted consideration of the Hoyer-Greenwood substitute, which has the strong backing of Members on both sides of the aisle, the promise of the President's signature, and the support of sensible policy leaders who recognize the vital importance of including health exception and a post-viability provision.

Most importantly, the Hoyer-Greenwood alternative is what Americans want. In a recent poll, 88 percent, 88 percent of Americans supported the inclusion of a health exception for women. If the leadership were really serious about outlawing one particular abortion procedure, they would have agreed to consider an alternative to this vague and broadly-worded piece of legislation.

Mr. Speaker, if the leadership continues to ask Members of Congress to support bad public policy, we must continue to oppose it. For my part, I will do all I can to protect a woman's right to choose. Oppose this rule, oppose this bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from West Virginia (Mr. WISE).

Mr. WISE. Mr. Speaker, let me tell the Members what I support. Like most people, I believe that all late-term abortions should be outlawed unless the woman's life is in danger or she would suffer serious health problems by continuing the pregnancy.

Our language would stop far more late-term abortions than will be voted on today, but the leadership is not going to allow it.

I oppose late-term abortions. I cosponsored legislation to outlaw them. Mr. Speaker, 88 percent of the American people believe that if a woman's life is in danger or there is a serious health problem for the woman, there should be an exception. This is only common sense.

The Congress today votes on eliminating only a single medical procedure. Perhaps it may stop a limited number of late-term abortions, yet I support language that stops all late-term abortions, regardless of medical procedure, unless the woman's life is in danger or

she will suffer serious health consequences. Abortion is an agonizing decision and an agonizing debate, requiring all views, and yet I will not be permitted today to protect the woman against serious physical health consequences. I oppose the rule.

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise in strong opposition to this rule. This is an extremely important vote for the Members of the House.

It is simply baffling to me why those who oppose abortion, those who are generally referred to as pro-life, are not out here on the floor with us saying, this rule should allow the amendment that offers this House the choice to ban all post-viability abortions.

Third-trimester abortions are abhorrent to the American people, and they are wrong. But never in our history has this House banned a single medical procedure, and it will not work now. It will not accomplish our goal in terms of respecting the potential life of a well-developed fetus, and it will endanger the legitimate rights of women in the first trimester of pregnancy.

Mr. Speaker, 40 States have the kind of legislation we wanted to bring to this floor of the House together in a bipartisan fashion. It would ban third trimester abortions by any method. But it would respect the right to life of the mother and the right to avoid severe health consequences through carrying a hostile pregnancy. Many States have this law and it has never, ever been declared unconstitutional, yet the only choice we have here today is legislation that in 20 of the 21 challenges has been declared unconstitutional.

Sadly, I think we are being denied this right because our legislation would pass, because it is the right thing to do for America, it is the right thing to do for America's women, it is the right thing to do for our children, and it profoundly respects the life of the unborn, the life of the mother, and the wholeness of family.

Mr. Speaker, I urge my colleagues on both sides of this issue to vote no on this rule. Let us go back to the Committee on Rules. Let the Committee on Rules rethink the caliber of debate that should come to this floor on such a critical issue. And for once, let us open this body to the breadth of debate, to the depth of consideration, that this issue deserves.

I believe there is common ground that could unite all of us. Please, oppose the rule.

Mr. LINDER. Mr. Speaker, I yield 4 minutes to the gentleman from Oklahoma (Mr. COBURN).

PARLIAMENTARY INQUIRY

Mr. OSE. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. OSE. Mr. Speaker, if I understand the rules and procedures of the 106th Congress, a Member is allowed to speak once on a question before the House. Is that accurate?

The SPEAKER pro tempore. The Chair would advise the gentleman that this resolution is being considered under the hour rule. The gentleman from Georgia (Mr. LINDER) was recognized for 1 hour, and he has within that time the option to yield to whomever he wants for whatever period he wants.

Mr. OSE. I thank the Chair.

Mr. COBURN. Mr. Speaker, it is interesting that of the few people in our body that have experience with this issue, that we now have an attempt to cut off debate. The fact is, I am all too familiar with this procedure.

The gentlewoman from Connecticut (Mrs. JOHNSON) I think made one misstatement, and the fact is that whether this passes or not, it will have no effect on first-trimester abortions, none, zero.

Mrs. JOHNSON of Connecticut. Mr. Speaker, will the gentleman yield?

Mr. COBURN. I yield to the gentlewoman from Connecticut.

Mrs. JOHNSON of Connecticut. Mr. Speaker, we have testimony from physicians that the way the bill is worded, it would indeed have that effect, and we have judicial rulings from judges that say the language is so broad they would have to rule that way.

Mr. COBURN. Mr. Speaker, reclaiming my time, in fact, and in actuality, this procedure is never used in first trimester, because it is way too dangerous. No physician who should be licensed and who should continue to be licensed would ever use this procedure in the first trimester. So regardless of the testimony, the medical facts are, one would never use this procedure in the first trimester.

The second point I would like to make, as we defend the right of women in this country under a health exception to destroy their unborn children, we need to talk about how we define death in this country. Because we define death in this country as the absence of a heartbeat and the absence of brain waves. All 50 States, every territory, upheld by the Supreme Court.

Now, if that is death, let me tell my colleagues what the opposite is: present heartbeat, present brain waves. That is life. I say to my colleagues, at 41 days past the last menstrual period, every fetus has a heartbeat and brain waves.

So we can have the debate on whether it is not all right for us to chew up our unborn; that is not what this debate is about. This debate is about whether or not we are going to continue to convenience the abortionists with a procedure that put women at risk, even for that small percentage of time when we have, as the gentlewoman from Connecticut described, a hostile pregnancy.

Those of us that are pro-life believe all life has value, and we do not believe that it is proper to rationalize one moral error with another moral error. The first moral error is attaining an unwanted pregnancy. The second moral error is to eliminate that pregnancy because it inconveniences someone.

Now, we can talk about this issue, and there are some tragedies, I agree. But I also will tell my colleagues that this is never the best way to solve those tragedies. I understand why it is out there, I understand why it is used, but medically it is never the best way to solve those tragedies.

Mr. Speaker, I want to share a story with my colleagues. This little child's name is Jakie Johnson. Jakie Johnson as an encephalic baby. I want to describe to my colleagues the difference that would have occurred had his mother had a partial-birth abortion. She would have had a 3-day procedure where she developed, as she went through the procedure, forced dilatation. On the third day the doctor would have reached into her womb, ruptured her membranes, the water would have drained out, he would have grabbed with tongs, pulled the baby around, forced the baby out, collapsed the skull, and the baby would have been born dead.

I want to tell my colleagues what happened with Nancy Johnson and her son, Jakie.

□ 1130

Nancy chose not to terminate her pregnancy. I delivered that baby in the middle of the night, alive. That baby died 3 hours later in its mother's and father's arms. Now tell me which is the better outcome for the mother and father and the child, to have some vague, horrendous, risky procedure done, or to have a delivery of a malformed baby which dies in its parents' arms?

If Members think we should abandon the love and caring of a parent as a child dies, then Members should vote against this rule. If Members think there is something to parenting, loving, and caring, then vote for this rule.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, this is a difficult issue. It is an issue which tears Americans apart. Almost every American I know values life, values children, values those in the dawn of their life, as was said earlier.

Let me start by accepting the premises put forth by the gentleman from Oklahoma (Mr. COBURN), the premises as to why this procedure is used. Let us accept that. But let us also accept his other proposition, that the termination of the pregnancy can be effected by three other methods. That is what the gentleman from Oklahoma (Mr. COBURN) just told us minutes ago.

Then let me turn to the gentleman's assertion that he could have supported and would support the amendment offered by the gentleman from Massachusetts (Mr. FRANK). Then let me assert

that it is my position, the position of the gentleman from Pennsylvania (Mr. GREENWOOD), and the position of those of us who ask for this amendment, the Hoyer-Greenwood amendment to be made in order, that we are opposed to all late-term abortions because we value that viable child; because we believe, consistent with the Constitution, the State has an interest in ensuring that that child has every opportunity to live.

Yes, as the Supreme Court and the Constitution require, we adopt the premise that one must relate to the life of the mother and to the health of the mother. As an aside, let me say that most Members and clearly most of the public believe that rape and incest ought to be exceptions.

As the good doctor knows, a woman's physical health is not put at risk per se because the pregnancy results from either incest or rape. It is in fact in the combination of the physical and mental trauma from which that pregnancy results. In fact, what we ask for in this, the people's House, we send 435 Members, men and women from across the breadth of this land to try to come together and make very difficult judgments.

This rule adopts the premise that there is a simplistic approach. It is a gag rule. It is a closed rule. It allows for no alternatives but the alternative presented, not even by the committee, which did not report this bill out. It is in that sense clearly, Mr. Speaker, a political, as opposed to substantive, approach to legislating in this House.

This ought not to be on an issue of this consequence, of this seriousness. There should have been allowed by this rule the opportunity for full debate and alternatives to be considered. My bill, the bill of the gentleman from Pennsylvania (Mr. GREENWOOD), the amendment we sought, said we want to make it the policy of the United States of America that late-term abortions are illegal, not allowed, prevented; not just one procedure of which the gentleman from Oklahoma speaks, but including the three procedures that the gentleman from Oklahoma also referred to, by whatever procedure. We want to deal with this issue substantively.

Mr. Speaker, I ask Members to vote against this rule. Let us legislate thoughtfully, fully, on this critically important matter, and let us prevent and make illegal late-term abortions.

Mr. LINDER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, some years ago Governor Cuomo of New York made the statement that you are going to hear on the floor of this House during this debate. He said, I am personally opposed to abortion, but I will not vote to end a woman's right to choose.

George Will responded to that in an article in the newspaper, where he pointed out that it is a morally incoherent statement. It is morally incoherent. He further pointed out that 141 years ago this year, Justice Roger B. Taney wrote the Dred Scott decision, which said essentially that Americans may continue to own African-Americans as chattel. What was not broadly known at that time was, 30 years prior to that, Justice Taney released his own slaves to freedom. He personally did not believe in slavery, but he did not mind if you did. That is morally incoherent.

There have been three times in the history of this great Nation when we have declared portions of our population to be nonpersons under the constitutional protections. The first was Native Americans, when we took their land. The second was black people, when we took their freedom. The third is unborn children, when we are taking their lives.

We are still repenting for the first two. We face yet the third.

Let me just close by saying this. When a Nation puts people in jail and fines them for destroying the potential life of unborn loggerhead turtles and bald eagles, and pays people for destroying the potential life of unborn babies, that Nation has lost its way.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if I could just say, in defense of my former Governor Mario Cuomo, I say to the gentleman that it is possible to personally object to something but not require that everybody else agree with you.

Mr. Speaker, I yield back the balance of my time.

Mr. LINDER. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 244, nays 179, not voting 11, as follows:

[Roll No. 102]

YEAS—244

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Biggert
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Borski
Boswell
Brady (TX)
Bryant
Burr
Burton
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth-Hage
Clement
Coble
Coburn
Collins
Combest
Cooksey
Costello
Cox
Crowley
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kildee
King (NY)
Kingston
Kleczka
Knollenberg
Kucinich
LaFalce
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Metcalf
Mica
Miller (FL)
Miller, Gary
Minge
Mollohan
Moran (KS)
Murtha
Nethercutt
Ney
Northup
Norwood
Nussle
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—179

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Bilbray
Blagojevich
Blumenauer
Boehlert
Bonior
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Buyer
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Cramer
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frelinghuysen
Frost
Gejdenson
Gephardt
Gilman
Gonzalez
Gordon
Green (TX)
Greenwood
Gutierrez
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur

Kelly	Moran (VA)	Serrano
Kennedy	Nadler	Sherman
Kilpatrick	Napolitano	Slaughter
Kind (WI)	Neal	Smith (WA)
Kolbe	Obey	Snyder
Kuykendall	Olver	Spratt
Lampson	Ortiz	Stabenow
Lantos	Ose	Stark
Larson	Owens	Strickland
Lee	Pallone	Tanner
Levin	Pascrell	Tauscher
Lewis (GA)	Pastor	Thompson (CA)
Lofgren	Payne	Thompson (MS)
Lowey	Pelosi	Thurman
Luther	Pickett	Tierney
Maloney (CT)	Pomeroy	Towns
Maloney (NY)	Porter	Turner
Matsui	Price (NC)	Udall (CO)
McCarthy (MO)	Rangel	Udall (NM)
McCarthy (NY)	Reyes	Velazquez
McDermott	Rivers	Visclosky
McGovern	Rodriguez	Waters
McKinney	Rothman	Watt (NC)
Meehan	Roybal-Allard	Waxman
Meeks (NY)	Rush	Weiner
Menendez	Sabo	Wexler
Millender-McDonald	Sanchez	Wise
	Sanders	Woolsey
Miller, George	Sandlin	Wu
Mink	Sawyer	Wynn
Moakley	Schakowsky	
Moore	Scott	

NOT VOTING—11

Campbell	Markey	Myrick
Cook	Martinez	Oberstar
Crane	Meek (FL)	Vento
Klink	Morella	

□ 1203

Mr. LIPINSKI changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above record.

The motion to reconsider was laid on the table.

Stated against:

Mrs. MORELLA. Mr. Speaker, on rollcall No. 102, I was at a meeting in the Russell Caucus Room and my beeper didn't go off. Had I been present, I would have voted ''no.''

Mr. CANADY of Florida. Mr. Speaker, pursuant to House Resolution 457, I call up the bill (H.R. 3660) to amend title 18, United States Code, to ban partial-birth abortions, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The text of H.R. 3660 is as follows:

H.R. 3660

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Partial-Birth Abortion Ban Act of 2000''.

SEC. 2. PROHIBITION ON PARTIAL-BIRTH ABORTIONS.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 73 the following:

''CHAPTER 74—PARTIAL-BIRTH ABORTIONS

''Sec.

''1531. Partial-birth abortions prohibited.

''§ 1531. Partial-birth abortions prohibited

''(a) Any physician who, in or affecting interstate or foreign commerce, knowingly performs a partial-birth abortion and thereby kills a human fetus shall be fined under this title or imprisoned not more than two years, or both. This paragraph shall not apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, illness, or injury. This paragraph shall become effective one day after enactment.

''(b)(1) As used in this section, the term 'partial-birth abortion' means an abortion in which the person performing the abortion deliberately and intentionally—

''(A) vaginally delivers some portion of an intact living fetus until the fetus is partially outside the body of the mother, for the purpose of performing an overt act that the person knows will kill the fetus while the fetus is partially outside the body of the mother; and

''(B) performs the overt act that kills the fetus while the intact living fetus is partially outside the body of the mother.

''(2) As used in this section, the term 'physician' means a doctor of medicine or osteopathy legally authorized to practice medicine and surgery by the State in which the doctor performs such activity, or any other individual legally authorized by the State to perform abortions: *Provided, however,* That any individual who is not a physician or not otherwise legally authorized by the State to perform abortions, but who nevertheless directly performs a partial-birth abortion, shall be subject to the provisions of this section.

''(c)(1) The father, if married to the mother at the time she receives a partial-birth abortion procedure, and if the mother has not attained the age of 18 years at the time of the abortion, the maternal grandparents of the fetus, may in a civil action obtain appropriate relief, unless the pregnancy resulted from the plaintiff's criminal conduct or the plaintiff consented to the abortion.

''(2) Such relief shall include—

''(A) money damages for all injuries, psychological and physical, occasioned by the violation of this section; and

''(B) statutory damages equal to three times the cost of the partial-birth abortion.

''(d)(1) A defendant accused of an offense under this section may seek a hearing before the State Medical Board on whether the physician's conduct was necessary to save the life of the mother whose life was endangered by a physical disorder, illness or injury.

''(2) The findings on that issue are admissible on that issue at the trial of the defendant. Upon a motion of the defendant, the court shall delay the beginning of the trial for not more than 30 days to permit such a hearing to take place.

''(e) A woman upon whom a partial-birth abortion is performed may not be prosecuted under this section, for a conspiracy to violate this section, or for an offense under section 2, 3, or 4 of this title based on a violation of this section.''.

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 73 the following new item:

''74. Partial-birth abortions ..... 1531''.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 457, the gentleman from Florida (Mr. CANADY) and the gentleman from Michigan (Mr. CONYERS) each will control 1 hour.

The Chair recognizes the gentleman from Florida (Mr. CANADY).

GENERAL LEAVE

Mr. CANADY of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3660.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CANADY of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today, the House once again considers legislation to ban partial-birth abortion. Similar legislation, as every Member is surely aware, has been considered in each of the last two Congresses. And in each Congress, this House not only has passed the legislation, but also overrode a Presidential veto.

The partial-birth abortion act would have become law during the last Congress, if support in the other body had not fallen just short of the two-thirds majority necessary to override the Presidential veto.

Some of us ask why we are considering this measure again. The answer to that question is quite simple. This House has a responsibility to do everything in its power, notwithstanding the President's stubborn support for partial-birth abortion, to put an end to this practice, which has no place in a civilized society.

The House cannot remain silent while a procedure, such as partial-birth abortion is being performed across this land. The debate over this procedure was sparked in 1992 when an abortionist named Dr. Martin Haskell presented a paper in which he described this procedure, which I will now describe to the House.

Mr. Speaker, in the procedure described in the paper by Dr. Martin Haskell, in 1992, the abortionist in the first step of the procedure guided by ultrasound grabs the live baby's leg with forceps, as is depicted in this drawing.

The abortionist then goes to step 2 in which the baby's leg is pulled out into the birth canal. Third, the abortionist delivers the living baby's entire body except for the head, which is deliberately kept lodged just within the woman's cervix. The abortionist then jams scissors into the baby's skull, and the scissors are opened to enlarge the incision. This is in the fourth step, depicted here in this drawing. Finally, the scissors are removed, and a suction catheter is inserted. The child's brains are removed by the suction catheter, causing the skull to collapse, and the delivery of the child is then completed.

Now, I have described this procedure on the floor of this House previously during the consideration of legislation in past Congresses. Every time I describe it, I am moved with the sense of horror at what is actually taking place when this procedure is performed.

I would appeal to all the Members of the House to consider the chilling reality of what actually takes place when a partial-birth abortion is performed. Put aside all the misrepresentations, put aside all the falsehoods that have been brought forward by the supporters of this procedure, and consider the reality that is demonstrated in these simple drawings. I would submit to the House that we cannot in good conscience sit idly by while such deeds are being done in this Nation under the protection of the law.

Now, from the beginning of the debate over this legislation, the supporters of partial-birth abortion have relied on an array of misrepresentation and outright lies to cover up the truth about this odious practice.

For example, the abortion lobby lied and said that the procedure was rarely used, estimating the number performed annually at approximately 500. An investigation by a newspaper in New Jersey revealed, however, that approximately 1,500 partial-birth abortions are performed per year in one clinic alone in the State of New Jersey.

Ron Fitzsimmons, the head of the National Coalition of Abortion Providers, admitted in an interview with the American Medical News that he had lied through his teeth. Those are his words, ''lied through his teeth,'' when he ''spouted the party line'' as he went on to say to ABC's Nightline news program by claiming that the annual number of partial-birth abortions was only 500, instead of the 3,000 to 5,000 he now admits.

The abortion lobby also claimed that partial-birth abortions are performed only in rare cases involving serious fetal deformities or to preserve the life or health of the mother. Once again, that falsehood is contradicted by the plain evidence.

The American Medical Association has clearly stated that the partial-birth abortion procedure is not good medicine and is not medically indicated in any situation. They may not support the bill for their own internal political reasons, but that statement of theirs that this procedure is never medically indicated still stands.

Similarly, the Physicians' Ad Hoc Coalition for Truth, a group of over 400 physicians who are professors or specialists in obstetrics and related fields, has said, and I quote them, ''partial-birth abortion is never medically necessary to protect a mother's health or future fertility. On the contrary,'' they go on to say, ''this procedure . . . can pose a significant threat to both her immediate health and future fertility.''

H.R. 3660, the bill that is before the House today is similar to the bill that passed the House and Senate during the last Congress. The language of the bill has been modified slightly from the previous version in order to alleviate concerns raised in response to various court decisions striking down State partial-birth abortion bans on the grounds that those bans also reached conventional abortion procedures in which the fetus is dismembered and then removed from the mother. The new language makes clear that, for the bill to apply, partial delivery into the birth canal is not sufficient, but that the partial delivery must be outside, and these are the words of the bill, ''outside the body of the mother.''

Now, contrary to the claims of the opponents of this legislation, there is no constitutional barrier to banning the partial-birth abortion procedure. In Roe v. Wade, the Supreme Court held that women have a constitutional right to abort unborn children. The baby that is killed during a partial-birth abortion is no longer unborn, however, but is partially born, and the Roe court did not hold that partially born children are without protection under the Constitution.

There is an absolutely very clear distinction between what the court was dealing with in the Roe case as controversial as that may be and as much as some Members of this Chamber may disagree with it, there is a very clear distinction between that and what we are dealing with in this bill which addresses the procedure of partial-birth abortion.

In fact, in Roe, the court specifically noted that a Texas statute prohibiting the killing of a child during childbirth had not been challenged. The partial-birth abortion ban is soundly premised, I would submit to the Members of this House, upon the view that the abortion created in Roe does not extend to partially born children.

Now, let me ask every Member of this House to consider the victims of partial-birth abortion, the tiny human beings whose lives are snatched away by this cruel practice. Look at this procedure that is performed. Consider that this is happening to living human beings. Now, most of the victims of this gruesome procedure are killed during the second trimester finishing in the 20th week of gestation.

Now, who are these tiny members of the human family? Are they worthy of the protection against destruction as they are being delivered from their mother's body? Are they worthy of the protection that this bill would provide for them? I ask all of the Members of this House to reflect carefully on the value of the lives of these unique, defenseless human beings as they consider how they will vote today.

Consider, I ask my colleagues, the close connection between the partially born child and the newborn baby. Recognize the undeniable continuity between the developing child in the woman who may be subjected to partial-birth abortion and all other members of the human family.

□ 1215

Now, we all know that sometimes heroic medical efforts are made to protect the well-being or to save the lives of unborn children. We have seen dramatic evidence of that in recent years. There have been marvelous advances in medicine which have made it possible to perform medical procedures on babies in the womb so that their lives can be preserved and their health can be protected. Surgery is performed on children in the womb to correct problems that might otherwise threaten their lives.

Let me cite one example of a real case, the case of Samuel Armas, and we will show you Samuel. This is Samuel Armas. He was born last year after having prenatal surgery to correct a case of spina bifida. This surgery was performed when he was at 21 weeks gestation. Now, that is the point when the partial-birth abortion procedures start to be used. They begin using that procedure at about 20 weeks. Samuel had the surgery, it was a success, and he is now the joy of his parents' lives.

I want to show my colleagues another photograph. Now, this photograph should vividly convey a message to all the Members of this House. It shows how children in the womb, like Samuel Armas, can reach out to grasp the finger of the physician who is performing the prenatal surgery. We can observe the arm of the child has been extended from the incision made in his mother's womb. He has reached out and grabbed the finger of the physician.

I saw this photograph and similar photographs for the first time quite recently. And when I first saw it, I could only remain silent and in awe for moments after I had seen this image. Let me ask my colleagues, as Members of this House, can we say that a baby at this stage of development, this baby reaching out and grasping for life, should be denied protection against partial-birth abortion? Can we remain blind to the meaning of this tiny grasping human hand? Is there anyone in this House whose finger has been grasped by a newborn baby who can turn away from this image and support a terrible practice such as partial-birth abortion? How can we deny the humanity of this tiny child reaching out of his mother's womb?

I beg of all the Members of this House to once more recognize our common humanity with the victims of partial-birth abortions and pass the legislation that is before the House today to end this shameful, outrageous practice, which is an offense against humanity.

Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

My colleagues, we should make no mistake, this bill is not about legislating, it is a game designed to thumb Congress' nose at the constitutional bedrock of Roe vs. Wade, which gives a woman the right to choose. And so this is a game designed to provoke a veto, which will surely occur.

Now, we would all like to end unnecessary partial-birth abortions. Indeed, had the majority really wanted to do this, we could have started working together to pass legislation some 15 months ago when this session started. Democrats would have worked to pass such legislation. But, instead, we have a charade. We wait 15 months, no hearings, no markup in subcommittee, no markup in full committee, no amendments allowed to be offered on the House floor. Why? Because the sponsors of this legislation do not want us to offer a real proposal that could get signed into law and pass constitutional muster. On their part, this is not a good-faith effort. Instead, they want a

bill that they cannot pass into law or meet the requirements of the Constitution. They do this because they want an issue, not a law that will ban unnecessary late-term procedures.

What does this mean? The majority wants to trample the constitutional rights of a woman to obtain certain procedures when she needs them to protect her health. It wants to force women, like Kim Custis, to carry their pregnancies to term. Ms. Custis wanted to have a baby, but she found out not once but twice that the fetus she was carrying had no brain tissue. The first time this happened, the Nebraska law that has now been enjoined was still in force, and there was no way for her to have a safe, legal abortion. The sponsors of this bill would have Ms. Custis carry this fetus, who had no brain.

If anyone has any doubt about the game that is being so crudely choreographed here today, it will be dispelled if they look across the street at the Supreme Court, which is set to hear arguments on the constitutionality of an earlier version of the same measure. Under normal circumstances, we would be loathe to get out ahead of the Supreme Court in a case concerning virtually identical language. That is because ever since the Supreme Court decision in Marbury v. Madison, nearly 200 years ago, we have recognized that the Supreme Court has the last word on the constitutionality of our laws. Not us, but them.

But it is an election year, and the Republican leadership cannot wait for the Supreme Court to fulfill its constitutionally mandated role. The reality is this bill is unconstitutional because it contains no exceptions providing for the physical health of the mother, and that is why we should vote against it. Roe vs. Wade clearly holds that a woman's right to protect her life and health in the context of reproductive choice trumps the Government as Big Brother in its desire to regulate.

Medical and legal experts who have viewed the legislation note that it is extremely vague and broad and, as a result, may outlaw abortion procedures at any stage of pregnancy. In fact, in Michigan, on July 31, 1997, Judge Gerald Rosen struck down Michigan's partial- birth abortion ban, in the first case finding the definition of partial birth so vague that doctors lacked notice as to what abortion procedures were banned. Moreover, the court found that the State law unduly burdened women's ability to obtain an abortion.

It is clear that this bill violates that well-established constitutional law long settled by Roe. Even one of the most leading conservative jurists in the 7th Circuit, Chief Judge Richard Posner, who was appointed by President Reagan, has himself said of these legislative end runs, ''These statutes are concerned with making a statement in the ongoing war for public opinion, though an incidental effect may be to discourage some late-term abortions, the statement is that fetal life is more valuable than women's health.''

So for heaven's sake, let us not force by legislative fiat the Kim Custises of this world to bring to term fetuses that cannot survive. Let us stop trying to usurp the duties of the United States Supreme Court. Let us take the politicians out of the bedrooms.

Mr. Speaker, I reserve the balance of my time.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Speaker, I thank the gentleman for bringing this bill to the floor.

Mr. Speaker, once again, I rise to express my support for this lifesaving bill. It is hard to believe that it has not been signed into law already, but we live in very sad times.

Every day, on television, in the papers, on this floor and, in particular, in the White House, I hear over and over again about how much everyone cares about children. Never in the history of man has more lip service been paid to the needs of our children. But, tragically, never in history have children been sacrificed so mercilessly in such high numbers.

Abortion is a stain on our Nation that we must begin to wash away. A ban on partial-birth abortions is the first step.

Bill Clinton even ran for the presidency by saying that he wanted to make abortion rarer; but after 8 years in office, he has done nothing to curtail the number of abortions in this country. In fact, he has twice vetoed the attempts of Congress to eliminate the harshest abortion techniques. And make no mistake about it, that is what this bill does.

We need to be honest about what abortion is. We also need to be honest about what this specific technique is. I have heard some of my colleagues complain about the charts that have been shown here on the floor that explain the process of partial-birth abortion. Well, that is what happens to between 3,000 and 10,000 babies every year. The descriptions of this procedure are reality. Now, most Americans would not want this done to a dog; yet the White House and others turn their heads away as it is done to babies.

The abortion industry has gone too far, and on this issue the conscience of this country has been pricked. A vast majority of Americans now believe that partial-birth abortions should be illegal. Mr. Speaker, the President needs to listen to the conscience of America and sign this ban.

Mr. CONYERS. Mr. Speaker, I yield 4½ minutes to the gentlewoman from New York (Mrs. LOWEY), one of the leaders in our struggle for sensible abortion procedures.

Mrs. LOWEY. Mr. Speaker, we are here today considering this ban for the seventh time in 5 years. Seven times we have stood here and talked about the need to protect the health of American women, seven times we have asked our colleagues to stop playing politics with women's lives, and seven times we have shown this bill to be an attack on the constitutional right to reproductive choice embodied in the Roe v. Wade decision. But we are back, unfortunately, and, sadly, probably not for the last time.

I want to ask my colleagues to think about the nature of this issue for a moment. What we are doing today, if we pass this ban, is inserting ourselves, the Government, into one of the most personal and painful decisions a woman will ever have to make. I know my colleagues do not believe in that principle. I sat here yesterday during the debate on organ transplants as Member after Member came to this floor and expressed shock and outrage that the Government would dare insert itself in the medical decision-making process.

□ 1230

Well, today they are asking us to go even further. Not only are they demanding that we stand between doctor and patient, but also that we place ourselves between husband and wife, mother and daughter, clergy and parishioner. Legally, this is unconstitutional. And morally, it is unconscionable.

Mr. Speaker, Roe v. Wade expressed three basic values, values that the American people overwhelmingly support.

First, the decision to terminate a pregnancy is private and personal and should be made by a woman and her family without undo interference from the Government.

Second, a woman must never be forced to sacrifice her life or damage her health in order to bring a pregnancy to term.

Third, determinations about viability, health, and risks must be made for each woman by her physician.

This bill, my colleagues, rejects each of these values. It contains no mention of fetal viability, no protection for the health of the woman, and leaves no role for the physician. The Government makes all the decisions. And make no mistake, real families will suffer if this legislation becomes law.

Yesterday, a number of us talked with the Koster family. Kim Koster and her husband Barry have now lost two pregnancies to anencephaly, a condition in which the fetal brain does not develop.

Kim is young, just 31. She is healthy, with no family history of this devastating condition. Yet, she and her husband have had to terminate two pregnancies. And if they choose to have that baby they have been dreaming about their entire lives, there is a 50/50 chance that they will have a third anencephalic pregnancy.

Kim and Barry want to be parents. They want the opportunity that so many of us have to bring a baby of their own into this world. Yet, the supporters of this bill would deny them access to a decision to terminate the

pregnancy that would protect Kim's well-being.

I want my colleagues to know that I respect them and the oath we have to make decisions based on what we believe is right. I believe, with all my heart, that this bill is wrong and that we must stand against any abortion law that would leave families like Kim and Barry without options when they already have so much at stake.

My colleagues, we believe that women matter. We believe that their lives are irreplaceable and worth protecting. That is why we oppose this ban. Let us reject this assault on our values and our health and stand up for the principles embedded in Roe v. Wade. Vote ''no'' on this bill.

Mr. VITTER. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. RYUN).

Mr. RYUN of Kansas. Mr. Speaker, I rise in strong support of H.R. 3660, the partial-birth abortion ban.

My position on this legislation is based on my concern for the health and safety of both the mother and the preborn child.

The medical value of the procedure in question is often misrepresented. The truth is that this procedure poses a greater risk to the mother's health than a full-term delivery. Studies have only begun to measure the physical, the psychological, and the emotional tolls abortions take on women.

We must not be fooled by the claims that partial-birth abortions are necessary to save lives. The truth is that the members of the American Medical Association have yet to find a single case where this procedure is medically necessary. In the words of former U.S. Surgeon General C. Everett Koop, ''In no way can I twist my mind to see that the partial birth, and then destruction, of the unborn child before the head is born is a medical necessity for the mother.''

According to the abortion industry itself, the vast majority of partial-birth abortions are performed on completely healthy mothers and healthy babies. In fact, many of the preborn children aborted using this procedure would have a really realistic chance of survival outside of the womb.

Thousands of infants are dying a painful, gruesome death every year. We have a grave responsibility to protect them from this inhumane treatment. I urge my colleagues to join me in eliminating this method of execution.

The President, by his consistent vetoes, has demonstrated that he is out of step with the vast majority of Americans who have stated their opposition to this procedure.

Mr. Speaker, we must demonstrate our commitment to the wishes of the American people by passing this legislation at this time in accordance with the wishes of the American people. I urge the President to sign this particular ban.

Mr. CONYERS. Mr. Speaker, I yield 2½ minutes to the gentleman from New York (Mr. NADLER) who has worked long and hard on this measure. He is a member of the Committee on the Judiciary.

Mr. NADLER. Mr. Speaker, this bill, which would ban legal abortion procedures, is deceptive, extreme, and unconstitutional.

The bill has come before us time and time again with the obvious purpose that has been obscured behind the inaccurate and inflammatory picture. Do not be fooled. This is nothing less than an attempt to outlaw all abortion. The bill is so vague that no one is quite sure exactly what we are banning. The courts have not been able to determine it. Similar State versions of the bill are currently enjoined in 18 States.

Doctors have testified repeatedly and courts across the land have found that similarly worded bans can apply to virtually all procedures used in the second-trimester of pregnancy and each to some first-trimester abortions.

Why do not legislators try to simply ban all abortions, then? Because the American people would not stand for it and the Supreme Court would not stand for it.

The proponents of this bill oppose all abortion. They oppose first-trimester abortion. They oppose pre-viability abortion. They oppose Roe v. Wade. They oppose health exceptions. They oppose simple-life exceptions. Some even oppose contraceptives. Just ask them. They represent extreme forces in this country and most Americans reject their rhetoric and their views.

So what is it we have before us, then? A dead bill, a bill that is not going anywhere, a bill that has been defeated more times than the Washington generals.

Every year we point out its shortcomings and drafting errors and they refuse to fix it. And this bill will die again. Why should it die? Because it is unconstitutional on its face, because it does not provide for health exception, because it does not provide for an adequate life exception, because it is vague, because it limits the ability of doctors to offer medical care, because it allows abusive boyfriends to beat their pregnant girlfriends, abandon them, and sue them if they have an abortion.

Why should this bill be rejected? Because it substitutes for a woman's choice a Government mandate.

This bill is about the right to choose. Should the woman choose, or should the politicians choose for her? During the HMO debate, we all agreed that doctors and patients should make medical decisions, not bureaucrats. The same holds true here. Doctors and patients should decide what is the safest, most medically appropriate procedure for an abortion, not the U.S. Congress.

Most of us are not doctors in this House and we should not place ourselves in the operating room between the women and their doctors. I hope the House rejects this bill.

Mr. VITTER. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska (Mr. TERRY).

(Mr. TERRY asked and was given permission to revise and extend his remarks.)

Mr. TERRY. Mr. Speaker, I rise in strong support of H.R. 3660.

It is well documented that partial-birth abortions are widely performed on healthy mothers and healthy babies who might be able to live outside of the womb. In this horrific procedure, a baby is partially delivered feet first and stabbed in the back of head by an abortion doctor, who then vacuums out the baby's brains. The baby is killed only three inches away from taking its first breath and being indisputably recognized under the law as a human being with the right to live.

Mr. Speaker, whether it is my first time or this body's seventh time, I urge my colleagues to do the right thing and support H.R. 3660.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentlewoman from California (Ms. WATERS).

Ms. WATERS. Here we go again, Mr. Speaker. Every election cycle, the Republicans want the House to participate in their ritualistic attack on women and the very difficult choices that they have to make on the issue of choice. The reality of this situation is that this bill would leave the health of women completely unprotected.

In the past 25 years, the Supreme Court has consistently held that a woman's health and life must be protected throughout pregnancy. The court has mandated health and life exceptions to restrictions.

H.R. 3660 flies in the face of the law, the difficult medical decisions that families have to make, and the American people by containing no exception for a woman's health at any point in the pregnancy.

Knowing how extreme their position is on this issue, the Republican leadership allowed no markups in the Committee on the Judiciary, no offer of amendments in the Committee on Rules, and even denied the Hoyer-Greenwood substitute, which would provide for a Federal ban on all post-viability abortions except those needed to preserve the woman's life or to avert serious adverse health consequences.

The Republican leadership says that the Hoyer-Greenwood substitute is too broad. Since when is the preservation of a woman's life too broad? And why would the Federal Government want to impose its will on a family's decision in this very, very difficult situation?

The reality is that H.R. 3660 is too broad. The bill is not about protecting the woman's health. It is about protecting the will of the right wing base of the Republican party.

I would ask my colleagues to vote ''no'' on this politicizing of this issue in this political year. I would ask them to vote ''no'' on the rule of H.R. 3660 and please oppose this legislation that seeks to endanger a woman's life.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. ROEMER).

(Mr. ROEMER asked and was given permission to revise and extend his remarks.)

Mr. ROEMER. Mr. Speaker, I thank my friend from Florida (Mr. CANADY) for yielding me the time.

Mr. Speaker, we have heard from a number of my colleagues on the House floor about how difficult this issue is. It is a difficult issue for all involved with very dire consequences.

I join with Democrats, Republicans, Independents, I join with liberals or conservatives that support this legislation to ban partial-birth abortions. I do not think this is a question of Roe v. Wade. It is a question of life v. death for scores of children.

Now, I am not a physician. I readily admit that. I am not a physician. And I am not going to describe on the House floor how horrific or brutal this act is. But what do physicians say when we ask the people that are experts on this issue what they think of this partial-birth abortion procedure?

In 1995, the American Medical Association's Legislative Counsel, a panel consisting of 12 doctors, voted unanimously, voted unanimously, to ban partial-birth abortions.

A group of 300 physicians, joined by the former Surgeon General C. Everett Koop, said, ''This procedure is never medically necessary to protect a mother's life or her future fertility. On the contrary, this procedure can pose a significant threat to both.''

Today, the House of Representatives and the Nation have the opportunity to put value on the sanctity of human life; and I encourage support for this bill.

Mr. CONYERS. Mr. Speaker, I yield 3½ minutes to the gentlewoman from Wisconsin (Ms. BALDWIN) a member of the committee.

Ms. BALDWIN. Mr. Speaker, in 1973, the Supreme Court held that women have a constitutional right to choose an abortion. That decision, Roe v. Wade, was carefully written to hold the rights of women in America paramount in reproductive decisions.

This decision and those that followed have held that women have a constitutional right to choose an abortion. But, after fetal viabilities, States could ban abortions as long as they allowed exceptions for cases in which a woman's life or health is endangered.

□ 1245

In essence, Roe v. Wade says that women matter, that women have the right to decide whether and when to have children, and that women shall not be forced to give their lives or sacrifice their health to carry a child. It also says that these choices are private, that they are to be made by a woman in consultation with her physician, her family, and whomever else she chooses to consult for counsel. Government has no place in this most private decision.

The legislation before us today is in direct contravention of the court's ruling. It does not ban post-viability abortions as its sponsors have claimed. It bans abortion procedures regardless of how far along in a woman's pregnancy the decision occurs. This legislation as drafted does not provide an exception to preserve the health of a mother as required by law.

Let there be no doubt about it, this legislation is nothing but a political issue. This legislation does nothing to end post-viability abortions as our alternative would. And it does nothing to prevent unwanted pregnancies and to make abortion rarer in the United States. Voters in Colorado, Washington, and Maine have recognized this and defeated similar bans on the ballot. And of the 30 States that have enacted legislation similar to the one before us today, 21 have been challenged in court and 19 of those challenges have been either partially or fully enjoined while their constitutionality is considered.

While I am not willing to concede that this legislation describes a medical procedure that any doctor in this land would recognize, it is important to note that the graphic images being shown and described do not reflect the real life stories of families who have needed this procedure either to save the life or to preserve the health of the mother. As I hear stories from these women who courageously are willing to speak about this most personal decision, when they are willing to talk about the abortion and the medical care they received during crisis pregnancies, I am struck by a common remark these women have made, that these scenarios being described by proponents of the bill are not about them and their families, that they do not represent their cases. The women I have spoken to wanted nothing more than to have a child and were devastated to learn that their babies could not survive outside the womb. They made difficult decisions with their doctors and families to terminate pregnancies, to preserve their own health and in many cases their ability to try to have a child again.

Mr. CANADY of Florida. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, I just have to take issue with the comments that have been preceding this debate. This is not a political issue. This is a human issue. Let me just say this to all of my colleagues who are about to vote on this issue. On the motion to recommit, the health exception is a loophole wide enough to drive a Mack truck through it. The health exception would render this ban virtually meaningless.

Let us just go over what this procedure does. The abortionist forcibly turns the child into the breech, feet first in that position, then the abortionist pulls the living child out of the mother by the leg until only the head is left inside, stabs the child at the base of the skull and sucks out the brain with a vacuum, pulling the now dead child out of the mother.

Mr. Speaker, C. Everett Koop, hundreds of OB-GYNs have told us that this is not medically necessary. In the words of the former Surgeon General himself, from the evidence that has been presented in standard OB-GYN textbooks as well as in the annals of research in OB-GYN, there is no medical necessity for this abortion procedure.

Mr. CONYERS. Mr. Speaker, I am delighted to yield 3 minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, the majority whip got up just a few minutes ago on this floor and said, ''Abortion is a stain on this country. A ban on partial-birth abortion is just the first step.''

Make no mistake about it, my friends. This bill is intended, as he said, as just the first step to banning all abortions. That is why the leadership has chosen this issue, this wedge issue, in this election year with complete disregard to whether or not the bill is constitutional or whether or not the bill can be upheld. Nineteen State and Federal courts have already ruled that the definitions in bills like this one are overly broad and as a result would subject physicians to prosecution if they perform any abortion procedures. We would not be surprised if, even if by some slight chance the bill were upheld, it would effectively end most all abortions in this country. Again, make no mistake about it, that is the true intent of the supporters of this bill. This Congress and the American public have got to recognize and understand that.

Nobody in this Congress wants to see abortions. This legislation denigrates the experiences of women like Eileen Sullivan who was anxious to start her family and was eagerly awaiting the arrival of her baby when she received the horrifying news that her baby would not live. Her doctor decided that this procedure was the only one that could be used to preserve her life and her health and help her have babies in the future.

To pass this bill today is to deny women like her a safe and compassionate procedure when deep tragedy strikes the family. To pass this legislation is to allow the Federal Government to grievously interfere with the doctor-patient relationship and slither its way into the most personal decision a family can make. I urge my colleagues to think rationally and compassionately on an issue that is anything but rational and compassionate before they vote today. To assume that it is easy for any woman to choose this or any other procedure is offensive to all women who face such a heartbreaking situation. And it is indeed offensive to all women to think that they would have this procedure just for fun.

Mr. Speaker, I would ask those considering voting yes on this bill to think of the women in your life. What would you do if the doctor asked you to

choose between your wife or your daughter and her pregnancy?

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. VITTER).

Mr. VITTER. Mr. Speaker, I rise today in support of the children who are killed as they leave their mother's womb. There is no legitimate debate about the nature of this procedure. It has been described and the bottom line remains, babies begin to leave the womb with life, they finish leaving the womb without it because of this procedure. Opponents of the bill decry the way this procedure is described.

Their real problem is that the truth hurts, and in this case it horrifies; and they do not want the American people to know the horrible reality of this so-called medical procedure that even the AMA has said is ''not good medicine'' and ''not medically indicated'' in any situation. Opponents also label those of us who are for the bill as right-wing extremists. But is the AMA a group of right-wing extremists? Is Everett Koop a right-wing extremist? Are the great majority of the American people who strongly support this ban all right-wing extremists? The debate makes clear that opponents of this bill are the fringe in this debate and the extremists in this debate, and the American people know that.

Mr. Speaker, if this body is to have any credibility at all on addressing the issue of violence in our society, we must outlaw this government-sanctioned violence against the most vulnerable and innocent among us.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, we have always heard that there is no rest for the weary. Well, the women in America are weary. They are just plain tired of the constant stream of attacks launched by the Republican leadership against their right, a woman's right to make decisions about their health and their lives. Today marks the seventh time the House will consider this dreadful issue.

Today's assault on women is dangerous. It puts women's health at risk and attacks the core principles of Roe v. Wade. Roe provides American women a constitutional right to make their own health choices and for women to terminate pregnancy up to fetal viability. Roe ensures a life and health exception. But this bill does not. It puts women's lives and health at risk. Roe clearly states that our government cannot force a woman to sacrifice her life or health to protect a pregnancy. Yet my Republican colleagues outrageously want the Government to proceed to prevent doctors from providing the best possible medical care to women.

Let us be clear. Women do not choose late-term abortions as a casual form of contraception. Rather, late-term abortions are a last choice for a woman, when a woman's life or health or the baby's life is terminal or in jeopardy. Further, late-term abortions are the most difficult time and the most difficult decision for a woman and her family to make.

Knowing this, it would appear that the Republicans want to set a precedent before the Supreme Court makes their decision on April 25th on the Nebraska law banning abortions. This law is very similar to this bill. Congress must not legislate on this matter. Congress must uphold the principles of Roe v. Wade and vote against this legislation.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, the authors of this bill claim they want to end abortion of a healthy, viable fetus, one that is developed enough to survive on its own. We could have done so. What is truly disappointing and what should anger American women and their families is that we could have passed a bill today that protects the lives of children and protects the health of women. A bipartisan group of Members put a proposal together. The Republican leadership said no. The Hoyer-Greenwood alternative accurately reflects the view of most Americans. It said it would ban abortions post-viability, that is, after the fetus has developed enough to survive on its own; but it makes two important exceptions, that is, if a mother is going to potentially die or if a mother's ability to have future children is jeopardized. The alternative preserves the doctor's right to determine what is the safest and the most appropriate method of treatment in a woman's given case.

By not allowing the opportunity for compromise, the opportunity to pass a bill that the President would sign, that would become law, the leadership has shown that they are more interested in playing politics than in protecting children as they claim to do.

In 1973, Roe v. Wade confirmed one of the most basic rights that we value as Americans, privacy. The case clearly established that women have a constitutional right to choose, to make medical decisions, and that the only point at which a State may enter this equation is after viability. When I listen to our opponents, they would have my colleagues believe that there are women out there who would cavalierly choose an abortion at the very end of her pregnancy, claims that women who have a headache or who want to avoid weight gain would actually choose an abortion at the seventh, the eighth, or the ninth month. To make these claims is to disregard our values as women, our values as child bearers.

□ 1300

How dare you demonize, how dare you trivialize what women in this country do in giving birth to children. We do bear children, and we are the caregivers of children in this country, and it is offensive, and it is contrary to what lies in our hearts and in our minds as women in this country.

Mr. Speaker, this bill would make women's health irrelevant. Though courts have ruled time and again that women's health must be first and foremost, that she is the patient. American women and their families, what they want is a choice to do what is best for them in some of the most tragic situations that they will, in fact, ever face. As a woman who has faced life and death in a health decision, as a survivor of ovarian cancer, I am offended by the accusation that by defending women who do this, we somehow diminish pregnancy. That is why I stand to oppose this bill today.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I rise today in strong support of this legislation to ban the partial-birth abortion procedure. I encourage all of my colleagues on both sides of the aisle to do so and to oppose the motion to recommit.

I first learned of this procedure in 1993 when I was still practicing medicine. After a long day of seeing patients in my office, I opened the American medical news and saw this procedure first described, and I was shocked. I was shocked by not only its flagrant violation of the sanctity of human life, but its brutality. I have worked in neonate to intensive care units and I have seen firsthand with my eyes how premature babies respond to pain. When it is necessary to draw blood and needles are placed in their arms, I have seen them draw back, writhe in pain and cry out. Dragging an unborn baby, feet first, partially out of the womb is a brutal violation of the privacy of that child. But to then stab that baby in the back of the skull is, in my medical opinion, not only barbaric, it is excruciatingly painful for these poor, unfortunate souls.

Apologists for this procedure claim that it is necessary in situations to protect the health of the mother or in birth defects. But in the original articles describing this procedure, the developers, McMahon and Haskell admitted that the vast majority of the mothers are healthy and the babies are free of birth defects. Of the small number that did have birth defects, the majority of them were cleft lip and cleft palate, clearly a nonlethal, surgically correctable defect that has no justification for subjecting these babies to a painful and violent execution.

I say to my colleagues, I believe that nations of people are judged not by their economic or military strength, but how they care for the weakest in their culture. Nobody is weaker than an unborn child.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, first, in response to my colleagues' assertions, I must say that a health exemption for women is not a loophole, it is a constitutional right, and it is the right thing to do for America's women. I would argue if a health exemption is such a terrible thing to do, why is Governor Bush in my home State of Texas over the last 5 years while he has been in office not made, to my knowledge, any serious effort to close that so-called loophole in our State.

Mr. Speaker, I am strongly opposed to late-term abortions, but when the health of the mother is at risk, that is a choice that should be made by a woman and her doctor, not by politicians in Washington, D.C.

Coreen Costello was a pro-life Republican and mother of three when her pregnancy turned tragically fatal for her child. Her doctors preserved her fertility with the procedure being outlawed in this bill. She then became pregnant again and gave birth to her fourth child.

Listen to this loving mother's words, and I quote: ''Because of this procedure, I now have something my heart ached for, a new baby, a boy named Tucker. He is our family's joy, and I thank God for him.''

Mr. Speaker, it is an insult to the women of America to suggest that they want to kill healthy, viable babies just seconds before normal childbirth, and shame on those who would use a deceptive, politically motivated drawing to suggest that American women are monsters that would kill their viable, healthy babies just as they were being born and to do so for frivolous reasons.

The truth is, the truth is they are rare, but tragic cases, cases like Coreen Costello, where their babies had no chance to live, and doctors used abortions to protect the mother's health and her ability to have a child in the future.

This bill would do great harm to decent, loving women such as Mrs. Costello.

By voting no on this bill, we are saying this to American women: when your health is at risk, you and your doctor should make that choice, not politicians in Washington, D.C.

No Member of this House has the right to substitute his or her judgment for that of a doctor and mother faced with such a rare but tragic situation where a pregnancy is failing and the goal is to save a mother's fertility or health. No Member has that right.

Not one!

It is unfair to the women of America to say, ''When your health is at risk, Congress should decide which medical procedure should be used.'' How many in this Chamber are qualified to make that medical decision for someone else's wife or daughter?

Mr. CANADY of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, some day soon, and I believe this is a matter of when and not if, future generations of Americans will look back with horror, incredulity, and astonishment that some of the best and brightest of this present age vehemently defended the slaughter of over 40 million babies by abortion.

They will wonder how a seemingly sane, enlightened, and compassionate society led by its President, Congress, the media, academia and the courts could have so aggressively embraced violence against children and the abandonment of their mothers.

With a mix of sadness and disbelief, future generations of Americans will absolutely marvel at our blindness and our insensitivity to the inherent cruelty of stabbing, dismembering, and poisoning little children under the euphemism of choice.

What were they thinking, they will ask. How could they have construed the right to privacy to include injections of poisons or the hacking to death by knife or razor blade-tipped curette, so as to procure the death of a child. How could so many have remained unmoved or silent in the midst of a holocaust that claimed the lives of one out of every three babies in this country, 40 million boys and girls, a number roughly equal to five times the entire population of my home State of New Jersey.

Future generations of Americans, and judging by the polls, super majorities of Americans today are finally, at long last, outraged that thousands of children each year are being butchered by partial-birth abortion. They are beginning to get it. Most people I talk to are outraged that babies who are partially born and fully kicking are legally jabbed in the back of the head with scissors for the purpose of making a hole in their fragile skulls so their brains can be sucked out. Anyone who has ever picked up and held a newborn baby knows how wobbly and fragile that child's head is. You gently cradle the child's neck in your hands to protect the baby from harm. The abortionist, on the other hand, has no such motive. When he grabs the baby's head, it is to stab it and to destroy the child.

Mr. Speaker, partial-birth abortion is a monstrous act of cruelty. Partial-birth abortion is a gross violation of human rights, a barbarous form of torture directed at a defenseless baby girl or boy.

The pending bill of the gentleman from Florida (Mr. CANADY) is a desperately needed human rights initiative designed to offer at least a small measure of protection to some babies in a class of human beings who have, since 1973, been legally disenfranchised because of their age, immaturity, or condition of dependency.

Many of us would surely like to save and protect more babies from the violence of abortion; I wish to God we could save more. But I believe we have a moral duty that is not so easily satisfied to save at least some, as many as we can, at every opportunity.

Mr. Speaker, this bill is a very, very modest step in that direction to save at least some.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

(Ms. SCHAKOWSKY asked and was given permission to revise and extend her remarks.)

Ms. SCHAKOWSKY. Mr. Speaker, as a woman, a mother and grandmother of girls, I am deeply and personally offended by this legislation. It implies that American women just have to be stopped from frivolously deciding to terminate a pregnancy just days or weeks before delivery. It has been stated on this floor that these pregnant women have not explored all of the medical and surgical options to save their babies or protect their own lives, and it takes politicians to stop them.

Mr. Speaker, the truth is, the women who have late abortions are forced to end wanted pregnancies, either because the baby will surely die, like Kim and Barry Koster's baby that had no brain, or the women will seriously jeopardize their own life and health. Women are portrayed as irresponsible baby killers when in fact it is the sponsors of this bill who show utter disregard for the life and health of women.

President Clinton, in vetoing one of the former versions of this bill said quote, for these women, this was not about choice, not about deciding against having a child, these babies were certain to perish during or shortly after birth, and the only question was how much grave damage was going to be done to the women.

This bill implies that the current law allows women to have abortions up to the last minute before delivery, but that is not true. Despite all of the rhetoric to the contrary, Roe v. Wade strictly limits abortions after viability, and the Hoyer-Greenwood alternative would have made that even clearer.

This is not about one procedure or even late-term abortions. This bill is so broad and so vague that it would ban most abortion procedures including some first, and all second and third trimester abortions, and that is the goal. To reverse Roe v. Wade and take away from women what the Supreme Court calls ''The most intimate and personal choice a person may make in a lifetime, choice essential to personal dignity and autonomy and central to the liberty protected by the 14th amendment.''

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. COBURN).

(Mr. COBURN asked and was given permission to revise and extend his remarks.)

Mr. COBURN. Mr. Speaker, I am amazed at what I just heard, and I want to tell my colleagues that medically, what we just heard is an incorrect, inaccurate statement.

This procedure is never used in first trimesters, it will have no effect on first trimester abortions whatsoever. That was the implication. The Kansas data for the first 3 months of this year

show that what the gentlewoman from Illinois just stated is not true. The Kansas data shows that, in fact, these were viable infants with no significant medical complication.

So I do not deny that I want every abortion in this country to end, but that is not why I am supporting this. This procedure harms women, and there are several other procedures under which the same end result could be accomplished.

So let us keep clear what the facts are here. Babies without brains can be delivered other ways than this way at a whole lot less risk to the mother. Do not lose sight of that fact. There is no question I am not much of a politician, but I am a physician, and I have delivered 3,500 babies and I have cared for women with complications from this procedure.

Let us stay on what the issue is. The issue is, women who have children that are nonviable can, in fact, have a termination under another method. Number two, under the laws of Kansas, as now is happening, viable fetuses and babies are being terminated with impunity when there is no cause to do so.

The other thing to think about, we are not talking about mature women making these decisions, because most of these are teenagers who end up showing up and telling their parents about a pregnancy when they are 24, 25 weeks along. I heard an earlier speaker say about the 7th month. Well, let me tell my colleagues, by the 6th month, babies are viable. We now say babies at 22 weeks. So let us keep the facts about the procedure in line.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I rise in opposition to this bill, which is an attack on women's health and the constitutional rights of women.

Let us put this vote in perspective. We have already voted on this 7 times. Since 1994 when the Republican majority took control of Congress, there have been 141 votes on choice; on this floor, 112, 79 percent, resulted in an antichoice loss for women.

□ 1315

Each of these votes that are chipping away, chipping away at a woman's right to choose are detailed on my Choice Report which is located on my web site.

This bill does not take into account women's health exceptions. It has no viability threshold, and does not allow a doctor to recommend the best medical procedure for a patient.

The women who follow their doctor's advice and undergo these rare procedures are women who have had to come to terms with pregnancies that have tragically gone wrong. The new majority likes to talk about getting government off their backs, yet here they want to replace a doctor's expertise with a governmental judgment in the most personal of decisions.

Doctors and their patients should make medical decisions. Congress has no place politicizing family decisions and family tragedies.

As the mother of two children, I would have wanted the choice in the event I learned late in my pregnancy that my fetus was so deformed that it was incompatible with life and that my reproductive health was at risk, and also at risk, my ability to have future children. I would have wanted that choice, and I want that choice for every woman in this country.

Vote no on this bill.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise today as a strong advocate for this bill and a strong advocate for the human rights of all Americans, both born and unborn. This Nation must raise the value of life if we are to survive as a Nation and prosper as a people.

This procedure is so horrible, so inhumane, that there should never be a debate over whether or not to protect the lives of these helpless babies. Can Members imagine that it is legal to partially deliver a fully formed child, a child that can survive outside the mother's womb, lying in the doctor's hand, only to kill it by one of the most brutal methods known to man?

But today I want to stress that in passing the partial-birth abortion ban, we must be wary of the so-called serious health exceptions. These health exceptions become a loophole through which even more partial-birth abortions are performed.

The most dangerous of these exceptions is the mental health exception that can even allow for partial-birth abortions in the third trimester, a time in which even the most avid abortion rights activists agree that a fetus, the baby, can live on its own.

The mental health exception essentially nullifies the ban on partial-birth abortions, as by its very nature the criteria can be so vague.

Mental health excuses in today's society are so notoriously footloose. How many of us have taken a day off of work or school for mental health reasons, usually because it is a good day at the beach or we feel like sleeping in? Unfortunately, in passing a mental health exception, precious life itself is held to the same laissez-faire standards.

I am embarrassed to say that because of the mental health exceptions, my home State of Kansas is on its way to becoming the partial-birth abortion capital of the Nation. In 1998, the Kansas legislature passed a partial-birth abortion ban much like the one we are discussing today. However, there was an exception in the case of mental health concerns.

Since passage of the law, partial-birth abortions have not ceased nor have they been decreased. Instead, partial-birth abortions in the State of Kansas have risen by more than 300 percent, all of them because of the mental health exception.

I urge my colleagues to vote against the exceptions and for the final passage.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Speaker, I rise in opposition to this bill, and I urge my colleagues to stay out of the doctor's office and leave the medical decisions to the medical profession.

This is a bad bill because it is anti-family. This bill ignores the health of the mother, and instead it jeopardizes a woman's chance to have a healthy baby in the future.

Let me be clear, a third trimester abortion is an extremely rare procedure. In the State of Florida, we had 25 of these procedures performed last year. Let me give an example of why.

A 31-year-old pregnant woman discovered at 31 weeks of pregnancy that her fetus' brain had grown outside of his head. The baby would not live outside of the womb, and the enlarged head made a regular delivery a dangerous procedure for the woman. This is a woman who wanted a child and a woman who wanted a family.

I ask my colleagues to allow these women to protect their bodies so they can have healthy babies in the future. Let us leave the medical decisions to the medical professionals. This is a bad bill, and I urge Members to vote against it.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, let me begin by reacting to something said earlier. I come from a State, Wisconsin, which is one of those States that overwhelmingly passed a ban on partial-birth abortions, a law very similar to the one we are taking up today, although perhaps a bit tougher. It has been upheld twice, so let us be clear on the constitutional arguments. It is not as the opponents portray.

It is interesting, some of the tenor of the debate today. Some people are upset that we are taking this bill up because it is inconvenient. It is perhaps annoying to them. I have heard reference that we should not be taking this up because we voted on it seven times before or eight times before. Of course we should be here. We must be here, and we must be here each and every year until this practice is gone.

As long as two-thirds of Americans, a supermajority, want this horrible practice to end but the administration and the abortion industry will not listen, we should be here. As long as so many States have outlawed this but the administration and the abortion industry will not listen, we should be here. As long as thousands of these horrible procedures are performed each and every

year, we should be here. Absolutely, we should be here.

If we fail to take up this cause today, then the other side might just get comfortable. Maybe they will believe that we have lost our resolve, that this matter does not matter to us anymore. Sure we face a tough road ahead. The abortion industry is strong and the White House is not on our side. But if we do not stand up, who will?

I urge all of my colleagues to oppose the motion to recommit and to vote for this very important bill this year, next year, every year until this procedure is gone.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. BENTSEN).

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Speaker, it is not inconvenient to take this bill up. I would be happy to take this bill up every day of the week for the rest of the year. What is inconvenient is the procedure with which we are taking this bill up. The procedure finds the democratic process, which is the essence of this House and this Nation, and it finds the Constitution to be inconvenient. That is what is inconvenient about this.

Mr. Speaker, my colleague, the gentleman from Kansas, just wanted to have a debate about the mental health exemption. The way that the Republican majority has drafted the rule and drafted the bill, that is a moot point. There is no debate about mental health because the majority does not want to debate a health exemption.

We in Texas think there ought to be a health exemption, Democrats and Republicans, and 40 States think there ought to be some form of a health exemption. But the Republican Congress, which on some days wants to devolve power from the States and other days wants to take it back, whatever is convenient, does not want to allow the debate. That is what is so dismaying about all of this.

My colleague, the gentleman from Wisconsin, said, we have done it all these years. The problem is it has happened for two cycles, two Congresses, and it has been vetoed. Why not open up the process? I do not think my Republican colleagues are necessary antidemocratic, little ''d'' democratic. Perhaps they are if it is an issue that is inconvenient to them.

That is the problem with the process in this bill. I find that quite dismaying.

The other problem is the unintended consequence of this bill. It has to do with the health of women. This bill supplants the right of women to choose with their doctor what their health procedure will be, and it only affects one instance.

The gentleman from Kansas and the gentleman from Oklahoma, who is a doctor, who I gather only wants us to take one doctor's opinion, even though I think everybody in this House would want to have multiple opinions if given the opportunity, is telling us that there is a rampant case of late term abortions.

A majority of us agree, and we asked you to bring a bill to allow an amendment to come to the floor. But the gentleman, the gentleman from Florida, who is smiling at this point, apparently did not want to allow the Hoyer-Greenwood bill to come to the floor. I am not sure why. Maybe it was too democratic of a process. Maybe it might have gotten a majority of votes.

Let us debate it. Let us debate what health really is. We have had that debate with the Patients' Bill of Rights, which of course now is stalled in a conference committee. But this House is not allowed to have that debate. Why is that? Because of politics. This is all about politics.

We are charged with the duties of writing the laws of this Nation. We can have very serious disagreements about it, but each Member, not a handful of Members but each Member, should have the right to do it.

What the Republicans have done today is dismaying and it is inconvenient to the rule of order in this House and to the Constitution. That is what is the problem today.

Mr. Speaker, I rise in opposition to H.R. 3660, the ''Partial Birth Abortion Ban Act of 2000'', a measure that is probably unconstitutional, certainly bad policy, and will likely do little to end late term abortions.

First and foremost, Mr. Speaker, this legislation represents the triumph of raw, partisan politics over substance and the regular order of this House. If the leadership was serious about limiting late term abortions, not just this one procedure, they would have allowed for amendments to be offered including H.R. 2149, the Hoyer-Greenwood-Taucher-Johnson ''Late Term Restriction Act,'' of which I am a cosponsor. Instead, the Republican leadership brought this twice-failed bill to the floor without consideration by the Judiciary Committee—no amendment, no report, just a meaningless political vote. The Republicans are putting politics over policy.

The unintended consequence of H.R. 3660, if it were to become law, is that it would supplant a doctor's judgment as to the best medical procedure to protect a woman's health or save her life with the judgment of Congress. We in Congress are not medical professionals with the expertise to make these difficult decisions. Moreover, I am also dismayed that the entire debate on this issue appears to have been designed to stiffle open discussion and prevent consideration of alternative legislation.

I am deeply troubled by post-viability abortions that are elective and not for health or life of the mother. Accordingly, I am cosponsoring a compromise that is consistent with the Supreme Court's rulings on the difficult issue of abortion. The gentleman from Maryland, Mr. HOYER, and the gentleman from Pennsylvania, Mr. GREENWOOD, have introduced a bipartisan bill, H.R. 2149, that would ban all post-viability abortions, not just one procedure, except those needed to preserve the woman's life or to avert ''serious adverse health consequences.'' Americans want medical decisions to be made by doctors. This legislation would require the doctor to determine—under the threat of litigation and civil penalties—whether continuing a pregnancy posed a serious threat to the woman's health. H.R. 2149 provides a clear, humane, and necessary exemption when there is a serious threat to a woman's life or health.

This compromise bill is consistent with the Supreme Court's Roe v. Wade decision and its progeny. It is consistent with state law in 40 states, including my state of Texas, as well as the District of Columbia. In Texas, as in other states, late-term abortions are banned except when the woman's life or health is threatened. I believe our legislation is consistent with the views of the American people. And I believe it is the right of and humane thing to do.

Unfortunately, the majority has gone to great lengths to block any debate and vote on this compromise. Instead, they want to force a vote only on the extreme measure before us. The timing of this vote is questionable in light of the fact that the Supreme Court is expected to rule before the end of this legislative session on the constitutionality of a similar measure originating from Nebraska. Apparently, my Republican friends are more interested in scoring political points than addressing a genuine concern about late-term abortions.

We will hear a lot of debate about how often this procedure is performed; but this issue isn't about numbers. It is about each individual woman who faces the awful choice when she is told that her life, health, or ability to bear children is endangered by her pregnancy. The decision about what medical treatment and procedures are best for that woman should be made by her and her doctor, not the Congress of the United States.

Four years ago, proponents of this measure opposed providing a health exemption for the life of the mother. Just as then, they today argue that a health exemption for the mother, which forty out of fifty states provide, is too wide a loophole. Moreover, they refuse to debate the issue or even propose a limitation of the definition of ''health of the mother.'' Rather, they are telling American women that their health does not matter because it conflicts with the Republican Party's political goals. How shameful is that?

We can limit the number of abortions while protecting those few women who face both the loss of a child and the ability to bear other children; just as forty states have already done. We can have a compromise that would ban late-term abortions, but show understanding and compassion for women who face these most wrenching decisions. However, the Republicans have blocked us from considering it and today turn their backs on these few women purely for political reasons. That is wrong.

Ultimately, I must vote against H.R. 3660 because it is fundamentally flawed and would put at risk the life, health, and fertility of women facing one of the most difficult, anguished, and personal decisions imaginable.

Mr. CANADY of Florida. Mr. Speaker, I yield myself such time as I may consume.

To respond briefly to the gentleman's point about the Hoyer-Greenwood bill, let it be understood that the Hoyer-Greenwood proposal is not even germane to the bill under consideration. That was the ruling of the Chair. That was straight from the Parliamentarians in the last Congress.

Let it also be understood that the Hoyer-Greenwood proposal, by its own language, would not prohibit any abortion if, in the judgment of the attending physician, the abortion is necessary to avert serious health consequences to the woman.

The key language there is ''in the judgment of the attending physician.'' That gives the abortionists unfettered discretion to decide whether the procedure would be performed or not.

The proposal that the gentleman from Maryland (Mr. HOYER) and the gentleman from Pennsylvania (Mr. GREENWOOD), my good friend, have come forward with is a proposal that is meaningless. I do not question their motives, but I will have to say, the result of their proposal is to ban not a single abortion at any point in pregnancy.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE).

Mrs. CHENOWETH-HAGE. Mr. Speaker, I thank the gentleman from Florida for yielding time to me.

Mr. Speaker, I rise in strong support of H.R. 3660. I have heard some startling debate on this floor delivered by women who believe that the government, the Congress, has absolutely no business in their personal lives. They believe that the government has no business in their doctor's office.

Well, let us talk about where the rubber really meets the road. That is, our first responsibility as lawmakers is to protect life, whether it is to build a strong military defense system to keep us protected from foreign invasion, or whether it is to build a system of laws that keeps that helpless baby from being invaded as it is being born.

I rise in strong support of this bill because I remember that in the Declaration of Independence it clearly states that, we hold these truths to be self-evident, that all men are created equal, and they have been endowed by their Creator with certain inalienable rights: the right to life, liberty, and the pursuit of happiness.

I take that seriously, Mr. Speaker. Yes, our responsibility is to protect life.

I have also heard the debate that there are medical necessities for this procedure. I have to quote former Surgeon General Dr. Everett Koop when he said that ''In no way can I twist in my mind to see that the late term abortion as described is a medical necessity for the mother. It certainly can't be a medical necessity for the baby.''

However, these are precisely the arguments that we are hearing today. The defenders of this very deplorable act of partial-birth abortion argue that it may be a medical necessity. This is distorted thinking. Let me speak in their words exactly what they say a medical necessity is, by definition.

In 1993, William Hamilton, the vice president of Planned Parenthood, stated that ''medical necessity'' means ''anything a doctor and a woman construe to be in her best interest, whether prenatal care or abortion.'' And the National Abortion Rights Action League is even more outlandish in their definition of ''medical necessity.'' They say that ''it is a term which generally includes the broadest range of situations for which a State will fund an abortion.''

The truth is, Mr. Speaker, the defenders of partial-birth abortion have no interest in seeing the term ''medical necessity'' defined in a proper context. For them, abortion has become something that must be defended at all costs.

□ 1330

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I regret when we debate serious issues, somebody can stand up and make a comment that clearly is not true, and there is not the opportunity to give and take.

The gentleman from Florida (Mr. CANADY) is a bright man. The gentleman is well educated. To say that my agreement prohibits no abortions is absolutely, on its face, ludicrous; it prevents all late-term abortions.

Does it have any exception? Yes. The gentleman presumably is a well-educated individual that knows the Constitution of the United States and knows the constitutional edicts from the Supreme Court. The gentleman knows his bill is not constitutional; that is the irony of the gentleman's contention.

In fact, the Hoyer-Greenwood alternative is the only alternative that prevents abortions. Joe Scheidler of the Right to Life Committee, I say to the gentleman, says not of myself, not of the gentleman from Pennsylvania (Mr. GREENWOOD), not to any of the other cosponsors, Joe Scheidler says your bill will not stop one abortion.

Why? The gentleman pretends he is not even listening; perhaps this is not important to him.

Mr. CANADY of Florida. Mr. Speaker, will the gentleman yield?

Mr. HOYER. Mr. Speaker, if the gentleman would yield himself the time.

Mr. CANADY of Florida. The gentleman wanted to yield to me.

Mr. HOYER. I retain the balance of my time.

Mr. CANADY of Florida. Mr. Speaker, I see that the gentleman does not want to yield me the time.

Mr. HOYER. Mr. Speaker, cute debating tricks on the floor will not hack it, I say to my friend. Germaneness will not hack it; hiding behind a parliamentary procedure, which says we are not going to allow the amendment because it is not germane, when the gentleman knows that the Committee on Rules could say it is germane, because we want to debate it.

The gentleman's amendment will not prevent it, and the gentleman from Oklahoma (Mr. COBURN) said so on the floor today. How did the gentleman from Oklahoma (Mr. COBURN) say it? He said because if you preclude the procedure of the gentleman from Florida (Mr. CANADY), there are three other procedures to accomplish the same objective.

The gentleman from Oklahoma (Mr. COBURN) said it. He said it less than 3 hours ago. The gentleman from Florida (Mr. CANADY) cannot get around that.

If the gentleman from Florida (Mr. CANADY) is going to be intellectually honest, this is a purely political bill. This is a serious issue. We ought to deal with it seriously. We should have had full debate. We should decide between ourselves what the legitimate options are that we can accomplish within the Constitution to protect the health of women and protect the lives of babies.

Your rule did not do that. Your bill does not do that, and the debate undermines the quality of this discussion. It is unfortunate.

My friends, I tell you, that this legislation that we proposed, the gentleman from Pennsylvania (Mr. GREENWOOD) and I, is the only piece of legislation which would have adopted a policy in the United States of America, which 40 States have adopted, which say that we are opposed to late-term abortions, post-viability abortions, the State should make that criminal.

Do we make exceptions? Of course. Why? Because the Constitution and Supreme Court have said we must, and we should.

Mr. CANADY of Florida. Mr. Speaker, I yield myself such time as I may consume to respond to the statements of the gentleman from Maryland (Mr. HOYER).

I would simply point the Members of the House to the language of the gentleman's proposal, which vests the discretion to determine whether the abortion will be performed or not in the hands of the abortionists; that is what the language is. That is undeniable.

It says, it does not prohibit any abortion if in the judgment of the attending physician, the abortion is necessary to avert serious adverse health consequences to the woman. I read that before; that is the language of the bill. It is important to understand, that in putting the gentleman's proposal in context, something that Dr. Warren Hern of Colorado has said, and this is not a leading authority on abortion, a leading abortionist. He has written a textbook on late-term abortions.

And this is what he said, and I quote him, ''I will certify,'' Dr. Hern said, ''that any pregnancy is a threat to a woman's life and could cause grievous injury to her physical health.''

It is clear that when you vest that discretion, as the proposal of the gentleman from Maryland (Mr. HOYER) would in the abortionists, no abortion will be ruled out. It will be up to the abortionist. If the abortionist decides, the abortion will be performed.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. ARMEY).

Mr. ARMEY. Mr. Speaker, I thank the gentleman from California for yielding me this time.

Mr. Speaker, when I scheduled this bill for the floor, I knew that it was going to be a difficult debate. I understood there would be angry words. I knew there would be finger pointing and accusation.

It is not a pleasant debate, Mr. Speaker, because today we are debating a very, very cruel and ugly subject. We are debating whether or not this Nation will tolerate a procedure that takes a baby, forces that baby from the womb, tears the baby's head open, and sucks out its brains.

We are debating whether or not this Nation will tolerate such cruelty, whether there are other procedures or not. Let us keep the focus on this horrible, frightening, cruel, beastly behavior. We have all experienced childbirth. We have all been through it in our own lives, and we have seen our children go through it in their lives, whether it was me with my little baby or my son with his little baby, that exciting moment when we reach over and when we touch our wife's stomach and we feel that movement, when she tells us about the movements that are there; there is a live baby in that womb. When we put our ear down to hear the heartbeat, when we see the sonogram and we see the little arms, the little legs and the little features, and finally in that magic moment find out if our baby is a boy or a girl, that is a live baby in that womb. It has feelings.

We all talk about and we stress with great emphasis the importance of prenatal care in the life cycle of a baby's health, because we know it is alive. We know it needs protection and security. It needs every help it can have. It does not deserve to be treated at the very inception of its life with a cruelty that we would never suffer on to a dumb animal.

If you cannot see the cruelty, the abject, inhuman cruelty of this procedure, then I fear for you. There are others that would say, why subject us to this debate, where Members will come down and show the charts, show the graphs, show the cruelty and describe it in vivid and lurid detail. Why put us through this discomfort? Well, our discomfort here is nothing compared to the discomfort of that baby.

Still they persist. Why make us make this vote, suffer this debate, when we know the President will veto it and there will not be the votes to override the veto?

They are asking us here on this floor today, those of us, myself, the gentleman from Florida (Mr. CANADY), others, who have so much of our heart invested in this and so much of our tears and prayers have been shed for these babies, why do we try when we know we cannot possibly succeed?

Mr. Speaker, that same question was put to Mother Teresa. That same question was put to our sainted Mother Teresa. Her response, Mr. Speaker, was, my job and my responsibility is not to succeed. My job and my responsibility is to try.

Bless us, those of us from both sides of the aisle, bless us for having heart enough, passion enough, compassion enough, faith enough, to try our very, very best to end this horrible, cruel, brutal treatment of what must be God's greatest pride, the most innocent beautiful baby.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. HOLT).

(Mr. HOLT asked and was given permission to revise and extend his remarks.)

Mr. HOLT. Mr. Speaker, I thank the gentleman from Michigan (Mr. CONYERS) for yielding me this time.

Mr. Speaker, the majority leader is correct, this is a very personal, touching matter; but I rise in strong opposition to this bill, this so-called partial-birth abortion ban. This bill continues a troubling tendency that we have seen in this Congress, the tendency for Congress to try to practice medicine. Whether it is legislation prescribing pain management or stonewalling on patients' rights or restrictions on a woman's right to manage her own reproductive health, this Congress has again and again tried to come between patients and their doctors.

Patients make life and death decisions with their doctors every day, with cancer, with renal disease, with neurological disease, and any other number of conditions. Many of these decisions are not easy and not pretty. Surely pregnant women deserve no less protection of their rights than others. In short, this bill is an insult to women, and doctors should not be subjected to additional criminal sanctions in this area.

Now all of us would like to see fewer abortions performed in this country, and that is why I support education and prevention programs to help families avoid unwanted pregnancies; but the question of whether or not to have an abortion is one of the most difficult decisions any woman can face. Reproductive health care is a personal, ethical, and medical matter that should be left to individuals, their doctors, and their families without interference from the Government. This legislation should be rejected.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Speaker, when the partial-birth abortion ban was before this Congress last year, the opponents of the act accused the proponents of offensive conduct. What was that offensive conduct? What was that bad taste that they accused the supporters of the bill of being guilty of? It was of describing, of accurately describing, they admitted that the proponents accurately described the procedure, the act, and they said that offended them. They said it was a sorry spectacle for people to accurately describe what happened to these late-term babies in their mother's womb.

They said it was offensive conduct to describe how these babies' bodies were dismantled, how they were mutilated, how their young lives were ended.

Let me say that is a sorry spectacle to describe such an act. As a civilized society, we should not have to describe such an act because it should never occur. Is it not ironic that the very people who say what a sick thing to do, what an uncivilized thing to do, what outrageous conduct, that they are the very people that rise in this body and defend the very act?

This act has no place in a civilized society. It is a violation of our God-given dignity.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. WEINER), a member of the committee.

Mr. WEINER. Mr. Speaker, this is the second time of this debate, and there has been clearly very deep divisions in this House about how to proceed with it; but, in fact, I think that when we get behind some of the details there is an enormous amount of consensus in this Nation on this issue. Despite the previous speaker's contention, there is very little debate about the idea that this procedure is one that the we should try to avoid. There is very little debate about the idea that abortions in general happen too frequently and we should try to reduce their numbers any way that we can.

□ 1345

That is a righteous cause. That is something that we should pursue. That is why so many of us support the idea of increasing family planning and education and counseling.

There is no doubt that it is desirable to reduce the number of abortions in this country. But there is also broad consensus in this country that the health and welfare of the woman is also something that needs to be protected.

The Supreme Court spoke to this eloquently in that very difficult decision. Roe v. Wade did not set up a perfect system by any ways, but one thing the court did say very clearly was that the woman's right to her health and well-being exists throughout her pregnancy.

When a recent poll was taken of the American people, even people who fervently believe that abortion was something that should be outlawed, they believed by numbers in the neighborhood of 80 percent that the woman's right to health should be included as an exception.

So why is it that the majority in consideration of this bill has, not only said that they oppose that, but they said we will not even allow it to be considered on this House floor. They will not even allow an option to be brought before this House that might close some of these gaps, that might make it easier for those who agree with the gentleman from Texas (Mr. ARMEY) in his

statements about how terrible this procedure is, give us an opportunity to form a bipartisan consensus to perhaps reduce the number of truly unnecessary abortions if they are existing.

The reason was made clear earlier in the comments, eloquent and frank by one of the foremost leaders in this House against a woman's right to choose, the gentleman from New Jersey (Mr. SMITH). He said it, he departed a little bit from the party line on this, but spoke frankly and earnestly. He said this is about getting the camel's nose under the tent. This is about starting the process of chipping away at a woman's right to choose her own health care, a woman's right to choose, a doctor's right to choose. He has been honest and frank about this that he believes there should be no abortions in this country, and this was the first step.

This is why the American people see this effort today as being so pernicious. This is not about trying to find a solution to a difficult problem. This is about chipping away at a woman's right to health care.

If we were truly going to be honest about this, we would say exactly what this is. This is a political exercise for the seventh time. This is not about finding that group that the Majority Leader eloquently spoke about. This is not about truly finding a solution to this problem because we had a vehicle to do that, and the Republicans opposed it.

We should oppose this measure today, but we should make it clear that, if we protect a woman's right to choose, all of our minds are open.

Mr. CANADY of Florida. Mr. Speaker, I yield 2½ minutes to the gentleman from Tennessee (Mr. WAMP).

(Mr. WAMP asked and was given permission to revise and extend his remarks.)

Mr. WAMP. Mr. Speaker, did my colleagues know that when one puts a frog in a pot of water and sets it on the range and slowly turns up the temperature, the frog will stay in the pot and boil to death without jumping out. But if one puts a frog in a pot of boiling water, it will jump right back out. So it is with our world today.

The self-indulgence of our society causes the stark contrast between right and wrong to be clouded so that we actually, as a society, tolerate these type issues.

Mr. Speaker, few politicians have credibility on the major moral issues of our day. So who does? The Majority Leader mentioned Mother Theresa, probably the most Godly life in the world during the 20th century. She said this, ''I feel that the greatest destroyer of peace today is abortion, because it is a war against the child, a direct killing of the innocent child, murder by the mother herself. And if we accept that a mother can kill even her own child, how can we tell other people not to kill one another? How do we persuade a woman not to have an abortion? As always, we must persuade her with love, and we remind ourselves that love means willing to be willing to give until it hurts.''

She said, ''Many people are also concerned about the violence in this great country of the United States.'' She said, ''These concerns are very good. But often these same people are not concerned with the millions who are being killed by the deliberate decision of their own mothers. And this is what is the greatest destroyer of peace today: abortion, which brings people to such blindness.''

She said, and I continue to quote, ''The child is God's gift to the family. Each child is created in the special image and likeness of God for greater things, to love and to be loved.''

She closed by saying, ''We cannot solve all the problems in the world, but let us never bring in the worst problem of all, and that is to destroy love. This is what happens when we tell people to practice abortion.''

Mr. Speaker, this great Nation finally recognized that slavery was wrong, and we did something about it. This great Nation must now recognize that abortion is wrong and adoption is the option. Let us love our children, and the world will be a better place.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 2½ minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank the gentleman from Michigan (Mr. CONYERS), the distinguished ranking member of the Committee on Judiciary, for yielding me this time.

Mr. Speaker, I rise in opposition to this bill. I am sorry to say that in reviewing it it really adds up to a sound bite, because we are not debating women's health and what can be done. We are not casting a constructive, critical eye at what can be built in terms of a system in this country about this issue of abortion. It is a word that none of us celebrate. We understand that every time an abortion takes place in this country, that it spells failure in some way, shape, or form.

But it is a debate today about women's health. Even the gentleman from Illinois (Mr. HYDE) in his amendment has an exception for rape and incest, an exception, and it deals with an exception to what my colleagues are posing today.

This bill, in order to understand what it does, I think my colleagues have to understand first what it does not do. It does not outlaw a single method of late-term abortion that my colleagues keep repeating over and over again known medically as intact dilation and extraction. It does not distinguish between abortions performed before or after viability. It does not include any exceptions for abortions where the life or the health of the mother is at risk.

Do my colleagues think that life is tidy for women in this country? Have they ever heard of a pregnancy that has gone wrong? Have they ever looked at or read about the cases where the fetus is growing without any brain tissue? Do they think that mothers just go right down the path of celebrating and saying we are going to abort this pregnancy? That is an insult to women in this country. Have my colleagues ever seen how women's bodies are carved up when it comes to a mastectomy?

What is this Congress doing about women's health? Today's debate, Mr. Speaker, because we are pro-choice some of us does not mean that we are pro-abortion. We understand that the life and the health of the mother needs to be taken into consideration. That is what Roe v. Wade says.

It is not a celebration of abortion. We do not like it. We know that education, that family planning, that all of these things, and investment in research in women's health to prevent these things are the most important.

So I rise in opposition to the bill because the bill does not speak to any of these things. It is a political sound bite, and it is a sad day in the House of Representatives.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Mr. Speaker, today, as we are considering the Partial Birth Abortion Ban Act, I want to commend the gentleman from Florida (Mr. CANADY) for sponsoring this legislation. The time has come for us to take firm and decisive action against this deplorable procedure.

Our last attempt to ban partial-birth abortions failed, but we must continue to do everything in our power to save these innocent lives.

But do not take my word for it alone. Listen to the voice of the medical professionals as has been said in here before today. A number of high ranking members of the medical community have voiced their strong opposition to partial-birth abortions.

As has already been stated that C. Everett Koop, former Surgeon General, ''Partial-birth abortion is never medically necessary to protect a mother's health or her future fertility. On the contrary, this procedure can pose a significant threat to both.''

Dr. Pamela Smith at Mount Sinai Hospital in Chicago has stated that the abortion methods used in this procedure are associated with a range of complications, including extensive bleeding, infertility, and even death. The majority of partial-birth abortions are performed on healthy mothers and healthy babies.

The American Medical Association itself has stated that they could not find any identified circumstances in which the procedure was the only safe and effective abortion method.

A ''yes'' vote is a vote to protect the lives of women and children. It is really that simple. I ask my colleagues to join me today and to send a strong message of protecting the lives of mothers and infants. Because the greatness of this Nation that we live in

is not measured by the Dow Jones Industrial average, it is not measured by the gross national product. The greatness of this country is measured by the character of its people, the integrity of its leaders, and how we as a Nation treat those who are most innocent and who are most vulnerable.

I would say that the unborn fits squarely into the middle of that category.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Florida (Mr. CANADY) has 12½ minutes remaining. The gentleman from Michigan (Mr. CONYERS) has 10½ minutes remaining.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman from Michigan (Mr. CONYERS), the ranking member, for yielding me this time. I rise in strong opposition to the so-called Partial Birth Abortion Act.

Mr. Speaker, everyone in this room knows that if this Congress succeeds in this misguided attempt to play doctor, not one abortion will be prevented. This is a very sad debate today. Abortion is a failure in every respect. We want to keep them safe, and we want to keep them legal.

But when they are medically necessary to save the life of the mother or to protect her future fertility, would not one want one's daughter to have that option or one's wife?

It is so sad also, because this body has been prevented from debating the Hoyer-Greenwood substitute or amendment which would declare what we all believe, that no one wants late-term abortions, and that we would only agree to this procedure in the case of life of the mother or future fertility of the mother.

So to bring charges against a doctor for saving a mother's life or her future fertility and the family that she would like to have is cruel and unusual punishment. I urge my colleagues to vote against this legislation.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Speaker, I grew up in the age before Roe v. Wade. In those days, the idea of killing a baby in the womb because it was inconvenient would not even occur to the average individual. Elective abortion on demand, taxpayer funded abortions, no way. Certainly never in my wildest dreams would I have thought that one day I would be standing on the floor of the United States House of Representatives arguing against a practice in which a defenseless little baby, partially delivered, and moments before taking its first breath outside the womb, would be stabbed in the skull by an abortionist who would then extract the baby's brains, causing the skull to collapse, killing the powerless child. Sadly, that is how far we have come in the last three decades, or should I say that is how far we have fallen.

The American Medical Association says about partial-birth abortion, it is ''not good medicine'' and ''it is not medically indicated in any situation.''

We often hear from Members of this body talking about helping the little guy, looking out for the little guy. Well, I would say to my colleagues on the left, this is their chance to look out for truly the little guy and the, oh, so little girls, the helpless, the defenseless, the powerless, the most vulnerable of all of us. This is their chance to finally put a stop to such senseless assaults on those who cannot defend themselves.

Mr. Speaker, those of us who support this legislation hold little hope that our President will see the light. He has made his pact with the extremists in the abortion industry and their vocal accomplices. But we cannot ever concede this issue. We can never surrender.

Let us have a powerful show of support for this legislation. Let us send a passionate message to the President that there is no place in a civilized society for the barbaric practice of partial-birth abortion. Let us cast an overwhelming vote in favor of innocent human life.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Pennsylvania (Mr. GREENWOOD).

□ 1400

Mr. GREENWOOD. Mr. Speaker I thank the gentleman for yielding me this time.

Why are we here today? What are we doing here? The advocates of this legislation have said that we are here to save lives, to prevent abortions. But that is not true. It is not what we are doing here. This bill is going to be vetoed, as it has before. And there are not the votes in the United States Senate to override that veto, and there is no one in this Chamber who will honestly argue otherwise. No one will stand up after I do and say, oh, this is going to become law; this will have an effect in America, because they know it is not true.

No, this is all about politics. It is not about saving lives. It is not about winning hearts. It is about saving seats in the Congress. It is about winning seats in the Congress. It is not about making law. It is about making noise.

If the advocates of this bill wanted to make law, they had their chance earlier today. They would have supported the right of the gentleman from Maryland (Mr. HOYER) and myself to offer our amendment. That is how we make law. Our amendment would ban the so-called partial-birth abortion and all form of late-term abortions. But it would have made exceptions, reasonable exceptions that Americans support; exceptions to prevent the loss of life of the mother and exceptions to protect the health of the pregnant woman when it is seriously, seriously, and that was the emphasis of our amendment, seriously at risk.

But the problem that the supporters had with our amendment is it probably would have passed; would have been signed into law. We would have made progress in reducing the number of abortions in this country. We actually would have accomplished something besides a lot of sound and fury. But, instead, once again, we play abortion politics. We confuse the American public, and we prove once again that politics overrides policy.

Mr. CANADY of Florida. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Speaker, an inquiry of the author of this bill.

Many of us have watched the gentleman's presentation on the floor. The term partial-birth abortion, to a layman and to most physicians, would be perceived to be what is called dilation and extraction. Is that the procedure that the gentleman intends to outlaw with this bill?

Mr. CANADY of Florida. Mr. Speaker, will the gentleman yield?

Mr. BILBRAY. I yield to the gentleman from Florida.

Mr. CANADY of Florida. The gentleman is correct.

Mr. BILBRAY. Reclaiming my time, Mr. Speaker, is there any other procedure related to abortion that it is the gentleman's intention to outlaw with this bill?

Mr. CANADY of Florida. If the gentleman will continue to yield, the answer is no.

Mr. BILBRAY. Mr. Speaker, I appreciate the clarification on this very, very important line of demarcation between the woman's right of choice and the outlawing of this very, very hideous procedure.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

(Mr. MENENDEZ asked and was given permission to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Speaker, I rise to oppose the bill and to express my grave disappointment that we are having a debate that could have been avoided if only policy had won out over politics.

If my colleagues were truly interested in good public policy that would become law, we would be debating the Hoyer-Greenwood bill, a superior alternative that provides the most broad-based restriction on late-term abortions of any bill being considered in the House; a proposal that ensures that no healthy woman, with a healthy fetus, can terminate her pregnancy in the third trimester regardless of the type of procedure used.

I strongly support these restrictions and always have. But for the life and extreme health threats to the mother, I know of no compelling reason to terminate a pregnancy at this late stage, and the Hoyer-Greenwood alternative would have banned all such procedures. Equally important from a good public policy perspective is that it would have

become law. The President has said that he would sign those tough standards set in Hoyer-Greenwood.

But rather than to work to enact meaningful restrictions on late-term abortions, which we all agree should be limited, we are again engaging in a purely political debate. My Republican colleagues even oppose what Governor Bush, the candidate for President, has governed under in Texas, which has a law that is even broader than Hoyer-Greenwood. It says that no abortion may be performed in the third trimester on a viable fetus unless necessary to preserve the woman's life or prevent a ''substantial risk of serious impairment to her physical or mental health, or if the fetus has a severe and irreversible abnormality.'' That is the law in the State of Texas. That is the law that Governor Bush has been operating under during the last 5 years as governor of the State of tax.

It is a law similar to the 40 laws that have been passed in the different States that have such meaningful late-term abortion restrictions. It is what Hoyer-Greenwood would have given us the opportunity to do. But my Republican colleagues chose politics over policy, and they are not saving one life with their legislation.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ENGEL)

Mr. ENGEL. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, this is all about politics. Everyone knows that the President is going to veto this bill, and there are not sufficient votes in the other body to override. So why are we doing this? The Republican leadership has decided this is an election year, let us once again put up this bill and let us try to get emotions flying.

Make no mistake about it, my colleagues, this is the start of attempts to erode Roe v. Wade, an attempt to drive women to the back alleys where abortions will not be prevented but will be performed under unsafe conditions resulting in the deaths of many, many women.

I cannot understand my Republican colleagues who profess, on the one hand, to say that the Government should get out of private lives; that the Government should not intrude on personal decisions, but they want the Government to intrude on the most personal decision made between a woman and her doctor, her family and her God. Makes no sense to me whatsoever.

I would like to tell a personal story. Six years ago my wife gave birth to a beautiful boy named Phillip. Many of my colleagues know him. It was a pregnancy that was unplanned; that was not expected. He is 7 years younger than my youngest child. My wife became pregnant at age 40 and gave birth at age 41, and we were concerned about the risks. I am pro-choice; my wife is pro-choice. We are not pro-abortion. There is a difference. We made the choice.

The choice was to have this beautiful child. There was much testing, there was much heartwrenching, and he is the apple of my eye. But every woman, every family, every couple has the right to make that personal choice, particularly if it should involve the health of the mother. And having no exemption in this bill for the health and well-being of the mother, I think is an attempt by this body to impose its will on the most personal decision that a wife or a husband and wife or a family will make.

This bill ought to be defeated.

Mr. CONYERS. Mr. Speaker, I yield myself 2 minutes to inquire of the distinguished manager of the bill, the gentleman from Florida (Mr. CANADY), if it is not true that he has circulated a letter about the same bill, then numbered 1833, to our colleagues in which he said that ''this bill bans any abortion in which the person performing the abortion partially vaginally delivers a living fetus before killing the fetus and completing the delivery. The ban would have the effect of prohibiting any abortion in which a child was partially delivered and then killed no matter what the,'' he calls, ''abortionist decides to call his particular technique.''

In other words, the gentleman is saying that his ban would apply to any abortion method. Does the gentleman recall the letter that was circulated?

Mr. CANADY of Florida. Mr. Speaker, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from Florida.

Mr. CANADY of Florida. The statement in the letter is absolutely accurate.

The terminology that happens to be applied to the procedure is not what is at issue. It is a matter of fact, however, that the procedure which exists, which is used, which would come within the scope of this bill is the dilation and extraction procedure, which we just discussed in the colloquy with the gentleman from California.

Mr. CONYERS. Mr. Speaker, reclaiming my time, I thank the gentleman.

Mr. Speaker, this is a general description that is being used, and the ban would, as the gentleman said, have the effect of prohibiting any abortion in which a child was partially delivered.

Mr. CANADY of Florida. If the gentleman would further yield, the language of the bill has been changed since that letter was circulated to make clear that the child actually has to be partially delivered not just into the birth canal but outside of the mother's body. And the only procedure that does that is the one I have described.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Michigan (Mr. CONYERS) has 1½ minutes remaining; and then the gentleman from Florida (Mr. CANADY) will have the closing statement.

Mr. CONYERS. Mr. Speaker, I yield the balance of my time to the gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, I rise in strong opposition to this bill, and I do so arm in arm with the people of the First District of the State of Washington, who, when presented with an initiative 2 years ago to do what this bill does, rejected it soundly 60 percent to 39 percent.

Now, why did the people of the First District do that? They are uncomfortable with late-term abortions, as we all are. So why did they reject the exact bill so adamantly that the majority now proposes? Two reasons. They have common sense, and they got it.

They understood and understand that this bill and that initiative could ban the woman's right of choice at any time during the pregnancy, at any time taking away that woman's right of choice which has been constitutionally recognized. They got it. Some do not get it here.

Secondly, they had the common sense to understand that a woman's health rights ought to be recognized if we are going to pass statute. It is common sense that a woman's health ought to be taken into consideration, which this bill does not recognize one iota. They rejected that, and America rejects this bill because it is an exercise in politics rather than in policy.

And let me just say one thing personal to my friends across the aisle. We would do much better for American, and we would prevent many more abortions if we spent more time preventing teenage pregnancy than making political statements.

The SPEAKER pro tempore. The gentleman from Florida (Mr. CANADY) has 9½ minutes remaining.

Mr. CANADY of Florida. Mr. Speaker, I yield the balance of my time to the gentleman from Illinois (Mr. HYDE).

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Speaker, I cannot imagine any subject more important than the one we debate today. This debate is not about religious doctrine or even about policy options. It is a debate about our understanding of human dignity, what it means to be a member of the human family, even though tiny, powerless and unwanted.

Yesterday, we discussed organ transplants, another life-and-death issue. But today's debate goes beyond that to the issue of whether one radical medical procedure, called partial-birth abortion, is an acceptable exercise of a woman's right to choose. And by the way, that choice is either a dead baby or a live baby. That is the choice, whether it is a woman's right to choose or whether it is the surgical butchery of what a prominent pro-choice Senator called infanticide.

We are knee deep in a culture of death. The cheapening of life is demonstrated in the high school shootings,

the coarsening of our national conscience by our entertainment industry, the fact that since Roe v. Wade in 1973 there have been 35 million abortions. We are knee deep in a culture of death.

I should ask the people who support this procedure to forgive my use of the word abortion. I know they dislike that harsh word. They prefer euphemisms like termination of a pregnancy. Every pregnancy terminates at the end of 9 months. Or ''removal of the products of conception.'' And the word killing is to be avoided like the plague. So the little infant is not killed, but rather ''undergoes demise.'' But as the great heavyweight boxer Joe Louis said about his one-time opponent Billy Conn years ago, ''You can run, but you can't hide.'' And we cannot hide from the ugly reality of partial-birth infanticide.

To those who think that the phrase ''sanctity of life'' is too theological, although we are kind of comfortable with the sanctity of an oath or the sanctity of a contract, I suggest the notion of human dignity is interchangeable and appropriate.

□ 1415

Now, the Declaration of Independence, an awkward document in this debate, proclaims the right to life is an endowment from the Creator and is an inalienable right.

Have my colleagues ever seen a doctor have a card that says ''eyes, ear, nose, throat, and abortionist?'' Somehow, there is something bad about that word. So when an abortionist plunges his scissors into the back of the neck of his tiny, squirming, struggling-to-live victim, he has obliterated and utterly irrevocably destroyed that little infant's right to life and his human dignity.

Oh, we posture, we pronounce about human rights, everybody's human rights, whether in China or Serbia or Colombia. Well, not everybody's human rights, because we deny any rights to the target of every abortion.

PETA, People for the Ethical Treatment of Animals, God how I wish we had one for humans, especially the tiny, powerless, defenseless ones who find themselves innocently inconvenient.

We talk about our birthright. By what right do we steal anyone's birthright? But that is what happens in every abortion. We treat the unborn as a thing, desensitized, dehumanized, depersonalized thing, to be discarded with the other junk.

Charles Peguy, a French novelist, once said, ''If you possess the truth and remain silent, you become the accomplice of liars and forgers.''

So long as we tolerate this dehumanizing procedure, so long as we do not draw a line in the sand, we become guilty accomplices in the slaughter.

Lady Macbeth can speak for us when she says, ''all the perfumes of Arabia will not sweeten this little hand.''

Everyone in this Chamber, everyone in this Chamber, has ancestors that reach back in an unbroken chain of humanity through forgotten millennia to the first man and woman. And so, we here and now are alive because our ancestors successfully ran the marathon of life, surviving wars, famines, floods, earthquakes, disease, the four Horsemen of the Apocalypse. But they survived. They endured through it all.

What a cosmic tragedy for this little one four-fifths born to have his life snuffed out as he is about to cross the finish line of that millennia long marathon.

But here at the beginning of the 21st century, have we traveled very far from those societies who behead their criminals? And what crime has this tiny, struggling, four-fifths born infant committed? The crime of being unwanted.

Oh, we have unwanted people, the homeless. But they have eyes to weep with. They have voices to cry out with. And when we do pay attention occasionally, we provide them with shelter. But not the little ones about to ''undergo demise.''

I recommend my colleagues avert their eyes and take solace in the fact that the torture of partial-birth abortion takes only the time it takes to stab the little baby in the back of the neck and the little flailing arms and legs stiffen at the moment of truth.

Look, in this advanced democracy, in the year 2000, is it our crowning achievement that we have learned to treat people as things? We are not debating policy options. This is a debate about our understanding of human dignity. Our moment in history is marked by a mortal conflict between a culture of life and a culture of death.

God put us in the world to do noble things, to love and to cherish our fellow human beings, not to destroy them. Today we must choose sides.

When Napoleon died, somebody said, God finally got bored with him. I really am afraid God is going to be bored with us, especially if we do not put that line in the sand.

Support this excellent bill. Step back from the abyss.

Mr. SCHAFFER. Mr. Speaker, today is a sad day. The Members of the House of Representatives are forced to confront the President and overwhelmingly approve a ban on the abhorrent abortion procedure known as partial-birth abortion. Mr. Speaker, the President has repeatedly vetoed this legislation. Our goal is to unequivocally end this immoral, unhealthy and unnecessary procedure. Congress passed bans on partial-birth abortions in both the 104th and 105th Congresses. And today, in the second session of the 106th Congress, the House will once again express its will—the voice of the American people—that partial birth abortions be stopped.

Since 1995, thirty states have enacted laws banning partial-birth abortions. Although many of these laws have not taken effect because of temporary or permanent injunctions, they clearly indicate the growing national movement against the frivolous waste of human life and the culture of death. Lifestyle should never come at the expense of Life.

Mr. Speaker, one of the reasons Congress must continually defend the lives of unborn children from abortionists is the Roe v. Wade decision. This is a subject about which I am particularly concerned. I hereby submit for the RECORD my address delivered to the Pregnancy Resource Center of Northeast Colorado, Fort Morgan, Colorado, on January 22, 2000.

27 YEARS OF ROE V. WADE

JUSTICE TO ALL LIVING HUMANS, BORN AND UNBORN

In just a few hours our planet will have made its 22nd full revolution since that long anticipated night when we ushered in a new millennium, a new century, and a New Year. I'll admit now, I was a bit anxious about the whole ''Y2K'' thing, although outwardly, I dismissed the predictions of power outages, water shortages, and financial crashes as ''silly.''

Just before we were to leave for a New Year's Eve party, my wife Maureen returned from the grocery store to find me on the back porch filling up my daughter's swimming pool and some five-gallon cans with water. ''What are you doing out here in the cold?'' she asked. ''Oh!'' I said embarrassed. ''Checking for leaks.''

I turned off the hose and rushed in to help my wife put away the groceries—which included about $50 worth of batteries! Now, you have to understand, she holds a Ph.D. in Electrical Engineering. When she gets nervous, I get nervous. She said, ''Well, we just never seem to have them when we need them, and, by the way, good thinking on the water.''

Of course we now reflect on the turn of the millennium with a certain amount of amusement and remember all those TV news anchors grasping for things to say, reaching for laborious words to fill up the air time which might otherwise have been devoted to disaster. It turned out like the opening of Al Capone's safe. Nothing there. Nothing remarkable. Nothing changed. Our lives went on uninterrupted. Our world just kept revolving.

And here in America, our country was still the only country on the planet to recognize abortion as a constitutional right—a right that has been exercised 40 million times since it was first fabricated on this day in 1973. Despite the benevolent advice of our government, which it mandates be printed on every bottle of holiday champagne, the very unborn babies we are urged to protect still face more than a 1 in 4 chance they won't even make it out of the womb.

This 22nd day of the millennium marks the 27th year since Roe v. Wade, when our government stripped from the unborn child the fundamental Right to Life. Prior to that, fetuses were still babies, and the Constitution protected them, just like the Declaration of Independence suggests it should.

Somehow, those black-robed despots of the Court presumed to know better than God Himself. For 197 years, America had always accepted as ''self evident'' and true ''that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, among them are Life'' and all the rest.

Tonight I want to congratulate this Pro-Life Alliance assembled here, because you have not abandoned that opening precept of our American Declaration. Nor have you abandoned the self-evident Truth that, regardless of the opinions of Washington, D.C.'s elite, the natural, God-given Rights of the unborn are still very much in force.

Your very presence here tonight reinforces it. Your money, your time, and most of all, your prayers are all testimony to the unifying force of the Creator and the true benevolence of Divine Providence. Indeed, it

was 2000 years ago that He revealed to the world the way of victory over death, through a Child.

And it is because of the promise of the Christ Child that we know, beyond a shadow of a doubt, that God hears our prayers for all souls. He hears our prayers that His mercy be generously dispensed upon the souls of the unborn, the souls of their mothers, their fathers, and even their executioners and all those who, through their own weakness, have become the counselors of darkness.

Our prayer and our mission here tonight is for life. Friends, the simple fact is, at abortion mills across the country, there is simply too much death, and too much violence. It is wrong, and it must stop. Whether perpetrated against the unborn, or any other human being, violence and premature death is always wrong.

The Greeks used to say ''in prosperity it is very easy to find a friend, but in adversity it is the most difficult of all things.'' I'm most fortunate to have some good friends here tonight who are not afraid of adversity, and I'm honored that they're here, especially, State Senator Marilyn Musgrave. She is one of the true heroines of Colorado politics, and among the strongest voices at the Capitol for those least able to defend themselves.

I'm extremely pleased to see young people who are concerned about human life, because I think the single most important responsibility of any society is the transmission of values from one generation to the next. That is of critical importance in a free society. We understand freedom, and true freedom means making choices that have real impact.

Self-government means that we make decisions that literally shape the future. Imagine that, God the Creator of origin allows us to be the creator of the future. We shape the world. The powerful meaning of that is perhaps articulated best in the Fifth Book of Moses, more commonly called Deuteronomy. Here, God says, ''I call heaven and earth to witness against you this day, that I have set before you life and death, blessing and curse; therefore, chose life, that you and your descendents may live.''

Now, let me tell you how politicians read this.

Most politicians read Scripture like a set of statutes. There must be some loopholes in here, right? Maybe we can send this to the Rules Committee with a ''motion to instruct'' that will make it easier to deal with if and when it ever comes time to vote. Perhaps this really doesn't matter as long as a quorum is not present.

Well, as a politicians and a Christian, this verse really speaks to me. It reminds me of the media. Let me repeat it. ''I call heaven and earth to witness against you this day.'' I have lots of friends who are reporters. I've developed a certain level of camaraderie with some of them. Eventually you feel comfortable talking off the record about politics, personalities, and ideas—just shooting the breeze.

But when that reporter switches on the tape recorder, or flips open the notebook, it's time to get serious. My actions are now a matter of, well, a matter of record. Deuteronomy tells us the choices we all make are recorded in heaven. I remember quite vividly when my high school religion teacher described this within the context of ''free will.''

The verse continues, ''I've set before you life and death, blessing and curse; therefore choose life, that you and your descendants may live.'' You see God gives us the widest latitude in deciding. And more often than not the choices He gives us are black and white, polar opposites, sometime diametrically opposed: Life vs. death. Blessing vs. cursing. In these and lesser cases, the choices we make are important not just for ourselves. No, these choices are eternal and have an impact upon those who follow us.

As a United States Congressman, I'm asked to make lots of these big decisions. The challenge is to make choices that will make the future brighter than today. Those choices are not always easy to make. Being a leader is sometimes unpleasant.

When our leaders are unable to evaluate profound decisions within the proper context of ''life or death, blessing or cursing,'' they are prone to consult their pollsters. In fact, these kinds of policymakers are sometimes pejoratively referred to as ''poll vaulters.''

Poll vaulting is when you take a public opinion poll, find out where everyone's going, use the poll to vault yourself ahead of the crowd. When the crowd finally arrives at the point you're at, you say, ''I was here first. I'm the leader.''

If you think I exaggerate let me describe this advertisement from a political trade magazine. Across the top it says, ''ABORTION! Right to life? Women's rights? State laws?'' The copy says, ''As an elected official, do you really know what your constituents think about these issues? Legislators can't afford to be out of step with voters on this emotional issue. Let us design and conduct a survey of voters in your district, to help you develop your position on this most divisive issue of the decade.''

Friends, this is what's sick about Washington. This is not leadership. This is poll vaulting, and today we see elected officials in the highest offices in the land conducting polls every day to measure what they think we want to hear, and to carefully calculate the exact language so as to say it precisely right. What America needs are fewer politicians telling us what we want to hear, and more leaders who profess the truth.

It seems so simple, until you realize, our failure to address this phenomenon in our Churches, Synagogues, businesses, in the media, and yes, even our failure at the ballot box, has resulted in 40 million abortions. Friends, this is no small matter. And frankly, we should be winning because all the advantages are on our side.

Since our politicians read the polls, let's see what the polls say. First, let's get beyond the ''pro-life, pro-choice'' labels. You can give me a parachute and drop me out of a plane anywhere in America. In three of the five places I might land, the first person I see when asked, ''are you pro-choice,'' will answer ''yes;'' because ''choice'' is a powerful word, and no one wants to be against choice. That, by the way, goes for me. Yes, I'm pro-choice. The more choices the better as far as I'm concerned. In fact, in order to choose you must first be alive which is another reason I oppose abortion.

Now, The Chronicle of Higher Education recently found that among 250,000 entering college freshmen, support for legal abortion is at its lowest level since 1979. At UCLA, for example, 53.5 percent said they agreed abortion should be legal. That's 3% down from the previous year. I mention UCLA because I thought the number would be much higher there.

A 1998 New York Times/CBS poll found only 15 percent of Americans believe a woman should be permitted to have an abortion during the second trimester of pregnancy. Only 7 percent of women should be permitted to have an abortion during the last three months of pregnancy.

A recent Wirthlin poll found only 21 percent believe that abortion should be legal for any reason during the first three months of pregnancy. Only 9 percent feel abortion should be legal at any time during pregnancy and for any reason.

Most encouraging is that same Wirthlin poll found most Americans believe abortion should not be permitted after signs of life can be detected. A lopsided 61 percent disagree with the statement ''abortion should be permitted after fetal brainwaves are detected.'' Fifty eight percent agree with the statement, ''abortion should not be permitted after the fetal heartbeat has begun.''

What that says friends is that most people in America understand that choosing an abortion is a choice of diametrically opposed outcomes—that it should not be taken lightly. And don't think for a minute the value of human life is not considered. And that is an admission that, with rare exception, we all recognize the termination of a human life, and we all know it.

The beating of a heart. I saw that just a month ago. At the Schaffer house, we're all excited. Our fifth baby is due one month from today, on George Washington's birthday.

I went in for the well check with Maureen. I told the doctor I'd never seen an actual ultra sound. I'd only seen the still photos. He wheeled the cart in and said, ''what do you want to look at?'' I said the whole enchilada, head to toe. That's just what I got to see.

I counted all ten toes, fingers too. In fact I saw a hand opening and closing. I'm no doctor, but it looked to me like little George is a Georgette. Doctor Hoffman pretty much agreed but wouldn't guarantee. The girls seem to be pretty modest even before they're born and this one didn't make it easy to see. At any rate, my wife tells me I better come up with a better name. My apologies to any Georgettes in the audience tonight.

I gazed at that ultrasound screen, and watched in real time, our baby's heart beating, just as it has been beating ever since somewhere between days 18 and 21, which is before most women find out for sure they're pregnant.

And I thought to myself, 40 million tiny beating hearts. How can any sane society tolerate 40 million abortions? Have the people at NARAL, NOW, and Planned Parenthood seen one of these ultrasounds? I'm sure most of them have. All my ''proabortion'' colleagues in the Congress? Do you suppose they've seen one of these? Surely they must have.

Then why does it seem like there's so many more of them and not enough of us?

I'll tell you why. The pro-abortion movement in America has plotted a campaign-style strategy that assumes we are all idiots. They want us to believe women are somehow degraded when caring, compassionate people talk about the Rights of their offspring.

Unfortunately, it seems the first people to buy all that baloney are politicians. Just yesterday, the Rocky Mountain News ran a story about an abortion rally that took place this week on the Statehouse steps in Denver.

One of the people I serve with in Congress was pictured there and quoted saying, ''We can't afford to be complacent.'' According to the News, ''he added he wanted to make sure his 9-year-old daughter would have the same freedom of reproductive choice enjoyed by women today. 'Our daughters are counting on us.'" Well I say, our daughters are indeed counting on us, but not for more abortions.

Well, the first thing we need to do is quit feeling like a minority and start acting like a majority, because we are. We need to stop blaming the media, stop blaming Planned Parenthood, because we know on any given day a strong majority of Americans agree with us. And if we can't convince our neighbors that nothing in our society is more important than human life, then we are simply not trying hard enough.

Our greatest weapon is the truth. Dr. John C. Wilke, who before becoming president of the National Right to Life Committee, was president of the Ohio Right to Life, first impressed this upon me. He came to my high

school in Cincinnati. I was proud to march beside him in Washington, D.C. 20 years ago in the annual pro-life march on the nation's capital.

He taught about the fundamental truths that relate to abortion. No matter what your faith, your culture, or even your opinion about abortion rights, there are certain undeniable truths.

Fact: From the moment of conception, this being is alive. It is not dead. In fact, the more science knows about fetal development, the more science has confirmed that the beginning of any one human life, biologically speaking, begins at the union of his father's sperm and his mother's ovum, a process called ''conception.''

Fact: This being is distinctly human with 46 human chromosomes, male or female (not an ''it'') complete, alive, and growing. These live human beings possess the ability to change our lives, change our communities, and to change our world. That's not a condemnation. That's a tribute to human existence, and it is awesome. And since the 1960's we have raised a generation that places less importance upon the awesome responsibility of creating a child. Even in this room, how many of our own children understand this sacred act—a man and woman becoming one in the same flesh, sanctified by God, the result of which is human life?

Oh we might have said the words, and had the discussion with our kids, but look what we're competing against. They're bombarded everywhere they turn with secular messages that promote destruction over life.

It's everywhere, at school, on the internet, on the radio, the TV, it comes in the mail, from the neighborhood. Even my mother, gave my 12 year old twin girls some stupid book about boys as a gift. I had to take it away, but that's a story I don't need to get into. There are even some ministers of the Gospel who will preach that the quality of one's life is of equal or greater concern than life itself. I don't deny that quality is important, but if quality comes first, then we have invented a formula to end world hunger, homelessness, disease and suffering by simply killing all those afflicted. If quality is supreme, then abortion rights activists have invented a doctrine that justifies even the most horrific mass executions throughout the history of human civilization.

Friends, our battle is for the truth. This war will not be won by the Supreme Court. It will not be won in Washington. Yes, there are some battles there to be won or lost but the real contest for the heart must be won in communities like ours all across the country.

Even Jesus Christ Himself said, ''render unto Caesar that which belongs to Caesar, and to God what is God's.'' The souls of the children belong to God. Take it from me, the bureaucracy does not care. The bureaucracy cannot love. I was there at that famous National Prayer Breakfast when Mother Teresa lectured the President and the Congress. There is no such thing as an unwanted child she said. If you don't want your child, ''give it to me,'' she said. True to her word, her Sisters of Charity have never turned away an unwanted child.

Fortunately for us the founders understood this. They even understood Deuteronomy, the concept of free will. They built a government upon the belief that Americans should be trusted while acknowledging there would always be treacherous risk that some Americans would make the wrong choices. But total freedom is also the only way for the people to keep their government honest and frankly, the only chance for true honor, integrity, and virtue to exist—the very kind of qualities heaven and earth have been called to record this day against us.

You know, sometimes doing what's right is just hard work. Actually, it usually is easy if you think about it, but sometimes it's very difficult, inconvenient. God knows this.

If we're going to be concerned about whether a child lives, then we also have to be concerned about the rest of her day when she's 2 years old, 6 years old, 9 years old, and so on. That's what crisis pregnancy centers are all about, and that's why we're here tonight. We know that if any child is mislead to believe his life, at any time, didn't matter, or doesn't matter, or might not matter, then we have loosened the ties that all children need to their community, to one another, to their mother, and to God. Abortion dissolves this bond, and without it children will inevitably turn against their parents and other children.

Let me begin to close by bringing us back to what we have failed to communicate to the nation, and where we have failed America in my judgment. We have not had the moral courage to stand up and say that the expense of ignoring the truth is death, misery, human degradation, and the loss of opportunity and dignity for millions of humans.

When people define freedom as an eight-foot bubble on your way to an abortion mill, it trivializes the protective bubble we really ought to be concerned about, which is the womb. What kind of society is it that makes free speech on a public sidewalk a crime, and then dismisses the silent screams of 1.2 million abortions performed this year as matters of privacy?

And I'm sick and tired of the double standard that allows the Clinton administration on one day, to send American soldiers into battle halfway around the globe, because ethnic cleansing is terrible; and then the next day open up the White House to abortion lobbyists. It is their industry that disproportionately preys upon the children of black and Latino mothers, effectively waging a more sinister and more viscous kind of ethnic cleansing right in our own backyard.

When put in that perspective, the people of any country in the world have every right to be as appalled by abortion in America as we are appalled when we see pictures of dead children in the streets of Kosovo. The same people who advocate free needles for heroin addicts, who offer condoms and Depo-Provera to children in Title X clinics behind their parents' backs, who describe ''safe sex'' as anything outside of marriage, and who gleefully tell about the drugs they ''didn't inhale,'' cause people to die.

They're the same ones who have been willing to embrace moral degradation in our schools, and tolerate this pestilent preoccupation with death, and attack the family. These people are just as guilty as the kid who pulls the trigger on his friends.

And for generations we've lacked the nerve and courage to stand up and say, ''I'm not going anywhere until this community is safe for every child!''

This is about our children. It's about human life. Even today, the rest of the world looks to us for security because they've read our Declaration of Independence, and they assume we're serious about it. That's why American troops are deployed to missions all around the planet at this very moment.

And so while our sons and daughters in uniform secure peace and save lives in places like Bosnia, East Timor, Haiti, Kosovo, and Korea, don't you think we owe them the same kind of courage here at home? To show them that what they defend matters? That the truth is for real and it's important?

In 1987 Ted Koppel spoke about truth before the graduating class of Duke University. He explained how ''we have spent five thousand years as a race of rational human beings trying to drag ourselves out of the primeval slime by searching for truth.''

Now this is Ted Koppel, the guy on Nightline . . . a journalist. He said, ''our society finds truth too strong a medicine to digest undiluted. In its purest form truth is not a polite tap on the shoulder; it is a howling reproach.

''What Moses brought down from Mount Sinai were not the ten suggestions . . . they were Commandments. Are, not were.''

Friends, I've spoken tonight for a long time about three things: free will, the ugly truth about abortion, and moral decay.

As a Catholic, I'm a great admirer of the Holy Father Pope John Paul II. Regardless of whether you're a Catholic, his message about the times we are in is one for us all.

This year, the Jubilee Year 2000, is a special moment. For all Christians it is a year of great anticipation, a millennium measured from that first night in Bethlehem that has come to define our very souls. To this day the Nativity shapes our character as God's people on earth.

This is a year for reconciliation within the Church and throughout our society. It is a year for hope and growth. It is a year to emphasize to the world how a Child changed the course of humanity and how 2000 years later He is still the greatest influence on how we live, and how we understand real freedom and real liberty.

Frenchman Alexis de Tocqueville in his great 1835 work Democracy in America observed, ''America is great because America is good, and if America ever ceases to be good, America will cease to be great.'' The British statesman, Edmund Burke wrote his famous quote in 1795, ''All that is necessary for evil to triumph is good men to do nothing.''

The Jubilee Year is our year to do something good, to do something great, to choose blessing over cursing, to choose life over death. Remember heaven and earth are indeed called to record this day against us. And so I ask you to firmly rely upon the protection of Divine Providence. Pledge your lives, your fortunes, and your sacred honor, just as the founders did in that last beautiful sentence of the Declaration. See to it that this Republic for which we stand is truly one nation under God, and that we do extend the full benefits of Liberty and Justice to all living human beings, born and unborn. Thank you.

Mr. GOODLATTE. Mr. Speaker, every once in a while, we as elected leaders are asked to take a stand on an issue that touches the inner-core of our moral obligation to protect the innocent from violent death. Today I rise in support of a reasonable bill to ban a heinous procedure to partially deliver fully formed babies, and then kill them.

The ongoing debate over the ''partial-birth'' abortion procedure gives all of us an opportunity to join together in protecting innocent children from a horrific and gruesome procedure. Only the most calloused among us can hear the description of this procedure and not react with disgust. The overwhelming majority of the American people want to ban partial-birth abortions and no matter what your position is on abortion, this grisly procedure is indefensible in a civilized society.

According to Ron Fitzsimmons, executive director of the National Coalition of Abortion Providers, the occurrences of partial-birth abortions is much more frequent than was once admitted, further calling into question the defensibility of this procedure. Clearly, a pattern of deception has emerged regarding how and when this procedure is performed. We do now know that thousands of partial-birth abortions are performed annually, the vast majority

of which are performed in the fifth and sixth months of pregnancy, on healthy babies of healthy mothers.

We must put an end to this barbaric procedure where the difference between abortion and murder is literally a few inches, and the moral implications for our society of allowing such a procedure are profound. This is effective legislation to ban an unbelievably gruesome act. I urge my colleagues to support this legislation to protect those who cannot protect themselves.

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today to express my support for H.R. 3660, the Partial Birth Abortion Ban Act, as I have done a number of times since 1995. Despite the failure of this Administration to sign this legislation into law on previous occasions, I am pleased this Congress continues to send, by an overwhelming majority, the message that partial birth abortion is wrong.

We continue to debate this issue, even though the facts are quite clear. Partial birth abortion is not a medical procedure. Doctor after doctor has testified that partial birth abortion procedure is never medically necessary. Our former Surgeon General, C. Everett Koop, has gone on to conclude that the procedure poses a significant threat to the mother's health and future fertility. However, giving the benefit of the doubt, this legislation does provide an exception should a case arise when a doctor performs the procedure to save the life of the mother.

Overwhelming support exists to ban partial birth abortions. Since Congress began voting to ban partial birth abortions, numerous state legislatures have voted to end them. The House of Representatives has consistently overridden President Clinton's veto of this legislation, and I am confident we will do so again. However, before President Clinton follows through on his veto threat, I would like him to take another look at the support that exists to ban this abortion procedure, the opinions of doctors and his conscience.

I understand the issue of abortion is difficult for many. Well-intentioned people will continue to disagree. How long, though, can our society continue to justify its denial of the right to life to the defenseless unborn? The value of life has been consistently cheapened. Partial birth abortion is a graphic example of the worst of abortion, in which a child is killed after being partly delivered. Congress must continue to take a stand to uphold the value of life, especially in these instances in which life is so blatantly being destroyed.

I urge President Clinton to take a courageous stand and support this legislation when it is sent to him. I urge my colleagues to continue their support for human life and for a ban on partial birth abortions.

Mr. WU. Mr. Speaker, I rise today to express my opposition to H.R. 3660, the so-called Partial Birth Abortion Ban. This legislation is a direct attack on a woman's right to choose and an effort to undermine support for reproductive choice.

H.R. 3660 endangers women's health by failing to include a constitutionally mandated exception to protect the health of women. The Supreme Court requires that a woman's life and health be protected throughout pregnancy and at no point can a state compel a woman to sacrifice herself. I believe that a woman's health—including her future fertility and mental health—should be protected.

H.R. 3660 is vague, broadly written and will not restrict just one method of abortion but rather, it prohibits procedures which are used in first and second trimester abortions. This is a blatant attempt to legislate health care procedures. This bill restricts a woman's right to choose and lets politicians rather than women and their families make health decisions.

Restricting options for women makes a tragic situation even worse for a woman and her family. Women and their doctors, not state legislators or Members of Congress, should be deciding the best medical procedure.

I urge my colleagues to oppose H.R. 2660 and vote ''no.''

Mr. POMEROY. Mr. Speaker, I rise in support of H.R. 3660, a bill to ban a late-term abortion procedure known as partial birth abortion.

I will vote in favor of this legislation, in favor of banning the partial birth abortion procedure, as I have done in the both 104th and 105th Congress. I will, however, vote against the rule, which denies members of both parties the opportunity to offer amendments. This legislation should have been considered under a fair and open rule.

Mr. Speaker, in the end, I believe that the partial birth abortion procedure is a cruel and unnecessary procedure that should be outlawed. Congress must act accordingly and pass legislation to achieve that end.

Mr. KUYKENDALL. Mr. Speaker, in the last few days, my office has been flooded with calls asking me to support the ban on partial birth abortions. If all we were doing today was prohibiting late term abortions, I could support that vote, even as a strongly pro-choice Representative.

The calls have prompted me to evaluate my own history with this issue and to carefully review the language of the legislation before us. Although I have voted against similar legislation in the past, I stated during my 1998 campaign that I would support a ban on late-term abortions except in instances in which the life of the mother was endangered by continuing the pregnancy. This position represents a departure from my previous voting history, but a conscious change that I can accept.

The authors of H.R. 3660 would have all of us believe that that is exactly what we are voting on today. However, after reading the language of the bill, I find that I cannot support this bill. Unlike any other legislation that I have been asked to consider, this legislation permits doctors to be sent to jail for up to 2 years, simply for making a medical decision. There are other enforcement tools available to discourage the use of this procedure without authorizing imprisonment. Those tools include substantial civil fines and the permanent suspension of a physician's medical license. Both of these are strong incentives; we do not need to criminalize medical judgements. With this legislation today, we have guaranteed that medical decisions are not independently made on the basis of the patient's unique health needs, but include a consideration of the criminal consequences.

The legislation under consideration today could have been drafted in a manner that prohibits the procedure, without having to rely on imprisonment as the enforcement mechanism. During my time in the California State Assembly, for example, we considered legislation to ban partial birth abortions. The tool to enforce the prohibition was a stiff monetary fine, followed by the temporary suspension of the physician's medical license. We also could have employed the ''Sense of Congress'' mechanism to express our strong distaste for late term abortions. Or, we could have actually produced a piece of legislation that prohibits the specific, medically recognized late term medical procedure called an ''intact dilation and extraction.'' Any of these legislative vehicles could have been used, and I would have supported any of those efforts, including permanent suspension of a physician's medical license, provided they incorporated an exception where the life of the mother was in jeopardy. Because of the addition of criminal penalties for doctors, we failed to have a meaningful debate to restrict the use of late term abortion procedures. For this reason, I cast a ''no'' vote today and will cast a ''no'' vote to override the certain veto of H.R. 3660.

Mr. BARR of Georgia. Mr. Speaker, I applaud you for ensuring H.R. 3660, the ''Partial Birth Abortion Ban Act of 1999,'' was placed on this session's calendar. It is an extremely important issue we continue to address, yet can't seem to get signed into law; this is unacceptable. Banning the horrendous, barbaric process known as ''partial-birth abortion,'' should be an issue every civilized person should support; whether pro-life or pro-abortion.

Partial-birth abortions are performed very late in pregnancy and involve the forced partial birth of the child, who is then killed by the doctors before completing delivery. H.R. 3660 addresses this practice, by prohibiting medical doctors who perform abortions from using such ''partial birth'' procedures; it also imposes fines or potential imprisonment of up to two years. It includes an exception to prosecution for doctors who can show the procedure was necessary in order to preserve the life of the mother.

H.R. 3660 protects the unborn from the most grotesque form of death imaginable. Passage of this measure would be a major step forward in protecting the lives of those who are most vulnerable. This is limited, but good, decent and necessary legislation; and protects children against a horrible form of death.

I urge you to preserve human life and vote ''yes'' for passage of H.R. 3660.

Mr. WATTS of Oklahoma. Mr. Speaker, I rise today to ask my colleagues on both sides of the aisle to join me in supporting the partial-birth abortion ban act.

We have a great economy, Mr. Speaker. Everybody's driving around in fancy cars, living in fancy houses, and unemployment is lower than most economists ever dreamed. Yet our culture is in shambles. Kids are killing other kids. Schools are not longer considered safe havens. And we wonder, why.

Mr. Speaker, legalized partial-abortion represents a total breakdown in our society. It says to our children—don't worry, if you don't want to take responsibility for your actions, it's okay to do whatever it takes for the sake of convenience. Right now, it's okay to kill a baby boy or girl as the poor, defenseless child is a third of the way from being completely delivered into this world.

Do we wonder why teens are throwing their babies in dumpsters and in public restroom toilets? Do we need more of a wake-up call than this culture of death?

This is yet another time when I am thankful that I am a Republican, as we are a party

united against the evils of partial-birth abortion. I commend the 70 or so Democrats, including the entire minority leadership, who will stand against the President and the Vice President in defense of innocent human life.

But I challenge my friends and colleagues who are not yet with the nearly 300 Members of the House who support this legislation to have a change of heart. Whether you are for or against abortion—we're talking about infanticide here.

I especially would like to challenge my colleagues on the other side of the aisle who insisted on labeling the Republican Party as somehow ''anti-Catholic.'' If there is one, single bill the Roman Catholic Church has supported with all her might and glory—it is the partial-birth abortion ban act. My party supports it. Join us.

If we are to turn around this culture, we need to change hearts—and laws. What we permit, we condone. What we ban, we condemn.

A clear majority—and in some instances, a supermajority—of Americans condemn partial-birth abortion. Partial-birth abortion is never necessary. Partial-birth abortion is not rare. Partial-birth abortion is not right.

We have a lot of work to do to teach our children on morality and virtues, from infidelity, to divorce, to abortion. All of these things are connected. But we must first start with ourselves. Let's take the first step to turning the culture of this great Nation around. Let us vote—clear and unambiguously—to eliminate the infanticide known as partial-birth abortion.

Mr. STARK. Mr. Speaker, I rise today to oppose H.R. 3660, the Partial-Birth Abortion Ban Act.

Make no mistake about it, this is a political vote and a political debate—a debate fraught with inflammatory rhetoric and distorted facts. The majority knows that the President will veto this bill and are using it as a political football to score points with certain segments of society.

Since we are here, I would like to get the facts straight about this issue. There is no medical procedure called a ''partial birth abortion''—that is a political term made by opponents of choice to distort the issue. There is a procedure called ''intact D&E'' that is used in cases of terrible family tragedy. These are catastrophic pregnancies, when the fetus has a horrible abnormality, or the pregnancy seriously threatens the mother's life or health.

This bill threatens doctors with fines and imprisonment, and prevents not a single teen pregnancy. The vote to pass this bill is a blatant attempt to shelter the hypocrisy of the abortion debate—that the strongest opponents of the right to choose also oppose programs promoting comprehensive sex education and birth control, which actually reduce unintended pregnancies. If they want to prevent abortion, they should improve access to contraception by increasing funding for title X and contraceptive research, and improving access to insurance coverage of contraception. Research shows that these policies have proven the most effective in preventing unwanted pregnancies. Instead, anti-choice Members of Congress would make access to family planning options more difficult, more dangerous, more expensive, and more humiliating.

A decision concerning a woman's pregnancy can't get more private or more personal. Women in conference with their Doctors, not politicians, must decide what medical treatments are the best for them. Doctors decide to carry out the ''intact D&E procedure'' as a last resort. Doctors use the ''intact D&E procedure'' when they believe it is the safest way to end a pregnancy and leave the woman with the best chance to have a healthy baby in the future. Congress should not second-guess their medical judgment.

I ask my colleagues in the majority, who often express their disdain at the Federal Government's involvement in their personal lives, to oppose this bill. I would hope that the majority could get as impassioned about protecting the right of a woman to make a personal choice about her body as they do about a person owning and buying a gun.

Mr. GILMAN. Mr. Speaker, I am disappointed that we have this legislation before us again today. This is the third time this bill has been brought before the House despite previous vetoes and failures to override these vetoes.

This legislation is not an appropriate way in which to address the late-term abortion issue. Abortion is a very serious and personal issue and prior to viability, should be a decision made by the prospective mother, her family, religious counselor, and her doctor. By pursuing restrictive legislation such as H.R. 3660, we are destroying the Roe v. Wade balance between a woman's right to choose and the State's interest in protecting potential life after viability. After fetal viability, States may ban abortion so long as a woman's life and health are protected. Currently some 41 States have laws in place that address abortion after viability.

It is for these reasons, that I have supported H.R. 2149, The Proposed Late-Term Abortion Restriction Act. This legislation provides a Federal ban on all post-viability abortions, with the narrow exception of those needed to preserve the woman's life or to avoid serious adverse health consequences. This bill would ensure that no woman could pursue a legal abortion during the final trimester of her pregnancy if she is carrying a healthy fetus. This legislation leaves the decision in the hands of the doctors, not lawmakers. Americans want medical decisions made by their doctors, as evidenced by their support for health insurance reform legislation that allows doctors final say in the decisionmaking process. In fact, 88 percent of all Americans support a health exception for the mother. The Supreme Court requires that a woman's life and health must be protected throughout her pregnancy; at no point can the State compel a woman to sacrifice her life in exchange for the life of the fetus. The bill gives doctors the ability to make this determination, with the knowledge that if they perform an abortion after fetus viability and without a situation threatening the mother's life, they will be held responsible in criminal and civil court.

Mr. Speaker, I oppose later-term, post-viability abortions, except those necessary to protect a woman's life and her health. And I oppose the manner in which this Congress continues to bring up this issue each year with the knowledge that this bill will be vetoed while there is strong bipartisan support in the Congress and by the President for H.R. 2149, the Late-Term Abortion Restriction Act. Accordingly, I strongly urge my colleagues to oppose H.R. 3660.

Mr. HALL of Texas. Mr. Speaker, I rise today in support of H.R. 3660, the Partial-Birth Abortion Ban Act. This important legislation reaffirms this Chamber's commitment to the preservation of life—and the rights of unborn babies to be protected from a procedure that is morally unconscionable.

Mr. Speaker, it is time to put an end to this inhumane and cruel procedure that ends the life of a fetus while it is partially outside the body of the mother. Our colleagues who are medical doctors have stated their belief—and others in the medical community have testified—that this procedure is never needed to protect a woman's health and some say it is needed in only rare cases to protect a woman's life. The Partial-Birth Abortion Ban Act makes it a federal crime to perform this particular form of abortion, but it does not prevent other procedures that are considered necessary to protect the life and health of the mother.

The President has vetoed this legislation twice. Twice the House has voted to override the veto, but unfortunately the Senate has been unable to achieve the two-thirds vote necessary to override the veto. Since 1995 we have had fifteen votes in the House on this issue—votes on the rule, votes on amendments, votes on final passage—and fifteen times I have voted in support of banning this procedure. Those of us who support this ban will not give up until this fight has been won.

Mr. Speaker, my record has always been pro-life. I have listened to considerable debate and discussion from the experts on this issue over the years. I have personally talked to many constituents about abortion and pro-life issues, and I have consistently come down on the side of life. Today I will once again come down on the side of life and vote for the Partial-Birth Abortion Ban Act, and I urge my colleagues' support.

Mr. HOEFFEL. Mr. Speaker, I rise in opposition to H.R. 3660, the so-called Partial Birth Abortion ban.

First, we should not be considering a ban on a medical procedure. Doctors are licensed to practice medicine, and they swear to do what is in the best interest of their patients. Members of Congress have no place in this decision, and we should not for the first time in our nation's history outlaw a medical procedure.

Secondly, the bill is much too broadly drafted and would likely violate a woman's constitutionally protected right to choose. The bill is not limited to late term abortions, and the wording of the bill is so loosely written that it could be construed to ban abortions that are currently protected by the Constitution.

Thirdly and most importantly, I oppose this legislation because it does not include an exception for the health of the mother. I am opposed to post-viability abortions. But if a pregnant woman's life is at stake or her health is at serious risk, doctors and patients deserve to have access to a full range of medical procedures to prevent the harm. This legislation does not afford women the protection they need to prevent serious injury, and I therefore will oppose the bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, thank you Chairman HYDE for the opportunity to address H.R. 3660, the Partial-Birth Abortion Ban Act of 2000. This act, despite its title is nothing more than an attempt to inhibit a woman's constitutional right to choose.

Although the majority conveniently skirts the issue of the 1973 Supreme Court decision of

Roe v. Wade, this law is still in effect and we must recognize a woman's right to have an abortion especially her life is threatened.

Yes, it is true that technological advancement in the medical field has enabled women to better monitor their pregnancies so that they may bring healthy children into this world. However, some pregnancies may involve problems that may threaten the life and/or health of the mother.

For example, continuing the pregnancy may result in severe heart disease, malignancies and kidney failure. In these situations, when a woman is faced with a life or death decision, she must have the right to make a choice whether to continue her pregnancy.

The procedure referred to in H.R. 3660 has been used to protect the mother's life but many times these late term abortions are primarily done when the abnormalities of the fetus are so extreme that independent life is not possible.

Many times in the issue of abortion we tend to glorify a potential life but refuse to acknowledge the actual living human being that has conceived that life.

This actual living human being has rights enumerated in the Constitution that can not be infringed upon regardless of what type of abortion is being performed especially if it is to save the life of the mother.

If society picks and chooses which type of abortion one should have than once again we are taking away the right of a woman to choose.

I would be amiss I did not highlight the fact that the terminology being employed by proponent of this bill is a term with absolutely no medical or scientific meaning.

On the contrary, this term is a being used solely to enrage and misguide the public. In fact, this term was actually adopted from a speech given by an anti-abortion advocate. Hence, the attempt to assuage our concerns that this legislation is not an attempt to circumvent a woman's constitutional right is simply untrue.

Therefore, I will not use this non-medical term ''partial birth'' abortion, but instead give this bill the title it deserves, the ''Abortion Ban of 2000.''

H.R. 3660 is another attempt to put politics before women's health. The overwhelming majority of courts have to have ruled on challenges to state so-called ''partial-birth abortion'' bans have declared that bans unconstitutional.

Furthermore, six federal district courts have issued permanent injunctions against statutes virtually identical to H.R. 3660 and the Supreme Court is about to review this same issue in April.

Thus, I agree with my Democratic colleagues that any action by Congress would be premature and even mooted by the Court's decision.

Notwithstanding the potentially mootness of this discussion, proponents of this legislation not only mischaracterize the reasons underlying the use of late term abortions, but they failed to even recognize the constitutional rights espoused by the Supreme Court in Roe and reaffirmed in Casey.

The ambiguity of this legislation further frustrates the rights of women in the nation and chills legitimately protected rights.

Consequently, this legislation could essentially ban more one type of procedure because it fails to distinguish between abortions before and after viability.

These are just some of the many problems with H.R. 3660 and these alone should make anyone question the appropriateness of such legislation.

We cannot straddle the fence on this issue. It is either protect the rights of women or take them away completely.

Women have fought hard and long to have autonomy over their bodies and by putting restrictions on what type of abortions she is allowed to receive would put women back in the era of Pre-Roe v. Wade.

By banning partial birth abortions not only are we taking the right of women to have autonomy over their bodies but we are also taking the right of women to live their lives as healthy American citizens and sentencing them to death.

Mr. GREEN of Texas. Mr. Speaker, I appreciate the opportunity to speak in opposition of H.R. 3660. More importantly, on a very difficult decision for women and their families.

The subject of abortion has always been very controversial. The choice of whether or not to have an abortion is difficult and highly personal.

Although I do not personally support abortion, I do not feel that Congress should interfere in this extremely private decision and force its views on women through legislative means.

I can only hope that women faced with this decision would consult with their doctors, families, and religious counselors. This is especially true in the tragic instance where an abortion may become necessary late in a pregnancy.

This ban would leave the life and health of women unprotected. These exemptions have been consistently protected by the U.S. Supreme Court. There is no exception under this ban to protect the mother or her health at any point during her pregnancy.

In fact, Texas law bans all third-trimester abortions, except for those involving the health and life of the mother. I voted for this law when I was in the Texas legislature and would support it now if those exceptions were included.

This bill is nothing but a political maneuver. If the majority was interested in banning late-term abortions, they would allow us to vote on language that is identical to the Texas law. Until then, I cannot support this bill.

Mr. Speaker, I urge a ''no'' vote on final passage of H.R. 3660.

Mr. RILEY. Mr. Speaker, I rise today in total support of H.R. 3660, the Partial-Birth Abortion Ban Act of 2000. This legislation puts an end to this horrific and unnecessary procedure that results in the useless deaths of several thousand children every year.

Mr. Speaker, very little has changed regarding partial birth abortion since we last had the opportunity to take action against it. It is still opposed by nearly seventy percent (70) Americans. Hundreds of medical doctors, including former Surgeon General C. Everett Koop, still claim that the procedure is ''never medically necessary to protect the mother's health or future fertility.'' It is still performed ninety percent (90) of the time after the fifth month of pregnancy. Thirty (30) states still have banned the procedure since 1995. Two-thirds of the House still supports the ban, while the President still opposes the sanctity of human life.

As you can see, Mr. Speaker, the facts are clear. Partial-birth abortion is a brutal and needless procedure that it seems no one besides those in the White House think ought to be legal. I urge my colleagues to recognize our moral obligation to protect the unborn by supporting this legislation before us this morning.

Mr. LEVIN. Mr. Speaker, I oppose all late term abortions with exceptions only when the mother's own life is at risk or to prevent serious consequences to her health.

Unfortunately, we are again considering legislation which fails to provide these vital protections for the mother, a bill which will again be vetoed by the President. In addition, federal courts have blocked fifteen different state laws with similar or identical language because they do not contain health exceptions as required by the Supreme Court and because the term ''partial birth abortion'' has no medical meaning.

I would urge the Majority to allow this House to consider legislation—the Greenwood-Hoyer bill, of which I am a co-sponsor—that bans all late term abortions while offering the necessary and appropriate protections for the mother and that could become law.

Mr. STEARNS. Mr. Speaker, I rise in support of this bill. The rule and bill are fair and allows for an honest vote on the Partial Birth Abortion bill. H.R. 3660 allows for a clear vote in support of ending this heinous practice or a vote against life by opposing this legislation.

It breaks my heart that we have to debate this bill. It pains me that this procedure is being allowed to take place in our nation. I find it hard to believe that my esteemed colleagues can with good conscience oppose this rule or bill.

This bill is not about a medically necessary procedure, it is about abortion extremists pushing our country's moral limits over the edge. When I think of this procedure, I am reminded of the Nazi regime and their depraved view of the sanctity of life and I dread what the future holds for a generation that allows this procedure to occur.

Recently, I heard a compelling argument for banning partial-birth abortion. The question was asked, ''So would you accept the fact that once the baby is separated from the mother, that baby cannot be killed.''

The answer was dodged and was never answered other than, ''A baby is born when the baby is born.''

The discussion continued without ever receiving a clear answer from the advocate of this procedure. Why? Because when pressed, an abortionist can not clearly answer that question and at the same time defend partial-birth abortion. It is a terrible practice that kills a baby, a living breathing human life. If we began doing this to cattle or dogs, imagine the outcry we would hear from PETA and from the same members who defend this practice.

Obviously, the real question is when is a baby born? Is it when a foot is out? Is it when a hand reaches out of the womb? Is a child born only when their head has been delivered? I ask my colleagues that support this procedure to answer that question during general debate—if they can.

Pro-abortionist have no legitimate arguments to stand upon. They want to paint a picture that women are at risk so therefore they should be able to take the life of the child. Let's face it, every pregnancy poses a risk to

the life of a mother. Women by the very act of becoming a mother are unselfishly putting themselves at risk.

We should embrace all life as precious—the old, the young, the disabled, the unattractive and the unborn. How the Clinton-Gore Administration can with a clear conscience veto this legislation is beyond me.

Let's not repeat history and continue this Holocaust. I encourage my colleagues to support H.R. 3660.

The SPEAKER pro tempore (Mr. LAHOOD). All time has expired.

Pursuant to House Resolution 457, the bill is considered read for amendment and the previous question is ordered.

The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. FRANK OF MASSACHUSETTS

Mr. FRANK of Massachusetts. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. FRANK of Massachusetts. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. FRANK of Massachusetts moves to recommit the bill H.R. 3660 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendments:

Page 2, line 18, after ''injury'' insert '', or to avert serious adverse longterm physical health consequences to the mother''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. FRANK) is recognized for 5 minutes in support of his motion to recommit.

Mr. FRANK of Massachusetts. Mr. Speaker, I regret very much that this has come to a motion to recommit. That is a consequence of the very lamentable refusal of the majority to allow any amendments to this bill.

Indeed, if I had my preference, this would not be a motion to recommit. There was a consensus measure worked out in a bipartisan fashion by the gentleman from Maryland (Mr. HOYER), the gentleman from Pennsylvania (Mr. GREENWOOD), and others; but it is not germane to the bill.

When the Committee on Rules would not allow that as an amendment, this became our only choice for recommittal. But I offer it, anyway, even though in the eyes of many, even if it passed, it would not make the bill fully acceptable. But it would clearly make it less damaging. Because here is what the bill does in the form in which it was presented.

It says that even if in the opinion of the physician a failure to use this procedure in these circumstances could result in severe physical harm to the mother, he could perform it only at risk of going to prison. It shows how extreme the bill is.

And I stress that because there are many who believe that this is a right a woman should have untrammeled legislatively who think this is too much, this amendment that I offer, of an impingement and would not support the bill. But others would feel differently.

The fact, however, is that the majority is so intent, I believe, unfortunately, on an issue that they will not allow even this amendment. Because I must tell my colleagues that while again this might be to the distress of many, an amendment like this would probably change enough votes so that a veto could be overridden.

If the intention was in fact to minimize this procedure to have it occur only when it was medically necessary, indeed the amendment offered by the gentleman from Maryland (Mr. HOYER) and the gentleman from Pennsylvania (Mr. GREENWOOD), the Hoyer-Greenwood amendment, would have been made in order and would have passed. And if it had passed, this amendment would not have been offered.

Failing that, this amendment at least reduces the harm. It is a restriction because it rules out mental health. I believe myself that there are often very good mental health reasons for allowing a woman to undergo this anguishing procedure. But this amendment concedes even that. It says, okay, they believe mental health cannot be trusted. I disagree.

But in the interest of, at least, trying to diminish the harm and draw some lines, we said, okay, can we at least get an acknowledgment that physical health, severe, long-lasting physical health can be a reason for this. And the majority says no.

That is a sign of a lack of willingness to be reasonable. It is a willingness to insist, I believe, on both a procedure, no committee, no amendment, and a bill that is so extreme that even adverse physical consequences to the health of the mother cannot be a reason. So that what we are talking about, as I said, is an issue and not a bill.

There could be a consensus in this House on trying to reduce the procedure and reducing late-term abortions. That is not what the bill does. The bill is a continuation in an ongoing political activity.

I will predict what will happen. The bill will pass. It will be vetoed. The veto override will be held. The veto override will be held so that it can be brought forward at a politically propitious time. And people will then be accused if they vote to uphold a veto of a bill that is very possibly unconstitutional, according to many circuits, they will be accused of a callousness, they will be accused of a disregard.

Well, the fact is that two separate amendments had been offered, which, if either had been adopted, would have led many people to have voted for a bill which would have substantially reduced the procedure either in terms of the physical health or, better yet, in terms of the lateness. Neither amendment was allowed.

If, in fact, people were trying genuinely to minimize this issue, one or both of those amendments would have been voted on and we could have gotten a law. But it is easy to predict what will happen. We will get no law. We will get a veto. We will get an override vote on a veto held late in the Congress.

This is a bill, I said it before and I am going to repeat it, with no committee hearing or markup, a bill which is the subject of severe debate in the courts, where the Federal circuit courts have divided and many have held this sort of legislation unconstitutional, does not even go to committee for the kind of constitutional examination that might help.

Then amendments are rejected, a bipartisan amendment widely supported. I noticed 14 Republicans voted against the rule. By Republican standards, they are a very disciplined lot. That is a great cataclysm, 14 Republicans voting against the rule, in protest against the arbitrary procedure.

So late in the congressional term, we will have a vote on an abortion veto override on a very rigid bill that makes no allowance even for the fiscal health of the mother after a procedure in which there was no committee and no amendment. That is a late-term abortion. It will come late in the term and aborts the legislative process.

Mr. CANADY of Florida. Mr. Speaker, I rise in opposition to the motion to recommit.

Mr. Speaker, let me begin by making the observation that this motion is part of a long line of efforts to divert attention from the reality of what takes place when a partial-birth abortion is performed.

In the course of this debate, which has gone on not only in this Congress but in the two previous Congresses, we have seen attempt after attempt to change the subject, to cloud the issue, to confuse the American people, to mislead the Members of this House.

Now, while I certainly respect the intentions of the gentleman from Massachusetts (Mr. FRANK), I must humbly submit that this amendment is another measure which would simply divert us from what we should be focusing on, and that is the horror of partial-birth abortion.

Now let me point out a couple of things. First of all, the Members of the House should be well aware that H.R. 3660 already contains an exception for partial-birth abortions that are necessary to save the life of the mother. During the course of this debate, it has been suggested otherwise. But for any Members who have any doubt about that, let me simply refer them to page 2 of the bill beginning at line 15, where the exception is stated with great clarity.

Now, second, Members should know that the health exception proposed by the gentleman from Massachusetts (Mr. FRANK) rests on a premise that has absolutely no basis in fact. And that is the premise that partial-birth

abortion is necessary to avert any adverse physical health consequences to the mother.

The truth is that the partial-birth abortion procedure is a rogue medical procedure that is not recognized by the medical profession, was created and is used by a few fringe abortionists, and is never medically indicated to avert any health consequences to the mother.

My colleagues do not have to take my word for it. I would not ask my colleagues to take my word for that. Let us hear what the American Medical Association has to say about the procedure.

In a 1997 letter to Senator RICK SANTORUM, the AMA stated that the partial-birth abortion procedure is ''not good medicine and is not medically indicated in any situation.''

We have heard from other physicians who have made the same point time and time again. Former Surgeon General C. Everett Koop has stated that ''partial-birth abortion is never medically necessary to protect a mother's health or future fertility. On the contrary, this procedure can pose a significant threat to both her immediate health and future fertility.''

□ 1430

If you do not find those statements by physicians and representatives of the medical profession persuasive, listen to what the abortionists themselves have to say about this procedure. Dr. Warren Hern, one of the Nation's leading experts on abortion who authored a textbook, indeed it is the textbook on late-term abortion procedures, has stated, and I quote him, you really can't defend, those are his words, partial-birth abortion. He went on to say that he ''would dispute any statement that this is the safest procedure to use.'' According to Dr. Hern, turning the fetus to a breech position is potentially dangerous and, again quoting him, you have to be concerned about causing amniotic fluid embolism or placental abruption if you do that. That is what one of the leading abortionists in the country had to say about this procedure which he said he could not defend. So the argument that this procedure could ever be necessary to protect the health of the mother simply does not stand up to analysis.

I would urge the Members of the House to oppose this. Let me bring the attention of the Members of the House back to the reality of what we are talking about in this bill, the reality of what takes place when a partial-birth abortion is performed. Earlier in the debate, I mentioned that at the same stage of pregnancy when most of these procedures are performed, we see heroic efforts undertaken to save the life of the child in the womb. Here we have an example of surgery that is being performed to correct a condition that had been detected in a child in the womb. This was at around 21 weeks. The incision was made in the mother's womb, and the child voluntarily, an action, reaches out and grasps the finger of the physician who is performing the surgery. I ask you, as you consider your vote on this measure, to consider this image. Contemplate the meaning of this child's hand at 21 weeks' gestation reaching out of its mother's womb to grasp the hand of the physician. Consider our common humanity. Reject this motion and pass this bill.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. FRANK of Massachusetts. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage of the bill.

The vote was taken by electronic device, and there were—yeas 140, nays 289, not voting 5, as follows:

[Roll No. 103]

YEAS—140

Abercrombie
Ackerman
Andrews
Baca
Baird
Baldacci
Barrett (WI)
Bass
Becerra
Bentsen
Berkley
Berman
Bilbray
Blagojevich
Blumenauer
Boehlert
Bonior
Boucher
Boyd
Brady (PA)
Brown (OH)
Capps
Capuano
Cardin
Carson
Castle
Clay
Clyburn
Coburn
Conyers
Coyne
Cummings
Davis (FL)
Davis (IL)
Delahunt
DeLauro
Dicks
Dixon
Dooley
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Frank (MA)
Frelinghuysen
Frost
Gejdenson
Gephardt
Gilman
Gonzalez
Gordon
Green (TX)
Greenwood
Gutierrez
Hill (IN)
Hilliard
Hinojosa
Hoeffel
Holt
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Jones (OH)
Kelly
Kennedy
Kind (WI)
Kolbe
Lantos
Larson
Levin
Lewis (GA)
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moran (VA)
Morella
Napolitano
Obey
Olver
Ose
Owens
Pallone
Pastor
Payne
Pelosi
Porter
Price (NC)
Pryce (OH)
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sandlin
Sawyer
Scott
Serrano
Shays
Sherman
Smith (WA)
Snyder
Spratt
Stabenow
Tauscher
Thompson (MS)
Thurman
Tierney
Towns
Waters
Watt (NC)
Waxman
Wexler
Wise
Woolsey
Wu
Wynn

NAYS—289

Aderholt
Allen
Archer
Armey
Bachus
Baker
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Berry
Biggert
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Borski
Boswell
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Coble
Collins
Combest
Condit
Cooksey
Costello
Cramer
Crowley
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeFazio
DeGette
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Franks (NJ)
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hinchey
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jefferson
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kildee
Kilpatrick
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Lee
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Manzullo
Martinez
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meek (FL)
Metcalf
Mica
Miller (FL)
Miller, Gary
Minge
Moakley
Mollohan
Moore
Moran (KS)
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Oxley
Packard
Pascrell
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanders
Sanford
Saxton
Scarborough
Schaffer
Schakowsky
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Weygand

Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—5

Campbell
Cook
Cox
Crane
Vento

□ 1456

Messrs. HUTCHINSON, DEUTSCH, Ms. BROWN of Florida, Messrs. FORD, WEINER, SWEENEY, HASTINGS of Florida, and THOMPSON of California, and Ms. KILPATRICK, Ms. VELAZQUEZ, Mrs. MEEK of Florida, and Ms. EDDIE BERNICE JOHNSON of Texas changed their vote from ''yea'' to ''nay.''

Messrs. SPRATT, BAIRD, FRELINGHUYSEN, and BILBRAY, and Ms. PRYCE of Ohio, Mrs. McCARTHY of New York, Ms. PELOSI and Mrs. KELLY changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CANADY of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 287, nays 141, not voting 7, as follows:

[Roll No. 104]

YEAS—287

Aderholt
Archer
Armey
Baca
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Coble
Coburn
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crowley
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Green (WI)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jefferson
Jenkins
John
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Martinez
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Metcalf
Mica
Miller (FL)
Miller, Gary
Minge
Moakley
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Ose
Oxley
Packard
Pascrell
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reyes
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—141

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Becerra
Bentsen
Berkley
Berman
Blagojevich
Blumenauer
Boehlert
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clyburn
Conyers
Coyne
Cummings
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Filner
Frank (MA)
Frost
Gejdenson
Gilman
Gonzalez
Green (TX)
Greenwood
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hoeffel
Holt
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kilpatrick
Kolbe
Kuykendall
Lantos
Larson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Morella
Nadler
Napolitano
Olver
Owens
Pallone
Pastor
Payne
Pelosi
Pickett
Price (NC)
Rangel
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Sherman
Slaughter
Smith (WA)
Snyder
Stabenow
Stark
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Waters
Watt (NC)
Waxman
Weiner
Wexler
Wise
Woolsey
Wu
Wynn

NOT VOTING—7

Campbell
Cook
Crane
Granger
Portman
Velazquez
Vento

□ 1505

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. GRANGER. Mr. Speaker, I have been informed that my voting card did not register during final passage of H.R. 3660, rollcall vote 104. I intended to vote ''yea'' on passage of the ''Partial Birth Abortion Ban Act.''

Mr. PORTMAN. Mr. Speaker, because of a prior commitment, I was unavoidably detained and missed rollcall vote No. 104 today on passage of H.R. 3660, the Partial Birth Abortion Ban Act.

I am an original cosponsor of this legislation. Had I been present, I would have voted ''yea.''

PERMISSION FOR COMMITTEE ON BANKING AND FINANCIAL SERVICES TO FILE SUPPLEMENTAL REPORT ON H.R. 1776, AMERICAN HOMEOWNERSHIP AND ECONOMIC OPPORTUNITY ACT OF 2000

Mr. LEACH. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Financial Services be permitted to file a supplemental report on the bill (H.R. 1776) to expand homeownership in the United States.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Iowa?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4011

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 4011.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

WILDLIFE AND SPORT FISH RESTORATION PROGRAMS IMPROVEMENT ACT OF 2000

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 455 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 455

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3671) to amend the Acts popularly known as the Pittman-Robertson Wildlife Restoration Act and the

Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to states for fish and wildlife conservation projects and increase opportunities for recreational hunting, bow hunting, trapping, archery, and fishing, by eliminating opportunities for waste, fraud, abuse, maladministration, and unauthorized expenditures for administration and execution of those acts, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 4 of rule XXI are waived. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as read, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendment printed in the report are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the distinguished gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 455 would grant H.R. 3671, the Wildlife and Sport Fish Restoration Programs Improvement Act of 2000, an open rule, and waives clause 4A of rule 13 that requires the three-day layover of the committee report against consideration of the bill.

Further, the rule provides 1 hour of general debate, divided equally between the chairman and ranking member of the Committee on Resources.

House Resolution 455 makes in order the Committee on Resources' amendment in the nature of a substitute now printed in the bill as an original bill for the purpose of amendment, which shall be open for amendment at any point. The rule further waives clause 4 of rule XXI that prohibits appropriations in a legislative bill against the committee amendment in the nature of a substitute.

House Resolution 455 provides that the amendment printed in the report of the Committee on Rules accompanying the resolution shall be considered as read, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole House.

House Resolution 455 waives all points of order against the amendment printed in the report.

The rule also allows the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. Further, it allows the chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to 5 minutes on a postponed question if the vote follows a 15-minute vote.

□ 1515

Finally, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, the Wildlife and Sports Fish Restoration Programs Improvement Act of 2000, H.R. 3671, is a bill to enhance the use of funds available for grants to States for fish and wildlife conservation projects and to increase opportunities for recreational hunting, bow hunting, trapping, archery and fishing. The legislation accomplishes this by eliminating opportunities for waste, fraud, abuse, mismanagement and unauthorized expenditures.

The Committee on Resources held three oversight hearings examining the manner in which the Fish and Wildlife Service, through its division of Federal aid, administered and executed the Pittman-Robertson Act and the Dingell-Johnson Act. The hearings of the Committee on Resources made it clear that funds committed for the administration and execution of these programs had not been used for their stated purposes and that there was a general lack of fiscal accountability and management throughout the programs.

H.R. 3671 stops wasteful spending and mismanagement of the wildlife and sports fish trust funds and allows more money to be distributed directly to the States for conservation programs.

The legislation fixes what the GAO called, quote, ''one of the worst managed programs it had ever encountered by increasing accountability and restricting the administrative use of funds from the trust funds.''

Specifically, H.R. 3671 restricts the use of administrative funds reserved from Federal excise taxes on hunting and fishing equipment to purposes directly related to the Pittman-Johnson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act.

Further, the legislation established 12 categories of authorized costs for the Wildlife Restoration Act and Sports Fish Restoration Act and provides that administrative funds will be available for one fiscal year, after which all unobligated funds will be returned to the States through the apportionment formula.

H.R. 3671 also requires the Secretary of Interior to certify in writing the amount apportioned to each State and the amount obligated for administering those programs.

In addition, the Wildlife and Sport Fish Restoration Programs Improvement Act provides grants from the savings generated from the administrative changes in the bill to enhance firearm and bow hunter education and shooting range construction. The legislation also provides up to $2.5 million for the Secretary of Interior to make multistate conservation grants.

Finally, the legislation requires increased accountability within the Fish and Wildlife Service, through certification of the use of funds and administrative restructuring.

The Committee on Resources reported H.R. 3671 as amended by a unanimous vote of 36 to nothing last March.

H. Res. 455 makes in order an amendment by the gentleman from Alaska (Chairman YOUNG) to increase the amount authorized to administer the Pittman-Robertson Act and the Dingell-Johnson Act to $7.09 million for each act, an increase of $5 million for each act with the reduction of these funds in later years.

The amendment also makes certain technical changes and changes to ensure that the bill language conforms to language in the existing statute, language that is not amended by the bill.

Finally, the CBO has estimated that enacting H.R. 3671 would have no net effect on the Federal budget. The Committee on Rules was pleased to grant the request of the gentleman from Alaska (Mr. YOUNG) for an open rule under H.R. 3671; and accordingly, I urge my colleagues to support H. Res. 455 and the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from Washington (Mr. HASTINGS) for yielding me the time.

Mr. Speaker, this is an open rule. It will allow for a debate on the Wildlife and Sport Fish Restoration Act. As my colleague has described, the debate will be equally divided and controlled by the chairman and ranking minority member from the Committee on Resources.

The rule permits amendments under the 5-minute rule. This is the normal amending process in the House. All Members on both sides of the aisle will have the opportunity to offer amendments if they are germane and if they meet the requirements under House rules.

Mr. Speaker, the Fish and Wildlife Service operates two programs that give States grants to help conserve and manage their fish and wildlife resources, and there is widespread agreement the financial management for these programs needs to be improved. However, there is disagreement over the solutions in this bill. Much in the bill is a step in the right direction, but the restrictions in the measure could reduce the ability of the Fish and Wildlife Service to manage these programs.

This is an open rule, though, and Members will have an opportunity to improve the bill on the House floor, as long as their amendments meet the requirements of the House rules.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio (Ms. PRYCE), my colleague on the Committee on Rules.

Ms. PRYCE of Ohio. Mr. Speaker, I thank my distinguished colleague, the gentleman from the State of Washington (Mr. HASTINGS), for yielding me this time.

Mr. Speaker, I rise in strong support of this open rule. As a cosponsor of the underlying legislation, H.R. 3671 the Wildlife and Sport Fish Restoration Programs Improvement Act of the year 2000, I am pleased that this open rule will allow this body to fully debate this environmentally sound and fiscally responsible legislation.

H.R. 3671 addresses recently uncovered waste, fraud and abuse in two very important funds established by two different acts of Congress which provide money to the States for wildlife and sport fishing conservation programs.

Mr. Speaker, our Nation's sportsmen and women proudly contribute to wildlife and fish improvement projects every time they purchase fishing tackle, hunting gear, or any other sporting goods.

However, recent oversight hearings held by the House Committee on Resources and an audit conducted by the General Accounting Office have revealed widespread abuses and misuses of millions of dollars of these funds, which are financed by the excise taxes on sporting goods, guns, ammunition, fishing tackle, and motor boat fuel. In fact, the General Accounting Office has characterized this program as one of the worst-managed programs the investigator has ever encountered.

H.R. 3671 addresses and rightfully corrects these abuses by increasing accountability and reeling in the administrative use of these funds so that this waste of taxpayer money will not occur in the future.

Simply put, the money paid by our Nation's sportsmen and women will go toward wildlife and fish improvement projects, as the law specified, rather than on unauthorized expenditures, slush funds, alcoholic beverages, or overseas trips to exotic designations.

Mr. Speaker, H.R. 3671 goes to the very heart of why our constituents elected us to office, to safeguard their money and to ensure that it is spent wisely. As a fiscal conservative, my constituents sent me to Washington to reduce the size of bureaucracy, increase the efficiency of Federal programs, and improve the accountability of our government.

This bill represents the very checks and balances between the administration and the Congress which our Founding Fathers envisioned to control waste, fraud and abuse. Passage of this legislation will allow us to regain the trust of those who enjoy what our great outdoors has to offer and who seek to contribute to its conservation.

I would like to commend the gentleman from Alaska (Mr. YOUNG) and the House Committee on Resources for their bipartisan work in oversight in protecting the American taxpayer while at the same time increasing funds for true conservation. I urge adoption of this open rule and passage of the underlying bill.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 4 minutes to the gentleman from Alaska (Mr. YOUNG), the distinguished chairman of the Committee on Resources.

Mr. YOUNG of Alaska. Mr. Speaker, as has been stated before, we sought an open rule. The Committee on Rules decided to give us the open rule.

The law says that a percentage of that money, up to 8 percent for Pittman-Robertson and up to 6 percent for Dingell-Johnson, can be used for administration expenses.

We have found out, though, that the maximum percentage was used in 1998. $31 million was used for administration purposes. Throughout the 1990s, the percentage escalated from 2 percent or 3 percent all the way to the maximum, which is 14 percent.

Our year-long oversight project examined exactly how the $31 million was supposedly used to administer the important conservation acts. We found out, through the oversight, some very alarming things.

Mr. Speaker, I suggest respectfully, in fact, we found out that the money was spent not as the law said it shall be spent, not for administrative purposes.

The bill I bring to the House today is designed to make sure that not one dime of wildlife or sport fishing conservation trust funds are misspent again. We have been as accommodating as possible to concerns about adequate levels of funding for program administration, and with the open rule we want to be receptive to other ideas about how to make the conservation funds run more effectively.

The bill was developed during a 7-month process with 14 wildlife and fish sport groups representing each State. These groups conceptualized the solutions based on the oversight work of the Committee on Resources.

We held three oversight investigative meetings, and we had suggestions from those findings; and this bill is a result of those.

The law as exists today does not authorize those expenditures which occurred; but rather than argue over that point, we focused on solutions which are in the bill that I bring to the Committee on Rules today. My cosponsor and I decided to fix the loopholes that the Fish and Wildlife Service point to when they try to justify their expenditure of administration of trust funds. This bill caps the amount of administrative expenditures at $10 million. We spell out exactly what expenses are authorized to administer the program. We add reporting and auditing requirements. We create a transparent multiple-State grant program where $5 million of the funds were improperly used for unauthorized costs. We use some of the savings to enhance hunter safety and education. We create an associate director of Fish and Wildlife, and sport fish trust funds to raise the profile of these important conservation activities and look out for the conservation trust funds. These are solutions of the Pittman-Robertson, Dingell-Johnson acts, two acts that are vital to the conservation and restoration of wildlife and sport fishing in the country.

I have asked for only one amendment today under the rule that increases the level of funding from $10 million to $14 million, with a total level of funding of $19 million. We did this to ensure a transition period for 3 years during which there would be a slight reduction in staffing levels that manage that trust fund.

My amendment takes the authorized level down from 120 employees in 2001 to 100 employees in 2003. That adjusts the level upward thereafter based on the Consumer Price Index.

The amendment makes other technical changes to make sure that the bill conforms with other parts of the underlying Pittman-Robertson, Dingell-Johnson acts that are not amended. Other than that, we think we have a good bill. Overall, this is a good bill and should be passed and voted on by all my colleagues.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Speaker, I appreciate my friend, the gentleman from Washington (Mr. HASTINGS), for yielding time on this important bill that really helps restore confidence with the

people who worked to get this legislation enacted to start with. Both Pittman-Robertson and Dingell-Johnson have had the support of virtually every outdoor sports organization. They have had the support of people who sell the very things that are taxed under this legislation. Seldom do we have people who are selling a product come and say we would like that product to be taxed because it enhances the cause that we believe is important to enhance.

Of course, this current law levies excise taxes on guns, on ammunition, on archery equipment, on fishing equipment; and that is used to fund wildlife programs. What we have seen happen is that the percentages that the chairman just mentioned, the maximum percentages for administration have been far exceeded in expenditures that were beyond the scope of this legislation.

The House Committee on Resources had hearings where it appeared that as much as one-third of the money was being used in areas that were originally thought to be capped at 6 or 8 percent. That is not acceptable.

This bill establishes a cap on administrative costs. It creates 12 specific categories of costs so that we know for sure what is going in can count as administration. It prohibits funds from being used for functions where Congress has already appropriated money. That is what this process is about. It is not up to the Fish and Wildlife Commission to decide that the Congress did not appropriate enough, and so they will supplement that out of funds intended for other purposes. They need to come back to the Congress and ask for more money and justify that money in the regular way.

This then returns unused money to the States. It eliminates a $1 million directors' conservation fund. Some have suggested that that was a slush fund, and there is plenty of evidence to say that that is what it very well could be called.

I hope that we restore the confidence of the people who asked for this excise tax, who collect the tax, who see how the tax is spent, by approving the rule and approving the bill today.

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Alabama (Mr. CALLAHAN), chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs.

Mr. CALLAHAN. Mr. Speaker, I suppose I rise to ask some questions possibly of the Committee on Rules members here today, and I wanted also to have the opportunity to address this question to the chairman of the full committee. I know that many have had thousands of phone calls, like I have, of people concerned with the fact that the Congress of the United States gave the Fish and Wildlife such excessive authority over the fining of people hunting for sport all over this country.

Specifically, it is my understanding that under current law there can be assessed to someone who owns a baited field, even whether or not he had anything to do with the baiting, if anyone is caught hunting, dove hunting over a baited field, the owner of the property can be assessed a fine of some $200,000; and the hunter can be fined $100,000.

I do not think anyone in this House and certainly no hunter that I know of would advocate the hunting over a baited field, but this type of excessive control that the Federal Government has in assessing these types of obnoxious fines to our hunters and to property owners should be addressed.

So I guess my question, Mr. Speaker, is can this be addressed in this issue? I know it is an open rule, but I know there are some limitations on what can be offered as an amendment. Would this bill today be the vehicle that we could use to begin addressing and reducing this situation that is causing such misery to hunters all over America?

Mr. YOUNG of Alaska. Mr. Speaker, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from Alaska.

□ 1530

Mr. YOUNG of Alaska. Mr. Speaker, I appreciate the gentleman bringing this to the attention of the floor. We cannot address it in legislation. It would not be germane.

But I can assure the gentleman from Alabama that the bill that he voted on and I voted on and which I was a sponsor last year concerning this issue was not in the House bill. In fact, it was a clean bill that would really relieve the ''don't know,'' and have, as Fish and Wildlife was, issuing fines against those people. It was trying to take that away from the Fish and Wildlife.

The Fish and Wildlife Enforcement Group have interpreted the bill on behalf of Senator CHAFEE, who is no longer with us, may his soul rest in peace, but he put this in the bill in the waning hours, which none of us knew about. We have been made aware of this by the gentleman's hunters and my hunters and the people involved in Fish and Wildlife Conservation.

I have also suggested to the Fish and Wildlife not to interpret the law as the gentleman from Alabama mentioned. But we are going to try to address this issue in the very near future to make sure that the untold fines which are now being suggested be imposed upon individuals will not take place.

I am one that does not believe in the baited field, but many times this could occur unbeknownst to the knowledge of the farmer or, in fact, the hunter itself, and it is unfair to put this type of burden upon those people.

So I will do everything in my power to make sure that we address the fact that we never supported it.

Mr. CALLAHAN. Mr. Speaker, reclaiming my time just for a second, when can I go back and tell the people in Alabama that are so interested in this when some relief is going to be forthcoming? If this is not the vehicle, where is the vehicle to address this?

Mr. YOUNG of Alaska. Mr. Speaker, we hope that we will have a vehicle that the gentleman can do it, in fact the bill itself in the near future. I can assure the gentleman that we are well aware of this issue. I will suggest one other thing. It will be taken ahead of the next dove season. I can assure the gentleman from Alabama of that.

Mr. CALLAHAN. Mr. Speaker, I should hope so. I know the hunters of south Alabama will, too.

I hope that we can address this as expeditiously as we can, because it is wrong of us to give this authority. Whether or not it was done in the middle of the night in the Senate or wherever, the law is the law.

The people of Alabama do not violate the law. So we are not baiting fields anyway. But if he finds one kernel of corn of Fish and Wildlife, the game warden, then that property owner can be assessed a $200,000 fine under existing law. So I hope we can address it.

Mr. YOUNG of Alaska. Mr. Speaker, if the gentleman will yield, I have already informed the Fish and Wildlife of this issue; and, to my knowledge, there has been no fines of that amount, but they could occur. We have to change it so it could not occur. If there has been any fines placed after the passage of the law last year, they have been in the $100, $200, $300 range, and we expect to keep it that way.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Montana (Mr. HILL).

(Mr. HILL of Montana asked and was given permission to revise and extend his remarks.)

Mr. HILL of Montana. Mr. Speaker, I want to thank the gentleman from Washington for yielding me the time, and I want to thank the leadership for allowing this issue to come to the floor.

Mr. Speaker, we are living in a time when I think the cynicism about government is probably at an all-time high. It of course is because we have probably an all-time high in the number of scandals here in Washington.

The scandal that has given rise to this particular bill is that there has been a raid on the sportsmen and women's trust funds. The sportsmen and women in this country have supported an excise tax on guns and ammunition and fishing equipment and archery equipment, which it goes into a fund, the purpose of which is to support conservation efforts and promote hunting and fishing.

Now, what we have discovered is that, in recent years, these funds have been raided using what the General Accounting Office has described as a shell game. The Fish and Wildlife Service created slush funds to circumvent the intent of Congress.

The General Accounting Office described the management of these funds, and I quote, ''one of the worst managed programs that it had ever encountered. In some instances, even the General

Accounting Office could not determine where the money went or how it got spent.''

In another instance, the General Accounting Office reported that the Fish and Wildlife Service had placed these dollars into a fund that was not even authorized to circumvent their own criteria for the approval of the spending of the projects.

In another instance, they created an unauthorized administrative grant program to fund programs that were not supported by Congress.

There is an instance, for example, where the director tried to get an employee to fund an anti-hunting project using the funds that came from hunters' supported excise tax.

It is important for us at this point to rebuild public confidence and support for hunting and fishing. This bill is important because it will restore confidence in these programs. But it is also important that taxpayers know that, when they pay taxes, the money is going to be spent for the purpose that it was intended.

It has been commonplace in the Clinton-Gore administration to raid trust funds. They have raided the highway trust fund. They have raided the aviation trust fund. They have raided the Social Security trust fund. They have raided the Medicare trust fund. They have even raided the Wildlife trust fund.

I support this bill. I am proud to be a cosponsor. I urge my colleagues to support the rule and support the bill.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, I laud the gentleman from Alaska (Chairman YOUNG) for this legislation.

Mr. Speaker, I grew up in a little city called Fresno, California. I had 11 uncles that taught me how to hunt and fish. As a matter of fact, one time I threw a gum wrapper down in the woods, and my grandfather picked me up and threw me in a stream. I did not do it again.

The opportunity to enjoy the woods, to enjoy the fish and game that our forefathers have is very, very important. We have had legislation on this floor like the tuna-dolphin that allowed us, not only to save dolphin, but to preserve our fish species and not destroy our bycatch.

We have had bills on shark finning to preserve, even things that I do not like because I am a diver, sharks. But it is science based in its nature. People that most use the resource are the ones that are going to pay for it.

The Sportsmen's Caucus, made up of Republicans and Democrats and conservationists and environmentalists, support this legislation. We have a vision, not just for right now, but 100 years from now so that my children and my grandchildren will be able to use these resources.

Organizations like Ducks Unlimited that have put billions of dollars into habitat to bring about the restoration of ducks and geese across this country. Accountability, effectiveness, responsibility, and science based are some of the things that go into this particular bill.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Speaker, I thank the gentleman from Washington for yielding me this time.

Mr. Speaker, I would like to make two points here today. The first point is about Fish and Wildlife as an organization has done some magnificent things around the country. In my district in particular, they have helped enhance the marine ecosystem for the fisheries in the Chesapeake Bay. They have helped enhance wildlife habitat corridors to protect wildlife and keep the Eastern Shore of Maryland and much of Maryland in a beautiful state, in an environmental condition that we can be proud of.

The Fish and Wildlife has also worked in my district to help preserve agriculture and make it profitable by a collaborative effort with a number of Federal, State agencies, and the private sector. So the Fish and Wildlife is out there, and they can do a magnificent job that is worthy of all of us.

But what we do not want to have happen is those few dollars that are available for when official Fish and Wildlife can do a substantial job to be taken away and spent in an unwise fashion where there is no criteria.

The bill of the gentleman from Florida (Mr. YOUNG) addresses two specific problems that we have come across through a series of hearings. One, and this is, in essence, a misdirection of dollars that are badly needed at all of our congressional level districts.

Number one, the Director's Conservation Fund. The Director's Conservation Fund was used solely at the discretion of the director. No criteria existed for making grants under this unauthorized fund.

So what is the solution? The bill provides a solution. This bill will restore the good faith of sportsmen and women in this successful program by eliminating unauthorized expenditures through the Director's Conservation Fund, reducing disproportionately the high amount for overhead. So that is the Director's Conservation Fund.

The other problem has been there were several instances in which Fish and Wildlife Service use conservation trust funds for wildlife and sport fish to pay for other service needs. These were salaries, these were a whole range of things, travel and so on.

So what is the solution? The solution to spending these Federal aid program dollars in areas where they should not be spent is that this legislation eliminates extra funds for the Fish and Wildlife Service to use for inappropriate expenditures. We fix the amount available and limit what it can be spent on. That means that we fix the amount that can be spent on administrative services and ensure that a majority of those dollars, if not 99 percent of those dollars, that people pay excise taxes for will be given to the Fish and Wildlife.

With the cooperation of Members of Congress, other Federal agencies, the Fish and Wildlife Service can do the job that we all want them to do throughout this country, and that is preserve the natural heritage of Fish and Wildlife that our forefathers experienced in the past, we experience now in the present, and unseen generations to come will be able to enjoy that pristine natural environment.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. BARCIA).

Mr. BARCIA. Mr. Speaker, I rise today in strong support of H.R. 3671, the Wildlife and Sport Fish Restoration Programs Improvement Act. I want to commend the gentleman from Alaska (Mr. YOUNG) and the members of his committee for his diligence in uncovering the abuses that this legislation seeks to rectify and for introducing this bill which will ensure the conservation funds will be spent where they are most needed and where they were originally intended to be spent.

I would also like to thank the chairman for his dedication to protecting the rights and interest of sportsmen and women across the country who have contributed to this fund for well over 60 years.

As a member of the Congressional Sportsmen's Caucus and cochair of the Congressional Task Force on Bowhunting, I have been carefully monitoring the issue and criticism over the misuse of funds by the Fish and Wildlife Service. I was very concerned when I heard that the money was being spent, not on the administration of the act, but on unrelated trips, unauthorized bonuses, and the funding of other departments within the Fish and Wildlife Service.

This legislation addresses these administrative abuses and ensures that sportsmen's dollars will be used to benefit fish and wildlife conservation efforts. It also provides firearm and bow hunter education and safety training and establishes an assistant director for the Wildlife and Sport Fish Restoration Program whose sole responsibility will be the management and administration of the Wildlife and Sport Fish Restoration Program.

Overall, the bill will prevent conservation dollars from being spent in ways that do not help conservation. It will send more money to the States for them to use for conservation projects.

I wholeheartedly support this legislation and urge its immediate passage.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER), former chairman of the committee.

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman from Ohio for yielding me this time.

Mr. Speaker, several Members have come to the floor to tout the findings of the General Accounting Office as necessary proof of the proposed reforms in this legislation. In most instances, I believe that GAO provides an important and impartial perspective to enable the Congress to assess the circumstances underlying any policy issue. I believe we all share this view.

But I have had time to reassess the information provided last year by the GAO. Frankly, Mr. Speaker, the more I have read and learned, the more concerned I have become about GAO's performance during the conduct of this investigation.

Contrary to the assertions made by the majority, I am sure that many Members of this House would be surprised to learn that GAO never filed a final report for their investigation. In fact, all of the assertions attributed to GAO were based upon preliminary findings, findings that in many instances were partial and failed to include important information.

Rarely have I seen such an example of cut and run analysis. I want to take just a few minutes to share some examples for the benefit of Members unfamiliar with this investigation.

For example, the Committee on Resources heard from GAO that the Fish and Wildlife Service had lost roughly $85 million in Federal aid funds. But upon closer inspection of the Fish and Wildlife Service's own internal account reconciliation process, it was revealed that only about $7 million was unreconciled at the time that GAO made that claim. GAO did not provide any reason for this oversight in their analysis.

To clarify this matter further, I am pleased to report to my colleagues that it is my understanding that the Service's reconciliation process has now reduced the outstanding total to around $700,000. A full accounting for all funds is expected soon.

More importantly, it appears that these funds were never lost in the first place. Had GAO's investigators gone to the Service's own Division of Finance, they would have found corresponding account information to fill in the gaps between the incomplete financial records kept in the Federal Aid Office. But GAO investigators never bothered to make a trip to Denver to look into this matter.

We also heard from GAO that the Fish and Wildlife Service was negligent in implementing GAO's recommendations after GAO's 1993 investigation into the Sports Fish Restoration Program. But in fact, the Fish and Wildlife Service has implemented almost all of GAO's previous recommendations. However, again, GAO failed to include in its preliminary findings any recognition that the Service had, in fact, implemented its recommendations.

□ 1545

Normally, these types of errors are corrected during the close-out review of the Federal agency under scrutiny. But because the GAO declined to file a final report, these errors were allowed to stand uncontested.

Mr. Speaker, I would like to submit for the RECORD this table of reforms that have been initiated by the Fish and Wildlife Service to address concerns raised by the GAO and by other critics of the financial management practices of the Office of Federal Aid. They speak for themselves.

These are just a few of the glaring examples of the flaws in the GAO's analysis; and I am left to wonder whether GAO really has, in fact, provided an objective analysis has in fact provided an objective analysis or has been more motivated to justify the preconceptions raised by the majority or the GAO itself.

The gentleman from Alaska has repeatedly referred to the statement made by the GAO asserting that the Office of Federal Aid was one of the worst-managed programs GAO has ever investigated. While I make absolutely no apologies for the shoddy past financial management at the Office of Federal Aid, I find GAO's performance lacking and disappointing.

The Congress relies on GAO to make these kinds of objective analyses, and they should be beyond reproach. In this case, I do not think that is the case. I will get into more detail in general debate about some of the corrective actions that the committee has taken, some of which are justified and others that I think are going to keep this agency from doing the type of proper job it should do in administering these programs.

Mr. Speaker, I submit for the RECORD the table of reforms I referred to earlier.

CORRECTIVE ACTIONS TAKEN BY THE SERVICE ON FEDERAL AID ISSUES

1993

Initiated a new budget review process to ensure that all requests for Federal Aid funds are adequately justified.

Began maintaining files of all direct charges to the Sport Fish program.

Transferred Take Pride position out of Federal Aid Office.

Required Management Assistance Team (MAT) and others in Federal Aid to charge for their services.

1994

Reduced amount of Federal Aid Administrative funds used for General Administrative Service account. Required that calculations be reviewed annually.

Ended the practice of charging overhead costs to the state grants portion of the account.

Implemented the practice of describing cross program initiatives involving Federal Aid in the FWS Budget submission.

Instituted a new cost recovery policy which established a minimum standard rate to be charged for administrative costs.

Published in the Federal Register the policy and procedures for funding Administrative Grants projects. Published annually from 1994–1998.

1996

Initiated a new program to audit the State's use of funds apportioned under Wallop-Breaux/Dingell-Johnson and Pittman-Robertson Programs.

Began to design a new grant management information and tracking system.

1997

Issued guidance to Regional Directors stating that all charges against Federal Aid must be approved by Appropriations Committee. Issued during September of 1997 and again on August 16, 1998.

1998

Began the process of reconciling differences between Federal Aid Office grant records and the Service's Division of Finance's records.

Requested Defense Contract Audit Agency (DCAA) to develop an audit program for administrative funds; DCAA advised that they were unable to do so.

Developed National Training program for Federal & State employees involved in grant activities.

Began working with Customs, IRS, BATF, IAFWA, Wildlife Management Institute, industry and staff from Sen. Breaux and Rep. Tanner to review excise tax collections in Treasury. Eventually recovered more than $20 million in excise taxes not credited to the Federal Aid programs, and another $20 million for the Migratory Bird Conservation Fund.

Published Notice in the Federal Register soliciting public input on alternative methods to fund administrative grants program. Also stated in that Notice that the present program needs to be eliminated or improved. (9/16/98)

1999

Implemented FAIMS (Federal Aid Information Management System), the grant management and tracking system. (1/99)

Announced decision to terminate the Director's Conservation Fund. (3/99)

Established a State/Federal Review Team to evaluate Washington and Regional office administration of Federal Aid program. (3/99) Team met formally during July and August.

Announced in a letter to the IAFWA (International Association of Fish and Wildlife Agencies) plans to terminate Administrative Grants Program. (5/12/99)

Announced in the Federal Register the termination of the Administrative Grants Program. (7/26/99)

Reviewed contract under which GAO says it is unclear whether the Service or contractor should receive over $100,000 collected. Determined that money was reimbursement of contractor copying costs, not profits. (7/99)

Established an inter-office Financial Management Team to address financial management weaknesses in the Federal Aid Program.

Mr. HALL of Ohio. Mr. Speaker, the rule is a good rule. It is open. We have no problem with it. We urge a ''yes'' vote on the rule.

Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I too urge my colleagues to support the rule and the underlying bill.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to House Resolution 455 and rule XVIII,

the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 3671.

□ 1547

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3671) to amend the Acts popularly known as the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects and increase opportunities for recreational hunting, bow hunting, trapping, archery, and fishing, by eliminating opportunities for waste, fraud, abuse, maladministration, and unauthorized expenditures for administration and execution of those Acts, and for other purposes, with Mr. BURR of North Carolina in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. GEORGE MILLER) each will control 30 minutes.

The Chair recognizes the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, listen to these words. They tell us why this legislation is urgently needed.

''We don't want legislation to put us in a tighter box. If another need for this money comes up in the future, we want to be able to direct money to do it,'' says the deputy director of the United States Fish and Wildlife Service about this bill in the March 2000 issue of Outdoor Life.

The deputy director's words were a plea for help and this bill answers that plea. Those who oversee this program still want to use wildlife and sport fish money, paid by sportsmen, to create slush accounts and fund other unauthorized needs.

This bill assists the Fish and Wildlife Service in their administration of the programs by providing clear direction on what they can do when administering these wildlife and sport fish trust accounts. The bill eliminates the broad discretionary authority that supposedly gave them the permission to spend wildlife and sport fish trust accounts on things like slush funds and other unnecessary foreign travel. This bill prevents abuses and protects the trust funds. This bill does not choke the administration of the wildlife and fish trust accounts. It makes them lean, and it makes them manage the money accountably.

This bill maintains the integrity of the two acts by ensuring the funds will be used for true administration by authorizing exactly what the administration funds may be spent on. This includes things like personnel, direct support costs, costs to make grants, and actual overhead costs.

It will ensure that millions of excise tax dollars paid by sportsmen and women on guns, ammo, archery equipment, and fishing equipment will go to the States to improve opportunities to enjoy hunting and fishing, enhance hunting safety, providing conservation projects to improve habitat, and a variety of other wildlife and sport fishery restoration projects that benefit all Americans.

The bill caps the amount of administration dollars at $10 million for both programs for true program administrative needs, plus $5 million for the multistate grant program that the Service improperly funded from administrative money. These program reforms deliver more wildlife and sport fishing restoration dollars to the States.

Because of past abuses, several certification, auditing and accounting requirements are added. These requirements will ensure that the committees in the House and Senate and the public will get what we need to confirm that the wildlife and sport fish trust funds are administered cleanly and effectively.

We authorize a multiple-state conservation grant program to fund wildlife and sport fish restoration properties or programs that will benefit both groups of the States. Often States wish to cooperate with conservation projects, and this program will allow them to do so; $5 million, split between wildlife and sport fish, are authorized for this purpose.

With some of the savings we achieve in the bill, we authorize a firearm and bow hunter safety grant program to assist States to enhance firearm, hunting and archery education programs, and ranges and safety programs.

We found a lack of accountability within the current Federal Aid program that administers the accounts. We found that Federal Aid managers lacked control over their own resources. As a result, we elevated the chief of the Federal Aid program to the level of assistant secretary.

The new position is the assistant director for Wildlife and Sport Fish Restoration Programs, who, organizationally, reports to the director. This structure elevates one-third of the total fish and wildlife service budget and places it squarely in the director's office. The sole responsibility of the new assistant director will be the management, administration, and oversight of the Wildlife and Sport Fish Restoration Programs.

Every Member should support this legislation. I knew that we had to press on and make these reforms rigid when I read what the deputy director of the Service said about this bill in the March 2000 issue of Outdoor Life.

I urge the House to support this important legislation and ensure that the taxes paid by sportsmen and women benefit wildlife and sport fish conservation and restoration in the States. By supporting this legislation, we will prevent excise taxes, paid by our constituents and earmarked for our game and fish departments, from being improperly used and squandered by the Federal Government.

It is our job to protect the sportsmen and women who pay the tax in each of our districts. Vote for this bill. Do something we should have done more around here, and that is to provide solutions to eliminate waste and fraud and abuse by the Federal Government. It just so happens doing it this time means more wildlife and more sport activity for the people in our districts.

Mr. Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

In just 3 weeks, we will be celebrating the 30th anniversary of the first Earth Day. And just like the return of spring, the coming Earth Day has spurred the majority to renew their annual migration to the House floor with legislation to supposedly demonstrate their concern and support for the environment.

This is legislation that does both of those things, it tries to express their concern for the environment and also to clean up some problems within the sport fish restoration program. But I am afraid this legislation goes too far.

In its desire to seek out waste, fraud, and abuse, I believe that this legislation, in fact, will end up, if kept in its current form, undermining the ability of the Fish and Wildlife Service to administer an account for roughly $450 million to support wildlife and sport fish conservation activities in the States.

As we sat through the hearings, I must say that I share some of the concerns that the gentleman from Alaska (Mr. YOUNG) has outlined in his desire to improve the performance of this program within the agency. But unfortunately, the legislation, as it stands before the House today, I think makes cuts that are far too severe and imperil the ability of this agency to administer the programs to the States or, in fact, even put additional burdens on the States for which they will not have resources to do; and I will elaborate on that point later in the debate in this legislation.

I think it is important to remind our colleagues that the Fish and Wildlife Service is recognized and admitted substantial errors that have been made. Serious reforms have been initiated by Fish and Wildlife Service Director Jamie Clark to improve the enforcement of financial policies and procedures, including the termination of discretionary grant programs, the hiring of a new Federal Aid expert to closely oversee the Federal Aid Office, the establishment of strict new policies for

travel and expenses, and the initiation of new training programs for Federal and States employees.

These moves indicate to me that the Service is aggressively taking action to clean up this mess. Has the Service acted quickly enough to address these problems? Certainly not. But is the Fish and Wildlife Service now making a serious effort to clean up the administration of these programs? I believe they are. It is unfortunate the majority has decided to ignore these internal reforms.

Which brings us to where we are today. When the majority concluded its investigation, I hoped that we might be able to work to draft legislation sufficiently tailored to ensure long-term financial accountability of this program. But so far we have been unable to do that.

I have several concerns about this legislation. Foremost is my concern that the bill would severely cut the amount of allowable funding for the Service to administer the program. As reported by the Committee on Resources, the bill would have established a $10 million per-year cap to fund administrative activities which the majority claims would track existing costs for legitimate administrative functions. However, the Fish and Wildlife Service indicates that the personnel costs alone amount to $9.5 million annually.

Furthermore, when the service analyzed past spending, organized by the majority's own 12 expense categories, and when the Service backed out the illegitimate expenses, the costs for administration consistently ranged between $20 million to $25 million. Clearly, $10 million is simply not sufficient to engage in the proper practices.

It is my understanding that the funding levels imposed by this cap would force the Service to terminate anywhere between 40 to 60 Federal Aid employees. In addition, the caps would also force the Service to cut back on important administrative activities, including State grant audits, budget oversight, and procedural training for Federal and State personnel. How is the Service supposed to provide increased oversight, accountability, and services to the States under this scenario?

I ask if my colleagues' offices would be able to provide the same level of services to their constituents if they were forced to cut their office staff and operating budgets by 30, 40 or 50 percent? Of course not. But that is what this legislation would impose on the Service.

I am also concerned the bill does not provide any administrative flexibility for the Fish and Wildlife Service to respond to unknown future expenses that could be imposed on the Service. For example, if the CARA legislation should pass, it would allocate an additional $350 million to the Pittman-Robinson programs, but it would not allow any additional funding for that program. I hope we can either address that problem in this legislation or in the follow-along CARA legislation.

I find it remarkable that the majority insists that the workload of the program could virtually double overnight but would not provide additional administrative funds to the program.

I am also concerned that the bill does nothing to ensure the States who receive Federal funds are held accountable on how they spend their grants. After all, the States receive 93 percent of all the Federal Aid funds, roughly $450 annually. Yet the audit of State programs has uncovered many troubling examples of financial abuse, very similar, if not identical, to the problems uncovered in the Federal investigation of the Federal agency.

I find it interesting that the committee would focus its attention exclusively on how the Fish and Wildlife Service spends its funds, which total about $31 million, but fail to address the credible evidence of similar financial mismanagement among the States that spend more than 10 times that amount of money.

Perhaps this indifference reveals the true nature about this legislation. It is less about the avoidance of spending money unlawfully than it is about punishing the Service.

I am disappointed that we have been unable to resolve these substantial concerns and other problems that I have raised with this legislation. I would have preferred to resolve these matters before bringing the bill to the floor. Hopefully, they will be resolved before this legislation is reported from the Senate.

I would hope that the majority would understand that to seek signature on this legislation some of these concerns, that are legitimately raised by the Fish and Wildlife Service, by some of the State agencies, and by supporters of this program, will have to be changed if the agency is, in fact, going to effectively administer the Office of Federal Aid; and if they are going to be able to administer the programs as we on the committee now agree they should be, which resulted from the hearings and the investigations that the majority led into this agency.

I guess, in short, I would simply say this: I believe this legislation is on the right track, but I believe it is overkill.

□ 1600

I believe it is overkill, to the extent to which it can render the agency ineffective to do exactly the mission that is outlined in this reform legislation.

I would hope that the principals of this legislation could work out so there could be sufficient funding that would allow the agency to do its job properly, there would be the reforms that the legislation speaks to to make sure that, in fact, monies are spent properly for the purposes for which people pay into this fund and for which those of us who make the policy on this matter expect them to be paid.

The agency must be allowed to function, and I would hope that those needs could be addressed.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The Committee will rise informally to receive a message.

The SPEAKER pro tempore (Mr. HASTINGS of Washington) assumed the Chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

WILDLIFE AND SPORT FISH RESTORATION PROGRAMS IMPROVEMENT ACT OF 2000

The Committee resumed its sitting.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. DELAY), the great leader in the House.

Mr. DELAY. Mr. Chairman, last year, congressional Republicans fought tooth-and-nail to cut waste, fraud and abuse out of a bloated Federal budget. We were successful, but we have only just begun.

This year we remain vigilant in our crusade to return accountability to the Federal Government, and, today, thanks to the chairman of the Committee on Resources (Mr. YOUNG), we are taking another important step by bringing this bill to the floor.

This measure will eliminate waste, fraud and abuse at the Fish and Wildlife Service and restore integrity and accountability to our conservation programs.

Last century, America's sportsmen agreed to excise taxes on sporting equipment so that others could enjoy hunting, fishing, and other outdoor activities. In doing so, they placed their trust in the Federal Government to administer these funds, their hard-earned dollars, for State conservation efforts.

This system worked for decades, but this administration has shattered that trust. A yearlong committee investigation revealed that half the money set aside to administer these programs, over $15 million, was improperly used.

But do not just take my word for it. The GAO report, and I quote, ''to our knowledge, this is, if not the worst, one of the worst managed programs we have encountered.''

Mr. Chairman, this bill ensures that the government manages the people's money wisely. I urge my colleagues to support this bill and restore trust between America's sportsmen and their government.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 4 minutes to the gentleman from Colorado (Mr. UDALL).

Mr. UDALL of Colorado. Mr. Chairman, I thank my colleague, the gentleman from California for yielding me the time.

Mr. Chairman, while I support this bill, I do have some concerns about it, and at the appropriate time, I will offer an amendment that I think can set the stage for addressing those concerns.

As the gentleman from Alaska (Mr. YOUNG) and others have noted, this bill was prompted by information developed by the Committee on Resources through the oversight process.

As a result of that oversight, it became clear that it would be desirable to revisit the underlying statutes at issue here; although, I think it is also clear, as my colleague from California suggests, that some of the charges about the actions of the current administration have been exaggerated, and that those folks making those charges have failed to point out similar actions that occurred during prior administrations.

The programs of assistance to state and wildlife agencies addressed by this bill are very valuable for my home State of Colorado and, of course, for all the other States that make up our union. This bill deals with a very important subject that deserves careful scrutiny by the Committee on Resources and by the whole House itself.

I do think that Congress does need to reconsider the degree of discretion that current law allows the Interior Department with regard to the administration of these programs.

However, in responding to the ways the Interior Department has used its discretion in the past, I fear that the bill may go too far in the other direction.

Mr. Chairman, I certainly understand the purpose of limiting the amount of money that can be spent on administration, because obviously, what is spent that way will not be available for the substantive purposes of the programs, but at the same time, we need to recognize the administration is necessary and adequate administration is essential to avoid the risk of misuse of taxpayer funds, either by the Department of Interior or by other parties.

That is why I am concerned when the Interior Department says that limits set by the bill would likely require reduction in the number of people who would administer these programs because adequate staffing is necessary to administer any program.

I am also concerned that the bill's provisions are too inflexible and too detailed and that even more specific requirements are suggested in parts of the committee's report on the bill.

Accountability is essential, but excessive paperwork for its own sake can eat up resources that could be put to more productive uses. And I do not think we should make it impossible for the Interior Department to respond to new developments, such as the very significant and very desirable increase in the scope of these programs that would come from the enactment of H.R. 701, the CARA legislation which the Committee on Resources has already approved, and which I hope will come to the floor of the full House in the near future.

As I said, I support the bill. I will do so not because I think it is perfect, but because I think it is desirable to make some progress on this subject.

It is my hope that we can further refine the bill as we proceed through the legislative process with the other body and, if necessary, in conference. However, should that not occur, our committee and the House may be better advised to return to this subject next year.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would just like to remind both of my speakers on that side of the aisle my amendment raises the fund from $10 million to $14 million with a $5 million grant that is $19 million, and I had information from the Department that said that they could operate very well with $19 million.

We expect a decrease of personnel probably of 23 members of the total aid program, and that is all. What we are trying to do here is not this administration is future administration, this administration is on its waning days, but future administration, regardless of parties, will not have the opportunity to use these dollars that are paid in good faith by the sportsmen of America and then misspent.

Even those within the agency today have told me privately, yes, they made a mistake, and they really would suggest that we are doing the correct thing. We will review this. We will have a very simplistic audit system. I have agreed to that. We will work with those people involved and make sure that in the future time, we will be able to see where they have been able to reach those goals.

In closing, may I suggest, I have asked them time and time and time again give me the figures where they need it and how they want to spend it, and the agency itself has been reluctant. In fact, they have stonewalled us. I am trying to get those figures. I am working very hard.

Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. RYUN).

Mr. RYUN of Kansas. Mr. Chairman, I rise in support of the accountability and responsibility to stop wasteful spending and mismanagement of wildlife and sport fishing funds. The impropriety of the U.S. Fish and Wildlife Service in spending taxpayer dollars for slush funds and unauthorized programs and projects is an abuse that must come to a stop.

The Service has failed to return leftover funds to the States for conservation purposes, funds paid by sportsmen and sportswomen. Even worse, the General Accounting Office has acknowledged that in its 106 years of experience, this is what it said, it said ''this is, if not the worst, one of the worst managed programs.'' That is a quote that they have given, and that is the way they feel. And I believe that that is accurate.

We have an opportunity to provide oversight to a program in desperate need of reform. The Wildlife and Sport Fish Restoration Programs Improvement Act would return honesty and responsibility to the administration of the programs under the Pittman-Robertson and Dingell-Johnson Acts.

Mr. Chairman, I encourage my colleagues to support this measure that not only reduces bureaucracies but prevents waste, fraud, and abuse.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield such time as he may assume to the gentleman from Michigan (Mr. DINGELL) who has been obviously a very strong supporter of this program and a strong voice for reform.

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Chairman, I thank my good friend from California (Mr. GEORGE MILLER) for his kindness to me in this matter.

Mr. Chairman, I ask the attention of the gentleman from Alaska (Mr. YOUNG), my good friend, the chairman of the committee, but before I do so, I want to pay tribute to the gentleman from Alaska (Mr. YOUNG), the chairman of the committee, and the gentleman from California (Mr. GEORGE MILLER), my good friend, for the fine leadership they have given in working this bill to this point on the House floor.

It is an important piece of legislation. It enhances and protects a great national treasure which are the different Federal aid to fish and wildlife programs which have existed for a long time.

I am particularly proud that one of these was the Pittman-Robertson bill, which takes care of grants to the States for aid for wildlife conservation and, of course, Dingell-Johnson which was sponsored by my old dad some 50 years ago, which protects fish and fishery resources.

This is the kind of bipartisanship that has always been shown during this legislation. It does both of these gentlemen and the committee great credit, and I want to commend them and thank them for what it is they have done and for working with me on this matter.

Mr. Chairman, one matter not addressed in the bill, I believe, would be very important in the entire question of administration of Federal aid program, is an independent outside top-to-bottom review to determine how many people are needed to administer it and what mixture of skills they should have. Your able staff has undertaken to develop a staffing model, and Fish and Wildlife has offered what they believe is an appropriate level of funding.

I do believe that an outside review by experts without any stake in the outcome would be beneficial.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I am happy to yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I agree it is my understanding that the Fish and Wildlife Service has authority to undertake this review in a fairly rapid manner. My only concern that any review is truly independent of undue influence. For that reason, I agree with you provided the service and the reviewer consult with the House Committee on Resources prior to and during the review.

The committee must agree with the parameters of the review and we must be advised of the process of the review.

Mr. DINGELL. Mr. Chairman, I agree with my good friend that the Service should, in fact, start such a review. It is my hope that that will take place and that they should make every effort to have it completed within 120 days and to be without any taint of outside influence.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield further?

Mr. DINGELL. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I strongly agree with that but with the understanding the review does not stand in the way of getting this bill enacted into law. I want to make sure we go forth with the law, the review can come after the law, because I am looking at the next administration, we do not want the abuse that occurred in the past administration.

Mr. DINGELL. Mr. Chairman, reclaiming my time, I do want to thank my good friend, I want to continue my comments, and I am going to try and watch my time very closely, I say to my good friend, the ranking member. These are important programs. They are great national treasures and they are a curious example of legislation which is protected by people who pay taxes, and the taxpayers and the sportsmen who pay the taxes are those who are the strongest supporters of this legislation.

Mr. Chairman, I want to commend the gentleman for having this GAO accounting and I want to commend him for the work which he has done to present this legislation to the House. I would like to observe that the situation has gotten into a bad state, and I would like to make an observation that this is regrettably something which does continuously require the attention and the oversight of the Congress.

I would like to observe that the situation that has been brought to light is not a good one, and it is one which desperately needs correction for the protection of the fish and wildlife resources to which these monies will be put.

I would like to observe, however, that a lot of time that programs of this kind become the subject of abuse simply because the appropriators and the Committee on the Budget are often times responsible for seeing to it that these monies become the go to fund for initiatives and expenses that were never authorized by Congress or programs that Committee on Appropriations sort of deals with a wink and a nod or the Committee on the Budget does to see to it that these monies are spent in a way that the legislative committee never intended.

Mr. Chairman, certainly, that is a bad situation and hopefully, this legislation will help to bring that kind of situation under control. The basic program is, however, a sound one and a good one. I believe that the limitation on expenditures for administrative purposes and others is a good one.

It may, perhaps, need to be increased, but at least at this time it is a useful device, not only to curb abuses within the agency, but also to curb abuses by the Congress and by the appropriators and by the Committee on the Budget enforcing the use of these kinds of monies for purposes that the legislative committees have never intended should be the expenditure.

Having said that, I would observe that I believe that as the process goes forward that this Congress will work together to achieve a resolution of any differences and difficulties that exist across the aisle or between different Members. I am satisfied that as we work this legislation out, it will come to be something which will be the protection of a great national treasure.

I thank my good friend, the gentleman from Alaska (Mr. YOUNG) and I thank my good friend, the ranking minority member, the gentleman from California (Mr. GEORGE MILLER) for making this time available. I look forward to working together with them and with others to see that this is the legislation we want it to be.

□ 1615

Mr. YOUNG of Alaska. Mr. Chairman, I yield 1 minute to the gentleman from New Hampshire (Mr. SUNUNU).

Mr. SUNUNU. Mr. Chairman, I rise in strong support of the legislation brought before us by the distinguished chairman of the Committee on Resources. The facts that led to this legislation really do speak for themselves: skyrocketing overhead costs in an important Federal program, payment for foreign travel completely unrelated to the nature of the work of the Federal Aid Program, and the use of funds to pay employees that were not even working within the program itself.

Clearly this is necessary legislation to protect the financial interests and restore financial accountability to a very important Federal program. Contrary to the suggestion that we might be injecting too much oversight or too much financial accountability into this program, I think it understands the need for more such oversight, and the gentleman has done us a service in beginning this process. Identifying waste and mismanagement in government is not just a good idea, but it is in the best interests of the taxpayers and really the future of this country because every time we find opportunities to save taxpayers not millions, but in the aggregate it adds up to billions, that is additional resources that we can invest in programs that really do work for the American taxpayer, or it is money that we can actually let the taxpayer keep and never even have to send to Washington, investing in what they care about.

I applaud the work of the gentleman from Alaska; I applaud the Speaker and Members on both sides of the leadership that have called for greater oversight of waste and mismanagement in government in the hope that it will lead to a much better investment of those taxes that we do collect here in Washington.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHERWOOD).

Mr. SHERWOOD. Mr. Chairman, I rise today in strong support of the Wildlife and Sport Fish Restoration Programs Improvement Act authored by the gentleman from Alaska, the chairman of the Committee on Resources. As a member of that committee and of the Congressional Sportsmen's Caucus, I commend the gentleman from Alaska for crafting this truly ''good government'' bill.

I was born, raised, and have lived most of my adult life in rural Pennsylvania. I was taught to hunt and fish at a young age. With that knowledge came a great amount of respect for the game that we hunted, a love of the outdoors, and a desire to ensure that our wildlife resources are managed and preserved for future generations to experience. All those sportsmen over the years who have paid in their excise taxes to the Pittman-Robertson and Dingell-Johnson funds think of those funds the same way that Social Security recipients think of the funds they have paid in.

I am appalled that we seem in this Chamber to think that it is all right that there is some mismanagement of those funds. It is not all right. It is our job to do something about it. I do not think we should take any comfort in the fact that maybe the States have not done their job as well as they should. This is the right thing to do. Mr. Dingell, Sr., would be appalled if he knew that these funds would be used as slush funds or unnecessary foreign travel or unreasonable overhead costs. Like the Social Security fund, this needs to be very well managed. The bottom line is that this bill will increase the amount of money currently available for conservation by eliminating waste, fraud and abuse. This is good environmental policy, and it is good fiscal policy. I again commend the gentleman from Alaska for the leadership in bringing this to the floor. I ask for its passage.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin (Mr. KIND).

(Mr. KIND asked and was given permission to revise and extend his remarks.)

Mr. KIND. Mr. Chairman, I thank the gentleman from California for yielding me this time. As a member of the Committee on Resources, I rise in support of H.R. 3671, legislation to improve the financial management and accountability of the Office of Federal Aid within the U.S. Fish and Wildlife Service. Under current law, the Office of Federal Aid reallocates funds collected through Federal excise taxes on guns, ammunition, and archery equipment to individual States for fish and wildlife restoration projects. Hunters and outdoorsmen as well as recreation and conservation groups in my district in western Wisconsin and throughout America rely on these restoration projects to improve habitat and fishable waters.

Unfortunately, recent evidence documented by the GAO indicates that the administration and financial oversight of the Federal aid in the wildlife and sport fish restoration program may be a little lax. This has resulted in the unfair public perception that misallocation and abuse has occurred throughout the Fish and Wildlife Service. To correct this problem, H.R. 3671 caps the amount of administrative dollars available for administration use to implement wildlife and sport fish restoration programs.

While I support this legislation, I do share the concern of the gentleman from California (Mr. GEORGE MILLER) that this bill as currently written may go too far and end up restricting the overall effectiveness of the fish and wildlife restoration programs. In fact, there may be some truth in the fact that the rigid budgetary framework that this legislation proposes may ultimately erode the capabilities of the Fish and Wildlife Service to effectively administer the restoration programs. To that end, it is my hope and desire that the Senate can correct some of the flaws that I believe currently exist with this legislation so that the President may ultimately sign it into law.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Chairman, like most Americans I was disappointed and angry to hear of the administrative abuses taking place under the Pittman-Robertson and Dingell-Johnson Acts. These are very popular programs that I support, which permit collection of funds through the Federal excise taxes on hunting and fishing equipment, a worthy cause, and two activities that my family holds dear, that my entire family enjoys as do the vast majority of the people in my State of Wyoming. These funds are tremendously beneficial to the State and to other States that use them for on-the-ground fish and wildlife conservation projects.

The House Committee on Resources learned of the mismanagement of the 6 percent and the 8 percent administrative funds over a year ago. Since that time, the GAO and the Committee on Resources' own review of the mismanagement indicates that widespread abuses have continued to be discovered. It is my understanding that part of these funds were even used to introduce the wolf into Yellowstone which was something the States of Wyoming, Idaho, and Montana; the governors; and the legislatures strongly opposed, as did most of the people that lived there. The plain truth is that the Fish and Wildlife Service has misused millions of taxpayer dollars.

I have to say that I find it a little less than amusing that in this Chamber the misuse of these funds has been characterized as ''exaggerated'' and the previous speaker saying the administration ''may have been a little lax'' when in fact the GAO report says that this program, quote, ''if not the worst managed, is one of the worst managed programs we have ever seen.''

Now, excuse me. Hello? That is worse than ''maybe a little lax'' or that the other side is exaggerating this problem. When money is misused that taxpayers pay in under certain circumstances, it should be distributed according to the law. Sportsmen and women have every right to expect that their hard-earned money will be returned to them in the form of the services for which they pay it. Clearly this kind of abuse cannot be justified, and it cannot be tolerated.

As an original cosponsor of the legislation of the gentleman from Alaska, I am committed to bringing an end not only to this particular kind of Federal abuse of dollars but other abuses that are prevalent in our Federal Government. I do not care who is in office, I do not care who is in the seat of the presidency, I do not care who is in the majority of the Congress. To say that just because they did it means it is not so bad that we did it is ludicrous. I am offended by that as every American should be.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume. Let me just say, this is not about whether or not we support or agree with the waste of money, because obviously nobody in this Chamber does and nobody in the Congress does; and the hearings that we had in the Committee on Resources were for the purposes of stopping those practices that were unacceptable. But the fact of the matter is the numbers that the GAO threw around have never been substantiated.

The suggestion that somehow these individuals were engaged in illegal or criminal behavior has never been substantiated, was never found to be true; and we ought to set the record straight. The fact that that did not happen does not mean this was the best-run program, but it also certainly means this was not the worst-run program. We can show you many unfortunately tragically that are far worse than this that do not deal with several million dollars, but deal to the tune of billions of dollars of waste. That is a tragic fact. But the point is the record ought to be straight on this one so that the remedy fits the problem, and the concern about this legislation at this moment is that this legislation overreaches and in fact will keep the agency from doing what all of us in this Chamber want them to do.

Speaker after speaker has gotten up here and made the point that this is a highly successful program; they have had great results in States building local programs for hunters and for fishers, and it is working. We have all had testimony to it in our States and in many of our districts where these programs have been utilized in conjunction with many local organizations. This is a successful program. We ought not in terms of being a little overzealous here then cripple the agency from doing what it is doing very well apparently.

We ought to address ourselves to those problems that are in fact real and ought not to be allowed to continue, but we ought not to overreach and do as many who are strong supporters of both this legislation and this program suggest may very well happen if some of these numbers are not moved up so the agency has the money necessary to properly administer the program which brought us to this point originally.

Mr. Chairman, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume. I appreciate the gentleman's comments; but I would suggest again with my amendment, the administration and the agency itself had said that they will reach the $19 million and we will only lose, if anything, none this time, all existing programs continue, and next year 10 people are lost, 10 after that, 20 in total; but we will have an accounting, and they will not have this fund which they can use. Remember, this is for the next administration. If there is a problem they cannot implement it because of this legislation, we always can address that. But I do not want anybody to be able to get into that cookie jar. As we remember in 1992, only 2 percent was used for administrative costs; and beginning in 1993 and on, it went up to the full 14 percent. So I do not want that to occur, because there is no justification for that.

Mr. Chairman, I yield 2 minutes to the gentleman from South Dakota (Mr. THUNE).

Mr. THUNE. Mr. Chairman, first of all I want to thank the gentleman from Alaska and his staff for their hard work and vigilance in pursuing this issue and in drafting legislation to fix what GAO has characterized, there is no way around this, as one of the worst-managed programs that they have ever encountered. Unfortunately for sportsmen and women across South Dakota and around this country, the

Fish and Wildlife Service has misused at least $45 million of these funds by directing portions of the excise tax dollars toward such things as a slush fund for the director and foreign junkets entirely unrelated to the administration of the program.

As a result of these abuses, States have not been able to conduct wildlife and sport fish projects because the funds were spent in ways in which the Congress did not authorize.

□ 1630

As an avid sportsman, I am outraged by the abuses that have been uncovered by the gentleman from Alaska (Mr. YOUNG), and the Committee on Resources, and I am not alone. What is going on here is unconscionable. I have received a lot of letters and e-mails and phone calls from sportsmen and women across South Dakota asking me to take action to stop the Fish and Wildlife Service's abuse of administrative funds by the Division of Federal Aid. This bill does just that.

Mr. Chairman, this was a successful program because sportsmen and women were generous in their willingness to pay the excise taxes which they paid, believing that those taxes were going to be used to invest in wildlife and sports fish. Had they known that the money they were paying in excise taxes was going to be used by Fish and Wildlife Service at its disposal for a lot of these inappropriate expenditures, I doubt they would have been willing to pay those taxes. This bill prevents the director from using administrative funds for purposes other than legitimate costs to administer the law.

Mr. Chairman, this is no way to administer a program. The sportsmen and women whose tax dollars fund this program expect and deserve more from their government. It is the job of each and every one of us in this Chamber to ensure that the taxes paid by the American people are not squandered. Whether they be sportsmen excise tax dollars or any other tax dollars, we have a responsibility to the American people to do the right thing, and the right thing is to pass this bill.

POINT OF ORDER

Mr. YOUNG of Alaska. Mr. Chairman, what is wrong with this microphone? I am getting a little tired of it. Whoever is running this thing had better be on the ball, because this thing never goes on on time and some of the time we cannot hear anybody, and maybe that is on purpose. But we have spent an awful lot of money on this project, brand-new, and I have been here and listening to this and it is not properly run and it deeply disturbs me.

The CHAIRMAN. The gentleman's concerns are duly noted by the Chair.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON of Minnesota. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise today in support of H.R. 3671. As cochairman of the Congressional Sportsmen's Caucus, I can tell my colleagues few issues are as important to the caucus as safeguarding the integrity of the Pittman-Robertson and Dingell-Johnson funds. So important that this is one of the primary missions of the Sportsmen's Caucus which now includes 280 Members of Congress.

I was happy to support the gentleman from Alaska when he introduced this bill, and I am happy to support his effort today to move this needed legislation forward. His bipartisan approach is appreciated in the Congressional Sportsmen's Caucus.

The Chairman's committee has built an excellent case for making the reforms he offers in the House today. For years, there has not been enough oversight over this program and these conservation trust funds. The chairman took a hard look at this issue, and what he found surprised all of us who, for decades, have happily contributed the funds for this valuable program.

This oversight found lose language within the law regarding administration and execution of the wildlife and sport fish trust funds. The proposal today tightens it. Where his oversight found waste, this bill eliminates it.

The gentleman's bill also directs resources to hunter education and safety, something that the Congressional Sportsmen's Caucus cares about deeply. It is important that funding is provided to both educate hunters and to ensure their safety in the field.

This will also maintain the vitality of the Pittman-Robertson fund by continuing to bring in new generations of hunters, something that we are all trying to make happen.

So, Mr. Chairman, this is a good bill, and I urge my colleagues to adopt it.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. CHAMBLISS), cochairman of the Sportsmen Foundation, 280 members now, and a great leader for the sportsmen's movement in the Congress.

Mr. CHAMBLISS. Mr. Chairman, I thank the gentleman from Alaska for bringing this bill forward.

Mr. Chairman, since coming to Congress, I have been committed to reducing Federal spending and balancing the Federal budget. As cochairman of the Congressional Sportsmen's Caucus along with my good friend from Minnesota (Mr. PETERSON), I have worked in a bipartisan fashion to promote hunting, fishing, and other outdoor recreational activities. But we could not be nearly as successful in the Sportsmen's Caucus were it not for the Pittman-Robertson and Dingell-Johnson Trust Funds. These funds have given millions of sportsmen and women the opportunity to continue to enjoy their hobbies of hunting and fishing and provide steady streams of revenues to fund hunter education and safety programs.

When sportsmen and women buy fishing equipment, guns, ammunition or archery equipment, a portion of their proceeds go to the States to help wildlife restoration or conservation projects and hunter education. This is not complicated. This is not rocket science. This is no secret. This is a win-win for everyone who cares about wildlife, who cares about hunting and fishing, who cares about education, about hunter safety, and about other education regarding outdoor activities.

That is, until some Washington bureaucrat thought they could take some of that money and use it for different purposes, purposes like travel to Japan, and creating a huge unauthorized slush fund. We are talking about at least $45 million in misspent, unauthorized costs of this program.

I say to my colleagues, this program is not going to be a slush fund for Washington bureaucrats, and I hope that bureaucrat is listening today, because with passage of this bill, we will ensure the integrity of Pittman-Robertson and Dingell-Johnson Trust Funds. We will ensure that they are protected for the American outdoorsman and the American taxpayer.

This Congress is committed to cutting out fraud, eliminating waste, and ending abuse of the American tax dollar. This is exactly what this bill intends to do. It protects the integrity of these quality trust funds in a way that makes common sense.

Instead of depending on a bureaucrat at the U.S. Fish and Wildlife Service to audit its own administrative costs of the program, we cap the administrative costs. We put the auditing in the hands of an independent inspector general, and we will require regular reporting to Congress of those audits.

Mr. Chairman, the Wildlife and Sports Fish Restoration Programs Improvement Act of 2000 will prevent dollars paid by sportsmen and sportswomen from being spent in ways that do not benefit wildlife, sport fishing, and related restoration efforts and will send more money to States for them to use for conservation projects and hunter education.

I applaud my friend, the gentleman from Alaska (Mr. YOUNG) for bringing this issue to the forefront. I applaud him for authoring this very common sense, good government piece of legislation, and I urge its passage.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PETERSON). It seems like great Americans have the name ''Peterson.''

Mr. PETERSON of Pennsylvania. Mr. Chairman, I want to thank the gentleman from Alaska (Mr. YOUNG) for the time, and I want to commend him and the committee for their oversight.

We do not do enough of that here. I think the American public would be a lot more comfortable with their Federal Government if we did more oversight. I am a little taken aback though by some of the comments that I have heard in this debate that this might go too far, this is too tough. Let us just

look for a moment at what the GAO report says.

It says, controls over expenditures, revenues, and grants were inadequate. Millions of dollars in program funds could not be tracked, millions. Basic principles and procedures for managing travel funds were not followed. Basic internal control standards or Office of Management and Budget guidance for maintaining complete and active grants files were not followed. Regional offices used administrative funds inconsistently and for purposes that were not justified. Charges for service-wide overhead may be very inaccurate. Routine audits to determine whether administrative funds were being used for authorized purposes were not conducted, and the process for resolving audit findings involving States' use of program funds was very questionable.

This is no way for programs to be administered. I am sure this is not the only one, but I want to commend the committee for tracking it down and changing it. Sportsmen and women who fund this program with their tax dollars expect more from their government. It is our job to ensure that their tax dollars are not squandered, and they go to wildlife and sports fish restoration projects. This bill will make sure that the taxes paid by our sportsmen and women are used efficiently and according to the law, and that the majority of the funds go to the States to fund the appropriate programs.

Mr. Chairman, I want to thank this committee for a job well done.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. HAYES), who visited Alaska to make his fortune and returned home.

(Mr. HAYES asked and was given permission to revise and extend his remarks.)

Mr. HAYES. Mr. Chairman, I appreciate this opportunity to address the Members of the House regarding a very fiscally responsible bill, and I want to express my appreciation to the gentleman from Alaska (Mr. YOUNG). As he said, I did spend a year in Alaska; and it was a wonderful time.

But as a part of spending that year in Alaska, Mr. Chairman, I learned a lot about fish and wildlife and misappropriations of funds. It appalls me the way that fishermen and hunters pay willingly, in fact eagerly, excise taxes on hunting and fishing equipment in order to preserve and to provide conservation programs for fish and game, nongame species, for badly needed habitat.

But having said all this, I find, after being in Washington for a short time, that the U.S. Fish and Wildlife Service takes sometimes, it seems to me, pride in misusing these funds; using them on projects that were never intended, using them on junkets, traveling around the world, not supporting habitat and wildlife and hunters and fishermen, but doing things that bear no resemblance to what this bill has been asked to do.

So I rise in strong support of the gentleman from Alaska (Mr. Young) and other supporters of this bill to lend my voice, because sportsmen in America are and always have been the original environmentalists.

When we talk about clean air, when we talk about clean water, there have never been people who are more concerned and who have a more common sense approach to maintaining the beauty and the natural wonder of our habitat and our wildlife than sportsmen.

So again, I applaud the gentleman from Alaska (Mr. Young) for bringing to the attention not only of sportsmen, but the American people, how their money has been misspent, even on antihunting programs, turning the Fish and Wildlife Service into an extension of the endangered species service, turning this into an environmental organization.

Again, let me reemphasize, the environment is something about which I and any sportsman cares very deeply about. But to use this money in ways other than the enhancement and the protection and the future of our wildlife and habitat is simply wrong, it is unacceptable. We want to be fiscally responsible. We have collected this money. We have the trust of our constituents when we collect Pittman-Robertson money, and it is up to us to make sure that that money is spent to preserve habitat, to protect wildlife and to create opportunities for present and future generations to enjoy the out of doors.

So again, let me lend my strongest and most enthusiastic support to the gentleman's efforts and commend this bill to my colleagues, and I ask for their support.

I am proud of my colleague, Chairman YOUNG and his staff for protecting our sports men and women around the country, and preserving the original purposes for which Pittman-Robertson and Dingell Johnson were enacted.

In 1937, a federal-state government cooperative program was begun for wildlife restoration. Monies are collected by the federal government from excises imposed on firearms, ammunition, and bows and arrows.

These taxes are returned to the states and territories for wildlife restoration or hunter safety and education programs.

Sportsmen are a unique group of people. How many people would voluntarily support and additional tax on themselves and send their money to Washington. On this side of the aisle were fighting everyday to help trim down the size of government and reduce our constituents taxes. I have not heard from one sportsman from my district to eliminate this excise tax. I have however heard from sportsman to return this program back to its original intent.

Sportsman support this program—or the intent of this program because—they are the true environmentalist. They want to preserve as wild life and natural habitats.

U.S. Fish and Wildlife has over stepped there bounds in administrating these funds. This legislation seeks to fix the loopholes that the Fish and Wildlife Service uses to justify the frivolous expenditures to quote/unquote administer this trust funds. I certainly understand and support the staff that helps distribute these funds back to our states, but the flagrant abuses and mismanagement of these funds has caused Congress to help U.S. Fish and Wildlife—follow the intent of the original Act.

This bill will streamline the use of the administration funds and define the how they can be used. This bill reduces bureaucracy in the U.S. Fish and Wildlife, increases accountability, and puts our conservation dollars into conservation projects back home. I would ask that my colleagues support Mr. YOUNG's bill and his amendment.

Mr. YOUNG of Alaska. Mr. Chairman, I reserve the right to close.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as we finish this debate, I would hope that we would be able to hold this in perspective, because I do not think that this bill is finished yet; I think, in fact, it is a work in progress. I hope that Members who are interested and concerned about this would just look at the letter from the International Association of Fish and Wildlife Agencies who are expressing some of the very same concerns that I am expressing about the funding levels in this legislation. We agree, they agree, and almost everybody in this Chamber agrees that many of these reforms are fine and should be made. But, when we get done, we have to leave this agency in a position to properly deal with the charge that we have given them.

As for those who want to keep coming here and saying that they want to slaughter this agency because GAO said this is the worst managed program they have ever seen, I think maybe that statement in and of itself would call into question the GAO audit. I wonder if the GAO ever took a look at the oil shale program. I bet that was a beaut. That was billions of dollars. Or, how about that coal fusion program where we were spending that money, those guys out in Utah still trying to bring it in on time. How about the uranium reprocessing program, the space station, the big dig going on up there in Boston, the Resolution Trust Corporation. Now, there is one that cost us hundreds of billions of dollars. This was the worst managed program these GAO auditors ever saw?

I have to tell my colleagues that these GAO auditors maybe just did not have the right experience, because as it turns out, as we reconcile all of the concerns that they raised and the issues that they raised, we are now down to about $700,000 of seriously questioned expenses that should not have been allowed.

So to suggest that somehow this agency has run amok, and I find it interesting that as we say that, we are now giving this agency in this legislation the exact duties that supposedly we criticized them for, but we know are

essential and must be done if, in fact, the State programs are going to work.

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So this is not the worst. Tragically to say for the taxpayers of this country, this is not the worst program GAO has ever encountered. Maybe this GAO auditor, but he probably was not around for that C–121 when the wings broke off. That was a hell of a program we had going there.

How about that one where we sent subsidized water so people will grow more cotton, but we have a cotton retirement program, so we buy the cotton back from them? That is going on today. There is a good program.

How about those KV funds, where the Forest Service could not tell us where any of the funds were? We still do not know today. Fortunately, the Committee on Appropriations started to put a stop to that.

That mining law has worked out well for the taxpayers of this country. We have lost billions and billions of dollars.

This is not the worst program. This is a program that has gotten off track. This is a program that has abused, has abused the authority that is given to it. We ought to put it back in line. I think the Chairman's legislation goes a long way toward that.

I still want to say that we have to leave this agency there, because those same sportsmen, hunters and fisherpersons that like this program, that use this program, have seen it improve. Their experience out there in the countryside recognizes the need of this agency to get that done in cooperation with the States.

Mr. Chairman, I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I do thank the gentleman from California for making my case. This is an agency that is off track. This is an agency, as I have said before, and I am not pointing fingers at any individual, that went from 2 percent to 14 percent. They spent money inappropriately. What we have to do is to gain the faith back from the sportsmen.

This is different than all the instances that the gentleman talked about the GAO investigating, the planes, et cetera. This is different. Every sportsman from 1937 took their money voluntarily and contributed 11 percent of the cost of that product to go into a fund to be redistributed back to the States to keep up the projects for fishing and hunting and other activities on our lands. That is what it was for. They did that voluntarily.

What we found out as this investigation went forward, we were finding out disgruntled sportsmen deciding that maybe they ought not to pay the tax, maybe we ought not to go forward with the program.

What I am trying to do with this legislation is to make sure there will be no money spent on things that were spent in the past such as travel, such as alcohol, such as things that the Congress would not appropriate money for, reestablishing the strength and trust of this trust fund.

In turn, as I have said before, if we adopt my amendment, they are at the same level that they said and required from me, $19 million to manage the program. We will lose, after 1 year, ten employees because they are bloated right now. The second year we will lose 10 more. That is 20 total. Then it is based upon the cost index, and they can get more if there is more need, or in fact if there is not a need they will get less. We are not gutting this program. In fact, we are encouraging the program.

The sportsmen I have heard from support what we are trying to do under this legislation. I urge my colleagues to support the legislation.

Mr. Chairman. I include the following exchange of letters for the RECORD.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 3, 2000.

Hon. DON YOUNG,
Chairman, Committee on Resources,
Washington, DC.

DEAR CHAIRMAN YOUNG: I understand that on Thursday, March 30, 2000, the Committee on Resources reported H.R. 3671, the ''Wildlife and Sport Fish Restoration Programs Improvement Act of 2000.'' As approved, the bill amends the Wildlife Restoration Act and Sport Fish Restoration Act programs and makes several changes relating to the expenditures of funds arising from dedicated excise taxes on recreational sporting and fishing equipment and supplies, generally.

As you know, each trust Fund in the Trust Fund Code includes specific provisions within the jurisdiction of the Committee on Ways and Means which limit purposes for which trust fund monies may be spent. Statutorily, the Committee on Ways and Means generally has limited expenditures by cross-referencing provisions of authorizing legislation. Currently, with respect to the Aquatic Resources Trust Fund (the ''Aquatic Fund''), the Trust Fund Code provisions approve all expenditures out of the Aquatic Fund permitted under authorization Acts, but only as those Acts were in effect on the date of enactment of the Transportation Equity Act for the 21st Century. Further, if unauthorized expenditures are made, no further tax revenues will be deposited to the Trust Fund. Thus, an Act not referenced in the Trust Fund Code must be approved by the Committee on Ways and Means before the authorizations are funded.

I now understand that you are seeking to have the bill considered by the House as early as this week. In addition, I have been informed that your Committee will seek an amendment incorporating language which I am supplying (attached) to make the necessary Trust Fund Code amendments to allow the proposed expenditures to occur.

Based upon this understanding, and in order to expedite consideration of H.R. 3671, it will not be necessary for the Committee on Ways and Means to markup this legislation. This is being done with the further understanding that the Committee will be treated without prejudice as to its jurisdictional prerogatives on such or similar provisions in the future, and it should not be considered as precedent for consideration of matters of jurisdictional interest to the Committee on Ways and Means in the future.

Finally, I would appreciate your response to this letter, confirming this understanding with respect to H.R. 3671, and would ask that a copy of our exchange of letters on this matter be placed in the Record during consideration of the bill on the Floor. Thank you for your cooperation and assistance on this matter.

With best personal regards,

BILL ARCHER,
Chairman.

Attachment.

AMENDMENT TO H.R. 3671, AS REPORTED
OFFERED BY MR. YOUNG OF ALASKA

Page 28, after line 24, insert the following:

SEC. . CONFORMING AMENDMENT.

Section 9504(b)(2)(A) of the Internal Revenue Code of 1986 is amended by striking ''(as in effect on the date of the enactment of the TEA 21 Restoration Act)'' and inserting ''(as in effect on the date of the enactment of the Wildlife and Sport Fish Restoration Programs Improvement Act of 2000)''.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RESOURCES,
Washington, DC, April 3, 2000.

Hon. BILL ARCHER,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you very much for your letter regarding an amendment to H.R. 3671, the Wildlife and Sportfish Restoration Programs Improvement Act of 2000. I appreciate your cooperation in providing a cross-reference in the Internal Revenue Code to allow our amendments to the Dingell-Johnson Sport Fish Restoration Act in H.R. 3671 to be executed and fully funded through the Aquatic Resources Trust Fund.

As you noted in your letter, I propose that this change be accomplished through a manager's amendment to H.R. 3671, which will be made in order by a rule for consideration of the bill. I concur that your acquiescence to this amendment not be considered prejudicial to your jurisdiction over this or any similar measure in the future, nor would it be considered as precedent for any future changes in trust fund accounts.

Thank you again for your timely assistance in moving H.R. 3671 to the Floor. Enactment of H.R. 3671 will ensure that the taxes paid by sportsmen and women will be used appropriately for fish and wildlife conservation projects with minimal administrative expenditures.

Sincerely,

DON YOUNG,
Chairman.

Mr. WU. Mr. Chairman, I rise today in support of H.R. 3671, the Wildlife and Sport Fish Restoration Programs Improvement Act of 2000. This common sense bill will prevent dollars paid by sportsmen and sportswomen from being spent in ways that do not help wildlife, sport fish and related restoration efforts, and it will send more money to the states for them to use for conservation projects.

Currently, Oregon receives a little over $4.6 million under the Pittman-Robertson Act, and just under $5.5 million under the Dingell-Johnson Act. These dollars go to support important programs such as stocking fish, improving habitat, resource education, fisheries research for sports-fishing and building boat ramps and infrastructure to support the sports fishing industry. As an avid hunter and fisherman, I strongly support these two programs.

My colleagues on the Resources Committee held several hearings on these bills. Unfortunately, it was revealed through the hearings

that the funds withheld by the Fish and Wildlife Service to administer and execute the Pittman-Robertson and Dingell-Johnson Acts were used to fund unrelated expenses.

In addition, funds that were used for true administration of these programs were not used responsibly. I commend the committee for working with the Fish and Wildlife Service in coming to a bipartisan, common sense solution that uses more dollars for fish and wildlife and less on administration.

Mr. Chairman, programs that assist recreation and conservation are good for Oregon and good for the United States. Doing this in a way that decreases waste is even better. I urge my colleagues to join me in voting in favor of H.R. 3671.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill is considered as an original bill for the purpose of amendment and is considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 3671

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Wildlife and Sport Fish Restoration Programs Improvement Act of 2000''.

SEC. 2. DEFINITIONS.

In this Act:

(1) WILDLIFE RESTORATION ACT.—The term ''Wildlife Restoration Act'' means the Act of September 2, 1937 (chapter 899; 16 U.S.C. 669 et seq.), popularly known as the Federal Aid in Wildlife Restoration Act and as the Pittman-Robertson Wildlife Restoration Act.

(2) SPORT FISH RESTORATION ACT.—The term ''Sport Fish Restoration Act'' means the Act of August 9, 1950 (chapter 658; 16 U.S.C. 777 et seq.), popularly known as the Federal Aid in Fish Restoration Act and as the Dingell-Johnson Sport Fish Restoration Act.

TITLE I—WILDLIFE RESTORATION

SEC. 101. EXPENDITURES FOR ADMINISTRATION.

(a) ANNUAL SET-ASIDE FOR ADMINISTRATION.—Section 4 of the Wildlife Restoration Act (16 U.S.C. 669c) is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) by amending so much as precedes the second sentence of subsection (a) to read as follows:

''ALLOCATION AND APPORTIONMENT OF AVAILABLE AMOUNTS

''SEC. 4. (a) SET-ASIDE FOR ADMINISTRATION.—(1) Of the revenues (excluding interest accruing under section 3(b)) covered into the fund in each fiscal year, up to $5,000,000 may be used by the Secretary for expenses to administer this Act, in accordance with this subsection and section 9 in each of the fiscal years 2001, 2002, and 2003. Of the revenues (excluding interest accruing under section 3(b)) covered into the fund in each fiscal year, beginning in fiscal year 2004, such amount, adjusted annually to reflect the changes in the Consumer Price Index, not to exceed $7,000,000, may be used by the Secretary for expenses to administer this Act, in accordance with this subsection and section 9.

''(2)(A) The amount authorized to be used by the Secretary under paragraph (1) each fiscal year shall remain available for obligation for such use until the expiration of that fiscal year. Within 60 days after that fiscal year, the Secretary shall apportion among the States any of the amount that remains unobligated at the end of the fiscal year, on the same basis and in the same manner as other amounts authorized by this Act are apportioned among the States for the fiscal year in which the apportionment is made.

''(B) Within 30 days after the end of each fiscal year, the Secretary shall—

''(i) certify in writing to the Secretary of the Treasury and to each State fish and game department—

''(I) the amount apportioned under subparagraph (A) to each State in the most recent apportionment under that subparagraph; and

''(II) amounts obligated by the Secretary during the fiscal year for administration of this Act; and

''(ii) publish in the Federal Register the amounts so certified.

''(b) APPORTIONMENT TO STATES.—''; and

(3) in subsection (b), as designated by the amendment made by paragraph (2), by striking ''after making the aforesaid deduction, shall apportion, except as provided in subsection (b) of this section,'' and inserting ''after deducting the amount authorized to be used under subsection (a), the amount apportioned under subsection (c), any amount apportioned under section 8A, and amounts provided as grants under sections 10 and 11, shall apportion''.

(b) REQUIREMENTS AND RESTRICTIONS REGARDING USE OF AMOUNTS FOR ADMINISTRATION.—Section 9 of the Wildlife Restoration Act (16 U.S.C. 669h) is amended to read as follows:

''REQUIREMENTS AND RESTRICTIONS REGARDING USE OF AMOUNTS FOR ADMINISTRATION

''SEC. 9. (a) AUTHORIZED ADMINISTRATIVE COSTS.—The Secretary may use amounts under section 4(a)(1) only for administration expenses that directly support the implementation of this Act and that consist of any of the following:

''(1) Personnel costs of any employee who directly administers this Act on a full-time basis.

''(2) Personnel costs of any employee who directly administers this Act on a part-time basis for at least 20 hours each week, not to exceed the portion of such costs incurred with respect to the work hours of such employee during which the employee directly administers this Act, as such hours are certified by the supervisor of the employee.

''(3) Support costs directly associated with personnel costs authorized under paragraphs (1) and (2) of this subsection not including costs associated with staffing and operation of regional offices of the United States Fish and Wildlife Service and the Department of the Interior, other than for purposes of this Act.

''(4) Costs to evaluate, approve, disapprove, and advise concerning comprehensive fish and wildlife resource management plans under section 6(a)(1) and wildlife restoration projects under section 6(a)(2).

''(5) Overhead costs, including general administrative services, that are directly attributable to administration of this Act based on—

''(A) actual costs, as determined by a direct cost allocation methodology approved by the Director of the Office of Management and Budget for use by Federal agencies; and

''(B) for those costs not determinable pursuant to subparagraph (A), an amount per full-time equivalent employee authorized pursuant to paragraphs (1) and (2) that does not exceed the amount charged or assessed for such costs per full-time equivalent employee for any other division or program of the United States Fish and Wildlife Service.

''(6) Costs incurred in auditing the wildlife and sportfish activities of each State fish and game department and the use of funds under section 6 by each State fish and game department every 5 years.

''(7) Costs of audits under subsection (d).

''(8) Costs of necessary training of Federal and State full-time personnel who administer this Act to improve administration of this Act.

''(9) Costs of travel to the States, territories, and Canada by personnel who administer this Act on a full-time basis for purposes directly related to administration of State programs or projects, or who administer grants under section 6, section 10, or section 11.

''(10) Costs of travel outside of the United States (except travel to Canada) that relates directly to administration of this Act and that is approved directly by the Assistant Secretary for Fish and Wildlife and Parks.

''(11) Relocation expenses for personnel who, after relocation, will administer this Act on a full-time basis for at least 1 year, as certified by the Director of the United States Fish and Wildlife Service at the time such relocation expenses are incurred.

''(12) Costs to audit, evaluate, approve, disapprove, and advise concerning grants under section 6, section 10, or section 11.

''(b) UNAUTHORIZED COSTS.—Use of funds for a cost to administer this Act shall not be authorized because the cost is not expressly prohibited by this Act.

''(c) RESTRICTION ON USE TO SUPPLEMENT GENERAL APPROPRIATIONS.—The Secretary may not use amounts under section 4(a)(1) to supplement any function for which general appropriations are made for the United States Fish and Wildlife Service or any other entity of the Department of the Interior.

''(d) AUDIT REQUIREMENT.—(1) The Inspector General of the Department of the Interior shall procure the conduct of biennial audits, in accordance with generally accepted accounting principles, of expenditures of amounts used by the Secretary for administration of this Act.

''(2) Audits under this subsection shall be performed under contracts that are awarded under competitive procedures (as that term is defined in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)), by a person that is not associated in any way with the Department of the Interior.

''(3) The auditor selected pursuant to paragraph (1) shall report to, and be supervised by, the Inspector General of the Department of the Interior, except that the auditor shall submit a copy of the biennial audit findings to the Secretary at the time such findings are submitted to the Inspector General of the Department of the Interior.

''(4) The Inspector General of the Department of the Interior shall promptly report to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate on the results of each such audit.

''(e) CERTIFICATION BY SECRETARY.—(1) The Secretary shall within 3 months after each fiscal year certify in writing to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate the following for the fiscal year:

''(A) The amount of funds used under section 4(a)(1) and a breakdown of categories for which such funds were expended.

''(B) The amount of funds apportioned to States under section 4(a)(2).

''(C) The results of the audits performed pursuant to subsection (d).

''(D) That all funds expended under section 4(a)(1) were necessary for administration of this Act.

''(E) The Secretary, the Assistant Secretary for Fish and Wildlife and Parks, the Director of the United States Fish and Wildlife Service, and the Assistant Director for Wildlife and Sport Fish Restoration Programs each properly discharged their duties under this Act.

''(2) The Secretary may not delegate the responsibility to make certifications under paragraph (1) except to the Assistant Secretary for Fish and Wildlife and Parks.

''(3) Within 60 days after the start of each fiscal year, the Assistant Director for Wildlife and Sport Fish Restoration Programs shall provide to the Committee on Resources of the House of

Representatives and the Committee on Environment and Public Works of the Senate the following for the fiscal year:

''(A) The amount of funds that will be expended in the fiscal year under section 4(a)(1) and a breakdown of categories for which such funds will be expended.

''(B) A description of how the funds to be expended are necessary for administration of this Act.

''(4) The Secretary shall promptly publish in the Federal Register each certification under this subsection.

''(f) CERTIFICATION BY ASSISTANT DIRECTOR FOR WILDLIFE AND SPORT FISH RESTORATION PROGRAMS.—Within 1 month after the end of each fiscal year, the Assistant Director for Wildlife and Sport Fish Restoration Programs shall—

''(1) certify that—

''(A) all amounts expended in that fiscal year to administer this Act in agency headquarters and in regional offices of the United State Fish and Wildlife Service were used in accordance with this Act; and

''(B) all such expenditures were necessary to administer this Act; and

''(2) distribute such certifications to each State fish and game department.''.

SEC. 102. FIREARM AND BOW HUNTER EDUCATION AND SAFETY PROGRAM GRANTS.

The Wildlife Restoration Act is amended by redesignating section 10 as section 12, and by inserting after section 9 the following:

''FIREARM AND BOW HUNTER EDUCATION AND SAFETY PROGRAM GRANTS

''SEC. 10. (a) IN GENERAL.—Of the revenues covered into the fund in each fiscal year, $15,000,000, less the amount used under section 4(a) and the amount granted under section 11(a)(1), shall be apportioned among the States in the manner specified in section 4(b) by the Secretary for the following:

''(1) Grants to States for the enhancement of hunter education programs, hunter and sporting firearm safety programs, and hunter development programs.

''(2) Grants for the enhancement of interstate coordination and development of hunter education programs.

''(3) Grants to States for the enhancement of bow hunter and archery education, safety, and development programs.

''(4) Grants to States for the enhancement of construction or enhancement of firearm shooting ranges and archery ranges, and updating safety features of firearm shooting ranges and archery ranges.

''(b) COST-SHARING.—The Federal share of the cost of any activity carried out with a grant under this section may not exceed 75 percent of the total cost of the activity and the remainder of the cost shall come from a non-Federal source.

''(c) PERIOD OF AVAILABILITY; REAPPORTIONMENT.—Amounts available under this subsection shall remain available for 1 fiscal year, after which all unobligated balances shall be apportioned among the States in the manner specified in section 4(b).''.

SEC. 103. MULTI-STATE CONSERVATION GRANT PROGRAM.

The Wildlife Restoration Act is further amended by inserting after section 10 the following:

''MULTI-STATE CONSERVATION GRANT PROGRAM

''SEC. 11. (a) IN GENERAL.—(1) Up to $2,500,000 of the revenues covered into the fund each fiscal year shall be available to the Secretary for making multi-State conservation grants in accordance with this section.

''(2) Amounts available under this subsection shall remain available for two fiscal years, after which all unobligated balances shall be apportioned in the manner specified in section 4(b).

''(b) SELECTION OF PROJECTS.—(1) A project shall not be eligible for a grant under this section unless it will benefit at least 26 States, a majority of the States in a region of the United States Fish and Wildlife Service, or a regional association of State fish and game departments.

''(2) The Secretary may award grants under this section based only on a priority list of wildlife restoration projects prepared and submitted by State fish and game departments acting through the International Association of Fish and Wildlife Agencies each fiscal year in accordance with paragraph (3).

''(3)(A) The International Association of Fish and Wildlife Agencies shall—

''(i) prepare each priority list through a committee comprised of the heads of State fish and game departments (or their designees);

''(ii) approve each priority list by a majority of the heads of all State fish and game departments (or their designees); and

''(iii) submit each priority list by not later than October 1 of each fiscal year to the Assistant Director for Wildlife and Sport Fish Restoration Programs, who shall accept such list on behalf of the Secretary.

''(B) In preparing any priority list under this paragraph, the International Association of Fish and Wildlife Agencies shall consult with nongovernmental organizations that represent conservation organizations, sportsmen organizations, and industries that support or promote hunting, trapping, recreational shooting, bow hunting, or archery.

''(4) The Assistant Director for Wildlife and Sport Fish Restoration Programs shall publish in the Federal Register each priority list submitted under this subsection.

''(c) ELIGIBLE GRANTEES.—(1) The Secretary may make a grant under this section only to—

''(A) a State or group of States; or

''(B) subject to paragraph (2), a nongovernmental organization.

''(2) Any nongovernmental organization applying for a grant under this section shall submit with the application to the International Association of Fish and Wildlife Agencies a certification that the organization does not promote or encourage opposition to regulated hunting or trapping of regulated wildlife, and will use any funds awarded pursuant to this section in compliance with subsection (d).

''(3) Any nongovernmental organization that is found to promote or encourage opposition to regulated hunting or trapping of regulated wildlife or does not use funds in compliance with subsection (d) shall return all funds received and be subject to any other penalties under law.

''(d) USE OF GRANTS.—Amounts provided as a grant under this section may not be used for education, activities, projects, or programs that promote or encourage opposition to regulated hunting or trapping of regulated wildlife.

''(e) CLARIFICATION.—No activities undertaken by the personnel of State fish and game departments under this section shall constitute advice or recommendations for 1 or more agencies or officers of the Federal Government.''.

SEC. 104. MISCELLANEOUS PROVISIONS.

Section 5 of the Wildlife Restoration Act (16 U.S.C. 669d) is amended by inserting '', at the time such deduction or apportionment is made'' after ''he has apportioned to each State''.

TITLE II—SPORT FISH RESTORATION

SEC. 201. EXPENDITURES FOR ADMINISTRATION.

(a) ANNUAL SET-ASIDE FOR ADMINISTRATION.—Section 4(d) of the Sport Fish Restoration Act (16 U.S.C. 777c(d)) is amended to read as follows:

''(d)(1) Of the balance of each such annual appropriation remaining after the distribution and use under subsections (a), (b), and (c) of this section and section 14, up to $5,000,000 may be used by the Secretary of the Interior for expenses in accordance with this subsection and section 9 in each of the fiscal years 2001, 2002, and 2003. Of the balance of each such annual appropriation remaining after the distribution and use under subsections (a), (b), and (c) of this section and section 14, beginning in fiscal year 2004, such amount, adjusted annually to reflect the changes in the Consumer Price Index, not to exceed $7,000,000, may be used by the Secretary of the Interior for expenses in accordance with this subsection and section 9.

''(2) The amount authorized to be used by the Secretary under paragraph (1) each fiscal year shall remain available for obligation for such use until the expiration of that fiscal year. Within 60 days after the end of that fiscal year, the Secretary shall apportion any of the amount that remains unobligated at the end of the fiscal year on the same basis and in the same manner as other amounts authorized by this Act are apportioned among the States under section 4(e) for the fiscal year in which the apportionment is made.''.

(b) REQUIREMENTS AND RESTRICTIONS REGARDING USE OF AMOUNTS FOR ADMINISTRATION.—Section 9 of the Sport Fish Restoration Act (16 U.S.C. 777h) is amended to read as follows:

''REQUIREMENTS AND RESTRICTIONS REGARDING USE OF AMOUNTS FOR ADMINISTRATION

''SEC. 9. (a) AUTHORIZED ADMINISTRATION COSTS.—The Secretary of the Interior may use amounts under section 4(d) only for administration expenses that directly support the implementation of this Act and that consist of any of the following:

''(1) Personnel costs of any employee who directly administers this Act on a full-time basis.

''(2) Personnel costs of any employee who directly administers this Act on a part-time basis for at least 20 hours each week, not to exceed the portion of such costs incurred with respect to the work hours of such employee during which the employee directly administers this Act, as such hours are certified by the supervisor of the employee.

''(3) Support costs directly associated with personnel costs authorized under paragraphs (1) and (2).

''(4) Costs to evaluate, approve, disapprove, and advise concerning comprehensive fish and wildlife resource management plans under section 6(a)(1) and fish restoration and management projects under section 6(a)(2).

''(5) Overhead costs, including general administrative services, that are directly attributable to administration of this Act based on—

''(A) actual costs, as determined by a direct cost allocation methodology approved by the Director of the Office of Management and Budget for use by Federal agencies; and

''(B) for those costs not determinable pursuant to subparagraph (A), an amount per full-time equivalent employee authorized pursuant to paragraphs (1) and (2) that does not exceed the amount charged or assessed for such costs per full-time equivalent employee for any other division or program of the United States Fish and Wildlife Service.

''(6) Costs incurred in auditing the wildlife and sport fish activities of each State fish and game department and the use of funds under section 6 by each State fish and game department every 5 years.

''(7) Costs of audits under subsection (d).

''(8) Costs of necessary training of Federal and State full-time personnel who administer this Act to improve administration of this Act.

''(9) Costs of travel to the States, territories, and Canada by personnel who administer this Act on a full-time basis for purposes directly related to administration of State programs or projects, or who administer grants under section 6 or section 14.

''(10) Costs of travel outside of the United States (except travel to Canada) that relates to administration of this Act and that is approved directly by the Assistant Secretary for Fish and Wildlife and Parks.

''(11) Relocation expenses for personnel who, after relocation, will administer this Act on a full-time basis for at least 1 year, as certified by the Director of the United States Fish and Wildlife Service at the time such relocation expenses are incurred.

''(12) Costs to audit, evaluate, approve, disapprove, and advise concerning grants under section 6 and section 14.

''(b) UNAUTHORIZED COSTS.—Use of funds for a cost to administer this Act shall not be authorized because the cost is not expressly prohibited by this Act.

''(c) RESTRICTION ON USE TO SUPPLEMENT GENERAL APPROPRIATIONS.—The Secretary may not use amounts under section 4(d) to supplement any function for which general appropriations are made for the United States Fish and Wildlife Service or any other entity of the Department of the Interior.

''(d) AUDIT REQUIREMENT.—(1) The Inspector General of the Department of the Interior shall procure the conduct of biennial audits, in accordance with generally accepted accounting principles, of expenditures of amounts used by the Secretary for administration of this Act.

''(2) Audits under this subsection shall be performed under contracts that are awarded under competitive procedures (as that term is defined in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)), by a person that is not associated in any way with the Department of the Interior.

''(3) The auditor selected pursuant to paragraph (1) shall report to, and be supervised by, the Inspector General of the Department of the Interior, except that the auditor shall submit a copy of the biennial audit findings to the Secretary of the Interior at the time such findings are submitted to the Inspector General of the Department of the Interior.

''(4) The Inspector General of the Department of the Interior shall promptly report to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate on the results of each such audit.

''(e) CERTIFICATION BY SECRETARY.—(1) The Secretary of the Interior shall within 3 months after each fiscal year certify in writing to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate the following for the fiscal year:

''(A) The amount of funds used under section 4(d) and a breakdown of categories for which such funds were expended.

''(B) The amount of funds apportioned to States under section 4(d)(2)(A).

''(C) The results of the audits performed pursuant to subsection (d).

''(D) That all funds expended under section 4(d) were necessary for administration of this Act.

''(E) The Secretary, Assistant Secretary for Fish and Wildlife and Parks, the Director of the United States Fish and Wildlife Service, and the Assistant Director for Wildlife and Sport Fish Restoration Programs each properly discharged their duties under this Act.

''(2) The Secretary may not delegate the responsibility to make certifications under paragraph (1) except to the Assistant Secretary for Fish and Wildlife and Parks.

''(3) The Secretary shall promptly publish in the Federal Register each certification under this subsection.

''(f) CERTIFICATION BY ASSISTANT DIRECTOR FOR WILDLIFE AND SPORT FISH RESTORATION PROGRAMS.—Within 1 month after the end of each fiscal year, the Assistant Director for Wildlife and Sport Fish Restoration Programs shall—

''(1) certify that—

''(A) all amounts expended in that fiscal year to administer this Act in agency headquarters and in regional offices of the United States Fish and Wildlife Service were used in accordance with this Act; and

''(B) all such expenditures were necessary to administer this Act; and

''(2) distribute such certifications to each State fish and game department.''.

SEC. 202. MULTI-STATE GRANT PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—The Sport Fish Restoration Act is amended by striking the second section 13 (16 U.S.C. 777 note) and inserting the following:

''MULTI-STATE CONSERVATION GRANT PROGRAM

''SEC. 14. (a) IN GENERAL.—(1) Of the balance of each annual appropriation made in accordance with section 3 remaining after the distribution and use under subsections (a), (b), and (c) of section 4 each fiscal year, up to $2,500,000 shall be available to the Secretary of the Interior for making multi-State conservation grants in accordance with this section.

''(2) Amounts available under this subsection shall remain available for 2 fiscal years, after which all unobligated balances shall be apportioned in the manner specified in section 4(e).

''(b) SELECTION OF PROJECTS.—(1) A project shall not be eligible for a grant under this section unless it will benefit at least 26 States, a majority of the States in a region of the Fish and Wildlife Service, or a regional association of State fish and game departments.

''(2) The Secretary of the Interior may award grants under this section based only on a priority list of sportfish restoration projects prepared and submitted by State fish and game departments acting through the International Association of Fish and Wildlife Agencies each fiscal year in accordance with paragraph (3).

''(3)(A) The International Association of Fish and Wildlife Agencies shall—

''(i) prepare each priority list through a committee comprised of the heads of State fish and game departments (or their designees);

''(ii) approve each priority list by a majority of the heads of State fish and game departments (or their designees); and

''(iii) submit each priority list by not later than October 1 of each fiscal year to the Secretary of the Interior.

''(B) In preparing any priority list under this paragraph, the International Association of Fish and Wildlife Agencies shall consult with nongovernmental organizations that represent conservation organizations, sportsmen organizations, and industries that fund the Sport Fish Restoration Programs.

''(4) The Assistant Director for Wildlife and Sport Fish Restoration Programs shall publish in the Federal Register each priority list submitted under this subsection.

''(c) ELIGIBLE GRANTEES.—(1) The Secretary of the Interior may make a grant under this section only to—

''(A) a State or group of States; or

''(B) subject to paragraph (2) a nongovernmental organization.

''(2) Any nongovernmental organization applying for a grant under this section shall submit with the application to the International Association of Fish and Wildlife Agencies a certification that the organization does not promote or encourage opposition to the regulated taking of fish and will use any funds awarded pursuant to this section in compliance with subsection (d).

''(3) Any nongovernmental organization that is found to promote or encourage opposition to the regulated taking of fish or does not use funds in compliance with subsection (d) shall return all funds received and be subject to any other penalties under law.

''(d) USE OF GRANTS.—Amounts provided as a grant under this section may not be used for education, activities, projects, or programs that promote or encourage opposition to the regulated taking of fish.

''(e) CLARIFICATION.—No activities undertaken by the personnel of State fish and game departments, other State agencies, or organizations of State fish and game departments under this section shall constitute advice or recommendations for 1 or more agencies or officers of the Federal Government.

''(f) FUNDING FOR MARINE FISHERIES COMMISSIONS.—Of the balance of each annual appropriation made in accordance with section 3 remaining after the distribution and use under subsections (a), (b), and (c) of section 4 each fiscal year and after deducting amounts used for grants under subsection (a) of this section, $200,000 shall be available for each of—

''(1) the Atlantic States Marine Fisheries Commission;

''(2) the Gulf States Marine Fisheries Commission;

''(3) the Pacific States Marine Fisheries Commission; and

''(4) the Great Lakes Fisheries Commission.''.

(b) CONFORMING AMENDMENTS.—Section 4 of the Sport Fish Restoration Act (16 U.S.C. 777c) is amended in subsection (e) by inserting ''of this section and section 14'' after ''subsections (a), (b), (c), and (d)''.

SEC. 203. CERTIFICATIONS.

Section 5 of the Sport Fish Restoration Act (16 U.S.C. 777d) is amended—

(1) by striking ''SEC. 5.'' and inserting the following:

''CERTIFICATIONS

''SEC. 5. (a) ADMINISTRATIVE DEDUCTION AND STATE APPORTIONMENTS.—'';

(2) in subsection (a) (as designated by the amendment made by paragraph (1) of this section) by inserting '', at the time such deduction or apportionment is made'' after ''apportioned to each State for such fiscal year''; and

(3) by adding at the end the following:

''(b) FISCAL YEAREND CERTIFICATION BY SECRETARY.—Within 30 days after the end of each fiscal year, the Secretary of the Interior shall—

''(1) certify in writing to the Secretary of the Treasury and to each State fish and game department—

''(A) the amount apportioned under section 4(d)(2) to each State in the most recent apportionment under that section for that fiscal year; and

''(B) amounts obligated by the Secretary during the fiscal year for administration of this Act; and

''(2) publish in the Federal Register the amounts so certified.

''(c) CERTIFICATION BY ASSISTANT DIRECTOR.—(1) Within 60 days after the start of each fiscal year, the Assistant Director for Wildlife and Sport Fish Restoration Programs shall provide to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate the following for the fiscal year:

''(A) The amount of funds that will be expended in the fiscal year under section 4(d)(2) and a breakdown of categories for which such funds will be expended.

''(B) A description of how the funds to be expended are necessary for administration of this Act.

''(2) The Secretary of the Interior shall promptly publish in the Federal Register each certification under this subsection.''.

SEC. 204. PERIOD OF AVAILABILITY.

Section 4(f) of the Sport Fish Restoration Act (16 U.S.C. 777c) is amended by striking the first sentence.

TITLE III—WILDLIFE AND SPORT FISH RESTORATION PROGRAMS

SEC. 301. DESIGNATION OF PROGRAMS.

The programs established under the Wildlife Restoration Act and the Sport Fish Restoration Act may be collectively referred to as the Federal Assistance Program for State Wildlife and Sport Fish Restoration Programs.

SEC. 302. ASSISTANT DIRECTOR FOR WILDLIFE AND SPORT FISH RESTORATION PROGRAMS.

(a) ESTABLISHMENT.—There is established within the United States Fish and Wildlife Service of the Department of the Interior an Assistant Director for Wildlife and Sport Fish Restoration Programs.

(b) SUPERIOR.—The Assistant Director for Wildlife and Sport Fish Restoration Programs shall report directly to the Director of the United States Fish and Wildlife Service.

(c) RESPONSIBILITIES.—The Assistant Director for Wildlife and Sport Fish Restoration Programs shall be responsible for the administration, management, and oversight of the Federal Assistance Program for State Wildlife and Sport Fish Restoration Programs under the Wildlife Restoration Act and the Sport Fish Restoration Act.

SEC. 303. CHIEF OF THE DIVISION OF FEDERAL AID.

The Chief of the Division of Federal Aid of the Department of the Interior, or any similar position, is abolished and the duties of that position shall be the responsibility of the Assistant Director for Wildlife and Sport Fish Restoration Programs.

The CHAIRMAN. The amendment printed in House Report 106–558 shall be considered as read and shall not be subject to amendment or to a demand for division of the question.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered as read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment, and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

Are there amendments to the bill?

AMENDMENT NO. 1 OFFERED BY MR. YOUNG OF ALASKA

Mr. YOUNG of Alaska. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 printed in House Report 106–558 offered by Mr. YOUNG of Alaska:

Page 3, strike line 19 and all that follows through page 4, line 5, and insert the following:

''SEC. 4. (a) SET-ASIDE FOR ADMINISTRATION.—(1)(A) Of the revenues (excluding interest accruing under section 3(b)) covered into the fund, the Secretary may use up to the amount specified in subparagraph (B) for expenses to administer this Act, in accordance with this subsection and section 9.

''(B) The amount referred to in subparagraph (A) is the following:

''(i) In fiscal year 2001, $7,090,000.

''(ii) In fiscal year 2002, $6,710,000.

''(iii) In fiscal year 2003, $6,330,000.

''(iv) In fiscal year 2004 and each fiscal year thereafter—

''(I) the amount available for the preceding fiscal year, plus

''(II) an amount to reflect the change in the consumer price index over the preceding fiscal year, which shall be determined by the Secretary of the Treasury by multiplying such change times the amount available for the preceding fiscal year.

Page 16, strike line 18 and all that follows through page 17, line 5, and insert the following:

''(d)(1)(A) Of the balance of each such annual appropriation remaining after the distribution and use under subsections (a), (b), and (c) of this section and section 14, the Secretary of the Interior may use up to the amount specified in subparagraph (B) for expenses to administer this Act, in accordance with this subsection and section 9.

''(B) The amount referred to in subparagraph (A) is the following:

''(i) In fiscal year 2001, $7,090,000.

''(ii) In fiscal year 2002, $6,710,000.

''(iii) In fiscal year 2003, $6,330,000.

''(iv) In fiscal year 2004 and each fiscal year thereafter—

''(I) the amount available for the preceding fiscal year, plus

''(II) an amount to reflect the change in the consumer price index over the preceding fiscal year, which shall be determined by the Secretary of the Treasury by multiplying such change times the amount available for the preceding fiscal year.

Page 6, strike lines 16 through 19 and insert the following:

''(4) Costs of determining under section 6(a) whether State comprehensive plans and projects are substantial in character and design.

Page 12, line 19, after ''education'' insert ''and shooting range''.

Page 12, line 25, strike ''enhancement'' and insert ''development''.

Page 15, line 16, strike ''regulated''.

Page 15, line 20, strike ''regulated''.

Page 18, strike lines 12 through 16 and insert the following:

''(4) Costs of determining under section 6(a) whether State comprehensive plans and projects are substantial in character and design.

Page 28, after line 24, insert the following:

SEC. ___. CONFORMING AMENDMENT.

Section 9504(b)(2)(A) of the Internal Revenue Code of 1986 is amended by striking ''(as in effect on the date of the enactment of the TEA 21 Restoration Act)'' and inserting ''(as in effect on the date of the enactment of the Wildlife and Sport Fish Restoration Programs Improvement Act of 2000)''.

Mr. YOUNG of Alaska. Mr. Chairman, this is an amendment which increases the funding levels in the bill from $10 million to $14 million for true administration expenses, but also assumes a transition period that reduces the number of program administrators from 120 to 100 over a period of 3 years, and then it adjusts upward thereafter based on the Consumer Price Index.

This amendment makes other technical changes to make sure the bill conforms with the Pittman-Robertson Dingell-Johnson Acts that we are not omitting at this time.

Mr. Chairman, I would suggest respectfully that this should answer the concerns of the gentleman from California about not having enough money. It raises the expenses, at least $5 million more. That is $19 million total. In 3 years, we drop the participation of the administrators from 120 to 100. Then if they need more after that, it will ratchet back up if necessary.

Mr. Chairman, I urge the adoption of the amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I raise the questions I raised earlier about those amendments, whether or not this goes far enough. I appreciate that the gentleman has added some money back. As I understand it, the $5 million is money that will go directly to the States as part of the national program, so I think where we are left is about $14 million for administration.

As I read the letters, again, from the International Association of Fish and Wildlife Agencies and the National Wildlife Federation, again, who are strong supporters of this legislation and of the program, they indicate that they think that the figure is somewhat higher than that.

Originally we had talked about 18. That did not happen. They mentioned 16. Their formula figure may take it above that.

We are obviously not going to solve that issue here today, but I would hope that the gentleman would continue to consult with these supporters of the programs and certainly with the State wildlife agencies that are administering the State side of that program, because I think they do raise the concerns about that.

I do not know that exact figure yet, however. I believe it is higher than the figure the gentleman has in his budget. I would just hope that that could be done certainly before we contemplate sending this legislation to the White House.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Again if I can get the figures from the Fish and Wildlife directly, an explanation of what it is being spent for, I am willing to adjust these figures. This is the best we can do right now. I believe it is correct. We are not cutting back on the State administrators, other than 20. Then we will ratchet it back up over 3 year's time.

I think we are meeting most of those goals which the gentleman has raised in the point of order. We will go to the Senate. We will be talking.

Mr. GEORGE MILLER of California. Mr. Chairman, we have talked long, and the gentleman from Michigan (Mr. DINGELL) and others who have been long involved in the program. We want to see this program come out whole at the end of this process with these changes and with this accountability. That is very important, I think, to all of our constituents.

I am not happy raising these issues, but I think they have to be raised so that we can arrive at a point where we are comfortable and we can tell the State agencies and the other organizations that work with them in cooperation that we have made this program whole and it is doing the things for which it was designed and which are appropriate for it to do.

I raise this at this time in conjunction with the manager's amendment.

The CHAIRMAN. Are there additional Members to speak on this amendment?

If not, the question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

The CHAIRMAN. Are there additional amendments?

AMENDMENT OFFERED BY MR. UDALL OF COLORADO

Mr. UDALL of Colorado. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. UDALL of Colorado:

Page 30, after line 6 insert the following:

SEC. 304. IMPLEMENTATION REPORT.

(a) TIMING.—At the time the President submits a budget request for the Department of the Interior for the third fiscal year beginning after the date of enactment of this Act, the Secretary of the Interior shall inform the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate about the steps taken to comply with this Act.

(b) CONTENTS.—The report required by this section shall indicate—

(1) the extent to which compliance with this Act has required a reduction in the number of personnel assigned to administer, manage, and oversee the Federal Assistance Program for State Wildlife and Sport Fish Restoration Programs;

(2) any revisions to this Act that would be desirable in order for the Secretary to adequately administer such programs and assure that funds provided to state agencies are properly used; and

(3) any other information regarding the implementation of this Act that the Secretary considers appropriate.

Mr. UDALL of Colorado (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. UDALL of Colorado. Mr. Chairman, I will make a brief statement about the amendment.

The amendment is very simple. It would require the Secretary of the Interior to inform the Committee on Resources and the corresponding committee of the other body about administrative changes required by this bill.

In particular, it would require the Secretary to tell us about any reduction in the number of people assigned, to make sure that these important programs are being properly administered.

As I mentioned when the Committee on Resources considered the bill, these programs are very important for Colorado and all the other 49 States and territories. The assistance they can provide can help us greatly as we work to respond to the pressures on our fish and wildlife populations and the habitat that are coming under increasingly rapid population stresses and the resulting growth and sprawl.

The programs cannot be properly administered without adequate personnel and other resources, however. So I take seriously the concerns expressed by the Wildlife Management Institute, the International Association of Fish and Wildlife Agencies, and others who tell us that they fear that the bill's current limits threaten to undermine the ability of the Department of the Interior to properly manage the programs.

This amendment itself would not revise the bill's limits on administrative expenses, but it would require the Department of the Interior to inform the committee and the Congress about how those limits affect the implementation of these important programs.

With that information, the committee in the future can consider whether or not to propose changes to that part of the bill.

I think the amendment does not detract from the purpose of the bill. It merely provides for our obtaining information for consideration as the committee carries out its future oversight and review responsibilities.

Mr. Chairman, I urge the adoption of the amendment.

Mr. YOUNG of Alaska. Mr. Chairman, I move to strike the last word.

Mr. Chairman, my amendment provides a transition period to scale the program back slightly, making it more effective. We keep the level of current employees, 120, constant for the first year, and have a gradual reduction in the years following.

If the gentleman has modified his amendment by changing the word ''first'' to ''third,'' which would allow the bill to take effect before the report is issued, then I would accept his amendment.

Mr. UDALL of Colorado. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Colorado.

Mr. UDALL of Colorado. Mr. Chairman, I would be glad to modify the amendment to change ''first'' to ''third.'' Whatever the chairman would like to do, I am with him.

Mr. YOUNG of Alaska. Mr. Chairman, I think everything is taken care of. We have all agreed.

Mr. UDALL of Colorado. Mr. Chairman, I think the amendment has already been modified at the desk. We are on the same page.

Mr. YOUNG of Alaska. I apologize. I think the staff has told me that is settled.

The CHAIRMAN. The Chair would notify all Members that the modification was actually made to the amendment that was offered, so there is no need to modify based upon the conversation.

Mrs. CHENOWETH-HAGE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I really appreciate the leadership that has been shown on this very important bill, and the leadership and thoughtfulness that has gone into the amendment, because I do think that the committee does need to make sure that there is good oversight, because we had some very serious problems with the Pittman-Robertson administration of the funds.

I want to make it very, very clear, Mr. Chairman, that this legislation is very good, and it does not mean that we should stop pursuing violations that have occurred under current law. I think our investigation that was conducted in the committee clearly exposed the wrongs, and the wrongdoing must have consequences.

Mr. Chairman, what we have learned so far about this issue was disturbing, and this is the reason why we are on this House floor today, because millions of dollars specifically designated for the administration of the Federal Aid program established through the Pittman-Robinson Act and the Dingell-Johnson Act were diverted into a slush fund for the Secretary of the Interior.

The Secretary has subsequently divvied these monies out under a completely unauthorized Directors' Conservation Fund. Mr. Chairman, as we have broken these illegal expenditures down, the revelations about where these funds were spent really infuriated the sportsmen and really bothered taxpayers, who have generously contributed to this program. These funds are set aside by law to go towards State fish and game programs, but instead, the funds have gone toward Federal initiatives such as the spotted owl and the ferry shrimp and wolf reintroduction, the black-footed ferret, the American Rivers Conference, the Arctic Conference, and the grizzly bears that are attempted to be introduced into Idaho.

□ 1700

Moreover, the secretary did go ahead and use some of these funds for areas even completely unrelated to wildlife, such as NAFTA and Retirement Costs, the RAMSAR Convention and the Solicitor's Office.

Mr. Chairman, common sportsmen and women of this Nation were very disturbed to know that instead of going to the State to improve big game habitat nearly $668,000 of their hard-earned dollars were being spent on about up to 140 Federal AID employees in the form of bonuses, as well as $108,000 to personnel who do not even work for Federal AID, they were given awards.

These are the same Federal officials who in 1995 gave a mere $89 of carried-over administrative funds back to the States while keeping over $1 million for themselves.

This is a bipartisan effort, Mr. Speaker, and it is a bill very worthy of bipartisan support to correct some of the wrongs that have gone on in this particular fund. With the careful oversight of the committee in the future, I feel confident that it will be corrected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. UDALL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

At the end of the bill add the following new sections:

SEC. . COMPLIANCE WITH BUY AMERICAN ACT

No funds authorized pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. . SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of Interior shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. . PROHIBITION OF CONTRACTS.

If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in section 9.400 through 9.409 of title 48, Code of Federal Regulations.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Chairman, I would like to start out by commending the gentleman from Alaska (Mr. YOUNG) on a much-needed measure of reform. Congress was not designed to send signals. We do not work for the Western Union. Congress' role is to pass legislation, and the gentleman from Alaska (Mr. YOUNG) and the committee is doing the right thing.

I hope our great leader, the gentleman from California (Mr. GEORGE MILLER), will reconcile himself to that fact and in the final analysis work towards these goals.

I want to also pay a special tribute on behalf of all the sportsmen in America to the gentleman from Michigan, big JOHN DINGELL, the great job he has done and the fingerprints that he has over the years in this legislation now being modified by our chairman. I support the bill and I support these reforms.

My amendment deals with the money. They must comply with the Buy American Act, giving notice to the people who have given the money who has been wasting it. By the way, if they are going to continue to waste it, buy American made goods with it. I hope they do not waste it. There will be a notice given and if they do not comply with the act or place a fraudulent label on something that they purchase, they would be prohibited from engaging in business with the agencies herein affected and impacted by this legislation.

With that, I would ask the committee to accept this legislation.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I cannot argue against the gentleman's comments and I would gladly accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

The CHAIRMAN. Are there any other amendments?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

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

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THUNE) having assumed the Chair, Mr. BURR of North Carolina, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3671) to amend the Acts popularly known as the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects and increase opportunities for recreational hunting, bow hunting, trapping, archery, and fishing, by eliminating opportunities for waste, fraud, abuse, maladministration, and unauthorized expenditures for administration and execution of those Acts, and for other purposes, pursuant to House Resolution 455, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of substitute adopted in the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. YOUNG of Alaska. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 423, nays 2, not voting 9, as follows:

[Roll No. 105]

YEAS—423

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose

Owens	Salmon	Tanner
Oxley	Sanchez	Tauscher
Packard	Sanders	Tauzin
Pallone	Sandlin	Taylor (MS)
Pascrell	Sanford	Taylor (NC)
Pastor	Sawyer	Terry
Paul	Saxton	Thomas
Payne	Scarborough	Thompson (CA)
Pease	Schaffer	Thompson (MS)
Pelosi	Schakowsky	Thornberry
Peterson (MN)	Scott	Thune
Peterson (PA)	Sensenbrenner	Thurman
Petri	Serrano	Tiahrt
Phelps	Sessions	Tierney
Pickering	Shadegg	Toomey
Pickett	Shaw	Towns
Pitts	Shays	Traficant
Pombo	Sherman	Turner
Pomeroy	Sherwood	Udall (CO)
Porter	Shimkus	Udall (NM)
Portman	Shows	Upton
Price (NC)	Shuster	Velazquez
Pryce (OH)	Simpson	Visclosky
Quinn	Sisisky	Vitter
Radanovich	Skeen	Walden
Rahall	Skelton	Walsh
Ramstad	Slaughter	Wamp
Regula	Smith (MI)	Watkins
Reyes	Smith (NJ)	Watt (NC)
Reynolds	Smith (TX)	Watts (OK)
Riley	Smith (WA)	Waxman
Rivers	Snyder	Weiner
Rodriguez	Souder	Weldon (FL)
Roemer	Spence	Weldon (PA)
Rogan	Spratt	Weller
Rogers	Stabenow	Wexler
Rohrabacher	Stark	Weygand
Ros-Lehtinen	Stearns	Whitfield
Rothman	Stenholm	Wicker
Roukema	Strickland	Wilson
Roybal-Allard	Stump	Wise
Royce	Stupak	Wolf
Rush	Sununu	Woolsey
Ryan (WI)	Sweeney	Wu
Ryun (KS)	Talent	Young (AK)
Sabo	Tancredo	

NAYS—2

Jackson (IL)	Waters

NOT VOTING—9

Archer	Cook	Vento
Campbell	Crane	Wynn
Clement	Rangel	Young (FL)

□ 1727

Messrs. ENGEL, NADLER and HALL of Texas changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill, H.R. 3671.

The SPEAKER pro tempore (Mr. THUNE). Is there objection to the request of the gentleman from Alaska?

There was no objection.

UNITED STATES DEPARTMENT OF TRANSPORTATION BIENNIAL REPORT ON HAZARDOUS MATERIALS TRANSPORTATION CALENDAR YEARS 1996–1997—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Transportation and Infrastructure:

To the Congress of the United States:

I herewith transmit the Department of Transportation's Biennial Report on Hazardous Materials Transportation for Calendar Years 1996–1997. The report has been prepared in accordance with the Federal hazardous materials transportation law, 49 U.S.C. 5121(e).

WILLIAM J. CLINTON.

□ 1730

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. THUNE). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. NORWOOD) is recognized for 5 minutes.

(Mr. NORWOOD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1776, AMERICAN HOMEOWNERSHIP AND ECONOMIC OPPORTUNITY ACT OF 2000

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 106–562) on the resolution (H. Res. 460) providing for consideration of the bill (H.R. 1776) to expand homeownership in the United States, which was referred to the House Calendar and ordered to be printed.

PRESIDENTIAL DIRECTIVES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. METCALF) is recognized for 5 minutes.

Mr. METCALF. Mr. Speaker, most Americans possess little knowledge of or experience with the subject of presidential directives. Indeed, even those familiar with executive orders and proclamations may not understand the full impact of these directives on Federal, State, and local laws or on the balance of power in this Nation.

By issuing executive orders, which infringe on congressional authority, it has become increasingly clear that the President is skirting the constitutional process and meddling in the legislative affairs of Congress. The result is a subtle erosion of our representative self-government and the rule of law.

The President seeks to expand his authority beyond what the Constitution allows. He is using directives to seize land, usurp State law, expand the Federal Government, and spend taxpayer dollars without congressional authorization. This definition of executive power would have astonished the framers of our constitution. Their structure of government deliberately rejected the British model, which gave the king all executive authority.

A steady increase in controversy over executive orders and presidential proclamations has arisen since FDR's first administration. Judging by the comments of the White House, we have even more reason to be concerned. Mr. Podesta, the President's Chief of Staff, has outlined the President's plan to issue a series of executive orders and other directives that will become the force and effect of law. Thus, if unchallenged, the President has taken legislative power without first getting the okay from Congress.

Congress should be outraged by the President's staff, as they look for ways to bypass the legislative branch. We have seen this before. When the President issued his Executive Order on striker replacement, he attempted to do what had been denied him by the regular legislative process. In addition, when the President issued his proclamation establishing a national monument in Utah, he again tried to do what he had been unable to do in Congress.

I am deeply concerned with executive lawmaking, and if Congress does not openly challenge the President, we are surely surrendering our liberty. It seems clear that the President plans on using Executive Orders and other presidential directives to implement his agenda without the consent of Congress. Executive lawmaking is a violation of the Constitution and the doctrine of separation of powers. As Article I states, all legislative powers shall be vested in the Congress.

In the legislative veto decision of 1983, the Supreme Court insisted that congressional power be exercised in accord with a single finely wrought and exhaustively considered procedure. The Court said that the records of the Philadelphia Convention and the State ratification debates provide unmistakable expression of a determination that the legislation by the national Congress be a step-by-step deliberate and deliberative process. If Congress is required to follow this rigorous process,

how absurd it is to argue that a President can accomplish the same result by unilaterally issuing executive orders or presidential proclamations.

Mr. Speaker, we must not be lulled into complacency. It is time to clarify the scope of executive authority vested in the Presidency by Article II of the Constitution. The Supreme Court has failed to address this issue and it is time for Congress to invoke the powerful weapons at its command. Through its ability to authorize programs and appropriate funds, Congress can define and limit presidential power. As Members, we must participate in our fundamental duty of overseeing executive policies, passing judgment on them, and behaving as the legislative branch should.

Eternal vigilance is still the price of liberty, Mr. Speaker.

PERSONAL EXPLANATION

Mr. WEINER. Mr. Speaker, on March 30 the President and I made a Social Security policy announcement with senior citizens in my district. As a result, I was unable to vote in favor of the Emergency Supplemental Appropriations bill for fiscal year 2000. Had I been present, I would have voted as follows:

Rollcall 91, the Stearns amendment, no; on rollcall 92, the Paul amendment, no; on rollcall 93, the Tancredo amendment, no; on rollcall 94, on the Motion to Recommit, yes; and on rollcall 95, final passage, yes.

FLUSHING REMONSTRANCE RECOGNIZED AS FOUNDATION OF RELIGIOUS LIBERTY IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. CROWLEY) is recognized for 5 minutes.

Mr. CROWLEY. Mr. Speaker, I rise to recognize the significance of a document that was fundamental in shaping the United States as a land of liberties. I am not speaking about the Declaration of Independence, or the Constitution, for that matter. The document I want to recognize is the Flushing Remonstrance, which was written nearly 120 years before the Declaration of Independence.

For 300 years, the Flushing Remonstrance, the first recorded defense of religious freedom in the new world, was locked away in a vault in Albany, New York. The Remonstrance is believed by historians to be the first Declaration of Independence and a forerunner of the first amendment.

As a result of the efforts of the Queens Courier, an award-winning community weekly newspaper, this historic document was brought to Queens for a viewing at the Flushing Library. The initiative was spearheaded by David Oats, a historian and special projects editor for that newspaper.

Now that that public display at the library is ending, I am working with the Courier and community groups to seek permanent custody of this document in Queens County, particularly in Flushing, New York.

The saga of the document began more than 340 years ago when a group of about 30 freeholders in Flushing held a town meeting to discuss Governor Peter Stuyvesant's restrictions on the Quakers because they were not members of the Dutch Reform Church. The Flushing Remonstrance lay the groundwork of this early colony in America, which is located in what is now called Flushing, in my congressional district of Queens, New York.

I have informed the State that the best argument for moving the document to Flushing is its very name, the Flushing Remonstrance. It has lain dormant for years in a vault in Albany. I will continue to urge the State of New York to permanently relocate the Flushing Remonstrance in its rightful place in Flushing, Queens, New York.

Mr. Speaker, Flushing, New York, in all likelihood, is probably the most diverse place in the entire world. We have more ethnic and racial and religious makeups than any corner of this country certainly, and, therefore, I believe, anywhere in the world. It is appropriate that the Flushing Remonstrance find its way home to Flushing, Queens.

We probably need it more now than ever to remind people of the rich history of diversity and tolerance in Queens County, particularly in Flushing. It will be a perfect reminder for not only future generations but for generations here now, to remind them of the rich history that lay in Flushing, Queens, a rich history that I would like to bring out more. I believe if this document is relocated back in its rightful place and home, we will go a long way in accomplishing that.

Mr. Speaker, I commend the Queens Courier and the Queens Public Library for its campaign to bring the Flushing Remonstrance to Queens permanently.

LIBRARY OF CONGRESS FINANCIAL MANAGEMENT ACT OF 2000

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOYER) is recognized for 5 minutes.

Mr. HOYER. Mr. Speaker, today I am introducing the Library of Congress Financial Management Act of 2000, bipartisan legislation which will authorize the Library to create a revolving fund which would allow a number of the Library's cost-recovery programs to operate more efficiently. This legislation, which the Library has sought for a number of years, would provide for more efficient and accountable financial management of fee-based Library programs and would correct longstanding deficiencies first identified by the General Accounting Office in 1991 and highlighted in subsequent independent audits.

The legislation has bipartisan, bicameral support. Our colleague Senator COCHRAN of Mississippi, who serves with me as a member of the Joint Committee of Congress on the Library, has introduced similar legislation in the Senate (S. 2286). It is especially appropriate for Congress to address these matters now, in the year of the Library's Bicentennial, as the Library retools itself to meet the needs of Congress and the American people in the new century.

The bill authorizes a financial restructuring of existing fee-based program operations. It authorizes no new fees, other than for specified activities relating to audio-visual preservation services associated with the Library's role as a national conservation center.

The bill would increase the efficiency of the Library's cost-recovery programs by establishing a systematic relationship between program costs and fees charged, setting program operations on a more business-like foundation. A 1996 Library of Congress management audit report stated that ''charging fees for services works best when the appropriate financial structures, such as revolving funds, are in place.'' The report also stated that a revolving fund mechanism allows managers to better control their resources, monitor their costs, and track performance, and most importantly, allow accumulation of reserves for slow periods and the development of strategic plans that address productivity objectives across fiscal years.

This legislation will increase the accountability of the Library's current self-sustaining programs by: providing proper statutory authority for retaining receipts, as GAO has often suggested; limiting obligations to amounts approved in annual appropriations bills; requiring annual independent audits of financial statements following government auditing standards; requiring annual submission of the audited financial statements to Congress; and establishing separate accounts for each fund service unit.

In the most recent audit report reviewing the Library's financial statements, the independent auditor again noted the Library's need for proper Congressional authority to operate gift revolving funds. This is now the sole remaining vulnerability identified by the auditor's examination of compliance with certain laws and regulations.

The bill will also transfer to the revolving fund certain cost-recovery programs currently authorized under the Economy Act. The major programs included are FedLink and Federal Research Division [FRD]; the services the Library of Congress is able to provide the federal sector through these programs are invaluable, and the Library is uniquely able to provide them because of its collections and its acquisitions expertise. The transfer of these programs to a revolving fund will eliminate significant costs currently incurred by annual shut-down and start-up imposed under that Act.

With the requested revolving fund authority, federal libraries participating in FedLink could save, in the aggregate, an estimated $1.37 million each year in increased efficiencies and improved vendor discounts. The paperwork burden of federal librarians, such as overly complex inter-agency agreements and year-end closeout, refund and re-registration chores required by the Economy Act, could also be significantly reduced. Revolving fund authority would, simply put, save costs and place both programs on a firmer business foundation.

The Financial Management Act also includes language to update the outdated 1902 law authorizing the sale of cataloging data to

libraries across the nation, by allowing the use of new technologies and enabling a more businesslike cost-recovery mechanism. In addition, it includes administrative changes to the Library of Congress Trust Fund Board to permit more efficient operation of the Board's decision-making functions.

The Library's Inspector General, in reviewing this legislation, strongly believes it will strengthen the internal controls and accountability of the Library's business-type operations, as well as clarify the legislative authority for the operation of these programs.

Mr. Speaker, a more detailed section-by-section description of the legislation follows:

THE LIBRARY OF CONGRESS FINANCIAL MANAGEMENT ACT OF 2000 SECTION-BY-SECTION ANALYSIS

SUMMARY

The Library of Congress Financial Management Act of 2000 is intended to improve the Library of Congress's financial management and administration and to maximize the use of its resources. The bill encompasses three changes in the Library's authorizing legislation: (1) it establishes a revolving fund for the operation of most cost-recovery services, as recommended by the General Accounting Office, and Economy Act (inter-agency) activities; (2) it updates the 1902 authority provided in 2 U.S.C. 150 that allows the sale of cataloging products and services to the nation's libraries; and (3) it makes needed changes to enhance the continuity of the Library's Trust Fund Board.

TITLE I. LIBRARY OF CONGRESS REVOLVING FUND

The legislation establishes cost recovery for the direct and indirect costs of information products and services, through a Library of Congress Revolving Fund. This practice embodies the principles of 31 U.S.C. 9701: ''It is the sense of Congress that each service or thing of value provided by an agency . . . to a person . . . is to be self-sustaining to the extent possible.''

The Library currently provides a variety of these types of services through various self-sustaining funds, the most notable of which, the Photoduplication Service, has existed since 1938. However, the General Accounting Office (GAO) in its August 1991 report, First Audit of the Library of Congress Discloses Significant Problems (as well as subsequent reviews), recommended the Library seek authorization of a separate revolving fund to handle these types of activities. This legislation enables the Librarian to implement that recommendation.

A fundamental reason to establish a revolving fund is to provide for the systematic disclosure of the relationship between program income and costs for products and services, thereby providing a firm basis for decisions regarding services to be undertaken and prices to be charged. Thus, the revolving fund will improve accountability to the Congress, as recommended by the GAO.

Section 101. Availability of fund service activities

This section authorizes the Librarian of Congress to: (1) establish specific cost-recovery activities as Revolving Fund service activities; and (2) establish Revolving Fund service units to carry out activities supported by the revolving fund's cost-recovery mechanism. These service units (an organizational term already employed in the Library) may be partially or fully sustained through the Revolving Fund established under the Act.

The intent of this provision is to authorize, but not require, fee service activities to operate under the revolving fund on or after the effective date of this Act. The Library anticipates restructuring the financial operation of these activities as soon as is feasible, but it is recognized that it may be necessary to transfer some activities to the revolving fund in phases.

Section 102. Fund service activities authorized

This section lists the Fund service activities authorized by this act that may be conducted by Fund service units. These activities are limited to the following seven: (1) preparation of research reports, translations, analytical studies, and related services, for any entity of the Federal government or the District of Columbia (but would not, for example, cover such appropriated research activities as those conducted for the Congress by the Congressional Research Service); (2) centralized acquisition of publications and library materials in any format; information, research, and library support services; training in library and information services; and related services for any entity of the Federal government or the District of Columbia; (3) decimal classification development; (4) gift shop and other activities involving sale of items associated with Library collections, exhibits, performances, or other events; (5) location, copying, storage, preservation and delivery services for library materials (not including domestic interlibrary loans), and international interlibrary lending; (6) special events and programs, performances, exhibits, workshops, and training; and (7) cooperative acquisitions of foreign publications and research materials and related services on behalf of participating institutions.

For the most part, these activities describe programs the Library conducts currently. Some examples of these current activities are: a bibliography of citations to scientific literature on the earth's cold regions, compiled for the National Science Foundation; area studies handbooks prepared for the Department of Defense; centralized and cost-effective procurement of commercial database services for Federal agencies through FedLink; sale of exhibition catalogs in the gift shop, such as Rome Reborn: the Vatican Library & Renaissance Culture, and African American Odyssey: A Quest for Full Citizenship; development of the Dewey Decimal classification tables, and the Library's Cooperative Acquisitions Program, which will be folded into the newly created fund under this legislation.

Charging fees under the authority set forth in item (e) for retrieval and delivery of library materials will not infringe on basic library services, but will allow the Library to, for example, continue to make its film collections available for loan by permitting recovery and retention of costs of making a loan copy of the film from a master copy.

The intent of section 102 is to authorize a revolving fund mechanism for current fee-based activities of the Library which now operate under the Economy Act, or the Library's extant gift fund authority, plus the following activities not currently being done or for which fees are not currently charged: (1) charging fees for attending films and other performances; (2) charging fees for borrowing films; and (3) charging fees for services relating to a national audio-visual conservation center (preservation, copying, transporting and storage of films and other audio-visual materials).

Section 103. Establishment of the Library of Congress revolving fund

Section 103 establishes the Library of Congress Revolving Fund in the U.S. Treasury as a ''no year'' fund to carry out Fund service activities; this means that money remains available in the Fund until expended. This section also sets forth the sources of the Fund capital, and specifies amounts received for Fund activities that are to be credited to the Fund.

This section also establishes various operational controls and limitations on the fund, including: (1) specification of the capital and credits to be deposited into the fund; (2) limiting obligations under the fund to limits set under the legislative branch appropriations act for any fiscal year; (3) requiring annual audits of fund financial statements, to be submitted to Congress; and (4) requiring separate fund service unit activity accounts.

The intent of sub. (b)(2), authorizing funds from other Library appropriations accounts to be temporarily transferred to the Fund, is primarily for the purpose of initially capitalizing activities previously conducted under section 1535 of Title 31, U.S. Code [the Economy Act]. This subsection requires the fund to reimburse such a ''loan'' within the period for which the appropriation is available. Subsection (b) also specifies other amounts to be deposited into the fund.

Subsection (c) specifies amounts to be added to the fund as credits to the service unit accounts.

The intent of sub. (d) is to ensure that, once the Librarian determines the appropriate grouping of activities into fund service units, the reimbursable portion of each service unit will be self-sufficient, operated under a separate account within the revolving fund.

Subsection (e) is standard language applying to self-supporting programs, requiring the agency to designate excess amounts in the fund as miscellaneous receipts and deposit such funds in the Treasury.

Subsection (f) requires that a financial statement be prepared annually, that the statement be audited, and that the audit be submitted to Congress on an annual basis.

Section 104. Operation of revolving fund activities

Section 104 establishes parameters for the operation of the Revolving Fund activities Subsection (a) authorizes the Librarian to set fees to recover the costs of activities authorized by sec. 102, and authorizes the Library to sell products and services resulting from those activities. This section limits the purchase prices to levels necessary to recover the direct and indirect costs for each fund service unit, over a reasonable period of time.

Subsection (b) provides express authority to require participants (including federal participants) to provide advance payments, where necessary to ensure that the fund is sufficiently capitalized, and under other circumstances upon agreement with participants.

Subsection (c) permits fund activities to engage in multi-year contracts. This language parallels identical authority currently afforded executive branch agencies and the General Accounting Office under the Federal Property and Administrative Services Act [41 U.S.C. 253*l* and 254c].

Section 105. Repeal

Section 105 repeals the current authorization for the Cooperative Acquisitions Program revolving fund; that fund, and the corresponding activities associated with it, are incorporated into the new Library of Congress Revolving Fund created under Title I of this bill.

Section 106. No effect on personnel

This section specifies that nothing in Title I of this Act is intended to affect the terms and conditions of employment of any employee of the Library of Congress who carries out any Revolving Fund activity. The purpose of this section is to avoid any unintended consequences of restructuring current

activities to operate under a new revolving fund.

TITLE II—CATALOGING PRODUCTS AND SERVICES

In 1902, the Library of Congress was first authorized by Congress to serve the Nation's libraries by producing and distributing catalog cards. These cards establish and describe the author, title, and physical characteristics of a book and contain subject headings and a classification number to enable researchers to locate books by author, title, or topic.

Over the years, the Library of Congress has expanded its catalog card service by producing and distributing additional bibliographic and technical products and services. In addition to the print format, the Library has utilized other formats to make cataloging data available, e.g., magnetic tapes and CD–ROMs, and has recovered the distributing costs for providing these products.

As a result of this centralized cataloging activity, the Nation's academic and public libraries save significantly on costs they would incur if they had to create their own cataloging records.

Title II modernizes the authority given in the 1902 law under which the Library provides these bibliographic information services and products; and makes funds available until expended.

Section 201. Availability of cataloging products and services

In addition to authorizing the Librarian of Congress to sell cataloging products and services, this section limits the prices charged for such products and services to recovery of the distribution costs associated with furnishing such products and services, rather than the current ''cost plus 10 percent.'' This section also provides that all moneys received through the distribution of such products and services shall be deposited in the Treasury and credited to the Library of Congress salaries and expenses appropriation, to remain available until expended. This mechanism will provide a more stable financial base for cataloging distribution operations.

For the purposes of this title, ''cataloging products and services'' is defined to mean those bibliographic products and services, in any format now known or later developed, that are used by libraries and library organizations, including other Library-created databases, and related technical publications.

The language ''over a reasonable period of time'' is included to make the provision consistent with the revolving fund language under s. 101. This language will assist the Cataloging Distribution Service in bridging fiscal years if some distribution costs are incurred over more than one fiscal year, and recognizes that the sale price of cataloging products must be established on a business-like basis, i.e. based on overall distribution costs, measured by the estimated sales volume of cataloging products over the estimated duration of sale of any given item.

Section 202. Repeal

This section repeals the obsolete 1902 law authorizing the production and sale of cataloging cards and records, in light of the new authority established under sec. 201.

TITLE III—TRUST FUND BOARD AMENDMENTS

Title III of the bill, amending the Library of Congress Trust Fund Board Act, will ensure the Board's continuity across members' terms as well as the Congressional calendar. The Library of Congress Trust Fund Board was created by Congress in 1925 and charged with the acceptance, deposit, and administration of funds given or bequeathed to the Board for the benefit of the Library. In 1992, the Board was expanded from 5 to 13 members. Three are ex-officio (The Librarian of Congress, the Secretary of the Treasury; and the Chairman of the Joint Committee on the Library); the remaining members, who serve five-year terms, consist of two appointed by the President, and four each appointed by the Speaker of the House of Representatives and the Majority Leader of the Senate (both in consultation with the respective minority leaders).

Section 301. Addition of congressional board member

Section 301 increases the size of the Board by the addition of a new member—the Vice-Chairman of the Joint Committee on the Library. The Committee's Chairman has been an ex-officio member of the Trust Fund Board since the Board's creation in 1925. Because the Chairmanship and Vice-Chairmanship of the Joint Committee on the Library alternate each Congress between the Senate and the House of Representatives, this provision is intended to enhance the continuity of the Library's Congressional overseers in the activities of the Trust Fund Board.

Section 302. Temporary extension of board member term

The bill authorizes the Board Chairman to extend temporarily the term of an appointive board member whose period of appointment has expired. Such an extension could not exceed two years, and would expire immediately upon the appointment of a successor. The Library is requesting this provision on behalf of the Trust Fund Board, which approved the request by resolution on September 24, 1998.

Vacancies on the Trust Fund Board have occurred due to the expiration of the members' terms, resignations, deaths and for other reasons. Due to the press of Executive and Congressional business, these vacancies often cannot be filled to ensure that the Board consists of a sufficient number of members necessary to conduct business and carry out its fiduciary responsibilities. In recent cases, this has meant, for example, that funds given to the Board to benefit the Library have not been able to be accepted and invested in a timely manner, at the expense of valuable investment income to the Library.

Section 303. Trust fund board quorum

Section 303 amends the Trust Fund Board Act to specify that seven members of the 14-member Board constitute a quorum; current law requires nine of 13 members to conduct business. The Library is also requesting this provision on behalf of the Trust Fund Board, which approved the request by resolution on September 24, 1998.

CONGRATULATIONS TO MICHIGAN STATE UNIVERSITY SPARTANS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Michigan (Ms. STABENOW) is recognized for 5 minutes.

Ms. STABENOW. Mr. Speaker, I rise today here in Washington, D.C. to display the championship, the national championship T-shirt, of the MSU Spartans.

Today, in my hometown of Lansing, there has been a wonderful parade going from the State capital out to Michigan State University where thousands of people have joined together to recognize the team that we are so proud of, young men not only who have excelled on the court but off the court as well.

I want to congratulate the Michigan State Spartan basketball team on their national championship victory in Monday night's NCAA title game. Led by senior point guard Mateen Cleaves, who showed the heart of a champion by returning from an early second half ankle injury, the Spartans capped a 32–7 season by beating Florida 89–76. All MSU alumni watched with pride, including me, as the Spartans claimed their rightful place as the national champions.

Founded in 1855, Michigan State University has a rich history of providing educational opportunities to undergrads of diverse interests, abilities, and backgrounds. The Spartans now add another national basketball title to their world class academic reputation. The pride of East Lansing is now the pride of the entire State of Michigan and the entire country.

It is with great joy, Mr. Speaker, as a graduate of MSU, that I take to the floor today to say, Way to go, Spartans. Congratulations to the players, the coaches, the staff, and the parents of this national championship team.

□ 1745

World class academics are now joined by a second national basketball title to underscore the MSU is one of the country's finest academic and athletic institutions. Let me just speak for a moment about the year.

This win is especially sweet given the loss to Duke in last year's Final Four. In many ways, Monday night's game was representative of the entire season. There were great expectations in Lansing last November, as a senior-led experienced team prepared for the upcoming campaign.

However, this great promise was followed by adversity, as Mateen would miss the first 13 games recovering from a stress fracture in his right foot.

Instead of reeling from his absence, the Spartans did what they do, they learned how to win without Mateen going 9 to 4 during that stretch and allowing the sensational Mo Pete as we like to call him, Morris Peterson to further develop his all around game while receiving steady efforts from senior forward A.J. Granger, junior guard Charlie Bell and center Andre Hutson. Led by the great coaching of Tom Izzo, who is a native of the Upper Peninsula of Michigan, and he has been coaching on the staff at MSU for 17 years, the Spartans overcame this obstacle with talent and determined effort and entered the grueling Big 10 conference play with even more confidence in their abilities.

They completed conference play as co-champions and won the Big 10 conference tournament in Chicago, earning the number one seed in the Midwest Region.

The lessons learned early on would pay off down the road, for after easily dispatching Valparaiso in the first round, Michigan State played three tough games in a row, starting with a

comeback win from a half-time deficit against Utah to reach the Sweet 16.

Next, before a friendly ground in Auburn Hills, Michigan, the Spartans staged one of the most dramatic one half turnarounds in recent tournament memory, erasing a 14-point second-half deficit in handing the Syracuse Orangemen a 75 to 58 loss. Then they capped it, their run to the Final Four, by again rallying late against Iowa State defeating the Cyclones 75–64.

The Final Four presented its old and new obstacles. To get to the finals, they had to beat Wisconsin. They persevered against the defensive-oriented style of the Badgers before facing the young, fast and deep Florida Gators in the final.

Mateen led the way in the first half of the final game, helping the Spartans to routinely shed the daunting Florida full-court press while scoring 13 points. However, when he went down with an ankle injury, his teammates responded again. The six-foot nine reserve forward, Mike Chappell, knocked down a key three-pointer and freshman Al Anagoyne was a forceful inside presence.

Jason Richardson scored 9 points in 16 minutes, while Adam Ballinger added key minutes. David Thomas and Matt Ishiba also saw action and, importantly, with Steve Cherry and Brandon Smith, rounded out a roster that worked hard all year and pushed the starters hard in practice. All in all, the bench scored 16 points and grabbed 7 rebounds, an effort Coach Izzo termed awesome.

Mr. Speaker, this is what college sports is supposed to be about, student athletes that we are proud of on the field, as well as off the field. I see my colleagues here today from Flint. We have what we like to call the Flintstones, awesome young men who worked as a team whose dreams growing up were to win a national championship after playing together on the basketball courts and the recreation centers in Flint. They took it all the way. And we are very, very proud of them. Go Spartans.

PAYING TRIBUTE TO THE UNIVERSITY OF WISCONSIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. KIND) is recognized for 5 minutes.

Mr. KIND. Mr. Speaker, I, too, want to congratulate the terrific representative from Michigan (Ms. STABENOW) and her Michigan State University team for their wonderful win in the NCAA double championship, along with my other friend from Michigan (Mr. KILDEE) who actually had three of the players who were born and raised in Flint, Michigan, a city in his district.

They are worthy champions, but the gentlewoman is correct, they had to go through my Wisconsin Badgers in the Final Four in order to get there, and that is the reason why I am rising here tonight.

I want to rise to pay tribute to my home State University, the University of Wisconsin. The University of Wisconsin athletic program has had an extraordinary run of success over the past years. A level of success that has made all of Wisconsin residents very proud.

On January 1, the Wisconsin football team defeated Stanford University to become the first Big 10 school to win back to back Rose Bowl games.

Shortly after that victory, Wisconsin running back Ron Dayne, who earlier in the season became the NCAA all-time career rushing yardage leader was awarded the Heisman trophy, the highest award for a college football player.

The success of our football team was followed by the Badger men's hockey team which won the Western Collegiate Hockey Association League title this year and was ranked as the number one hockey team in the Nation throughout most of the season. Unfortunately, the hockey team fell one game short of reaching the NCAA hockey Frozen Four, nevertheless, our hockey team continued its tradition of being one of the elite hockey programs in the entire country.

More recently, the Wisconsin men and women's basketball programs reached unprecedented heights. Last week the women's basketball team was crowned women's national invitational tournament champions, a team that included a player which is the pride of my hometown of LaCross, Kelly Paulus.

On Saturday, the men's basketball team capped their Cinderella run through the NCAA tournament with an appearance in the Final Four eventually losing to the NCAA champs, Michigan State University.

The men's Final Four appearance was the first by a Wisconsin team since 1941, a 59-year drought; and we are hoping that will not be repeated soon.

The success of the Wisconsin athletic programs reflects the values that all Wisconsin residents hold dear. The Wisconsin teams are not flashy, and they are not loaded up with superstar recruits from across the country. Instead, Wisconsin teams are successful because they work hard, played as a team and believed in themselves. The Wisconsin players are almost all born and raised in Wisconsin.

They were not the most heavily recruited players. They chose instead to attend their home State school because they wanted a quality education along with the experience of playing with the Badgers.

By sticking to the Wisconsin values, hard work, team work and a dedication to getting an education, the young men and women who played for the University of Wisconsin were winners before they ever put on a Badger uniform. This year, however, they took their winning ways to the national stage and showed the Nation that Wisconsin can succeed at more than just making good cheese.

I want to congratulate football coach Barry Alverez, hockey coach, Jeff Sauer; women's basketball coach, Jane Albright; and the men's basketball coach, Dick Bennett. They are all outstanding role models for their athletes and for all of Wisconsin students.

I want to congratulate the Wisconsin marching band and the cheerleaders and the Wisconsin fans, the Badger pride followed our team from Pasadena to Indianapolis and they helped spread the word about the great people of Wisconsin.

Finally, Mr. Speaker, I rise to pay special tribute to the men and women athletes at the University of Wisconsin. The success that they achieved on the court and the class with which they conducted themselves off the court, has made the great State of Wisconsin very proud. They are what is good with collegiate athletics today, and they are wonderful role models for the children who cheer for them and who try to emulate them.

SHOOTING IN MOUNT MORRIS TOWNSHIP, MICHIGAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. BARCIA) is recognized for 5 minutes.

Mr. BARCIA. Mr. Speaker, I rise today to talk about the tragic shooting that occurred in Mount Morris Township, which is located in my congressional district. When I first heard about the shooting of Kayla Rolland, like most of the Nation, I was shocked, dismayed, and concerned about how such a tragedy could occur.

Unfortunately, some people rushed to judgment and called for more gun control laws, more swift punishment of the child. However, I thought it best and prudent that we look at all the facts before commenting or jumping to conclusions on this very terrible tragedy.

For me, the real problem is that we had a neglected little boy growing up in a dysfunctional and dangerous environment. The real solution is not more gun control.

When the boy was 2 years old his father, Dedric Owens was arrested and for the next 4 years he moved in and out of various detention facilities for various crimes. So the man who should have been a role model, who should have taught him responsibility, who should have taught him right from wrong, was serving time for attempted home invasion, cocaine possession, cocaine possession with intent to distribute, and fleeing and eluding police.

While the father was serving these sentences, the boy's mother was neglecting her parental responsibilities. Children need positive role models to build strong, moral character. With his father in jail and his mother missing in action, this 6-year-old boy did not have a positive role model, and he did not have a chance.

Since the boy's mother was evicted from her home, she dropped her son off

at an uncle's house. At this house the boy did not have a bed. He slept on the couch. He did not have toys, but he did find a role model. In fact, he found two role models, the uncle and the uncle's partner in crime, both of whom had outstanding warrants and both of whom were suspected drug dealers.

The house they lived in was a suspected crack house with more than 40 sales per day conducted at all hours of day and the night. Neighbors claimed they heard gunshots at night; and police were building a case against the owners, but had not yet made any arrests. So we had a little boy living in a crack house with no bed, no father, no mother and two drug dealers as his role models.

At school, the boy was displaying the effects of his confused and tormented childhood. He was suspended for fighting, and in one instance even stabbed another child in the neck with a pencil. The school identified him as potentially violent and scheduled him to see a psychologist, but the appointment was scheduled for one week too late. Even though everyone knew this child was in trouble, no one bothered to go to his house, no one bothered to help him.

That is the true failure here. It is not guns or not enough restrictions on second amendment rights. The true failure was this little boy falling through the cracks of a system that let him down. His role model stole guns or maybe traded drugs for stolen guns, no one is quite sure. But we are quite sure that the boy was taught that violence, not words, was the way to solve problems. One neighbor remembers the uncle threatening to shoot up his house while holding the little boy in his lap.

Sadly, many of the remedies that people have pointed to would have done nothing to change the outcome of this tragic event.

This little boy with one parent in jail and the other reported drug user was living with two drug dealers who threatened their neighbors and traded in stolen guns, and in the meantime he was watching the violence that is so rampant on today's television. All of this was going on while he was in his most impressionable formative years. He had yet to learn right from wrong, and no one cared to teach him. The result was almost predictable. So anyone who claims that a trigger lock, a storage law, or any law at all would have prevented this tragedy is simply wrong.

What would have prevented this tragedy? That is a good question. The only thing that would have prevented this tragic event is if this innocent child had two loving parents. Only when violent repeat offenders are incarcerated and away from our children will this type of crime be prevented. The need here is not for unenforceable mandates, the need is for real solutions to violence. Let us work together to find ways to strengthen families and help parents teach their children right from wrong.

Mr. Speaker, I call on all of my colleagues to focus on the real solutions that will help restore and protect our families and our communities.

NATIONAL CHAMPION MICHIGAN STATE SPARTANS MEN'S BASKETBALL TEAM

Mr. BARCIA. Mr. Speaker, I rise today to join my colleagues from Michigan to pay tribute to the National Champion Michigan State Spartans Men's Basketball team.

On Monday night, this group of fine young men provided us with a display of sportsmanship, dedication, and perseverance that all of us must admire. This group, affectionately known as the ''Flintstones'' because of several players who hail from the Flint area, overcame many adversities, such as halftime deficits and injuries throughout the tournament on their way to the championship.

The heart and soul of the Michigan State team is their senior leadership. At a time when many college athletes make a quick jump to the professional ranks, it is refreshing to see this talented group of young men stay in school, get their education, and use their God-given talent and their experience to lead the Spartans to the National Championship.

Often times people place too much emphasis on athletics, especially college athletics. But this Michigan State team has taught us an important lesson. We have learned that through hard-work, dedication and loyalty you can achieve your dreams. Young people often look to sports figures to role model and the young men of the Michigan State basketball team are truly worthy of that admiration.

I would like to salute Head Coach Tom Izzo, Seniors Mateen Cleaves, Maurice Peterson, and A.J. Granger, Saginaw native Jason Richardson, and the entire Spartan team for an outstanding season. You have made us proud, not just as Spartan fans, but as Michiganders. Congratulations.

PERMANENT NORMAL TRADING RELATIONS WITH CHINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. BERRY) is recognized for 5 minutes.

Mr. BERRY. Mr. Speaker, I want to speak this evening in support of Permanent Normal Trading Relations with China. I want to commend the Speaker of the House for setting a date when we will have the vote before Memorial Day.

I want to commend the President for the extraordinary effort that he is putting into this. I want to commend Ambassador Barshefsky; Secretary of Agriculture, Dan Glickman; and Secretary of Commerce, Bill Daley for their strong effort to help us pass Permanent Normal Trading Relations with China.

□ 1800

We must approve permanent normal trading relations with China in May, or our economy will suffer for years to come. It will be a terrible mistake for this country not to approve this agreement. There are 1.3 billion people in China, 20 percent of the world's population, one of the fastest growing economies in the world. This is a good deal for America. It cuts overall tariffs from 24 to 9 percent by 2005, cuts overall agriculture tariffs from 31 to 17 percent, it gives us five times more market access for cotton, 20 times more market access for rice, an unbelievable potential for poultry, beef, pork, soybeans, wheat and nearly every other ag product, and a huge potential for technology, banking, telecommunications, insurance. We give up nothing in this agreement, Mr. Speaker. This agreement grants us access to their market. It does not give them any additional access to our markets.

China has had access to our markets for the last 20 years. The Chinese want a seat at the international trade negotiating table. They must give access to get that. If this agreement does not happen, we will lose out and the rest of the world will gain. Literally the rest of the world will laugh all the way to the bank. China is going to enter the World Trade Organization whether we pass this agreement or not. Our choice is whether we want to have the same access to a market of 1.3 billion people as the rest of the world. The only choice for us to make is to approve permanent normal trading relations with China.

CONGRATULATING NCAA CHAMPION MICHIGAN STATE SPARTANS

The SPEAKER pro tempore (Mr. GARY MILLER of California). Under a previous order of the House, the gentleman from Michigan (Mr. KILDEE) is recognized for 5 minutes.

Mr. KILDEE. Mr. Speaker, I rise today to congratulate the Spartans of Michigan State University, which my son Paul attended, on winning the National Collegiate Athletic Association basketball championship. The Spartans defeated the Florida Gators 89–76 in the championship game to capture the NCAA championship. It was certainly an exciting game that showcased some of the best talent the NCAA has to offer.

The Spartans are a great example of what hard work, determination, and a passionate desire to win can accomplish. The Spartans were led by seniors Morris Peterson and Mateen Cleaves and junior Charlie Bell, the Flintstones as they are commonly known in Michigan. All three grew up in my hometown of Flint, Michigan. They have brought a sense of spirit and optimism to our community and our State. I could not be prouder of these young men. They played basketball together and against each other at Berston Field House, a recreational center in the heart of downtown Flint. Over the years, Berston Field House has provided young men and women with not only a great place to play sports but also a safe alternative to the streets.

Peterson, Cleaves, and Bell have all been guided by strong family values

and principles. All are graduates of the Flint public schools, where academics are stressed before athletics. They all possess a deep sense of spirituality that is clearly rooted in faith and family. And they never miss a chance to praise and celebrate those roots. Their accomplishments shine bright in the eyes of the people of Flint.

Morris Peterson was named Big 10 player of the year and joined Mateen Cleaves as one of the 10 players selected to the John Wooden All-American team. Charlie Bell earned a spot on the third team All-Big-10 Conference. All three, along with A.J. Granger, made the All-NCAA tournament team.

The Spartans finished their storybook season with a record of 32–7, becoming Big 10 regular season cochampions, Big 10 tournament champions, and NCAA champions. Today, Mr. Speaker, I salute Michigan State's accomplishments and share the joy of their victory with MSU students and alumni and especially the people of Flint.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 5 minutes.

Mr. BLUMENAUER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

NATIONAL SLEEP AWARENESS WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, I, too, would extend my congratulations to all of the athletes that we have heard talked about. In my own congressional district, the Westinghouse High School boys team went to the finals, lost by three points. Unfortunately, they did not win; but they came close, and, of course, the Marshall High School girls were city champs. They did not win the championship this year, but they have won it so many times until they know that they will be back next year.

Mr. Speaker, last week was National Sleep Awareness Week. I rise today to pay tribute to the work that the National Sleep Foundation and other health professionals are doing in this arena. I think it is important that we recognize the efforts of medical researchers who have devoted their professional careers to studying the impact of fatigue and sleep disorders on our Nation's health, safety, and productivity. We should also take time to reevaluate our own personal health habits and determine how we can improve our own health in order to be stronger and more effective citizens.

While physicians and patients now pay attention to the adverse health impacts of poor nutrition and inadequate exercise, too few people pay attention to the harm that can result from inadequate or disordered sleep. Sleep scientists have linked such ailments as high blood pressure, hypertension, depression, and cardiovascular disease to inadequate sleep. The National Institutes of Health estimate that 40 million Americans suffer from chronic sleep disorders, the vast majority of which remain undiagnosed and untreated; and another 20 to 30 million suffer intermittent sleep-related problems.

The survey conducted by the National Sleep Foundation found that 58 million Americans report suffering excessive daytime sleepiness at levels that interfere with their day-to-day activities. Evidence tells us that America's sleep debt is on the rise. Yet numerous studies have concluded that the general public and primary care physicians lack the basic sleep knowledge to address these problems. As a result, the toll on human health, safety and productivity is enormous.

This problem is more than simply getting a good night's rest. It encompasses medical problems, lack of education, and the tools required to address this public health concern. Sleepiness, whether the result of untreated sleep disorders, volitional sleep deprivation, or shift work has also been identified as casual factors in a growing number of on-the-job injuries. This corresponds directly in lost productivity, personal injuries, medical expense, property and environmental damage due to sleep disorders and sleep deprivation.

The cost of this problem is estimated by the National Sleep Foundation to exceed $100 billion each year. It is the personal injuries that are the most tragic part of this equation. However, we hear numerous reports on television and in the news about drivers who fall asleep at the wheel and kill themselves, a family member, or an innocent bystander.

As I alluded to earlier in my statement, there are ongoing research efforts into the impact of sleep deprivation. I am privileged that the Northwestern University Medical School in my district; and one of my constituents, Dr. Phyllis Zee of Oak Park, Illinois, has spent over a decade creating innovative approaches to improved sleep and daytime performance in older adults and by conducting research on the genetic basis for human sleep disorders.

As with any type of important health research, there is also need to provide information to the members of the community at greatest risk. Many minorities, for example, do not receive education on proper sleep habits or recognition of symptoms that could indicate a chronic disorder. Through the work of the National Sleep Foundation, however, outreach to high-risk groups is beginning to change. It is important that we in Congress support these efforts and support strong public education and prevention programs to address this public health issue and this public health crisis.

Mr. Speaker, I would hope that all Americans would look seriously at something as simple as getting enough rest, getting enough sleep and the impact that it can have on enhancing rather than diminishing the quality of life for all of us.

STRENGTHENING THE RURAL ECONOMY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, the United States has enjoyed the longest sustained period of economic growth in the history of the Nation. We have gone from record deficits to record surpluses. 20 million new jobs have been created in the last 8 years. We have the highest homeownership rate ever, the lowest unemployment in 30 years, and the lowest poverty rate in 20 years. Under current plans, we expect to eliminate the Federal debt; and we are looking forward to a surplus of more than $3 trillion over the next 10 years. Farmlands are being transformed into subdivisions overnight.

Ordinarily that would be good, indicating progress. But the transformation of farmland into subdivisions is but further evidence that small ranchers and farmers are a dying breed. At the turn of the last century, close to half of the population in America lived and worked on ranches and farms. With the recent turn of the century, that number has been reduced to only about 1½ percent of the population. In 1900, thousands and thousands of small farms and ranches dotted the countryside, growing tobacco, cotton, wheat, soybeans and other products, raising pigs, poultry, horses and cattle. Today, by contrast, four companies are responsible for 80 percent of the beef market.

Despite the rosy economic picture for some, many in rural America are suffering. Despite the economic boom, many in rural America have not shared in the bounty. In rural America, low-tech factories have been driven out of business by lower paying foreign competitors. Small tobacco growers and other farmers face extinction. The digital divide has left us with two Americas. According to a recent article in the New York Times, large chunks of rural America are being depopulated. Small ranchers and farmers are being impoverished, forcing them to sell out.

The Department of Agriculture reports that wheat is at the lowest price since 1986, cotton at its lowest since

1974, and soybeans at its lowest since 1972. The Times article notes that in one of the poorest rural counties, the average income is less than $4,000, while in Manhattan, New York, the average income is close to $70,000. In rural North Carolina, where I come from, last year alone in the State we lost 32,000 manufacturing jobs because of plant closings and layoffs, 43 percent more than we lost in 1998. An old plant closed and a new plant opened in Ashe County. Only 200 of the 300 workers were retained. The new plant laid off workers because computers now do the jobs that they did.

Yes, Mr. Speaker, in many parts of America, the help-wanted ads are full, unemployment rates are low, incomes are high, wealth is being accumulated. Not so in rural America. A $15 million satellite site opened recently in North Carolina to support the needs of a $350 million plant. Because of computers, only three workers were hired to operate this satellite plant.

What can we do, Mr. Speaker? We can emphasize education, preparing our students, and training our workers to compete in an increasingly high-tech and global economy. We can provide incentives to business to locate in rural America. We can improve our infrastructure, provide better water and sewer systems.

□ 1815

We can begin to close the digital divide and provide Internet access to even those in remote, rural areas, and we can improve our roads, helping to get rural goods and services to customers throughout the Nation and throughout the world.

Most importantly, we can and we must use organizations like our recently organized rural caucus as a place to discuss, a place to generate new ideas. We can strengthen the economy in rural America and allow for all of our citizens to share in our Nation's growth. We can close the income and wealth gap in that it is growing between urban and rural America. We can strengthen our economy, Mr. Speaker, in rural America, and we must.

EDUCATION IS TOP PRIORITY FOR AMERICANS

The SPEAKER pro tempore (Mr. GARY MILLER of California). Under the Speaker's announced policy of January 6, 1999, the gentleman from Texas (Mr. RODRIGUEZ) is recognized for 60 minutes as the designee of the minority leader.

Mr. RODRIGUEZ. Mr. Speaker, we are here today to talk about the tremendous progress that we have made in education over the past 7 years. Even better, over the past 5 years, we have seen some measurable results. Fourth grade reading scores in high-poverty schools are up. Eighth grade math scores are up. The gender gap in math and science scores are shrinking. The number of advanced placement tests, the AP tests with scores meeting college requirements increased overall, and more importantly, also for minorities and women. More high school students are taking tougher classes and are including the AP classes which are the advanced placement classes. More women and Hispanics and minorities are going to college than ever before. These are all just over the last 5 years.

Mr. Speaker, this is all good news, and the progress we have made has been largely due to the Clinton administration and the efforts they have made throughout the country with good, sound solutions for our Nation's children. Knowing that 90 percent of our school-age population attend public schools, many of us here have worked hard with the administration to ensure that States and school districts are working together to reform their systems where they are. Along with the reforms is the need to hold our students accountable and make sure that they are held to higher standards. Raising standards, which we have been doing and talking about for much of the past decade, means that all children are reading well by the end of the third grade, and making sure that our eighth graders are on the college track and are taking algebra and geometry.

This is really a reform that has been working, and it is something that we as Democrats feel very strongly about and need to continue to make that commitment.

At the heart of the Clinton administration and the Democrats' reform is the focus on literacy. In 1996, we worked with the administration to implement the America Reads program, which mobilized communities to work together to fight illiteracy. This has been effective, especially with our community colleges working with our local school districts. In addition to the America Reads program, we have made sure that landmark legislation to support local and State efforts to improve literacy through professional development, as well as family literacy programs and tutoring. Let me add that we have found also some startling results, that when we work with parents on literacy, we also find that those youngsters of those parents have a direct impact in making sure that they also stay in school, and a lot of them choose not to drop out.

Reading scores in San Antonio have improved over the last 5 years and it is due to these investments that we have made, both in the Federal and some of the local level areas.

Clearly, ensuring that our children are literate and that reading is a priority is not a new agenda item. The presidential candidates would like to think that it is new. Reading is not a new agenda and claiming credit for educational reform is unfounded.

During a press conference on March 28, Governor George Bush claimed progress for reading scores in Texas. I would like to read an excerpt from the Department of Education press release in response to this claim. That particular claim indicated that educational reform in the State of Texas has happened largely as a solid foundation that was set back in the 1980s by Governor White, and also a particular commission that he had developed by Ross Perot. He was revolutionary at the time and implemented reform measures much like what we are advocating today, in which we are advocating smaller class sizes, which makes sense; a significant increase in funding for education; a focus on qualified teachers and making sure that we do have those qualified teachers.

Mr. Speaker, these are the measurements we have been implementing in the last 20 years, items that 20 years ago that we have been contributing to making progress as we move forward.

I would like to bring to the attention of my colleagues a cartoon that was in the Washington Post of April 1, 2000, and the young man, as we have here, and the older man who says, here is my plan to boost child literacy, by spending another $5 billion, and then the response is, how can you afford this and your tax cut? The response: Hey, this is my reading plan. Math comes later.

We are going to hear a great deal of these kinds of talks. The bottom line is we need to do the math now. The reality is, and we know that for the last 2 years we have had a surplus. Our last surplus was about $170 billion, and it has estimated, and this is an estimation only, that for the next decade, we probably will have approximately $170 billion to $200 billion for the next 10 years.

The bottom line is that if we have a $2 trillion tax cut after we figure that out, and we can do the math as this young man here did the math, the result is that what revenues are we going to have for Social Security? What revenues are we going to have for Medicare? What revenues are we going to have for education? The answer has to be none if we go with this tax cut.

Mr. Speaker, I want to take this opportunity to talk about the fact that the Republican opposition has basically proposed two major propositions, and that is, one, vouchers, and the other, block grants. We recognize that in order to respond to these we have a variety of issues that we need to deal with, and the solutions are varied.

I want to take this opportunity, because I know we have with us some Members that have joined with me this evening, and I want to acknowledge the fact that we have the gentlewoman from California (Mrs. NAPOLITANO), and since she is here with me, I want to ask her, since she has done some great, tremendous work, and I want to ask her to comment. I thank the gentlewoman from California for joining me this evening, and I yield to her at this time.

Mrs. NAPOLITANO. Mr. Speaker, it is really important for us to acknowledge that this administration and the congressional Democrats have been at the forefront on educational reform

and improving our public schools and helping to ensure that our students have the basic skills to succeed in this upcoming global economy of ours.

Some of the points that I needed to make sure that I brought out and hit upon is that we have been trying for a very lengthy time to keep Hispanic children in schools. We have made that a priority, to help Hispanic students stay in school. The Hispanic education action plan targeted more than $30 million to help transform schools with high dropout rates, especially districts that have populations that are largely migrant workers. I say to my colleagues, you do not understand, or if you lived in my area you would have a good feel of how important this particular issue is.

I have some schools that may have as high as a 70 percent dropout rate from high school of Hispanic children, and that does not make for a good economy anywhere in the United States.

Now, if we are able to help keep these young people in school and be able to provide any assistance, whether it is tutoring or any of the kind of family assistance that these children may need to be able to succeed, then we are helping, we are helping communities be more viable and helping our economy, because these young people will eventually become leaders in our areas.

We also have to help students finish college. We proposed a new college completion challenge grant to help reduce the college dropout rate with prefreshman summer programs, support services and increased grant aid to students. This is a $35 million initiative to improve the chances of success for nearly 18,000 students. That may be a beginning, hopefully, because I know that more than 18,000 students not only are needy of being able to receive the assistance, but also are deserving of being able to get assistance from us. We need to turn around our failing schools.

There are 11 million low-income students now benefiting from Title I aid to the disadvantaged students, and all our children are benefiting from this higher expectation and the challenging curriculum that accompanies it, which is geared to higher standards. Our 2000 budget provides an additional $134 million, account bit fund, to help turn around the worst performing schools and hold them accountable for results.

Now, 30 percent of children served by Title I are Hispanic. That tells us that we are failing our young people. We are not providing them with the tools to be successful, and consequently, I think that this Congress has done a great service to be able to target and begin focusing on those issues.

I can tell my colleagues just quickly that the more we provide high-quality teachers, and the more we provide smaller class size, the better our students are going to be. I can point to a group of middle school students that are going to be coming to New York to perform at Carnegie hall. These are middle school students out of one of my schools, one of my district schools, that have not only performed in the Rose Parade in Pasadena, but are also performing a full orchestratic ensemble in New York City. It is because they had a teacher who was of high quality, who cared about these young people and taught them that they can achieve anything they set their mind to. I am very proud of them, and I certainly want to share that with everybody so that others may learn that our youngsters, ages seven, eight, and nine, can also reach those heights.

We have increased the funding for Pell grants. We have increased educational funding for migrant families. There are many of these important things for the State that I represent that are becoming viable for our people, and I certainly want to congratulate my democratic colleagues and those that helped us put these measures through.

Again, education is the key for our young people to succeed, and I am glad to be here to be part of the thrust to achieve that for them.

I thank the gentleman for yielding to me.

Mr. RODRIGUEZ. Mr. Speaker, I want to thank the gentlewoman for those kind words. I know you stressed the importance of some of the solutions, and one of the things that the gentlewoman mentioned is also in terms of early childhood. I know how critical that is. I know Head Start has done some tremendous work, and that early start is critical. Reaching out to those 3 year olds and 4 year olds is real important. The quicker we get those youngsters into our educational system, the quicker they will to be able to compete and be able to get that head start that they need.

We also have with us another Californian who I have the opportunity of sharing a committee with, the Committee on Armed Services. I thank the gentlewoman from California (Ms. SANCHEZ) for joining me tonight in talking about education.

Ms. SANCHEZ. Mr. Speaker, I thank the gentleman for the time that he has yielded to me.

I really am grateful that the gentleman is talking tonight about the state of education and I think there are a lot of things, with the gentleman's background, that he could tell us about in Texas, the Texas experience. In particular, we are looking at a presidential election coming up, and the gentleman's governor, the governor of the gentleman's State, is on the Republican side. I know what the Republicans have not done with respect to education here in the House of Representatives.

□ 1830

So I am interested, because I have heard so many things about what is coming out of Texas. I think the gentleman is a great person to talk about that tonight.

There are certain things that we know. We know that the type of child that enters the school system, it is important that they are healthy. We know that it is important that they come to school and they are ready to learn; i.e., they are not thinking about being hungry; third, that when they come to kindergarten, they do best when they have already gone through a preschool program or a Head Start program.

I would be very interested to find out from the gentleman what his feelings are with respect to the readiness of children who go in Texas under the gentleman's Governor.

For example, I know that in California, one of the biggest things that we did in the last couple of years was to match the Federal funds in order to put in an insurance program for health for our children in California. Those were children of working parents.

That is beginning to make a difference, because now we have children who have access to health care, so they are healthy when they are starting out in the program.

Secondly, of course, we know a few years ago the Republicans in this House tried to eliminate the lunch program that we have in the schools. I just remember reading in the paper about Governor George Bush, and how he said that there were no hungry people in the State of Texas, when in fact his State is the number two State in the Nation with children who go to bed without food in their bellies.

So I am interested to find out what has been going on in Texas, if the gentleman can tell us.

Mr. RODRIGUEZ. Mr. Speaker, I would like to thank the gentlewoman for her question.

In Texas, we were the last State to go into the CHIPS programs, the insurance program for youngsters. These are individuals who are uninsured. I would remind Americans that in America we have both Medicare for our seniors, we have Medicaid for our indigent, but one of the things that we find is that we have a large number of people working, working Americans, who do not have access to insurance. Texas has the largest number of uninsured individuals.

The Clinton administration, one of the things that they have done, as the gentlewoman well knows, is that we have pushed on assuring that these youngsters were insured. Texas was the last State to move into this program. In addition to that, the funding they provided only extended to 60 percent of them, which means that only five to six out of the 10 that actually qualify will be able to get service, which is unfortunate.

The gentlewoman mentioned also in terms of not only health but also in terms of nutrition. Even those individuals that qualify for food stamps, we find that there is a study that out of 10 that qualify, less than four are actually receiving it because of the bureaucratic nature that is there. In fact,

some of those particular complaints came from the grocery industry in Texas, and people say that there are less people participating. It is because they made it very bureaucratic in nature.

I want to go back a little bit in terms of education. The gentlewoman also mentions the importance of early childhood education and how important it is to start. In Texas, we still only fund half-day kindergarten, so we still have a long way from that perspective.

We have made some strides, but it has been a combination of years, and a lot of credit has been given to Governor White in the 1980s, and also to the third-party candidate, Ross Perot, who was on the committee that basically helped to revolutionize a lot of the things that we have there. But we still have a long way to go in making sure that we provide sufficient resources.

For our teachers, we rank almost 47th in terms of expenditures, salaries for teachers, and in some of those categories. So we are really not pleased with where we are at. I think we have a long way to go. That is why I am real pleased about some of the propositions that we have.

One is construction. I know we have been proposing on the House floor the importance of making sure that we have money for construction. Most of our schools, if we look at the studies that have been done, came close to 60 years old. In Texas, some are even older. As the gentlewoman well knows, I live in a home that is 70 years old. That was prior to the microwave.

We recognize the importance of making sure we have good wiring for the new technology, and we need to make sure that we get that burst of resources that is needed.

Along with construction money, and everyone has said this, when I did hearings on school violence one of the things they said was that we need smaller classroom sizes, so there is an importance to add qualified teachers out there. The administration pushed to put 100,000 new teachers out there, and that is really important, as the gentlewoman well knows; and qualified teachers. So that is key.

Along with that comes the need to make sure that we have the classrooms. A lot of Americans out there, we need to recognize the fact that in the 1950s and 1960s we had a boom, the baby boomers. The generation then decided that we needed to come up to the plate and build new schools.

Now we have, as the gentlewoman well knows, we have what we call the baby echo, the kids of those baby boomers, our children. So it becomes real important that we also come up to the plate and build those schools that are needed, where the demographics show that we do have a lot of youngsters out there.

They are smart youngsters, individuals who are doing extremely well. They are a lot sharper than we ever were at that age. But at the same time, we need to make sure that they have the opportunity to learn and have the technology.

Ms. SANCHEZ. Mr. Speaker, I am glad that my colleague brought up two of the issues that are most important and dearest to my heart.

The gentleman started by talking about Head Start. As most people here in the Congress know, I got my start in 1965 in the first year that Head Start existed when I was a child in that program. So I am proud to be the Head Start child of Congress.

I get very worried because I see an administration, the Clinton-Gore administration, that has proposed $1 billion of more, more funding for Head Start, getting our kids prepared so that when they start at the starting line of the competition, at kindergarten, they are all equal when they get there, so they are not behind the starting line.

The President and the Vice President have proposed $1 billion worth of more Head Start. In my county, in Orange County, only about one-third of the children who actually qualify for Head Start are funded, so I am really looking forward to that.

Then I take a look at Governor Bush's proposal on funding for education, his Federal education proposal. I see that he has no funds for Head Start. I think, well, why is that? Then I look at his tax cut plan and I know why, because where he is cutting is essentially that program which I think made such an impact in my life and which has made an impact on so many children's lives.

And then of course the whole issue of school construction. As the gentleman knows, since I have been here, I have been carrying a bill on school construction, trying to get more schools built, because in California we did for 2 or 3 years now, as our colleague who used to be in the House in California, the gentlewoman from California (Ms. NAPOLITANO) noted, we did lower the amount of kids per teacher in California down to 20 to one in the first, second, and third grade level in California.

Everywhere I go, and I have visited probably 130 schools in my district alone, first grade teachers tell me that the biggest difference they have seen is the lower amount of kids. Kids in kindergarten and first grade are reading now at a third grade level in some of my schools, and they attribute it to being able to have a smaller amount of kids and be able to teach them one on one.

And then they add, you know, we need more schools, school classes. We need more places. We have parents who come and volunteer, but we do not have a class where they can come in and work on the projects for the school, for the children.

This whole issue of school construction becomes so important, not just from a technology and modernization standpoint but from a room perspective, a place to grow our children.

Mr. RODRIGUEZ. Mr. Speaker, I am glad the gentlewoman mentioned that, because I think we all recognize that the solutions to some of our problems are not one answer but a variety of responses.

I think some of the responses need to go even beyond the teacher. We have a tendency also to blame the school for everything. It was interesting to see that one of the schools that was cited in Florida by Jeff Bush, by the way, as not doing very good, in fact doing very poorly, was a school district that had a large percentage of mobility. They had a housing project where a lot of the teachers that had those youngsters, they only had them for a few weeks sometimes and they would move on. So that, in some cases, what we need is a combination of programs that help out the community.

I had mentioned earlier that programs that help adults become literate are some of the best programs that help younger kids, their kids, to stay in school, so that it is a combination.

One of the things that I wanted to share with the gentlewoman was that I got a report by some of the school social workers in Texas that they were having problems with youngsters staying in school, and part of the problems that they identified were child care; that in Texas we have a waiting list of individuals, because the State has chosen not to fully participate on child care for individuals who are in need. The importance of child care for families as well as those individuals that receive the care is great. Other factors that are around the community have a direct impact on our communities.

I know the gentlewoman mentioned the fact that if we want a $2 trillion tax cut, then that is what we are going to get, but we are not going to get anything for social security, we cannot get anything for Medicare, and we cannot get anything for education. In fact, it presupposes that the economy will continue to have those surpluses of $170 to $200 billion each year. So we need to be frugal. We need to be responsible in making sure that we meet those needs.

I know the gentlewoman from California (Ms. SANCHEZ) agrees with me in terms of also the importance of teacher quality and how key that is. Especially one of the things that I like to emphasize is the importance of bilingual education in our schools.

When I started school, I did not know any English. I started, and the statistics show that for someone who does not know any English, that it requires 5 to 7 years for them to be able to pick up a second language. In this case, my second language was English, since I knew Spanish.

So when I look in terms of my grades, and I spent 2 years back then, and it seemed like every Mexican-American, every Mexican spent 2 years in the first grade, and we had no bilingual education. So I really did not

know what was happening until almost the fifth grade. It took me almost 6 years to kind of catch on to what was going on; the importance of bilingual teachers that are well-trained, well educated. I was real pleased to see the administration move on dual language instruction.

Most people do not understand that dual language instruction means it is basically what we are doing now with some of our gifted youngsters, it is what we are doing now with some of the people that go to private schools, where we teach them not only one language, but two.

We find that that is the best time to learn a second language is prior to puberty, because people do not realize that the accent, if a person has an accent, usually it is a result of the fact that they learn the second language after puberty.

If we can begin to introduce in America the possibility, and I am real optimistic that we can do dual language instruction, and we can teach English-speaking youngsters, whether they are English-speaking only, another language, whether it be Spanish or German or other, French.

Ms. SANCHEZ. Or any of the other 92 languages I have in Orange County, where children come from a home that speaks something other than English.

I am glad the gentleman brought that up, because this whole idea of what we do about another language is very troubling for some people across the United States, especially those who have not been in a classroom recently and have not seen what is going on.

I guess a lot of us do not have the historical perspective of why bilingual education became such an important part to those communities that came with a different language to school in large numbers.

The California experience speaks for itself. Earlier in the history of California, before I got to school but not that much before, if you spoke Spanish and you got to the classroom, and you had 18 kids who spoke English and you had two who spoke Spanish, there was no accommodation for them.

Therefore, if you were not at that grade level, the first time maybe you were held back, but the second time you were probably diagnosed as mentally retarded. People were actually labeled that. Then they were put in a class of mentally retarded people. So that is the historical perspective of how we began, and we fought for having a second language like Spanish used in the classroom to get our students up to level and to get them transitioned over to English.

I think a lot of times the American public does not know historically what happened with that situation, but today there are so many people coming, so many students coming with different language backgrounds that this whole idea of immersion and learning the two is actually a great concept, and one that I have seen work over and over in the classroom.

I will just end by saying that I look at education, sitting on the Committee on Education and the Workforce, quite a bit back in my district in California, which as Members know, is a bellwether State for supposedly what will be the future of the United States.

□ 1845

I am always interested to see what happens between the States and where a person's perspective is coming from. When we do the testing, for example, in California of our students, we do those also that have a hardship with the language. Our tests tend to be lower because of that.

I have heard that, in Texas, while Governor Bush has been touting such great scores, that, in fact, it is because they eliminate a lot of these children and either classify them as special education and keep them out of the actual test scores that are reported.

I wanted to get a comment from the gentleman from Texas on that since he is, in particular, from an area, San Antonio, where I have heard that, in just a year, there used to be 35 percent of students in a particular school who were special ed students, and, in the next year, because of these tests, almost 62 percent of them were now special ed and were kept out of this whole series of how one tests the children. Can the gentleman from Texas comment to that?

Mr. RODRIGUEZ. Mr. Speaker, let me just comment a little bit. I think in some cases in Texas I think we might have gone overboard with the amount of testing. In fact, there was a survey that was done recently on, I think, third graders that took about 22 tests, different types of tests. There is a great deal of emphasis on tests to the point that a great number of our teachers are very concerned that most of the emphasis is basically teaching to the tests, which brings up the issue of the fact that we need to make sure that we prepare our youngsters to be able to think and be able to comprehend and be able to learn without having to teach to the test. Yes, there has been some criticism in some of the schools that that has been occurring and that some of that has been happening.

But, again, some of the progress that we have seen has been a result of, not just what happened in the last 4 years. It is like me, I came in 3 years ago. The first month I came in, they balanced the budget. It is kind of like saying I came in in 30 days and took care of the budget for you. My colleagues know that that is not correct.

I would say that that has been an effort that has been going on. Part of the credit belongs to Governor White in the 1980s. Part of the credit belongs to a lot of the people that have worked hard down there. We still have a long way to go. Part of the credit belongs to Ross Perot and the committee that he had in Texas and making some things happen.

Joining us also tonight is the gentlewoman from Florida (Ms. BROWN). I am going to ask her to say a few words. I know she is familiar with Jeb Bush there in Florida, and I know she wanted to make some comments as it deals with affirmative action policies that impact on education and various other comments.

Mr. Speaker, I yield to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Speaker, I want to thank the gentleman from Texas for really holding this special order.

It is interesting that George Bush, like his brother Jeb Bush in the State of Florida, has promised to improve the educational gap between minorities and white students by trying to do away with affirmative action. I was not at all surprised to learn from my Texas colleagues that under the governorship of George W. Bush in 1996 and 1997, Texas ranked 38 in the Nation for financial aid given to needy students, and that Governor Bush did not include any additional Head Start funds in his 1999 Federal education proposal, despite the fact that it is currently serving only two in five eligible children.

Today I want to talk about the Bush brothers' attack on affirmative action and what has gone on in my State of Florida. In Florida, Governor Jeb Bush is attempting to ram an education plan through the State of Florida called ''One Florida.'' In reality, this plan should be called ''Florida School for the Elite.'' This plan does away with affirmative action in Florida's university admissions.

I am here today as a Member of Congress because of a tool called the Voting Rights Act. It took Florida 127 years to send an African American to Congress, and that was just 8 years ago. So we really still have problems in Florida.

Thurgood Marshall, who was the only Supreme Court Justice, in my opinion, African American, but he said a snake is a snake. It does not matter whether that snake is a black snake or a white snake. If he bites you, the result is the same.

Now, Governor Bush, Jeb, has tried to mislead the people of Florida by telling them that the Clinton administration and the Department of Education support his initiative. That is not true. The policy of the Clinton administration on affirmative action is mend it; do not end it. Mend it; do not end it.

Florida has never been a color-blind or gender-neutral State. In fact, race is a factor and is a factor that is very important. Recently upheld in the Supreme Court, a decision as recently as in 1995, is the Adarand decision.

The law of the land still affirms that affirmative action is lawful in the United States of America. It is in the Government's interest to address this limited minority participation in the social and economic structure of this country.

Now, I want my colleagues to know that my governor had a special session

on how we are going to kill people in Florida, how we are going to execute them in Florida, but would not have one on how are we going to save our kids.

Florida ranks 47th with the number of our graduates that attend higher education, ranks 47th. But yet we want to come up with a plan that would exclude another group from attending our universities.

The real sad thing about it is the courses, he talks about the top 20, half of the courses that they are talking about are not even offered in the public school system in Florida. Half of the courses are not even offered.

So when we were discussing this matter, they say, do not worry about it, do not worry about it. We will put these classes on the Internet. What a joke. Have they not heard of the digital divide? The computers are not in the community. They are not in the schools.

I have been a representative in Florida for over 18 years, and I know what happened as far as the funding of the educational system. The schools that I represent are the ones on the other side of the track, on the other side of the bridge, on the other side of the railroad track. They are the ones that have not been funded.

So we have this A Plus plan and the F plan, and we are going to give money to the A plus schools. Those are the schools that have been given the money all along. The D-F schools, as opposed to try to improve those schools, well, we are going to give them a voucher. So what we are trying to do in Florida is destroy public education. Give them a piece of paper that does not cover the costs.

In fact, 90 percent of the kids in Florida and in this country go to public schools. So rather than addressing the problem, what we are doing, we are coming up with gimmicks and slogans.

People need to understand that it is not who comes to your barbecue, it is how they stand on the issues that is important to you. This has really been a wake-up call in Florida.

Our late governor, Lawton Chiles, as recently as 1998, signed an agreement with the Federal Government to improve minority participation and female participation in higher education in Florida. Not only recruitment, but recruitment and retention because of the historical problems that we have experienced in Florida.

Let me give my colleagues another statistic in Florida. In school districts that are 40 percent black and 60 percent white, 95 percent of the special education students are black boys. Special ed is not a way to go to college. We need to work on that. As I said before, Florida ranks 47th with the number of our graduates that go on to college. We in Florida need to be working to try to improve that program.

I also said almost 50 percent of the African Americans in Florida go to schools that do not even offer the courses that they are requiring. They say, well, in the top 20 percent, what we will do is we will admit you to a school, a school; but we are not including the schools like the University of Florida, Florida State, or the University of Central Florida.

Do not sit here and tell me tonight that the only students that should be able to go to University of Florida are our fine basketball players and football players. No, we want kids in law school and medical school. We want to have others. There is a provision to exclude basketball and football.

But I have to be concerned today as I speak where we have one student graduating at the University of Texas and the University of California, one African American in law. They have the same number as the University of Mississippi.

We are not going to let that happen in Florida. I am committed that our State will remain one of inclusion, that we will consider all of our kids.

I can really thank the Bush boys, because this has really been a wake-up call for us in Florida. We have been kind of brain dead and not involved. But that is over. We are going to be involved in the education of our kids and the future of all of our kids.

Lyndon Johnson says it is not enough to open the gates of opportunity. All of our citizens must have the ability to walk through those gates. Let us remember what President Clinton remarked in his latest visit to Selma. He said, ''We have come a long way, but our journey is not over.'' I mean, because of all of the great things that has gone on in this country, we have to make sure that all of our kids, black and white, get an opportunity to cross the bridge.

Mr. RODRIGUEZ. Mr. Speaker, I know the gentlewoman from Florida (Ms. BROWN) mentioned the issue in terms of the number in Texas. It is appalling to see that the law school at the UT, which is supposed to be a little more liberal than most, had accepted 500. Of those, I think they had about four African Americans. Then only one that actually went in.

So I would agree with the gentlewoman from Florida that, if they outreach the way they do for athletics, they could definitely outreach to get some qualified African Americans to go to law school in Texas.

I know that that is unfortunate that those situations exist. I know when the Hopwood case came up in Texas, we were extremely disappointed that this was not the law of the land. This was a case in the district, and it was not one that should have been.

But as soon as that came out, they wanted to make sure they followed it without recognizing that there were still other cases out there that talked about the importance of doing the right thing.

In most cases, even after the cases come about, we need to continue to ask people throughout the country to do the right thing. If one has 500 applicants and one does not have a single African American, there is a problem there. There is a need for us to really kind of look at that. We would ask those institutions, they do not need a law to tell them they have got a problem. They should be able to see it.

Ms. BROWN of Florida. That is correct, Mr. Speaker. I want to tell my colleagues that one of the problems is that these proposals is top down, not bottom up.

I talked with the deans, for example, from the school of nursing. What she indicated to me was that all of their applicants have over 3.0 average. But it is important when they decide or develop the class, there should be some reflection as to the communities that they are going to be going back working in.

There is a shortage of African Americans and Hispanics in the allied health. It is important that it includes it.

One cannot come here and talk about affirmative action and not talk about the history of this country. That is part of the problem. We have had years of slavery, years of Jim Crow, and 35 years of half hearted trying to do the right thing or not even pretending to do the right thing.

So now this is supposed to be some magical day and that it is over and we are not going to consider race. Race is a factor, and we must consider the historical fact.

The gentlewoman from Florida (Mrs. MEEK), when she was in Florida, bright, young lady, could not go to the institutions in Florida. She had to go out of State for education.

Many, many of my colleagues, that was the situation. In certain programs, one could not go to our flagships. One could not go to the University of Florida. One could not go to Florida State. Now, when we are just beginning to make a difference, we are talking about, well, we are going to do away with all of these programs.

Let me tell my colleagues about women, I mean, because that is an area where, even though we have been able to get women into various colleges, we have not gotten into certain programs, like engineering programs or the high-paying technical programs.

So in that agreement that we signed with the Federal Government, we indicated that we would make sure that we would recruit women, not only recruit them, but have programs there for the retention of women in higher education, in various fields.

So we are not going to go back, as I said, not in Florida. We are going to move forward.

Mr. RODRIGUEZ. Mr. Speaker, I want to thank the gentlewoman from Florida for her comments.

Mr. Speaker, I also have with us the gentleman from Texas (Mr. GONZALEZ) who is also joining me from San Antonio. He will be making some comments.

The gentlewoman from Florida (Ms. BROWN), I know the comments she has

made are serious. I know in Texas we have a long way to go, and I want to thank the gentlewoman for those comments. I know she mentioned also a little bit in terms of making sure that we provide for our youngsters. As we enter this new century, we have to make sure that one of those cornerstones is making sure that our classrooms are well wired, that our classrooms are well equipped to be able to handle the new technology.

One of the things that, under this administration, I was real pleased to see that we have expanded, when Clinton started, we had only 3 percent that were connected to the Internet. That has gone to 63 percent. It is still not there. We still have a long way to go.

Ms. BROWN of Florida. Mr. Speaker, can my colleagues imagine Florida saying, courses that one has to take, they are going to put them on the Internet? Even though they are wired, they are not hooked up. My colleagues can go to schools in my district, and half of the schools we do not have computers in the classrooms.

My colleagues go to another side of the track, there is computers in all of the classrooms. There are refrigerators and air conditioners. No matter where a kid attends school in this great country, we should have ''A'' schools all over. We do not destroy our system by doing away with the schools. We work to bring all of the standards up.

Mr. RODRIGUEZ. Mr. Speaker, I am on the Committee on Armed Services, and I really feel that part of our national defense is going to be directly tied into the level of our education of our people, just like economics.

Mr. Speaker, I yield to the gentleman from San Antonio, Texas (Mr. GONZALEZ), and ask him to join us in the comments.

Mr. GONZALEZ. Mr. Speaker, I thank the gentleman from Texas very much for this opportunity to join him tonight along with other colleagues that are discussing one of the most important issues facing our Nation, and that is the adequacy of our education system.

They say that a picture is worth 1,000 words; and that is what I have here today. It is going to be a series of six pictures that I have blown up. I think as people view this, they will be able to relate to it because this is an experience, this is a situation that basically exists in everyone's home district.

This first picture is a picture of one of those buildings that are more often called temporary but really are permanent. My colleagues know what I am talking about, those that went up sometimes as long as 30 years ago.

Now, safety is going to be an obvious consideration here. My colleagues can see that it is on blocks. There is an open area underneath there. The sign on the wall says that all visitors stop at the office.

But we know in today's climate, and if one wants one's children in a safe environment, does one want the building out there that is easily accessible to anyone off of the streets? Of course not. This is the problem that we have.

We will go to photo number 2. Now, this is going to be a picture that is kind of dear to my heart, and there is going to be a special reason for it. Back here, my colleagues see these temporary buildings. They see the old existing building. This is Mark Twain Middle School.

This school is located six blocks from my home. Now, my brothers and sisters went to that school. My father also went to that school. My father will be 84 years old this May. He went to this school more than 70 years ago. That is going to be part of our problem. That is the aging, deteriorating condition of our schools.

In this school, the amazing thing is that kids from these temporary buildings have to go into the main building regardless of weather because that is where the student bathroom is located. They do not have any facilities even near this particular building. I am very familiar with that campus.

We will go to number 3 now.

□ 1900

We all think of libraries as a place of learning. Look at this library. The paint is all peeling off the ceiling. We can see it. It actually flakes and falls off of the ceilings onto the teachers and students on a weekly basis.

What is really startling here is that we see about 10 computers. Those 10 computers serve 900 students at Mark Twain Middle School in San Antonio, Texas.

We will go to number 4. Thank God for counselors; right? Now we can see the counselors' office. Three counselors for 1,000 students; and this is where they are counseled. I will tell my colleagues that I have been in that room, and I am convinced that was once a utility closet. They did not tell me that, but I know they are utilizing other closets for other purposes such as offices.

We will go to picture number 5. Now, do they need space? The good news was that recently the school district bought some additional chairs, and so they brought these boxes in. They just did not know where to put them while they moved out the old furniture. They do not have a square inch in that whole facility to even store anything, so these boxes of course were out there in the middle of the hallway for some time.

We will go to the last picture, number 6. One of my favorites. This is another temporary building that somehow became permanent. The majority of these buildings now, where the students are housed and taught, are really in the temporary buildings. Everyone that sees this can relate to it.

Now, we heard earlier on this floor where we had Members of Congress extolling the virtues and the wonderful performance of the Final Four in the basketball championship. I guarantee if those kids had started off in this middle school, they would never have honed or perfected their skills, their athletic abilities, because they could not.

If my colleagues can see, back over here is the basketball goal, which is now located 3 feet from the temporary building. It is no longer a playground; it is no longer a basketball court. But that is what is happening in our schools.

By way of background, in 1995, the GAO conducted a study, and this is what they discovered: forty percent of America's schools reported needing $36 billion to repair or replace building features such as a roof or plumbing. Something as basic as a roof or plumbing.

Two-thirds of America's schools reported needing $11 billion over a 3-year period for repairs and renovations dealing with accessibility and health and safety problems, such as the removal of asbestos, lead in water or in the paint, and materials in underground storage tanks.

Fifty percent of America's schools reported unsatisfactory environmental conditions, such as poor ventilation, heating or lighting problems, or poor physical security, which should be uppermost in our minds.

One-third of America's schools needed extensive repair and building replacements at a cost of $65 billion. These schools throughout the Nation house 14 million students.

The demand for Internet in our schools is at an all-time high. This study showed, according to the National Center for Education Statistics, only 39 percent of classrooms in our poorest schools have Internet access. Not having Internet access today is like not having a library.

My colleagues know what I am talking about. This is not what we wish for our children or any child in this great Nation of ours.

In addition, the National Center for Education Statistics reported that in 1999 America's schools were wearing out. The average public school in America is 42 years old, and school buildings begin rapid deterioration after 40 years. We are well aware of that.

That is the problem that faces us. So what do we do about it? Do we throw our hands up and say, oh, we cannot do anything about that; let us give in? Of course not. Our goal, though, is not all brick and mortar. Our goal is not to repair, renovate, and rebuild these schools solely to have a nice building. That is not it. It is part and parcel of a grand plan, and it is an essential component in this grand plan.

What I am talking about is reducing class size. Every parent that goes to a school where they are going to enroll their child, the first question they ask is what is the size of the class. What is the teacher-student ratio. That is the first question anyone would ask. But we do not even have the physical facility to accommodate smaller classes in

most schools in my district, which is in San Antonio.

What do we get out of reduced class size? We have safe and orderly places for learning, to begin with. We have improved performance of students and teachers. Every study reflects the smaller the class, the better an educational experience for the child. There is no doubt about that.

Now, I am not here to say that only Democrats have these concerns, and I am not here to say that only Democrats have all the answers. That is not true. We have most of the answers. And a good example of a bipartisan bill was the Rangel-Johnson Better Classroom Act. And I am now just going to briefly go over it.

This bipartisan bill would subsidize $24.8 billion in zero interest school modernization bonds. The Federal Government would provide tax credits for the interest normally paid on these bonds. Bonds that would have gone to pay bond interest would be freed for other educational needs. For each $1,000 of school bonds, States or local school districts would save as much as $500 in payments. Yes, out of $1,000, they could save $500 in interest service payments.

So what was the Federal Government's role in this? What would be the burden on the Federal Government? What would happen to local control? States and eligible school districts would complete a review of construction and renovation needs. I repeat, the school districts and the States would conduct the studies. State plans would include processes for allocating funds to areas with the greatest needs. The Federal Government would provide a tax credit to the bond purchaser equal to the interest that would otherwise be paid on a school construction bond. No new Federal bureaucracy would be created.

So my colleagues might say, that sounds like a great idea; what happened to it? It died in a Republican-controlled committee. They are in the majority, and they can do it if they want to; and they did it in this bipartisan bill. Not bipartisan enough as far as the number of Republicans that would come and join us in this wonderful plan and proposal. But this is the problem today.

I started off my remarks by saying that a picture is worth a thousand words. I also will end it by saying that talk is cheap. Words are cheap. What we want to see is action. What we want to see are tangible results. So we may have individuals out there that are touting themselves as the education governor of Texas, but if Texas is such a great model, then I would ask all of my fellow Members in this House, 434, those that are not from Texas, I would ask them to adopt Texas as the model; strive for Texas's great place in education, if that is the great progress that has been made in the past 5 years under Governor Bush.

Talk is cheap. I ask Governor Bush and I ask Members on the other side of the aisle to join hands. Let us not give up on an educational system that provides an education to 90 percent of the children in this country, the public school system. It needs improvement. There is no doubt about that, and we all agree. And we can do it if we work together. But we cannot replace it by simply saying we have a voucher program or let us just privatize it. That will not work.

Let us not lose faith in our public schools. If we lose faith in our public schools, we lose faith in the students. We lose faith in our children. We lose faith in our future.

Mr. RODRIGUEZ. Mr. Speaker, I want to thank the gentleman for those great comments. I think he has brought this to light in terms of one of the issues. And I want to share with the gentleman the fact that when we did a hearing on violence, one of the key things that they found was classroom size and the importance of making sure we had construction money to rebuild our schools in this country.

I think it is going to be important to make sure we upgrade our technology. We want to make sure that the digital divide does not occur and that cyber-segregation does not happen. I think it is important that every school have that opportunity to be able to provide for their youngsters what is needed.

The gentleman mentioned libraries. I know libraries are having difficulty buying books and also buying the new technology.

□ 1915

Those resources are key. And I want to take this opportunity to thank my colleague for joining me tonight as we have talked about this particular issue which is very key, and that is meeting the needs of education in this country.

As we move forward, we know that the solution is a variety of answers. Both classroom sizes, making sure we have new construction for our schools, making sure we meet those demographic needs that are out there, making sure that we have after-school programs, making sure that we reach out to those 3- and 4-year-old youngsters with Head Start and a variety of different types of programs, and also making sure we have qualified teachers that are out there providing that instruction that is needed.

That requires a commitment, and we are here to let our colleagues know that we are going to make that commitment to make sure that we meet the challenge of the 21st century.

Mr. Speaker, I want to thank our colleagues for allowing us to have this opportunity to be here tonight and dialoguing on the important issue of education, which, as my colleague recognizes, is very important and very key to all of us and one of the things that we need to all be responsive.

GRANTING PERMANENT NORMAL TRADE RELATIONS TO CHINA

The SPEAKER pro tempore (Mr. GARY MILLER of California). Under a previous order of the House, the gentleman from Washington (Mr. SMITH) is recognized for 5 minutes.

Mr. SMITH of Washington. Mr. Speaker, I rise tonight in support of granting permanent normal trade relations to China, a vote that this House will face possibly as soon as next month.

I consider this to be the most important vote that I will take as a Member of Congress and am strongly in support of it, not just for the economic advantages that it will bring to the U.S., but for the far more important reason of national security and global security, a peaceful world. I think both of these issues are critically at stake in this vote that we will take.

What permanent normal trade relations for China means is that the U.S. has negotiated a trade agreement with China. In exchange for giving them permanent normal trade relations, we will get from them dramatic reductions in tariffs across the board on goods and services.

This is tied into China's entry in the WTO. But it is important to point out that, regardless of what this body does in permanent normal trade relations, China will probably enter the WTO. The rest of the world has as much to say about that as we do.

What we can decide in this House is whether or not we gain the benefits from the permanent normal trade relations treaty that was negotiated with China. In other words, will we begin the economic advantages of reduced tariffs on goods and service across the board to China.

There was a lot of concern about the trade deficit with China. What better way to reduce that than to have a trade agreement that lowers China's barriers to our goods but does nothing to change the barriers to their goods coming to our country. It helps level the playing field and would be a tremendous economic advantage for this country. In agriculture, in my own region, in aerospace and software, name it, we would have an advantage of gaining access to the Chinese market and, therefore, help improve our economy.

As I pointed out, this does not necessarily mean China will come into the WTO. The rest of the world will decide that issue. But the economics are only a tiny part of it.

What is far more important to me is the national security implications, the long-term implications that that has for this country and the rest of the world. We need to peacefully coexist with China. I, for one, do not want another Cold War.

I do not want a hostile relationship with China. We must engage with them to prevent that. I believe that we can. We have followed a policy of engagement and we must continue on that if we are to have a peaceful world. Another Cold War could lead to trade wars and can ultimately lead to military wars and World War III. I do not want that.

China is a country of 1.2 billion people. It is an emerging power. Whether we are engaged with them or not, they will be an emerging power. I want them to be one that we can peacefully coexist with, and trading with them is a critical first start to that effort.

Now, opponents of China typically start out their arguments by pointing out all of the bad things about China, and I will not disagree with any of those. On human rights, on labor rights, on protecting the environment, on their relationship with Taiwan, on basic Democratic freedoms, China has a long way to go. They have a horrible record across the board. And I will rise with all of my colleagues and say that as often as possible and urge China to improve.

But it is not as simple as saying, if China has done anything bad, therefore, we should not trade with them. The question is, how are we going to pull them forward? What course of action is going to improve human rights, is going to improve labor rights, is going to improve how China treats Taiwan? Isolation?

We tried isolation with Cuba for 40 years. Cuba is a tiny nation not 90 miles off of our coast, and our efforts at isolating them has not done one little bit to improve any of their record on democracy, human rights, or anything.

Do we really believe that we can isolate China and pull them forward, a nation of 1.2 billion people with its own power source? If we cut off China, we will be leaning towards a bipolar world that will do nothing to improve human rights.

That is why many human right organizations have said that engagement with China and entry of China into the WTO is critical to us having a better relationship with them and critical to improving human rights in China. We must show them what a capitalist democracy can do. If we do, their people will demand the basic freedoms that the rest of us enjoy. To the cut them off and to isolate them is to empower the hardliners in China who want to maintain the brutal dictatorship forever. We must engage with them and pull them forward.

Many also argue that because of China's attitude towards Taiwan we should not give them access to the WTO. Taiwan wants China in the WTO. They are the ones most affected by that. And they want it for a very logical reason. In essence, they would be trapped in a room with a bully with nobody around. They want as much company as possible. They want the bright light shined on China and their activities for their own protection.

We have many concerns in this area, but giving China PNTR status is going to do more to pull forward those concerns than anything else.

I strongly urge our body to support PNTR for China, not just because of the economic advantages, but because it is important to the future of the world.

VICE PRESIDENT GORE'S ENERGY POLICY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from California (Mr. DOOLITTLE) is recognized for 60 minutes as the designee of the majority leader.

Mr. DOOLITTLE. Mr. Speaker, tonight marks the third installment in a series of special orders begun last summer that Members of the House have held on the record and views of Vice President AL GORE.

The Vice President is fond of attacking the work of the majority in the House. We conservatives believe it is important that Americans understand why AL GORE finds our record of cutting taxes, balancing the budget, eliminating wasteful spending, and restoring common sense environmental policies so contemptible.

We believe it is important that the American people know what their Vice President actually stands for. Today, we will examine Vice President GORE's energy policy.

American motorists and hard-working truck drivers in rural and urban areas, particularly those with lower incomes, are getting squeezed by soaring gas prices.

Unfortunately, the Vice President is not there to help. In fact, he is cheering the prices on. It would distress the American people to learn that the Vice President is pleased with this turn of events. After all, he has long advocated policies expressly intended to raise the price and decrease the availability of gasoline to the American people.

He thinks that we just plain use too much of it, the only way to get us to cut back is to raise the prices. Whether it happens through conservation or supply cutbacks, price controls, or tax increases, the end result is what matters. And not only gasoline but all sources of energy he thinks other people should not use are targeted. The Vice President has long advocated his disturbing energy policy, summed up as the less energy used the better.

Tonight we will highlight excerpts from his apocalyptic book Earth in the Balance and other statements the Vice President has made in the past.

Parenthetically, I note this book is being reissued. I am delighted to hear that. I recommend its reading by every informed American so that they will clearly understand what they are getting when they have AL GORE as the Vice President.

Since taking office in 1993 with President Clinton, Vice President GORE was essentially seated in environmental policy for the administration. The administration wasted little time in pursuing an agenda of strict controls on energy. Indeed, it was not more than a couple of months after taking office that a Btu tax was first proposed in 1993 that would force people to feed big government in direct proportion to the amount of energy they consume.

While even the Democrat-dominated Congress rejected that approach, a 4.3 cents per gallon surtax was successfully levied on gasoline. In fact, the Vice President cast the deciding tie-breaking vote in the upper body that allowed this commuter-punishing tax to be enacted. And it remains with us until this day.

Vice President GORE advocated this tax hike not so much to increase revenues for the Federal Government but really to help increase the price of gas and help keep Americans out of their cars. But the price of gasoline has increased so much recently as to dwarf those 4.3 cents per gallon.

It represents the best of all worlds for Vice President GORE. He has the higher gas prices, which he favors on policy grounds, but he did not have to pass such a massive tax increase in order to accomplish it.

To those complaining of high gas prices, Mr. GORE would say, too bad. It is for your own good. Buck up, take your own medicine. If you do not like it, then invent a more efficient engine, ride a bicycle, or take the bus.

Tonight we will talk about the foreign policy failure of this administration, which, by its own admission, was ''asleep at the wheel'' on this vital international issue. We will discuss how the administration deliberately increased our dependence on OPEC and other foreign sources of oil in the first place.

The United States actually has the potential to become much less dependent on foreign powers for oil, but to do so would conflict with the Vice President's utopian new-age vision beautifully laid out in this book Earth in the Balance.

Not only oil but other prominent energy sources have been attacked by the Clinton-Gore administration. The Vice President has urged Americans to find alternative energy sources as an answer to our current woes. Well, those have been tried before and they have failed despite heavy Federal subsidies.

As my colleagues can see here in this chart, this thin red line represents the alternative energy sources, which is just about one percent or so of the total energy consumption in the United States.

The Kyoto Emissions Treaty negotiated by the Vice President would have a devastating impact on American's lives. The upper body wisely refused to ratify it, but the Clinton-Gore administration is trying to implement it stealthily nonetheless. It would make the present situation with gasoline prices pale in comparison.

Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. GEKAS).

Mr. GEKAS. Mr. Speaker, I thank the gentleman for yielding.

The gentleman performs an excellent service to his colleagues in holding this special order this evening to continue his quest for awareness by the American public of the lack of policy for long-term self-sufficiency for the United States and, worse than that, the implementation of a short-sighted policy that can hurt the American citizen in the short term and the long term.

It was interesting to hear the gentleman report that the energy policy, if we want to call it that, on the part of the administration calls for less consumption, less utilitarian use of energy, less.

Everyone knows that the prosperity we are enjoying now and the prosperity which we want to enlarge depends on innovative ways to use energy to propound the materiel by which we produce and by which we span the world in telecommunications, that we need more energy and, therefore, more consumption. And in order to do that, we cannot gain our goals by shrinking back on consumption, shrinking back on energy sources. But, rather, we must do exactly the reverse.

That is why I have introduced legislation which I commend to the gentleman from California (Mr. DOOLEY) which calls for the establishment of a blue ribbon commission, much like we had with the Social Security problems of 1977 and 1983, which came forth with solutions that are still on the books and which serve to save the Social Security system, but anyway, a blue ribbon commission to establish ways and means by which the United States of America can become self-sufficient at energy within 10 years.

□ 1930

Before everyone bursts into laughter at the impossibility of bringing about self-sufficiency within 10 years, I remind everyone that everyone laughed at President Kennedy when he felt that within 10 years we should be, from his time, on the Moon, and we were. I believe that we can develop a policy that will lead us to the promised land of self-sufficiency within 10 years. But then in order to do that, we have to reverse this administration's course, and that is what the gentleman is saying this evening, reverse it by allowing fullest consideration of the oil reserves in Alaska. That goes without saying. That has to be fully explored. And if the people of Alaska themselves are eager to develop their own resources for the benefit of our country, who are we to say in Washington, D.C. that the Alaskans do not know what they are asking? They know what the value is of their resources, with due consideration for the environment, the wildlife and all the other considerations. They know best about that. Yet they are the ones who are the primary forces behind the idea of considering full exploration of Alaskan oil.

Then we have our lower 48 resources which have to be fully developed. This commission that I envision would look at the way that we failed in the past with oil depletion allowances and with excess profit taxes and with disincentives rather than incentives for exploration of oil and to consider all the possibilities of how we can fully develop that oil and natural gas and all the other possibilities that abound in our own Nation.

We can become self-sufficient. We need more energy. We can do it. This would have another bonanza, I believe, with it. I think the gentleman will agree, if we think it through together, that if we embark on a program of self-sufficiency within 10 years, in the short term it will help us in another way. OPEC will get a signal, all the other oil-producing countries will get a signal that no longer are we going to be satisfied to bow at the knees of the OPEC countries and beg for more oil. They will get the signal that we are intent on becoming self-sufficient. What will that do? That will make them more temperate in the fluctuation of oil production and prices that they have been engaging in for all these years and that will help us in the short term and in the long term.

And then as we move gradually towards this self-sufficiency, we will see our prosperity expand to unknown limits. I believe that even the alternative forms of energy will find a proper place, solar and wind and the geothermal and other kinds of alternatives that we can space out for our country's use over the next 10 years and then thereafter be totally self-sufficient.

Mr. DOOLITTLE. I could not agree more with the gentleman. I remember reading these figures. At the time of the Gulf War, we were only 36 percent dependent on foreign oil. Under the Clinton-Gore administration, we have now slipped over the line to the point where now we are 56 percent dependent on foreign oil, and the policies that they are providing to this country will make us even more dependent into the future. I think you just have to ask yourself, would a Teddy Roosevelt have let this happen? Would a great President or a great administration have put us at the mercy of these governments that control most of the world's oil supply? I think the answer is clearly no.

Mr. GEKAS. I will conclude by thanking the gentleman for the time that he has allotted me and to end by saying I as an American citizen am totally embarrassed and humiliated at the thought of having to beg the OPEC countries to produce more, to send us more, to sell us more of their energy product. It is humiliating. I think our whole Nation is humiliated by what has occurred. We have got to reverse this impact and become self-sufficient so that the OPEC countries eventually will come to beg us to sell us more oil, to beg us to buy more oil.

Mr. DOOLITTLE. I thank the gentleman for his comments and participation this evening.

I ran across an interesting quote here. This is by our President, very recently as a matter of fact, March 7, speaking at the White House.

''Americans should not want them,'' referring to oil prices, ''to drop to $12 or $10 a barrel again, because that takes our mind off our business, which should be alternative fuels, energy conservation, reducing the impact of all this on global warming.''

We talked about alternative fuels. It would be great if we could increase the size of this. But despite heavy Federal subsidies, we have not made much progress.

Let me now observe that in his book I referred to, Earth in the Balance, the Vice President referred back to that book just about a year ago and is quoted in Time magazine on pages 65 through 67, April 26, 1999. If there were ever a doubt that maybe his views have changed somewhat in light of events that have transpired, that maybe he has reconsidered certain outlandish statements made in the book, well, it is apparent that that is not the case, because this is what he said:

''There's not a statement in that book that I don't endorse. The evidence has firmed up the positions I sketched there.''

I think there is some pretty interesting material in that book. Let me talk a little bit about the failure of the foreign policy of the Clinton-Gore administration, because indeed they have deliberately made us more beholden to the foreign oil-producing nations, particularly OPEC. As the Energy Secretary recently admitted, the administration was, quote-unquote, ''caught napping'' regarding the current crisis at the gas pump. OPEC should not have the unilateral power to dictate the price of gasoline that American motorists pay at the pump; but unfortunately this is exactly what is happening.

This really is a national security issue. We have put ourselves at the mercy of many regimes hostile to the United States. The weak, vacillating foreign policy of the Clinton administration has a great deal to do with this as we continue to tolerate the excesses of Saddam Hussein. In case of hostilities with any one of these oil-producing nations, we could have our oil supplies cut drastically with little recourse. The Clinton-Gore administration response was to beg OPEC to increase production, and so we went hat in hand asking them, please increase production. We need an administration that will strongly advocate U.S. interests and will produce policies that will take care of the national security of all Americans.

Let me just comment on this energy policy. Here are a few facts that have been assembled, alarming oil and gas facts. Since 1992, U.S. oil production is down 17 percent. Yet consumption is up 14 percent. In just 1 year under the Clinton-Gore administration, oil imports increased over 7 percent. As I mentioned, imports are now at 56 percent and growing rapidly. The Department of Energy predicts 65 percent foreign oil dependence by the year 2020. Indeed some project it will be higher than that. Sixty-five percent importing probably the most fundamental commodity to the interests of this Nation.

At current prices, the United States spends $300 million per day on imported oil, over $100 billion per year on foreign oil, one-third of the total trade deficit. Iraq is the fastest growing source of

U.S. oil imports. In 1990 we had 405,000 jobs in exploring and producing oil and gas. In 1999, that number of 405,000 had dwindled to 293,000, a 27 percent decline. In 1990 we had 657 working U.S. oil rigs. In the year 2000, 10 years later, we had 153 working oil rigs. Our fuel storage has shrunk.

New York lost 20 percent of heating oil storage because of governmental mandates contributing to shortages and price hikes. This year's Department of Energy budget has $1.2 billion for climate change activities but only $92 million for oil and gas research and development. It is clear that the priorities of this administration are not on decreasing dependence on foreign oil, for indeed just the opposite has happened during the nearly 8 years now of this administration. The administration indeed is quite adamant about blocking our attempts to gain energy self-sufficiency. I will just read this quote from the Vice President. He said in October of 1995, ''If they,'' meaning the Republican majority, ''satisfy us on 100 percent of everything else we ask for and they open ANWR in Alaska to drilling, President Clinton will veto the whole thing.''

Mr. GORE is an absolutist in opposition to drilling for new sources of American oil. During his tenure in office, as I mentioned, our demand has grown by 14 percent while our domestic oil production declined by 17 percent. Yet Mr. GORE supports government policies that take many areas of the United States with the greatest oil potential off the table. ANWR, the Arctic National Wildlife Refuge, is a 1½ million-acre arctic coastal plain in Alaska. In 1998, the U.S. Geological Survey estimated that up to 16 billion barrels lie underneath the soil in ANWR, enough to replace our oil imports from Saudi Arabia for 30 years. These reserves can be tapped into with essentially no environmental damage. The development area where the drilling would occur would be less than 1 percent of the whole Arctic National Wildlife Refuge, leaving almost no impact on the environment.

Just to note, at the existing Prudhoe Bay site, the North Slope, which currently provides an enormous amount of oil to the domestic market, wildlife has thrived despite the outrageous and extreme claims of so-called self-styled environmentalists, people with whom apparently the Vice President identifies, that we would do grave harm to the wildlife there. I have been there personally to see it. You would be very impressed with what is going on at Prudhoe Bay and the pipeline. Very, very impressive operation. It has not damaged the environment. If anything, it is looked upon as an asset, and the wildlife has flourished with the facilities that have been placed there.

The people of Alaska overwhelmingly support drilling in ANWR, but the Vice President does not; and as we can see made clear that he would recommend a veto and indeed that is exactly what happened. It was vetoed by the administration. The cost of oil and gas exploration in the U.S. is so expensive through our tax and environmental policies that our own companies would rather search for oil among armed terrorists in Colombia than here. Pushing industry outside the United States does not help the environment because what they do will occur in places where it is not as strictly regulated as in this country. Nevertheless, the production will occur.

Transferring businesses to nations that lack our stringent production standards invites mishaps. Requiring that more oil be shipped overseas increases the risk of tanker accidents. By importing oil, we also are exporting our wealth and jobs overseas. As I observed, the domestic energy industry has lost 112,000 jobs during this administration.

Let us talk about Kyoto. The Vice President wrote in his book, Earth in the Balance, something I think we should focus on for a minute.

□ 1945

''Minor shifts in policy, marginal adjustments in ongoing programs, moderate improvements in laws and regulations, rhetoric offered in lieu of genuine change; these are all forms of appeasement, designed to satisfy the public's desire to believe that sacrifice, struggle, and a wrenching transformation of society will not be necessary.''

Focus on that for a minute. What he is really saying is, in his view, a wrenching transformation of society will be necessary, and that we are fools to think that it will not be. A wrenching transformation of society. Let us see. Could that mean something on the scale of the forcing out of the rural areas into the cities, the peasants in Russia, the so-called collectivization that resulted in the deaths of so many millions. That was a wrenching transformation of society. Or could the period under Mao in China when so many millions were tortured and murdered there, would that be a wrenching transformation of society? That is what I think of when those terms are used. I really think we ought to ponder this belief of the Vice President.

Now, Kyoto, speaking of a wrenching transformation of society, because I believe this is on that magnitude. The disastrous Kyoto protocol was negotiated by the Clinton-Gore administration in 1997, and it would force just indeed such a wrenching transformation that the Vice President envisions in Earth in the Balance, his book written personally, he has reaffirmed by him. And he agrees even more now, or as much now, feels that the arguments have been strengthened in the intervening years since he first wrote it.

The Kyoto protocol requires the United States by the year 2012 to reduce emissions to the levels they were at in the 1980s. The economic recession of the late 1970s caused the United States to cut emissions by 2 percent. Complying with Kyoto would require 3 times the cutbacks experienced during those economic downturns. Those were not good times. We all remember them well, those of us who are old enough to remember. They were very trying times for the United States. It is indeed tragic and frankly, amazing, that someone who has risen to the office of Vice President would propose these sorts of Draconian alterations in our policy.

Happily, the upper body in the Congress voted unanimously to urge the President and the Vice President not to sign the U.S. on to any global warming treaty if it exempted developing countries or injured the American economy. Nevertheless, the resolution of the upper body was ignored and the treaty was negotiated and signed. This treaty basically allowed 132 out of the 168 countries attending the conference to opt out of the treaty on the grounds that they are still developing countries. Among these countries are some of the world's biggest polluters, including China, India, Brazil, and Mexico. So, out of the 168 countries that get to opt out, only 36, including the United States, are precluded by the provisions of the treaty from opting out.

Perhaps the Draconian sacrifices in our standard of living required by Kyoto would qualify us as a developing country. Taken together, developing countries will emit a majority of the world's greenhouse gas emissions by 2015. Yet, under Mr. GORE's treaty, none of those countries would have any obligation to reduce emissions or to obey the rules that govern the United States under the treaty. With so few countries actually agreeing to this protocol, it is highly doubtful that global warming will be reduced.

Happily, the upper body has refused to vote on and ratify the Kyoto treaty. But that has not stopped the Clinton-Gore administration from attempting to end-run the Constitution in implementing it anyway. This administration's 1999 budget included $6.3 billion, an increase to the EPA to draft strict new rules that would unilaterally enact portions of the Kyoto protocol. The cost to U.S. business workers and consumers of complying with the Vice President's Kyoto treaty could be staggering. In real terms, AL GORE committed Americans to reduce our fossil fuel emissions by 41 percent, compared to projections of what we need to maintain our economic growth.

Now, just focus on this for a minute. A 41 percent reduction in fossil fuel emissions would result in huge job losses. Up to 1.5 million workers would lose their jobs in energy intensity manufacturing industries like petroleum, refining, pulp and paper making, cement, steel, chemicals and aluminum, as these jobs move to developing nations not bound by the Kyoto restrictions.

What kind of a policy could that possibly be, to take these high-paying jobs

and send them to some developing Nation and out of the United States to be replaced, no doubt, by more service sector, lower-paying jobs.

Secondly, a 41 percent reduction in fossil fuel emissions would result in a huge increase in the cost of living. American families would pay 25 cents per gallon more due to this alone, this treaty, and $2,000 more annually, for necessary consumer goods, which will experience the trickle-down effect of having the fuel costs raised, and since all of these goods are moved in one way or another and the fuel is used, the average increase for Americans could be $2,000 a year.

Thirdly, due to this 41 percent reduction brought about by the Kyoto treaty, reduction in the fossil fuel emissions, it would greatly diminish U.S. trade competitiveness. Now, we constantly hear out of this administration how they are concerned about trade and they want to increase competitiveness. Well, Kyoto really sets us back. Since 132 countries are not subject to the treaty, the Kyoto treaty will make it much harder for U.S. businesses to compete internationally.

Now, let us get to this: what would it really take? Suppose somehow this were to become law, which the Vice President really wants it to become law and has done everything he could to try and bring that about. Well, it would require huge reductions in total U.S. consumption of fossil fuels: coal, oil, and natural gas. The only practical way to force these cuts would be through steep price increases. That is really what it is all about. That is why the Vice President is happy that the gas prices have gone up. It is long overdue. Economists, friends of the administration, we can read their quotes in the current news magazines, saying how our gasoline prices were way too low and this is a good thing to have them up there, that these economists, some of them, who obviously are very sympathetic to the unfriendly policies of the Clinton-Gore administration, they also decry the rise in SUVs. Americans love their sports utility vehicles. Well, this administration is not at all happy about that, and their friends are not at all happy about that, and they would like to see the price of gas rise so much that one cannot afford to drive those vehicles which they think are bad for the country.

Let me just observe in reference to this point that gas price hikes really are what would be compelled by the Clinton-Gore Kyoto treaty. In other places, where the countries have signed the treaty and which have put the treaty into force, unlike the United States; in Germany, France, the United Kingdom, Australia, and Japan, they have all decided that the only way to reach the Kyoto limits is to raise taxes on fossil fuels. These countries, not coincidentally, in my judgment, are the ones that have had much slower economic growth than the United States over the past decade. What would we expect when the price of gas in Europe for years has been between $2 and $3 a gallon because of the high excise taxes that they have imposed.

Mr. Speaker, we do not want the Europeanization of our energy policy. Cheap energy has been a tremendous blessing, perhaps the single greatest blessing that we could name in terms of economics to the people of this great country. Now we have people in power that are determined to wreck that policy and to replace it with something that will really shrink our standard of living and will make it much more difficult to maintain the prosperity and rates of economic growth that we have had in the past.

Well, we have spent a few minutes tonight talking about the role of the Vice President and his views on energy policy. I am glad that we have had this opportunity, and I would like now to recognize my colleague from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman for yielding, and I certainly commend the gentleman for bringing this Special Order to the floor this evening.

One of the things that I have noticed in my 5 years of experience here on Capitol Hill, having left my previous vocation as a physician and taken up the role of legislator for the people of my congressional district is the nature by which so many of the more outrageous blunders and outrageous statements that come from the Vice President are essentially ignored or passed over by the major media outlets in the United States, the electronic media and many of the printed media outlets, newspapers such as the Post, The New York Times.

One area that is very, very significant in my congressional district is the mismanagement by the Vice President of the space station program. The space station program is a program that was redesigned by the Clinton-Gore team in 1993, and in that process, they brought the Russians in as critical partners where we were now suddenly dependent upon the Russians for critical elements in space station construction. The Vice President was intimately involved with this program.

Over the years, subsequent to 1993 he had a series of meetings with the prime minister, Mr. Chernomyrdin at which various phases of space station progress were negotiated, along with other scientific enterprises that the United States was supposedly cooperating with the Russians on.

There were many people, including the gentleman from Wisconsin (Mr. SENSENBRENNER), the Republican Chairman of the Committee on Science, who warned at the time that this approach and this strategy that the administration is pursuing is risky, is dangerous, and could lead to significant delays in the space station program, significant cost overruns, tremendous amounts of additional costs and, indeed, could ultimately lead to the failure of the program in its very important mission.

Well, now here we are, 7 years later, and lo and behold, all of the warnings of the gentleman from Wisconsin (Mr. SENSENBRENNER) at that time have come to pass, and indeed, we have a situation where instead of saving $2 billion as was originally put forward by Clinton-Gore, the space station program is probably going to cost $4 billion over and above what it was originally projected to cost. We have gone from a savings of $2 billion to an overrun of $4 billion, a $6 billion swing.

What is equally egregious is the program is now 2 years behind schedule and indeed, it is uncertain as to whether or not it is ever going to be able to get back on track.

What is even more disappointing is that the Vice President's fingerprints were all over this, and he has yet to put forward his proposal to get this program back on track.

□ 2000

Mr. DOOLITTLE. Mr. Speaker, I would like to observe that the gentleman is absolutely right.

It is a funny thing. With the Clinton-Gore administration, the only time I have ever seen them interested in saving money is when it comes to cutting taxes. All of a sudden, they are the guardians of the Treasury. Every last dime they have to hang onto so none of it goes back to the taxpayer.

The gentleman just mentioned a $6 billion increase they had gone along with. Their regulatory policies are costing us billions and billions of dollars, the consumer and the country itself. They are constantly pushing for increasing the amounts of money in these appropriations bills. They are vetoing our bills because they do not spend enough money, but if it comes to hanging onto the dollar and protecting the taxpayer against himself by not letting him have a tax cut, they are very good about being parsimonious.

Mr. WELDON of Florida. Mr. Speaker, if the gentleman will continue to yield, I want to follow that, regarding AL GORE's assertions that George W. Bush's tax cut policies are risky. He is fond of using this term. He used this term to describe the Republican tax cuts policies in the past.

The question I would ask the Vice President, which I believe people in the media should be asking him, is why is it risky when we want to give working men and women a portion of their money back, but it is not risky when AL GORE and Bill Clinton spend that money? Which gets to the heart of the issue that the gentleman is talking about. The only time they talk about saving money is when they are talking about not giving a tax cut.

Why, why, why is it so risky to give working men and women some of their hard-earned tax dollars back to spend on their priorities: their kids' college educations, braces for the kids, saving money for the first home, getting out

of an apartment? That is risky, but lo and behold, when they want to increase spending from Washington, when they want to keep that hard-earned money of those working families and spend it on what AL GORE thinks it should be spent on, then that is not risky.

The answer to that is very, very obvious. This is empty rhetoric used as ploy to avoid the thing they despise the most, which is taking power and influence out of Washington, out of the hands of elected politicians, and giving it back to people; giving the money that they earned back into their own pockets and pocketbooks.

I just applaud the gentleman for so many of the issues that he is bringing up.

I was listening to the gentleman's presentation earlier. He brought up the whole issue of ANWR. I am very, very glad that the gentleman brought that up as it relates to what is going on right now in this country with the high gasoline prices, high fuel oil prices that many, many Americans are having to wrestle with, and the impact on their budget.

We have millions and millions of barrels of additional oil available to us in Alaska. President Clinton and the Vice President are standing against exploiting those oil reserves for no rational reason whatsoever.

I went up there to the North Slope, and people like the Vice President talk about the North Slope as though it is this pristine, wonderful place that we have to protect, teeming with wildlife. It is the most barren, moonlike landscape that Members could ever imagine, and the most amazing thing is that the people who live there see absolutely no problem with tapping into these oil reserves.

The technology has gotten so good and so sophisticated that not only do we protect the environment but, as well, the environment is enhanced by the oil exploration efforts that are there.

When I was there, because of the initiatives pursued, they now have ponds that were lifeless that were rendered deeper because they needed the gravel, and now the ponds are filled with fish. Those fish-filled ponds are attracting more grizzly bears. The roads that they build to drive on in the oil exploration efforts raise the ground up sufficiently that various birds can nest along the edge of the road, so we have a proliferation of birds as a consequence.

Furthermore, the Holy Grail, the thing that they ballyhooed was going to get so disturbed, the caribou, it turns out that the herd is multiplying at a much more rapid rate. The size of the herd has increased dramatically because of the presence of the pipeline.

So every single excuse that they use, and what is, I think, the greatest outrage in this whole affair is here we are today, again, the poor working stiffs of America who have trouble making ends meet, who run out of checkbook funds before the month runs out because they are paying more money for gasoline and for fuel oil, their lives could be made better if we were able to tap into those additional oil reserves there in Alaska.

They are very close to the existing pipeline infrastructure. It entails putting in just a short segment of additional pipeline, and would allow us access to millions and millions of barrels of additional oil. The increased production would have the potential to lower the price of oil worldwide and significantly enhance the quality of life for every American, but yet the Clinton-Gore administration stands up and says, no, no, with these empty, irrational explanations for their opposition.

Frankly, I applaud the gentleman from California (Mr. DOOLITTLE). This just further confirms in my mind that we are standing up for the needs of working men and women, and that we must continue to do so. It is very, very critical that we continue to speak on these issues. I am happy to yield back to the gentleman.

Mr. DOOLITTLE. I thank the gentleman.

Mr. Speaker, just before the gentleman got down, I was just saying the same thing about my trip to the North Slope, and the observations the gentleman made about ANWR and the pipeline are right on track.

But the Vice President apparently does not want to open up ANWR because that will take us away from this which he seeks, a wrenching transformation of society. I guess in his vision we are all supposed to suffer a little. Somehow that is for the common good.

That is not the policy that I endorse. Americans are suffering right now with the failed foreign policy and energy policy that has given us this bump-up in the gasoline prices. Long-term, Americans are going to suffer a lot more if we do not reduce our dependence on foreign oil, and opening up ANWR is the first and most vital step to do that; furthermore, in addition to that, reducing the ridiculously burdensome rules and regulations and restrictions that have been imposed on our people in the oil development industry that is forcing them to go to Colombia, where there are armed terrorists; to feel that that is a more favorable climate to do their drilling work than it is right here in the United States.

So the gentleman is absolutely right, things have been out of hand and they need to be changed.

Mr. Speaker, I yield to the gentleman from Florida.

Mr. WELDON of Florida. I want to underscore a very, very important point highlighted by that poster up there. It is very, very clearly spelled out in AL GORE's book, Earth in the Balance.

I would highly recommend every American purchase a copy of this book and read it. If they read this book, AL GORE wants the price of oil to go up. He wants it to go up dramatically. He would like the American consumer to pay substantially more for a gallon of gasoline. I would wager that the current price of $1.50 to $1.80 per gallon is not high enough for AL GORE, because he would like the price to be so high that people would stop driving and that people would start using mass transit. He would like to get them out of their cars.

That agenda is very, very clearly spelled out in that book in black and white. I would assert that if any Republican had ever written a book with the outrageous assertions that are put forth in that book, that that Republican candidate for president would be excoriated by the American news media; that every single outrageous statement in that book would be attacked and questioned. That candidate could not go anywhere in the Nation where a reporter would not come up to him and ask him, how could he make these outrageous assertions?

Let me just read what that says there: ''Minor shifts in policy, marginal adjustments in ongoing programs, moderate improvements in laws and regulations, rhetoric offered in lieu of genuine change, these are all forms of appeasement designed to satisfy the public's desire to believe that sacrifice, struggle, and a wrenching transformation of society will not be necessary.''

How outrageous a statement can we find? It is disparaging of public opinion. He says, ''designed to satisfy the public's desire,'' as though that is something we are not supposed to do; as though we are supposed to have some higher knowledge and calling and that we are somehow supposed to ignore them, the people who are literally our bosses, and that we are to do what we think is necessary or what he thinks is necessary, a wrenching transformation of society.

What is that wrenching transformation? He wants to get every single one of us out of our cars. He further goes on to claim that the internal combustion engine is one of the single greatest threats to the human race. How much more outrageous a statement could anyone ever have?

I thank the gentleman from California. He has all of the quotes up there. Within the context of the SEI, the Strategic Environmental Initiative, a plan of the Vice President's, it ought to be possible to establish a coordinated global program to accomplish the strategic goal of completely eliminating the internal combustion engine over, say, a 25-year period.

What will a Gore presidency mean? It will mean the implementation or an attempt to implement that program right there, spelled out in Earth in the Balance: to completely eliminate the internal combustion engine.

Let me just say that if there were a good replacement for the internal combustion engine that was totally pollution-free and was affordable, I think

every American would support that. Who would not want to be able to avoid gas stations? Who would not want to drive a car that does not spew fumes?

But the reality of physics, the reality of modern science today is the internal combustion engine is the only affordable way for people to get about, and God forbid we have a situation where politicians from Washington are trying to completely eliminate the internal combustion engine, let alone no one other than the President of the United States.

I just want to wholeheartedly congratulate the gentleman from California on bringing these issues to the forefront. These are the issues that we should be debating, what are the underlying philosophies and beliefs of the candidates.

I certainly thank the gentleman, and I would be more than delighted to do this again with the gentleman from California.

Mr. DOOLITTLE. I thank the gentleman. We will be doing it again soon as we examine other aspects of the views and the record of Vice President AL GORE.

EDUCATION

The SPEAKER pro tempore (Mr. WALDEN of Oregon). Under the Speaker's announced policy of January 6, 1999, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, I heard the previous speakers close out with the name of AL GORE. I understand they have been talking about the Vice President, who is the probable Democratic Party nominee for president.

I certainly would like to begin my statement with a hearty congratulations to Mr. GORE for proposing a $115 billion education reform program over the next 10 years, to allocate $115 billion over the next 10 years.

The details of Mr. GORE's proposal I do not particularly agree with. However, the perspective, the understanding of the need and the scope that we have to move on is welcome. I welcome Mr. GORE's vision, I welcome his commitment, and he is in line with where the American people want to go.

I think we are in an area where the people, the ordinary citizens, are out there ahead of the Members of Congress, ahead of the decision-makers even in the White House, ahead of the decision-makers in the local governments and in the State governments, because the polls repeatedly keep showing that the average American out there views education as the number one priority for governmental action. Education is the number one priority.

There was a time when education was in the top five, in fact, that has been the case over the last 5 years, but education was not number one. Reducing crime at one time was number one, saving social security at one time was number one, Medicare and shoring up the Medicare fund was number one at one time. But not now. Education consistently for the last 10 months has been in all of the polls, and I think the Republican polls are showing exactly what the Democratic polls are showing, that education is the number one concern of the American people.

So a candidate who proposes to come to grips with the problem in a time when we have considerable wealth in this Nation, at a time when we see the estimates for revenue, revenue, being so much greater than expenditures, and the projection after we take care of the surplus of social security and put that away just for social security, the projection is $1.9 trillion in surplus over a 10-year period. So surely it is appropriate that one could talk in terms of investing $115 billion of that $1.9 trillion surplus in education reform.

□ 2015

I do not think that goes far enough. I think that $115 billion is about half of what we need. And the Congressional Black Caucus alternative budget that was on the floor as an alternative to the Republican budget a week ago, the Congressional Black Caucus budget recommended that we use 10 percent of the projected $1.9 trillion surplus, 10 percent should be used for education. Of that 10 percent, 5 should go to school construction and the other 5 percent should go to other kinds of improvements in education; reduction of class sizes by having more teachers, more training for teachers, education technology.

There is a whole range of things that needs to be done and should be done. And for the first time in the last 50 years, the revenues are there. The resources are there. Will we reinvest those resources in education and get a return on them, or will we invest them in trivial weapon systems that are redundant and not needed?

Will we do as the Republican majority has done, add $17 billion to the President's defense budget? The President already put in an increase for defense in his budget that was submitted to the Congress, and the Republicans have added $17 billion to that. Are we going to throw the money away in redundant weapon systems, or are we going to invest the money in education and the kinds of activities that are going to pay off, because there will be a return on those investments?

Now, I have had some comments made about some of the remarks that I have made during Special Orders, especially remarks made about school construction and the fact that I continually seem to be obsessed with one subject. I just want to confess that I have certainly spent a lot of time on this particular subject, on education, in general, but, more specifically, on school construction.

I am going to talk quite a bit about it again tonight, because, you know, in the American political process, the dialogue is invaluable. As a Member of the minority party here in the House of Representatives, all we have left, in many cases, is dialogue, the ability to talk and the opportunity to reach our allies out there in the general public. I have just said we have been reading polls now for the last 10 months, which show that the majority of the American people consider government assistance for education to be the highest priority.

If that is the case, then I have many allies. We have many allies, those of us who want to see more resources from the Federal Government put into education. I want to talk to our allies. I want to talk to all the school children out there who need help. There are 53 million children who go to public schools, and many of those public schools are in serious trouble.

Public schools in the inner cities are in very serious trouble in most of our big cities. Public schools in some of the suburbs also need a lot of help. Public schools in the rural areas are in many cases in the worst shape of all. Help is needed.

I repeat many things over and over again because it is important for us to try to understand this very unusual phenomenon. We have a situation where the people clearly have sent a message that they want to go one way and the overwhelming majority of the powerful decisionmakers in our government are going in a different direction.

The response of the public figures, the public decisionmakers, the response of the leaders, including those who are running for President, has been to talk about the issue of education incessantly. There is plenty of discussion. Among Members of Congress and the Senate and candidates for the presidency, governors and State legislators and city council people and mayors, there is an understanding that when you see the polls, you understand that people are primarily concerned about government assistance for education, your response should be to talk about it, the rhetoric is important; but do not take any significant action, play around with the game of education, make education a game.

Everybody is an expert on education. They want to talk about the phonics system versus the whole word system. They want to talk about the need for more discipline. They want to talk about teachers working harder and the need for certification. Most of the things they want to talk about have some validity, in terms of need.

We need to deal with all of those components. There are different components, and they should be addressed; but few of the decisionmakers, the public officials, want to talk about the need for more resources. They want to deal with the fact that we have Stone Age budgets in our schools. Everything else has taken off. The stock market has soared. It is three times the size it was 10 years ago.

The degrees are different when you start talking about wealth and money

in every other area that you want to examine; but when it comes to schools, suddenly we want to take a horse and buggy approach. We can only see incremental gains being made, small experiments here and there. That is the approach of the present Department of Education. They cannot think big. They cannot see that this is a time to come to grips with the major problem and put major resources behind it; and at the heart of the problem of education is the need for new infractures that I continue to talk about.

It is the kingpin issue, school construction, infrastructure, infrastructure involving a number of things, school repair, new school construction, modernization of schools, the wiring of schools, the developments of new security systems, you know, electronic security systems within schools.

There are a number of ways dollars for infrastructure might be spent, but they are critical in the case of a great number of inner city schools, like the schools in New York City. You need the basics. You need to deal with health-threatening issues. In New York out of the more than 1,000 schools, we still have 200 schools that still burn coal in their furnances. Coal-burning furnaces are still in at least 200 schools; a year and a half ago, there were 275.

I am happy to report that this talk, this repeated focus on the issue has moved some things faster. Certainly in my district, I have seen several schools watch their coal burning furnances being removed and replaced with other cleaner fuels. There are still 200 left.

There are schools in our city, at least a third of them or more, where children have to eat lunch in the morning at 10 o'clock because the school is overcrowded. The lunchroom was built for a certain number of kids. They cannot get them all in there so they have to have three or four cycles, the cycle is three or four. They have to force some to eat lunch at 10 o'clock while some are forced to wait until 1:30 to eat lunch.

The kids at the end are much too hungry and have been deprived, and the kids at the beginning have been abused by having been forced to eat lunch shortly after they have breakfast.

I will not go into all of these examples, which I have given many times before.

Mr. Speaker, I would just like to bring you up to date. I feel it is important to talk about it today because today the Committee on Education and the Workforce, which I have served on for 18 years, has begun the process of a markup of the final section of the Elementary and Secondary Education Act. The Elementary and Secondary Education Act was a creation of Lyndon Johnson and Adam Clayton Powell during the era of the great society.

They broke new ground in providing assistance to elementary and secondary schools. That new ground was broken on the basis of the fact that there were areas of the country of great poverty and where the tax base and various other devices were not measuring up to the provision of adequate education to those children who lived in those areas.

The Elementary and Secondary Education Act's primary focus is on children in poverty, and title I is a primary ingredient of the Elementary and Secondary Education Assistance Act. We have taken care of title I already in last year's session. Now there are other elements in the Elementary and Secondary Education Assistance Act, which we started to discuss today.

I am proud to announce that we spent about the first 2 hours of consideration of the Elementary and Secondary Education Act. They have another name for it. It is called Education Options now. The first 2 hours were spent discussing school construction. This is quite an achievement.

I am here to report tonight that we are winning in the battle to get school construction on the agenda, and the battle to get school construction to be seriously considered. We are winning. We are winning, because not only could we not have a 2-hour discussion in the committee of jurisdiction before, the committee of jurisdiction had ruled that the discussion of construction was not germane.

School construction was not germane a year ago. They would not even let us discuss it. The Committee on Education and the Workforce had surrendered its jurisdiction on school construction to the Committee on Ways and Means.

The only bill in the Congress which dealt with school construction 2 years ago was the bill in the Committee on Ways and Means which was sponsored by the gentleman from New York (Mr. RANGEL) which was supported by most Democrats. It was, of course, proposed by the White House, initiated by the President; and it cost $25 billion in bonding authority to be backed up by the Federal Government with interest payments. The Federal Government, in other words, would pay the interest on $25 billion worth of bonds that States and local education agencies might borrow.

If you borrow the money, all you have to pay back is the principal. The Federal Government would pay the interest, and over a 5-year period that interest came out to be estimated to be about $3.7 billion. In the Committee on Ways and Means, the process of paying back the interest on bonds would have yielded a 5-year commitment of the Federal Government of $3.7 billion for school construction. Now, that is a very tiny amount compared to what we need.

It is at least a recognition that the Federal Government has a role in school construction. We all have supported that consistently. I am happy to report that we are winning. For the first time, the bill also has a Republican cosponsor, the gentlewoman from Connecticut (Mrs. JOHNSON), who is a cosponsor now with the gentleman from New York (Mr. RANGEL). We have hopes that we will have enough votes, if it is allowed to come to the floor, we will have enough votes with the supporting majority party, Republican party, and the Democrats to be able to pass such a bill now that we have Republican cosponsorship, as small as it is, as meager as it is, as inadequate as it is. It at least recognizes the role.

It would be a breakthrough to actually have it pass on the floor or even come to the floor for serious consideration. I assure you that there are real problems with more than just the amount. Not only is it too small an amount but it will not help New York State, for example. The great State of New York with millions of childrens in school will not be helped by this bond authority bill, even though the Federal Government is willing to pay the interest on the bond.

We have had two bond issues related to school construction over the last 10 years and they failed. The voters have voted down two bond issues, and the likelihood that they will vote for another one, even if it has the Federal Government paying the interest, is very slim. So it will not help us.

We need a direct appropriation. There are hundreds of jurisdictions across the country, local education agencies and counties and States that have the same requirement, that the voters have to approve the borrowing of money for schools, and the voters consistently in many places are not approving that.

We had a dialogue about it, though, in the Education and the Workforce Committee. The dialogue was very interesting. We should report the very fact that we had the dialogue, as I said before, is an indication of the facts that we are winning. We are winning because we had the dialogue about school construction on the Committee on Education and the Workforce, which has been in denial for the last 6 years.

Since the Republicans gained control, they have refused to discuss the issue of school construction in the Committee on Education and the Workforce. Today we had a discussion. Part of the stimulus for the discussion was the offering of an amendment by the ranking Democrat, the gentleman from Missouri (Mr. CLAY), to amend the Republican-sponsored substitute by placing in that substitute the President's $1.3 billion direct appropriation for school repairs.

□ 2030

The President has offered $1.3 billion for a direct appropriation for emergency repairs, and that itself is a breakthrough. Because the President and the White House also, for the last 6 years, the last 5 years, have only had one initiative and that is the Ways and Means initiative with the gentleman from New York (Mr. RANGEL) for the $25 billion in authority to buy bonds

and we pay the interest on it. So when the President offered his budget for the year 2001 in February of this year, he included for the first time a direct appropriation, $1.3 billion, for education.

The government really runs on direct appropriations. We do not fund helicopters or aircraft carriers or submarines with bonds. We do not say go out and buy bonds, we will pay the interest. We fund what we consider important with a direct appropriation. We fund the agriculture subsidies to farmers with direct appropriations.

We fund many programs that are questionable with direct appropriations. I will not say that highways and roads are questionable. We all need them. But we authorize the funding of highways and roads and mass transit, too, subways and buses. We authorized $218 billion last year, $218 billion over a 6-year period for highways and roads; and that is going to be a direct appropriation. We did not say borrow the money and we will pay the interest.

So when the Government is serious, when the decision-makers are serious, they do not talk about giving bond authority to go out and borrow the money and we will pay the interest; we have direct appropriations. And if we are going to be serious about school construction, we need direct appropriations.

So I want to applaud the President, the White House, for taking this small step. A journey of a thousand miles begins with one step. They broke the pattern of insisting that school construction funds have to be won through a bonding process, a borrowing process, and they recommended and they put in the budget $1.3 billion.

So we were introducing, the Democrats, the minority Democrats were introducing an amendment to the majority Republican bill which would put the President's $1.3 billion into the bill that we are preparing to bring to the floor. And of course the majority had the votes and they voted it down. But we had 2 hours of discussion, and I consider the 2 hours of discussion in the committee to be a victory, just as I consider the fact that the President moved off dead center and even made the proposal for the $1.3 billion a victory. We are winning. We are winning.

The pressure of public opinion, the pressure of what is said in the polls and what people are telling their Congresspeople is beginning to get through. So I am here to say to all America that we are winning, and we must continue the pressure. Over the next 2 or 3 weeks we are going to be discussing this education bill. We probably have 2 more days before the markup is finished in the committee, and then probably in 5 to 10 days it will be on the floor of the House for discussion. And then, of course, the Senate will act and there will be a conference.

Given the position of the majority party, the Republicans in the majority in the House of Representatives and the Republicans in the majority in the Senate, given the position of the majority party, it is not likely that any direct appropriations are going to pass out of the Congress for school construction. However, the dialogue is important. The record of the dialogue is important. The public ear in listening to the dialogue is important. Because in the final analysis, this issue is going to be decided in a set of negotiations, what I call the end-game negotiations.

The President will veto a bill that is filled with outdated assumptions and throwbacks to the past, like the one that we were discussing today. I want to discuss the nonconstruction parts of it, where they talk about block grants and they are wiping out certain types of programs, including the program which provides more teachers for the classroom. There are many reasons why the President will veto the bill. So having vetoed the bill, there will have to be negotiations before we can come up with another bill. In those end-game negotiations we want the President to hear the voice of the American people. We want him to listen to what they have to say and understand that we are winning.

We are much further along now than we were a year ago. When I first came to the floor with this hat as a symbol, we were way, way behind in terms of the recognition among Members of Congress that school construction is a major issue and it is an issue at the heart of education reform. Democrats and Republicans have a hard time understanding that. Although the polls show not only that education is of primary concern among the American voters, when they broke down education into components, one poll did this, they found at the head of the list of all the things that the public feels should be done in education the item of fixing the schools.

Now, fix the schools can mean a lot of different things, but they mean physically fix the schools. There was repair, new schools, modernization, wiring for the computers and the Internet, but that emerged clearly. The physical infrastructure emerged clearly among the concerns about education as the top concern.

Why? Because a lot of the other things become jokes. Common sense out there among the people and the teachers and the students tells us that it is hard to envisage a modern education with new computers, new technology in the school, in the classroom, if the school has a coal burning furnace and the kids have respiratory illnesses and the teachers have respiratory illnesses. It is kind of hard to deal with the dream, the vision of an education for the digitalized world. The new computers coming in are resented because they would like to see the coal furnace go. Or if the windows are broken and have not been fixed for some time; or if the top floor of the school cannot be used.

One school I know of, with three floors, has the top floor abandoned because the walls are caving in. No matter how hard they try to fix the roof, they cannot stop the moisture from leaking in and the walls on either side are caving in. It is time to leave the school. It is time to abandon that building. But they are still there, and the school is over 100 years old. They cannot believe that we are serious about education when we talk about everything except the physical infrastructure because we say that that is too expensive. Let us focus on something else because we cannot afford to fix that. Let us focus on new technology. Let us focus on the teachers.

The great cry about the fact that teachers are not qualified, and in poor schools we find a large number of uncertified teachers, where people have not even bothered to take the test that certifies teachers, because there is a great teacher shortage in the inner city schools in particular. Number one, the suburban schools surrounding most large cities are paying larger salaries; and, number two, the working conditions are so much better.

Why should a teacher teach in a school that is burning coal in the furnace and have her own lungs jeopardized when they can have a choice and teach under better conditions. Working conditions for teachers are as important as working conditions for people who work in factories. Unions bargain and working conditions are always a major item on the bargaining list. Why should teachers teach in conditions that threaten their health when they can go and teach in schools that are not only safe and healthy but also conducive to learning? They have decent lighting, they are painted, the ventilation is adequate. All of these things do not exist in many of the inner city schools that the teachers are running from.

So we cannot solve the problem of certification by focusing only on the problem of teacher certification. We cannot have high standards for teachers if the pool of teachers is always going to be very shallow. These school systems do not have a choice. If they want a body in front of the classroom, they are going to have to take an inadequate teacher, a teacher that is not certified.

In fact, we had a dramatic situation in one district. In my congressional district there are four different school districts. And in those school districts they have varying kinds of problems, but one has an intense problem with uncertified teachers. The teachers' union offered the uncertified teachers in one district their tuition. They said they would pay their tuition. They would cover the cost if they would go finish their education, so they can take the test and be certified. The majority of the uncertified teachers, many of whom have been around for years, did not want to bother, even with the tuition paid and the benefits the union was willing to offer. They refused.

And, of course, the superintendent of that district said, well, everybody who

refuses to accept the offer will place their job in jeopardy. The answer came back from some of the uncertified teachers, go ahead. Because they knew if they were fired, they could go to another district. If they were fired, they knew there would be nobody in front of these classes. They understand very well things are at such a low point in terms of teacher availability and teacher training that most districts are desperate to have a body in front of a classroom. They must have an adult in front of a classroom, and that is their first priority. They cannot demand that people get certified.

Uncertified teachers do not have the same benefits as certified teachers. They suffer a few hardships, but there are some people in the world who just want a basic job and have no ambition or whatever. The pool is so shallow until we cannot weed those folks out. There was a time when people coming out of college, the first job that they had was teaching. It was a time when large numbers of people, certainly in the minority community, had no options. So we had some of the best teachers in the Nation in the minority schools because we had brilliant people who could not get jobs elsewhere who became great teachers.

That is not the condition that exists anymore. We have a shallow pool to begin with, and if we make it difficult for them, they will not be there. Only those who cannot go anywhere else, the worst, the worst college graduates and the worst lingerers, people who have been around for years and years and not bothered to finish their education, all kinds of people have become uncertified teachers for life. It becomes a career, a career as an uncertified teacher.

So we cannot solve the problem, though, if we do not address a number of issues. And certified teachers have now been given health benefits, vacation, a number of things; but the pool keeps being eroded because the certified teachers, the best teachers, keep leaving a system that has problems, including problems of poor working conditions; poor working conditions that sometimes jeopardize their health.

So we can take any problem that we want to talk about: the fact that the regents of New York State have now said a student cannot graduate unless they pass a battery of tests; English test, math test, et cetera. There was a time when they would allow youngsters to graduate with a general diploma. They would march in the line and nobody would know the difference whether they had really completed all of their work or not. Now the general diploma has been eliminated so the State board of regents that oversees all education in the State looks good.

That is a politician's dream, to take action, affirmative action to do something about poor education. But most of the affirmative action is directed at the students, forcing the students to live up to standards. They still do not have any improvements in the quality of the teachers. There are some schools who lost their physics teachers 5 years ago, and they have not been able to find another person who pretends to know physics. Oh, yes, they will get some English teacher or some person who is brave enough to volunteer to go into the classroom, but there is a great shortage of physics teachers and other science teachers.

There is one school I know of that has not had a physics teacher in 5 years; yet we are going to make this student pass a science test when the teacher is inadequate in the area of science. We are going to make them pass a science test when the school has no laboratory. Not an inadequate laboratory, but there are some schools that have no laboratories where students can go and experiment.

□ 2045

Most of them that do have laboratories are woefully inadequate, they are stone-age creations and have nothing to do with textbooks and the kind of things that textbooks are talking.

The libraries are a disgrace. Most of the libraries have books that are 20 and 30 years old. It is better sometimes not to learn than to learn the wrong facts by reading a 20- or 30-year-old book, especially if it is a geography book or a history book. There are a number of books that it is dangerous to believe the map of the world is the way it looked 20 or 30 years ago, the nations and the United Nations as they were 20 or 30 years ago. And on and on it goes.

So all of these other problems are very real, but if we do not have adequate facilities, if we do not have an adequate infrastructure, the solution to the other problems become that much more difficult.

We have a situation now where we are about to pass, and it is going to pass because very few people are against it, and I have mixed feelings about it, another extension for H1–B.

H1–B is a piece of legislation that comes out of the Committee on the Judiciary which changes the immigration quotas for professional workers. Professional workers, people with expertise needed in a country, the agitation for these kinds of changes comes from industries that have the greatest need.

The industry that has the greatest need is the information technology industry, the industry which uses computers and has taken us into the whole world of digitalization. They need people. There are real vacancies. They are not exaggerating. And I suspect, even with the gyrations of the stock market, the fact that it has gone up and down and some technology companies may be in trouble, I suspect they will have no real impact on their need for more high-tech employees.

So we are going to have the bill on the floor to greatly increase the number of people who are allowed in the country exempted from the other immigration rules given a red carpet into the country to fill these jobs.

I think it was increased less than 2 years ago to 125,000. And now I think they want to double or triple that. They are really going for broke in terms of many, many more to bring in. And that is the way we solve the problem of not having an adequate pool of young Americans who can meet the requirements of the age of the cybercivilization.

We are into the cybercivilization. It surrounds us in many ways, not just industry and the high-tech industries. But in the military they are having serious problems finding young people who have had enough exposure to training in computers and related matters to be able to go into the Army, the Navy, or the Marines and deal with the high-tech military equipment.

The last super aircraft carrier that was launched was 300 people short. They were short 300 personnel because they could not find the personnel who had the aptitude to learn how to operate the high-tech equipment. They probably solved the problem by now. But they had to put out to sea and launch the aircraft carrier 300 personnel short.

So those who think that pouring billions of dollars into defense is a noble and adequate act relevant to our times, stop and think about the fact that the high-tech military that we have is as much in need of brain power as our economy is or any other sector of operation.

Brain power is the power that drives everything. And surely, if the public out there, the voters who clamor for more government assistance for education, if they understand this, why do the elected Members of Congress, most of whom have gone to college, most of whom read quite a bit, most of whom are in an atmosphere where these items are discussed, why do they cling like savages to the taboo that Federal assistance to schools should not include school construction?

Let me just read two items here, portions of it. April 4. ''Today the Clinton-Gore administration put out a 'National Call to Action' to close the digital divide.'' To close the digital divide means that there is a segment of our population, the elite segment, they are very much well versed in the whole digital age, computers and Web sites, and they are off and running, they are making a lot of money, they are improving technology by leaps and bounds, we have geometrically increases in our knowledge, but they are leaving behind them a large segment of the population, not just the poor and the minorities, but there are many children of working families who are not minorities who will also be left behind.

Children of working families in America need first-class schools and need world-class schools, and they are being denied those schools by the kind of decision making that refuses to recognize the need for school construction.

So we have the phenomenon of President Clinton announcing today that over 400 companies and nonprofit organizations have signed a ''National Call to Action'' to bring digital opportunity to youth, families, and communities. President Clinton's ''National Call to Action'' is a challenge to corporations and nonprofit organizations to take concrete steps to meet two critical goals.

Goal one is to provide 21st century learning tools for every child in every school. For children to succeed, they need to master basic skills at an early age. The ability to use technology to learn and succeed in the workplace of the 21st century has become a new basic, creating a national imperative to ensure that every child is technologically literate.

To reach this goal, America needs a comprehensive approach to connect every classroom, provide all students with access to multimedia computers, train teachers to use and integrate technology into the curriculum, and to provide high quality on-line content and educational software.

Goal number two is to create digital opportunities for every American family and community. For all families and communities to benefit from the new economy, we must ensure that all Americans have access to technology and the skills needed to use it. We must work to meet the long-term goal of making home access to the Internet universal to bring technology to every neighborhood through community technology centers, empower all citizens with information technology skills, and motivate more people to appreciate the value of getting connected.

And then the President proceeds to announce a number of initiatives being taken in connection with Government and private industry. And it is the private sector, of course, that is taking the initiatives which involve money, additional funding. Because we are at a standstill here in this Congress in recognition of the fact that we are going into the cybercivilization, and we need to address the investment of more of our money into the education of our populous.

Mr. Speaker, I include for the RECORD the following statement: The Clinton-Gore Administration: Related to a ''National Call to Action'' to close the digital divide:

THE CLINTON-GORE ADMINISTRATION: A NATIONAL CALL TO ACTION TO CLOSE THE DIGITAL DIVIDE

President Clinton Will Announce Today That Over 400 Companies And Non-Profit Organizations Have Signed A ''National Call To Action'' To Bring Digital Opportunity To Youth, Families and Communities. The President will be joined by the Secretary of Labor Alexis Herman, Senator Barbara Mikulski and Julian Lacey, a longtime volunteer at Plugged In, a Community Technology Center in East Palo Alto, California. He will announce his ''National Call to Action'' to help bring digital opportunity to youth, families and communities around the country. Over 400 companies and non-profit organizations have agreed to sign this Call to Action.

President Clinton's ''National Call To Action.'' President Clinton has issued a ''National Call to Action'' to challenge corporations and non-profit organizations to take concrete steps to meet two critical goals:

Provide 21st Century Learning Tools For Every Child In Every School. For children to succeed, they need to master basic skills at an early age. The ability to use technology to learn and succeed in the workplace of the 21st century has become a ''new basic''—creating a national imperative to ensure that every child is technologically literate. To reach this goal, America needs a comprehensive approach to connect every classroom, provide all students with access to multimedia computers, train teachers to use and integrate technology into the curriculum, and to provide high quality. online content and educational software.

Create Digital Opportunity For Every American Family And Community. For all families and communities to benefit from the New Economy, we must ensure that all Americans have access to technology and the skills needed to use it. We must work to meet the long-term goal of making home access to the internet universal, bring technology to every neighborhood through community technology centers, empower all citizens with IT skills, and motivate more people to appreciate the value of ''getting connected.''

The President Will Announce Several Initiatives To Help Bring Digital Opportunity To All Americans. The President will announce the following initiatives that demonstrate a real commitment by the public and private sectors to work together to bridge the digital divide:

$12.5 Million For An ''E-Corps.'' The Corporation for National Service will commit $10 million to recruit 750 qualified AmeriCorps members for projects aimed at bringing digital opportunity to youth, families and communities. These volunteers will provide technical support to school computer systems, tutor at Community Technology Centers, and offer IT training for high-tech careers. The Corporation for National Service will also commit $2.5 million for digital divide projects under the Learn and Serve program, which allows young people to make a difference in their communities while going to school.

Yahoo! Will Invest $1 Million in Digital Opportunity. Yahoo! will provide an Internet advertising campaign worth $1 million to enlist volunteers with high-tech skills for AmeriCorps' digital divide initiative. The Yahoo! banner ads will help AmeriCorps meet the challenge of recruiting volunteers with high-tech skills to work on technology-related projects.

3Com Launches NetPrep GYRLS. In partnership with the YWCA's TechGYRLS program, 3Com will announce NetPrep GYRLS, a $330,000 program that will offer girls aged 14–16 training in computer networking. Currently, women represent less than 30 percent of U.S. computer scientists and computer programmers. The 3Com NetPrep curriculum will allow high school girls to focus their technical education on computer networking, leading to an industry-standard certification. 3Com expects to reach 600 girls in 30 NetPrep GYRLS locations across the country.

American Library Association. The American Library Association will pledge to help bridge the digital divide by working with its members to create or expand ''information literacy'' programs in at least 250 communities around the country. People with information literacy skills are able to recognize when information is needed and have the ability to locate, evaluate, and use it effectively.

President Clinton Will Also Announce His Third New Markets Tour—From Digital Divide to Digital Opportunity. On April 17–18, President Clinton, accompanied by CEOs, Members of Congress, Cabinet Secretaries and community leaders will focus national attention on initiatives aimed at overcoming the digital divide and creating opportunities for youth, families and communities. The President will travel to East Palo Alto, California; the Navajo Nation in Shiprock, New Mexico; and Chicago, Illinois to highlight private and public-sector initiatives to help bring digital opportunity to all Americans. Later this month, the President will travel to rural North Carolina to stress the importance of expanding rural access to the emerging broadband Internet.

THE IMPORTANCE OF BRIDGING THE DIGITAL DIVIDE AND CREATING DIGITAL OPPORTUNITY FOR ALL AMERICANS

Access to computers and the Internet and the ability to effectively use this technology are becoming increasingly important for full participation in America's economic, political and social life. People are using the Internet to find lower prices of goods and services, work from home or start their own business, acquire new skills using distance learning, and make better informed decisions about their healthcare needs. The ability to use technology is becoming increasingly important in the workplace, and jobs in the rapidly growing information technology sector pay almost 80 percent more than the average private sector wage.

Technology, used creatively, can also make a big difference in the way teachers teach and students learn. In some classrooms, teachers re using the Internet to keep up with the latest developments in their field, exchange lesson plans with their colleagues, and communicate more frequently with parents. Students are able to log on to the Library of Congress to download primary documents for a history paper, explore the universe with an Internet-connected telescope used by professional astronomers, and engage in more active ''learning by doing.'' Students are also creating powerful Internet-based learning resources that can be used by other students—such as award-winning Web sites on endangered species, the biology of sleep,human perception of sound, and an exploration of the American judicial system.

Access to computers and the Internet has exploded during the Clinton-Gore Administration. Unfortunately, there is strong evidence of a ''digital divide''—a gap between those individuals and communities that have access to these information Age tools and those who don't. A July 1999 report from the Department of Commerce, based on December 1998 Census Department data, revealed that:

Better educated Americans more likely to be connected. Between 1997 and 1998, the technology divide between those at the highest and lowest education levels increased 25%. In 1998, those with a college degree are more than eight times likely to have a computer at home and nearly sixteen times as likely to have home Internet access as those with an elementary school education.

The gap between high- and low-income Americans is increasing. In the last year, the divide between those at the highest and lowest income levels grew 29%. Urban households with incomes of $75,000 or higher are more than twenty times more likely to have access to the Internet than rural households at the lowest income levels, and more than nine times as likely to have a computer at home.

Whites more likely to be connected than African-Americans or Hispanics. The digital

divide also persists along racial and ethnic lines. Whites are more likely to have access to the Internet from home than African-Americans or Hispanics have from any location. African-American and Hispanic households are roughly two-fifths as likely to have home Internet access as white households. However, for incomes of $75,000 and higher, the divide between whites and African-Americans has narrowed considerably in the last year.

Rural areas less likely to be connected than urban users. Regardless of income level, those living in rural areas are lagging behind in computer ownership and Internet access. At some income levels, those in urban areas are 50% more likely to have Internet access than those earning the same income in rural areas. Low income households in rural areas are the least connected. with connectivity rates in the singles digits for both computes and Internet access.

In addition, data from the National Center for Education Statistics reveals a 'digital divide' in our nation's schools. As of the fall of 1998, 39 percent of classrooms of poor schools were connected to the Internet, as compared to 74 percent in wealthier schools.

I will not go through the entire piece because it is available on the Internet from the White House, and now we can get it from the Library of Congress THOMAS because it will be entered into the RECORD here for this special order.

There is another document that I would like to also read some excerpts from. This is a document that came from a group in California near Silicon Valley: Jacqueline S. Anderson, the vice president of the Bay Area Chapter of Black Data Processing Associates; Hattie Carwell, who is president of Northern California Council of Black Professional Engineers; Eric Harris, who is the chair of the National Society of Black Engineers Alumni-Extension in the Silicon Valley Chapter; Henry Hutchins, the president of San Francisco Bay Area Chapter National Black MBA Association; Dr. Keith Jackson, the National Society of Black Physicists; Harvey Pye, Human Resources Network of Black Professionals; Kervin Hinkston, the president of the Bay Area Chapter Black Data Processing Associates; Frederick E. Jordan, the co-founder of the Northern California Council of Black Professional Engineers; John William Templeton, Books'n'Bytes, the Technology Alliance for African American Students.

They sent this letter to the gentleman from Missouri (Mr. GEPHARDT) and they sent copies to Senator DASCHLE, Senator KENNEDY, the gentleman from California (Mr. CAMPBELL), the gentleman from Michigan (Mr. CONYERS), the gentlewoman from Texas (Ms. JACKSON-LEE), the gentleman from Texas (Mr. SMITH), the gentleman from North Carolina (Mr. WATT), etc.

They did not send a copy to me. But in the Congressional Black Caucus meeting today, it was passed around and I found it to be very relevant to what is taking place right now in our Committee on Education and the Workforce and what will be coming to the floor probably next week, if not tomorrow, the H1–B visa issue.

As I said before, H1–B visa is an exemption that is granted for professionals and experts to come into the country without having to go into the usual procedures to speed into the country those people which the industry needs in high-tech jobs and other positions requiring expertise.

We went through that less than 2 years ago, and we increased the quota greatly. And now they are coming back for a still greater increase in quota. These people whose names I just read, all minorities, practically all African Americans, who are professional, who are experts, who are scientists, have written to the gentleman from Missouri (Mr. GEPHARDT) about the dilemma they face at a time when we are bringing in H1–B professionals from all over the world.

I am going to read some excerpts here from this letter, and I will submit the rest of it for the RECORD.

Dear Representative GEPHARDT, more than 10,000 African American students in physics, chemistry, and engineering have met in the past 30 days. Only a token number of Silicon Valley companies showed up to recruit them.

When the National Council of Black Engineers and Scientists met in Oakland in 1998, not a single Silicon Valley company showed up to recruit them. You can ask Representative BARBARA LEE (D-California) because she spoke at the event.

Those young people are counting on you and the Democratic Members of Congress to protect their right to earn a living in the highest wage, highest growth sectors of our economy. That is why we are quite disturbed that you and other members of the Democratic Caucus are supporting gargantuan increases in the H1–B program that exceed the total number of projected new jobs in the high-technology industry.

Dr. Anita Borg of the Institute on Women and Technology, pointed out on 60 Minutes that the jobs being filled by H1–Bs correspond almost exactly with the underrepresentation of women and minorities in science and technology education. The proposal you are quoting as backing would not only fill all those jobs but all the available university slots at the same time as many States are ending their affirmative action programs.

Back in 1876 the Hayes-Tilden compromise set in motion an irreversible series of events that led to Plessy v. Ferguson and Jim Crow laws. The ability to impose segregation in practically every employment sector was undergirded by extensive immigration.

The point here is that immigration has been used to defeat the training of people with insight and the employment of people who are already inside the country.

In January of this year, we received the entire file of labor condition applications from the Department of Labor for the western United States. After selecting 100 LCAs at random, we solicited resumes for the jobs among groups of older white programmers and African-Americans. We were able to gain a sufficient number of responses within 4 days and submitted the data to the applicant companies. We have yet to get a single response.

They go on and on talking about the great need in Silicon Valley for people that is being voiced by the companies there as they are joining the other high-tech companies around the country, and they are demanding that we get more foreigners in through the H1–B visa process while they are not making the opportunities available to people within their own jurisdictions, own areas.

These are people who have already gotten training and have said that they are being locked out because the H1–B visa process brings in a more desirable people in terms of people from other countries who are willing to work for lower salaries and for other reasons that they claim they cannot quite comprehend but prejudice and discrimination are at the heart of it as they see it.

I do not agree with the statement here that we have enough people in the country already to fill all those vacancies. But I do sympathize with these workers because they represent another part of the problem.

□ 2100

Part of the problem we are faced with when they bring in workers from outside is that they are paying them much lower salaries. In fact, one of the great sources of high-tech workers, information technology workers, is India. India had a vision more than 20 years ago to see that this was an area where they wanted to develop a large pool of highly trained people, so they have become the suppliers of high-tech personnel all over the world, especially in English-speaking countries. So India, because it is an English-speaking country that has the professionals who have this kind of expertise, has become a major supplier. But they come and they work for much lower salaries. The appeal of the lower salaries is a factor in the push to get more of them in rather than to have better training programs and greater opportunities being created here in this Nation for people who are here already.

They conclude by saying:

We do not see the gesture of applying H1–B fees to scholarships and K–12 education as significant. Those funds should go to enforcement and streamlining the immigration process, already overwhelmed by current numbers. As written, the scholarships are likely to go to visa holders. The amount needed to bring inner city schools to current standards for high-technology instruction is about $20 billion, the same amount Congress recently spent on so-called juvenile justice. Instead, we would encourage requirements of direct scholarship and internship assistance by any company filing for such a guest worker, the funds for scholarships should go to community colleges, area public institutions, historically black colleges and universities, et cetera. We would also give a priority for H1–B approvals to companies that meet or exceed local community representation in their workforces as measured by the EEO–1 for underrepresented groups.

In conclusion, it is untenable for America to spend billions locking up African American and Latino youth or forcing them to fight overseas wars just to gain skills or an education and then to lock them out of the best-paying jobs. If there is a choice in the

2000 elections, then we would expect you to stand up for those who have traditionally supported you. You have the benefit of history to guide your decision. Don't let Jim Crow come back.

This letter from the professionals from the Bay Area I would like to submit in its entirety for the RECORD.

Hon. RICHARD GEPHARDT,
Minority Leader, House of Representatives,
The Capitol, Washington, DC.

DEAR REPRESENTATIVE GEPHARDT: More than 10,000 African-American students in physics, chemistry and engineering have met in the past 30 days. Only a token number of Silicon Valley companies showed up to recruit them. When the National Council of Black Engineers and Scientists met in Oakland in 1998, not a single Silicon Valley company showed up to recruit them. You can ask Rep. Barbara Lee, D-CA, who spoke at the event.

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Frankly, it is a shame that two conservative Republicans, Reps. Lamar Smith and Tom Campbell, from the two highest-growth technology areas, Austin and Palo Alto, are sounding the alarm for the protection of American workers, while the Democratic Caucus appears to be chasing campaign dollars.

Back in 1876, the Hayes-Tilden Compromise set in motion an irreversible series of events that led to Plessy vs. Ferguson and Jim Crow laws. The ability to impose segregation in practically every employment sector was undergirded by extensive immigration.

In Silicon valley, the progress of the African-American, Latino and Native American communities since the 1960s to break into technology has been reversed since 1996. Our analysis of 253 EEO–1 forms from Northern California high tech firms showed an absolute decline in the employment from these groups. In addition, 80 percent of high tech companies do not even file the EEO–1 form. By comparison, the same cohort makes up 35 percent of the Department of Defense's civilian and uniformed personnel.

In January of this year, we received the entire file of Labor Condition Applications from the Department of Labor for the western United States. After selecting 100 LCAs at random, we solicited resumes for the jobs among groups of older white programmers and African-Americans. We were able to gain a sufficient number of responses within four days and submitted the data to the applicant companies.

We have yet to get a single response. Keep in mind, under the unenforceable ACWIA, each applicant company ''attests'' that it can not find American workers for the job. However, no government agency actually audits or monitors that claim.

The seven-day response guarantee on LCAs looks like a speedway compared to person who have filed discrimination complaints with the federal government against high tech firms. Waits of two years for a ''right to sue'' letter are minimum. 3Com fired an African-American engineer, Lindsay Brown, last year from its Palm Computing division the day after he filed a complaint with the EEOC. That shows the kind of contempt for labor standards that the H1–B program is breeding in high technology. Although we informed EEOC and OFCCP about the 80 percent non-response rate for EEO–1s two years ago, neither agency has even sent a letter to the offending companies.

Only discriminatory practices can explain the fact that there are more than 225,000 African-American engineers, programmers and systems analysts, according to the Bureau of Labor Statistics, yet only 1,688 black professional employees of any kind in those Silicon Valley companies.

You should take note of the fact that the three states with the highest demand for these H1–Bs have all taken steps to reduce African-American and Latino enrollment in their colleges, particularly in graduate and science programs, through initiatives funded largely by high technology executives.

Putting the pieces together, Congressional approval of the Abraham or Lofgren-Dreier bills would extend and accelerate ethnic cleansing in the high technology industry, lock the doors of opportunity for decades and harden racial inequality into concrete and steel, instead of merely glass.

We would encourage you to support and extend the worker protection provisions in the Smith-Campbell bill by requiring that companies with active ''right-to-sue'' letters from the EEOC or OFCCP be barred from making ''attestations'' about hiring American workers; by making filing of the EEO–1 form a prerequisite for a Labor Condition Application; by funding personnel to perform audits and backup checks on H1–B visas.

We do not see the gesture of applying H1–B fees to scholarships and k12 education as significant. Those funds should go to enforcement and streamlining the immigration process, already overwhelmed by current numbers. As written, the scholarships are likely to go to visa holders. The amount needed to bring inner-city schools to current standards for high technology instruction is about $20 billion, the same amount Congress recently spent on so-called ''juvenile justice.'' Instead, we would encourage requirements of direct scholarship and internship assistance by any company filing for such a guest worker to community colleges, area public institutions, HBCUS or OMIs. We would also give a priority for H1–B approvals to companies that meet or exceed local community representation in their workforces as measured by the EEO–1 for underrepresented groups. Right now Congress has made it cheaper to recruit from the Indian Institute of Technology than from North Carolina A&T or Hampton University. While Congress ponders giving $40 million to 110 HBCUs for graduate education, the Indian government has asked for $1 billion from U.S. emigres for just six institutions.

In conclusion, it is untenable for America to spend billions locking up African-American and Latino youth or forcing them to fight overseas wars just to gain skills or an education and then to lock them out of the best-paying jobs. If there is a choice in the 2000 elections, then we would expect you to stand up for those who have traditionally supported you. You have the benefit of history to guide your decision. Don't let Jim crow come back.

Sincerely,

Jacqueline S. Anderson, Vice President Bay Area Chapter, Black Data Processing Associates; Hattie Carwell, President, Northern California Council of Black Professional Engineers; Eric J. Harris, Chair, National Society of Black Engineers-Alumni Extension, Silicon Valley Chapter; Henry Hutchins, President, San Francisco Bay Area Chapter, National Black MBA Association; Kevin Hinkston, President, Bay Area Chapter, Black Data Processing Associates; Dr. Keith Jackson, National Society of Black Physicists; Frederick E. Jordan, P.E. Co-founder, Northern California Council of Black Professional Engineers; Harvey Pye, Human Resources Network of Black Professionals; John William Templeton, Books'n'Bytes: the technology alliance for African-American students.

As I close, I would like to just go back to the fact that I reported when I began, that is, that there was a lengthy discussion in the Committee on Education and the Workforce today. I am proud of the fact that we finally had a discussion which almost lasted 2 hours on school construction, because the general tenor has been that school construction belongs somewhere else and the Committee on Education and the Workforce had surrendered its powers to the Committee on Ways and Means. It was a victory just to have the discussion. We also discussed it because there was an amendment offered to put the President's proposed $1.3 billion into the bill that the majority Republicans have put forth as they complete the Elementary and Secondary Education Act reauthorization.

I see both of those items, the fact that the President even proposed a $1.3 billion amount for school repairs and the fact that we had a discussion as one more piece of evidence that we are winning, those of us who agree with the overwhelming body of American voters out there that it is only common sense to put more money into education, more resources into education; and among those items in the education budget, the school construction component is a vital component. It is a kingpin component.

We are happy to see that we are beginning to win. Slowly we are moving off dead center. I also mentioned a few moments ago that the gentlewoman from Connecticut (Mrs. JOHNSON) has now joined forces with the gentleman from New York (Mr. RANGEL) in the Committee on Ways and Means; so even that bill, as inadequate as it may be, the bill which allows for $25 billion in borrowing authority and the Federal Government will pay the interest, as inadequate as that is, it never had a chance of passage before and with the joining of the gentlewoman from Connecticut with that bill, it becomes a possibility.

We are winning, and I want the message to go out there to all of our allies, all of those millions of people who keep showing up in the polls; and as I said before, the Republicans have the same polls as the Democrats. They are getting the same results. Nobody can hide from the fact that the demand of the American people is that our number

one priority for government assistance be the assistance to education, the improvement of education.

Now, there have been some arguments made, Mr. Speaker, and you are aware of that, that the demand of people for funds for schools in general and more specifically for school construction should be met by the local governments and by the States. One other speaker during our discussion pointed out that the States have unprecedented surpluses and many localities have surpluses and that they should be the ones who provide the resources to invest in education. Those are good arguments.

Nowhere is that truer than it is in New York City and New York State. Two years ago, a little less than 2 years ago, the city of New York had a $2 billion surplus. We have big budgets in the city; but even with those big budgets, the revenue that came in was $2 billion greater than the expenditures. At the same time, the State of New York had a $2 billion surplus. The governor of the State of New York, who is a Republican, and the mayor of the State of New York both refused to spend a single penny on school repairs and school construction. This is in a city where there are 200 schools that still burn coal in their furnaces.

The mayor did not do it. He would not spend any money to relieve the situation of overcrowding, the fact that children have to eat lunch at 10 in the morning because of the fact that they are overcrowded and the lunchroom has to eat in cycles, the mayor did not move to provide any relief for that situation. The members of the city council did not even do what we do here in Congress. Democrats cannot pass anything, but at least we insist that there be a dialogue. The dialogue did not even take place in New York City. The horror of having a $2 billion surplus and not using it was not brought home to the people of New York City, the horror of a governor who vetoed a bill that the legislature passed.

Now, in the State legislature in New York, the Assembly is controlled by the Democrats, the State Senate is controlled by Republicans, so you had a bipartisan bill which would have provided for $500 million, half a billion dollars for emergency school repairs. The Republican governor of New York State vetoed that even though he had a $2 billion surplus.

Across the country, the Nation, you have the same pattern where the needs of the schools for some reason are not being met by local and State officials. I cannot get into the analysis of what is going on because I am not sure I know. What I do know is that a generation of children should not have to suffer because you have Neanderthals out there in the State and city governments, and we give them more and more power at the Federal level all the time.

They cannot see the obvious, that there is a need to invest in education. The Nation has been shortchanged by the States many times. In World War I, in World War II, we found we had young people, young men that we had to send off to war who were unhealthy basically because they had poor health care and had been neglected in terms of basic nutrition. The Federal Government got very much involved in free lunch programs and all kinds of health programs because of the fact that it had to fight a war. The national interest was such that they had to have a population that could meet those requirements. They could not leave it up to the States. The States for some reason with all of their advantages, and they have gloriously served us in many ways, for some reason the States never take care of the people on the bottom.

The States are examples of how democracy goes wrong and the majority overwhelmingly takes care of itself and the rights and the concerns and the welfare of the powerless minority gets neglected. That is the pattern. States have had responsibility for education since the founding of the country. The primary responsibility for education is in the States. The Federal Government has no direct responsibility spelled out in the Constitution and this is often used as a way to keep the Federal role at a very low level, or not there at all. But we have a responsibility for defense and we have a responsibility for the general welfare of the people.

The general welfare is threatened as well as our military defense is threatened by the inadequacy of education at the State level. So we cannot let a generation go down the drain because the States and localities are too stubborn to take action and deal with the problem by appropriating the necessary resources. It is unconscionable; it is a threat to the entire Nation.

There are several of my colleagues, the gentleman from Connecticut (Mr. LARSON), the gentleman from Missouri (Mr. SKELTON), who is our premier expert on defense in the Democratic Caucus, they have recently written a letter to the President saying that we need to take a look at the complex of education and defense and the technology needs and the research and see how it all is inexplicably interwoven. You cannot separate the education effort from the basic research effort, the research effort, technology and the ability of the military to function in this modern world. It is all there together. With a $1.9 trillion surplus, we have the advantage of being able to breathe and take a look at it and place these investments where they should be placed.

I am going to end by switching subjects just a bit, because I have spent most of the time talking about education, but there is another crisis in New York City which has captured the attention of most of my constituents and most of the people of New York. We have had a situation where a police killing, a man named Amadou Diallo, took place more than a year ago, almost 2 years ago now, I guess, and the final verdict set all four policemen who were responsible free. Again, the majority of the people in a poll in New York State showed that they were outraged at the verdict, and you have a lot of activity within the city around this.

On top of this miscarriage of justice, recently another young man was shot to death by police and some unfortunate political moves were made by the mayor, pulling out his records as a 13-year-old and saying he was a troublemaker and implying that he deserved to die because at 13 he had gotten in trouble. He was not convicted at 13; but he had been arrested at 13, and the record showed that. This is a boiling caldron. I have been trying to get people to see, it is very important that these matters with police brutality and police killings always touch off a kind of dynamite reaction on the one hand while the killing of children and the smothering of spirits in the education system that goes on and on year after year is never given much attention. They are related.

I want to just close by saying that I heard that there was a group that met recently, a church packed with young people who decided that the solution of the problem was that they all should buy rifles. I can think of nothing more ridiculous and more dangerous than young people going out to buy rifles to try to solve a problem in the city. There are many more solutions that are to be proposed. I would like to close by saying that, again, education is at the heart of that. Being able to respond in a nonviolent way means you have to have discipline, and you have to have the leaders step forward and offer solutions to that problem in the appropriate way.

THE NATION'S NUMBER ONE HEALTH PROBLEM

The SPEAKER pro tempore (Mr. ISAKSON). Under the Speaker's announced policy of January 6, 1999, the gentleman from Iowa (Mr. GANSKE) is recognized for 60 minutes.

Mr. GANSKE. Mr. Speaker, the number one public health problem facing the country today is the death and morbidity associated with the use of tobacco. Tonight, I want to discuss why the use of tobacco is so harmful, what the tobacco companies have known about the addictiveness of nicotine in tobacco, how tobacco companies have targeted children to get them addicted, what the Food and Drug Administration proposed, the Supreme Court's decision on FDA authority to regulate tobacco, and bipartisan legislation that will be introduced tomorrow in the House to give the Food and Drug Administration authority to regulate the manufacture and marketing of tobacco.

Mr. Speaker, let me repeat. The number one health problem in the Nation today is tobacco use. It is well captured in this editorial cartoon that shows the Grim Reaper, Big Tobacco, with a cigarette in his hand, a consumer on the cigarette, and the title is

''Warning: The Surgeon General Is Right.''

□ 2115

Here is some cold data on this peril. It is undisputed that tobacco use greatly increases one's risk of developing cancer of the lungs, the mouth, the throat, the larynx, the bladder, and other organs. Mr. Speaker, 87 percent of lung cancer deaths and 30 percent of all cancer deaths are attributable to the use of tobacco products. Tobacco use causes heart attacks, strokes, emphysema, peripheral vascular disease, among many others.

Mr. Speaker, more than 400,000 people die prematurely each year from diseases attributable to tobacco use in the United States alone. Tobacco really is the grim reaper.

More people die each year from tobacco use in this country than die from AIDS, automobile accidents, homicides, suicides, fires, alcohol and illegal drugs combined. More people in this country die in one year from tobacco than all the soldiers killed in all of the wars this country has fought.

Treatment of these diseases will continue to drain over $800 billion from the Medicare trust fund. The VA spends more than one-half billion dollars annually on in-patient care of smoking-related diseases. But these victims of nicotine addiction are statistics that have faces and names.

Mr. Speaker, before coming to Congress, I practiced as a surgeon. I have held in these hands lungs filled with cancer and seen the effects of decreased lung capacity on those patients. Unfortunately, I have had to tell some of those patients that their lymphnodes had cancer in them and that they did not have very long to live.

As a plastic and general surgeon, I have had to remove patients' cancerous jaws like this surgical specimen, showing a resection of a large portion of a patient's lower jaw. This, Mr. Speaker, is the result of chewing tobacco.

The poor souls who have to have this type of surgery go around like the cartoon character Andy Gump. Many times they breathe from a tracheostomy. I have reconstructed arteries in legs in patients that are closed shut by tobacco and are causing gangrene, and I have had to amputate more than my share of legs that have gone too far for reconstruction.

The other day, Mr. Speaker, I was talking to a vascular surgeon who is a friend of mine back in Des Moines, Iowa. His name is Bob Thompson. He looked pretty tired. I said Bob, you have been working pretty hard. He said Greg, yesterday I went to the operating room at about 7 in the morning, I operated on 3 patients, finished up about midnight, and every one of those patients I had to operate on to save their legs. I said, were they smokers, Bob? He said, you bet. And the last one that I operated on was a 38-year-old woman who would have lost her leg to atherosclerosis related to heavy tobacco use. I said, Bob, what do you tell those people? He said, Greg, I talk to every patient, every peripheral vascular patient that I have and I try to get them to stop smoking. I ask them a question. I say, if there were a drug available on the market that you could buy that would help you save your legs, that would help prevent your having to have coronary artery bypass surgery, that would significantly decrease your chances of having lung cancer or losing your larynx, would you buy that drug? And every one of those patients say, you bet I would buy that drug, and I would spend a lot of money for it. You know what he says to those patients then? He says, well, you know what? You can save an awful lot of money by quitting smoking and it will do exactly the same thing as that magical drug would have done.

Mr. Speaker, my mother and father were both smokers and they are only alive today because coronary artery bypass surgery saved their lives.

I will never forget the thromboangiitis obliterans patients I treated at VA hospitals who were addicted to the tobacco that caused them to thrombose one finger and one toe after another. I remember one patient who had lost both lower legs, all the fingers on his left-hand, and all the fingers on his right hand, except his index finger. Why? Because the tobacco caused those little blood vessels to clot shut. This patient, even though he knew that if he stopped smoking, it would stop his disease, he had devised a little wire cigarette holder with a loop on it to fit around his one remaining finger so that he could smoke.

Statistics do show the magnitude of this problem. Over a recent 8-year period, tobacco use by children increased 30 percent. More than 3 million American children and teenagers now smoke cigarettes. Every 30 seconds a child in the United States becomes a regular smoker. In addition, more than 1 million high school boys use smokeless chewing tobacco, primarily as a result of advertising, focusing on flavored brands and youth-oriented themes. For heaven's sakes, Mr. Speaker, we got rid of the tobacco spittoons in this place a long time ago, and we now have 1 million kids working on developing the type of cancer that would result in surgical resection of half of their jaw.

The sad fact is, Mr. Speaker, that each day, 3,000 kids start smoking, many of them not even teenagers, younger than teenagers, and 1,000 out of those 3,000 kids will have their lives shortened because of tobacco. So why did it take a life-threatening heart attack to get my parents to quit smoking? I nagged on them all the time, but it took a near death experience to get them to quit. Why would not my patient with one finger, the only finger he had left, quit smoking? Why do fewer than one in 7 adolescents quit smoking, even though 70 percent regret starting.

I say to my colleagues, it is sadly because of the addictive properties of the drug nicotine in tobacco. The addictiveness of nicotine has become public knowledge, public knowledge only in recent years as a result of painstaking scientific research that demonstrates that nicotine is similar to amphetamines, nicotine is similar to cocaine, nicotine is similar to morphine in causing compulsive drug-seeking behavior. In fact, Mr. Speaker, there is a higher percentage of addiction among tobacco users than among users of cocaine or heroin. But recent tobacco industry deliberations show that the tobacco industry had longstanding knowledge of nicotine's affects. It is clear that tobacco company executives committed perjury before the Committee on Commerce just a few years ago when they raised their right hands, they took an oath to tell the truth, and then they denied that tobacco and nicotine was addicting.

Internal tobacco company documents dating back to the early 1960s show that the tobacco companies knew of the addicting nature of nicotine, but withheld those studies from the Surgeon General. A 1978 Brown & Williamson memo stated, ''Very few customers are aware of the effects of nicotine; i.e., its addictive nature, and that nicotine is a poison.'' A 1983 Brown & Williamson memo stated, ''Nicotine is the addicting agent in cigarettes.''

Indeed, the industry knew that there was a threshold dose of nicotine necessary to maintain addiction, and a 1980 Lorilard document summarized the goals of an internal task force whose purpose was not to avert addiction, but to maintain addiction. Quote: ''Determine the minimal level of nicotine that will allow continued smoking. We hypothesize that below some very low nicotine level, diminished physiologic satisfaction cannot be compensated for by psychologic satisfaction. At that point, smokers will quit or return to higher tar and nicotine brands.''

Mr. Speaker, we also know that for the past 30 years, the tobacco industry manipulated the form of nicotine in order to increase the percentage of ''free base'' nicotine delivered to smokers. As a naturally occurring base, and I have to say, Mr. Speaker, that this takes me back to my medical school biochemistry, nicotine favors the salt form at low pH levels, and the ''free base'' form at higher pHs.

So what does that mean? Well, the free base nicotine crosses the alveoli of the lungs faster than the bound form, thus giving the smoker a greater kick, just like the druggie who free bases cocaine, and the tobacco companies knew that very well. A 1966 British American tobacco report noted, ''It would appear that the increased smoker response is associated with nicotine reaching the brain more quickly. On this basis, it appears reasonable to assume that the increased response of a smoker to the smoke with a higher amount of extractable nicotine, not synonymous

with, but similar to free-base nicotine, may be either because this nicotine reaches the brain in a different chemical form, or because it reaches the brain more quickly.''

Tobacco industry scientists were well aware of the effect of pH on the speed of absorption and on the physiologic response. A 1973, 1973 R.J. Reynolds report stated, ''Since the unbound nicotine is very much more active physiologically and much faster acting than bound nicotine, the smoke at a high pH seems to be strong in nicotine.''

□ 2130

Therefore, the amount of free nicotine in the smoke may be used for at least a partial measure of the physiologic strength of the cigarette.''

Indeed, Mr. Speaker, Phillip Morris commenced the use of ammonia in their Marlboro brand in the mid 1960s in order to raise the pH of its cigarettes, and it subsequently emerged as the leading national brand.

By reverse engineering, other manufacturers caught onto Phillip Morris' nicotine manipulation. And they copied it. The tobacco industry hid the fact that nicotine was an addicting drug for a long time, even though they privately called cigarettes ''nicotine delivery devices.''

Claude E. Teague, Junior, assistant director of research at RJR, said in a 1972 RJR memo, ''In a sense, the tobacco industry may be thought of as being a specialized, highly ritualized and stylized segment of the pharmaceutical industry. Tobacco products uniquely contain and deliver nicotine, a potent drug with a variety of physiologic effects. Thus, a tobacco product is, in essence, a vehicle for the delivery of nicotine designed to deliver the nicotine in a generally acceptable and attractive form. Our industry is then based upon the design, manufacture, and sale of attractive forms of nicotine.''

A 1972 Phillip Morris document summarized an industry conference attended by 25 tobacco scientists from England, Canada, and the United States: ''The majority of conferees would accept the proposition that nicotine is the active constituent of tobacco smoke. The cigarette should be conceived not as a product, but as a package.'' Then they said, ''The product is nicotine.''

Mr. Speaker, does anyone believe that the tobacco CEOs who testified before Congress that tobacco was not addicting were telling the truth?

Mr. Speaker, most adult smokers start smoking before the age of 18. This political cartoon shows big tobacco over here lighting up one cigarette from the other, and one cigarette says, ''Victims'' and the other cigarette that is about ready to start is ''Kids.'' The title of the cartoon: ''Chain smoker.''

As I said, Mr. Speaker, most adult smokers start smoking before the age of 18. That has been known by the tobacco industry and its marketing divisions for decades. A report to the board of directors of RJR on September 30, 1974, entitled ''1975 Marketing Plans Presentation, Hilton Head, September 30, 1974,'' said that one of the key opportunities to accomplish the goal of reestablishing RJR's market share was to ''increase our young adult franchise. First, let's look at the growing importance of this young adult group in the cigarette market. In 1960, this young adult market,'' and this is the clincher, what did they call the young adult market, young adult? The 14 to 24 age group.

They say, ''This represented 21 percent of our population. They will represent 27 percent of the population in 1975, and they represent tomorrow's cigarette business.''

An adult, Mr. Speaker? They are 14-year-olds, pretty young adults. In a 1980 RJR document entitled ''MDD Report on Teenager Smokers Ages 14 Through 17,'' a future RJR CEO G.H. Long wrote to the CEO at that time, E.A. Horrigan, Junior.

In that document, Long laments the loss of market share of 14-to-17-year-old smokers to Marlboro, and says, ''Hopefully, our various planned activities that will be implemented this fall will aid in some way in reducing or correcting those trends.'' The trends were they were losing market share in the 14-to-17-year-old age group.

Mr. Speaker, the industry has indisputably focused on ways to get children to smoke: in surveys for Phillip Morris in 1974 in which children 14 or younger were interviewed about their smoking behavior; or how about the Phillip Morris document which bragged, ''Marlborough dominates in the 17 and younger category, capturing over 50 percent of this market.''

Mr. Speaker, when Joe Camel is associated with cigarettes by 30 percent of 3-year-olds and nearly 90 percent of 5-year-olds, we know that marketing efforts directed at children are very successful.

Here is another political cartoon. We have a billboard. It says, ''Joe Camel says, cancer is cool.'' We have an antismoking advocate saying, ''Huh, not exactly the honest disclosure we were hoping for.''

Mr. Speaker, children that begin smoking at age 15 have twice the incidence of lung cancer as those who start smoking at the age of 25. For those youngsters who start at such an early age and have twice the incidence of cancer, for them Joe Cool becomes Joe Chemo, pulling around his bottle of chemotherapy.

If that is not enough, it should not be overlooked that nicotine is an introductory drug, as smokers are 15 times more likely to become an alcoholic, to become addicted to hard drugs, or to develop a problem with gambling.

Mr. Speaker, in response to this, the Food and Drug Administration in August of 1996 issued regulations aimed at reducing smoking in children on the basis that nicotine is addicting, it is a drug, manufacturers have marketed that drug to children, and tobacco is deadly. Most people by now are familiar with those regulations. They received a lot of press at the time. It is hard to think, Mr. Speaker, that 4 years have gone by since those regulations came out.

Those regulations said, tobacco companies would be restricted from advertising aimed at children, that retailers would need to do a better job of making sure they were not selling cigarettes to children, that the FDA would oversee tobacco companies' manipulation of nicotine.

But the tobacco companies challenged those regulations, and they ended up taking it all the way to the Supreme Court. Just 2 weeks ago, Justice Sandra Day O'Connor, in writing for the majority, five to four, held that Congress had not granted the FDA authority to regulate tobacco.

However, her closing sentences in that opinion bear reading: ''By no means do we,'' and this is the Supreme Court, ''question the seriousness of the problem that the FDA has sought to address. The agency has amply demonstrated that tobacco use, particularly among children and adolescents, poses perhaps the most significant threat to public health in the United States.''

Justice O'Connor is practically begging Congress to grant the FDA authority to regulate tobacco. Therefore, Mr. Speaker, tomorrow the gentleman from Michigan (Mr. DINGELL) and I will introduce our bipartisan bill The FDA Tobacco Authorities Amendment Act. I call on my colleagues from both sides of the aisle to cosponsor this bill and join us for a press conference on the Triangle at noon.

Our bill simply says that FDA has authority to regulate tobacco, that the 1996 tobacco regulations will be law. This is not a tax bill. This is not a liability bill. This is not a prohibition bill. This has nothing to do with the tobacco settlement from the attorneys general.

This bill simply recognizes the facts: tobacco and nicotine are addicting. Tobacco kills over 400,000 people in this country each year. Tobacco companies have and are targeting children to make them addicted to smoking. The FDA should have congressional authority to regulate this drug and those delivery devices.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCNULTY) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Mr. KILDEE, for 5 minutes, today.

Mr. BARCIA, for 5 minutes, today.

Mr. CROWLEY, for 5 minutes, today.

Mr. HOYER, for 5 minutes, today.

Ms. STABENOW, for 5 minutes, today.

Mr. KIND, for 5 minutes, today.

Mr. SMITH of Washington, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Mr. MORAN of Virginia, for 5 minutes, today.

Mr. BERRY, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

(The following Members (at the request of Mr. FOSSELLA) to revise and extend their remarks and include extraneous material:)

Mr. NORWOOD, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, April 12.

Mr. METCALF, for 5 minutes, today.

Mr. MANZULLO, for 5 minutes, April 6.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. DAVIS of Illinois, for 5 minutes, today.

ADJOURNMENT

Mr. GANSKE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 40 minutes p.m.), the House adjourned until tomorrow, Thursday, April 6, 2000, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6949. A letter from the Administrator, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule—Amendments to Regulations Governing the Peanut Quota and Price Support Programs (RIN: 0560–AF61) received February 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6950. A letter from the Congressional Review, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Pink Bollworm Regulated Areas [Docket No. 00–009–1] received February 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6951. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of Defense, transmitting notification that the Commander of General Mitchell Air Reserve Base (ARB), Wisconsin has conducted a cost comparison of the Base Operating Support functions, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

6952. A letter from the Secretary, Department of Housing and Urban Development, transmitting reports required by section 520 (a) and (b) of the Multifamily Assisted Housing Reform and Affordability Act of 1997; to the Committee on Banking and Financial Services.

6953. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Mexico, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

6954. A letter from the Director, Office of Management and Budget, transmitting the OMB Cost Estimates For Pay-As-You-Go Calculations; to the Committee on the Budget.

6955. A letter from the Attorney Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting the Department's final rule—Anthropomorphic Test Dummy; Occupant Crash Protection [Docket No. NHTSA–2000–6940] (RIN: 2127–AG66) received February 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6956. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Management System; Identification and Listing of Hazardous Waste [SW–FRL–6541–1] received February 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6957. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Producation [FRL–6513–8] (RIN: 2060–AE77) received February 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6958. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Mitchell, Nebraska) [MM Docket No. 99–164 RM–9598] (Lovelock, Nevada) [MM Docket No. 99–165 RM–9599] (Elko, Nevada) [MM Docket No. 99–166 RM–9600] received February 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6959. A letter from the Legal Advisor, Cable Services Bureau, Federal Communications Commission, transmitting the Commission's final rule—Implementation of the Cable Television Consumer Protection and Competition Act of 1992 [CS Docket No. 98–82] Implementation of Cable Act Reform Provisions of the Telecommunications Act of 1996 [CS Docket No. 96–85] Review of the Commission's Cable Attribution Rules—received February 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6960. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report on PLO compliance, pursuant to Public Law 101–246, section 804(b) (104 Stat. 78); to the Committee on International Relations.

6961. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

6962. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13–512, ''Sense of the Council Opposition to the Attorney General of the United States Seeking in the Death Penality for Crimes Committed in the District of Columbia Emergency Resolution of 2000'' received April 5, 2000, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6963. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's report entitled ''Competing for Federal Jobs: Job Search Experience of New Hires,'' pursuant to 5 U.S.C. 1204(a)(3); to the Committee on Government Reform.

6964. A letter from the Chairman, Merit Systems Protection Board, transmitting the Twenty-first Annual Report on the activities of the Board during Fiscal Year 1999, pursuant to 5 U.S.C. 1206; to the Committee on Government Reform.

6965. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the calendar year 1999 report on contractual actions to facilitate the national defense, pursuant to 50 U.S.C. 1431; to the Committee on Government Reform.

6966. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Delisting of the Dismal Swamp Southeastern Shrew (Sorex longirostris fisheri) (RIN: 1018–AF00) received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6967. A letter from the Deputy Assistant Administrator For Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 16A; OMB Control Numbers [Docket No. 981229328–9249–02; I.D. 120998C] (RIN: 0648–AK31) received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6968. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Closures of Specified Groundfish Fisheries in the Gulf of Alaska [Docket No. 000211039–0039–01; I.D. 021400D] received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6969. A letter from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Final 2000 Harvest Specifications for Groundfish [Docket No. 000211039–0039–01; I.D. 111899A] received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6970. A letter from the Marshal of the Court, Supreme Court of the United States, transmitting the Annual Report of the Marshal of the Supreme Court; to the Committee on the Judiciary.

6971. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace: Leonardtown, MD [Airspace Docket No. 99–AEA–13.FR] received February 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6972. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Fredericktown, MO [Airspace Docket No. 99–ACE–47] received February 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6973. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Marshalltown, IA [Airspace Docket No. 99–ACE–52] received February 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6974. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Okeechobee, FL [Airspace Docket No. 99–ASO–21] received February 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6975. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29928;

Amdt. No. 1977] received February 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6976. A letter from the Program Anaalyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29927; Amdt. No. 1976] received February 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6977. A letter from the Secretary of Health and Human Services, transmitting notification of emergency funds made available under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(g)); jointly to the Committees on Commerce and Education and the Workforce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LEACH: Committee on Banking and Financial Services. Supplemental report on H.R. 1776. A bill to expand homeownership in the United States (Rept. 106–553 Pt. 2).

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 460. Resolution providing for consideration of the bill (H.R. 1776) to expand homeownership in the United States (Rept. 106–562). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 3615. Referral to the Committee on Commerce extended for a period ending not later than April 6, 2000.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. HOYER:

H.R. 4180. A bill to authorize the Librarian of Congress to establish certain programs and activities of the Library of Congress as programs to be administered through a revolving fund, and for other purposes; to the Committee on House Administration.

By Mr. TURNER (for himself, Mr. HORN, Mr. BURTON of Indiana, Mr. WAXMAN, Mr. OWENS, Mrs. BIGGERT, Mrs. MALONEY of New York, Mr. WALDEN of Oregon, Mr. DAVIS of Virginia, Mr. OSE, Mr. TANNER, Mr. DOGGETT, Mr. MATSUI, Mr. SHAYS, Mr. MICA, Mr. STENHOLM, Mrs. MORELLA, Mr. THORNBERRY, Mr. GREEN of Texas, Mr. WAMP, Mr. BENTSEN, Mr. HUTCHINSON, Mr. LAMPSON, Mr. BACHUS, Mr. TIERNEY, Mr. PITTS, Mr. HALL of Texas, and Mr. GILMAN):

H.R. 4181. A bill to amend title 31, United States Code, to prohibit delinquent Federal debtors from being eligible to enter into Federal contracts, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUNNINGHAM (for himself, Mr. BALLENGER, Mr. KUYKENDALL, Mr. DAVIS of Virginia, Mr. MORAN of Virginia, Mr. ROEMER, Mr. DOOLEY of California, Ms. ESHOO, Mr. KIND, Mr. OSE, Mr. HOEKSTRA, Mr. ADERHOLT, Mr. PAUL, Mr. SAM JOHNSON of Texas, Mr. ARMEY, Mr. EHRLICH, Mr. BLUNT, Mr. GOODLING, Mr. BOEHNER, and Mr. TANCREDO):

H.R. 4182. A bill to amend the Fair Labor Standards Act of 1938 to clarify the treatment of stock options under the Act; to the Committee on Education and the Workforce.

By Mr. WU (for himself, Mrs. MORELLA, Mr. HOLT, Mr. LAZIO, Mr. LARSON, Mr. DOOLEY of California, Mr. MORAN of Virginia, Mr. SMITH of Washington, Mr. ETHERIDGE, Mr. CROWLEY, Mr. KIND, Mr. TIERNEY, Mr. KILDEE, Mr. ANDREWS, and Mr. ROEMER):

H.R. 4183. A bill to amend the Elementary and Secondary Education Act of 1965 to establish a program for awarding next-generation technology grants to improve teaching and learning in elementary and secondary schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. COX (for himself, Mr. DREIER, Mr. DAVIS of Virginia, and Mr. SAM JOHNSON of Texas):

H.R. 4184. A bill to amend the Internal Revenue Code of 1986 to implement the recommendation of the National Taxpayer Advocate that the depreciable life of computer software correspond to its actual useful life; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4185. A bill to direct the Secretary of the Army to establish a program to market dredged material; to the Committee on Transportation and Infrastructure.

By Mr. ANDREWS:

H.R. 4186. A bill to direct the Secretary of Transportation to require the use of dredged material in the construction of federally funded transportation projects; to the Committee on Transportation and Infrastructure.

By Mr. CALVERT (for himself, Mrs. BONO, Mrs. NAPOLITANO, Mr. HUNTER, Mr. BACA, Mr. LEWIS of California, Mr. GARY MILLER of California, and Mr. PACKARD):

H.R. 4187. A bill to assist in the establishment of an interpretive center and museum in the vicinity of the Diamond Valley Lake in southern California to ensure the protection and interpretation of the paleontology discoveries made at the lake and to develop a trail system for the lake for use by pedestrians and nonmotorized vehicles; to the Committee on Resources.

By Mr. COLLINS:

H.R. 4188. A bill to amend title 13, United States Code, to provide that the penalty for refusing or neglecting to answer one or more of the questions on a decennial census schedule shall not apply, so long as all of the short-form questions on such schedule have been answered; to the Committee on Government Reform.

By Mr. DEFAZIO:

H.R. 4189. A bill to direct the Secretary of Transportation to carry out a vessel scapping and processing pilot program in the United States; to the Committee on Transportation and Infrastructure.

By Mr. HILLEARY:

H.R. 4190. A bill to amend title 23, United States Code, relating to the Federal share for reconstruction of a road and causeway in Shiloh Military Park in Hardin County, Tennessee; to the Committee on Transportation and Infrastructure.

By Mr. HOEKSTRA (for himself, Mr. BARCIA, Mr. EHLERS, Mr. UPTON, Mr. SMITH of Michigan, and Mr. CAMP):

H.R. 4191. A bill to require the issuance of regulations pursuant to the National Invasive Species Act of 1996 to assure, to the maximum extent practicable, that vessels entering the Great Lakes do not discharge ballast water that introduces or spreads nonindigenous aquatic species and treat such ballast water and its sediments through the most effective and efficient techniques available, including sterilization, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. JOHNSON of Connecticut (for herself, Mr. NEAL of Massachusetts, and Mr. MATSUI):

H.R. 4192. A bill to amend the Internal Revenue Code of 1986 to prevent the use of reinsurance with foreign persons to enable domestic nonlife insurance companies to evade United States income taxation; to the Committee on Ways and Means.

By Mr. ROGAN:

H.R. 4193. A bill to provide double damages for malicious, frivolous, or vexatious suits against Federal law enforcement officers surviving widows and widowers; to the Committee on the Judiciary.

By Mr. ROGAN (for himself, Mr. DELAHUNT, and Mr. HYDE):

H.R. 4194. A bill to amend section 7A of the Clayton Act to remove the notification requirement applicable to acquisitions of voting securities and assets that have relatively small value; to modify filing fees applicable to notifications filed under such section, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHAFFER:

H.R. 4195. A bill to protect Social Security and provide for repayment of the Federal debt; to the Committee on the Budget, and in addition to the Committees on Ways and Means, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIMPSON (for himself, Mr. GIBBONS, Mr. WALDEN of Oregon, Mrs. CHENOWETH-HAGE, and Mr. SCHAFFER):

H.R. 4196. A bill to subject the United States to imposition of fees and costs in proceedings relating to State water rights adjudications; to the Committee on the Judiciary.

By Mr. STUPAK:

H.R. 4197. A bill to authorize the Secretary of Transportation to make a grant to the Traverse City Area Public School District for demolition and removal of a structure at former Coast Guard property located in Traverse City, Michigan; to the Committee on Transportation and Infrastructure.

By Mrs. MORELLA (for herself, Mr. PALLONE, Mr. LUTHER, Mr. FALEOMAVAEGA, Mrs. MINK of Hawaii, Mr. PASTOR, Mr. TOWNS, and Mr. WEXLER):

H. Con. Res. 298. Concurrent resolution congratulating the people and Government of Sri Lanka on the success of the recent Presidential election despite terrorist attacks, and for other purposes; to the Committee on International Relations.

By Mr. WATKINS (for himself and Mr. DELAHUNT):

H. Con. Res. 299. Concurrent resolution recognizing fragile X as the most common inherited cause of mental retardation and as a powerful research model for other disorders, urging increased funding for research, and for other purposes; to the Committee on Commerce.

By Mr. FILNER (for himself, Mr. PORTER, Mr. PALLONE, Ms. ESHOO, Mr. BONIOR, Mr. WOLF, and Mr. SMITH of New Jersey):

H. Res. 461. A resolution calling for the immediate and unconditional release from prison of certain Kurdish members of the Parliament of the Republic of Turkey and for the prompt recognition by the Government of the Republic of Turkey of full cultural and language rights for the Kurdish people within its borders; to the Committee on International Relations.

By Mr. GREEN of Wisconsin (for himself, Mr. SHAYS, Mr. MEEHAN, Mr. CAPUANO, Mr. NADLER, Mrs. MORELLA, Mr. BERMAN, Mr. DOGGETT, Mr. LANTOS, Mr. FRANK of Massachusetts, Mr. WAXMAN, Mr. METCALF, Mr. EVANS, Mr. SMITH of New Jersey, Mr. MCGOVERN, Mr. GANSKE, Ms. HOOLEY of Oregon, Mr. LUTHER, and Mr. BURTON of Indiana):

H. Res. 462. A resolution directing the Clerk of the House of Representatives to post on the official public Internet site of the House of Representatives all lobbying registrations and reports filed with the Clerk under the Lobbying Disclosure Act of 1995; to the Committee on the Judiciary.

By Mr. STEARNS (for himself, Mr. DOOLITTLE, Mr. HOSTETTLER, Mr. BARR of Georgia, Mr. COBURN, Mr. DEMINT, Mr. PAUL, and Mrs. CHENOWETH-HAGE):

H. Res. 463. A resolution expressing the disapproval of the House of Representatives regarding Presidential circumvention of the legislative authority of the Congress to set public policy; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 218: Mr. NETHERCUTT and Mr. MCHUGH.
H.R. 329: Mr. SHIMKUS.
H.R. 355: Mr. CRAMER.
H.R. 492: Mr. GREENWOOD.
H.R. 583: Mr. CRAMER.
H.R. 810: Mr. MASCARA.
H.R. 828: Mr. FROST.
H.R. 912: Mr. ANDREWS.
H.R. 1020: Mr. ROHRABACHER and Mr. CLYBURN.
H.R. 1044: Mr. MCINNIS and Mr. HOEKSTRA.
H.R. 1071: Mr. CONDIT.
H.R. 1216: Ms. SLAUGHTER.
H.R. 1271: Mr. MOORE, Mr. ENGEL, and Mr. MINGE.
H.R. 1366: Mr. PAUL, Mrs. CHENOWETH-HAGE, Mr. DOOLITTLE, and Mr. BRADY of Texas.
H.R. 1371: Mr. OWENS.
H.R. 1445: Mr. SNYDER.
H.R. 1523: Mr. SKEEN, Mr. STUMP, Mr. RYUN of Kansas, Mrs. EMERSON, Mr. THUNE, and Mr. BARTLETT of Maryland.
H.R. 1577: Mr. ISAKSON.
H.R. 1623: Mr. BECERRA.
H.R. 1625: Mr. TURNER and Mr. UDALL of Colorado.
H.R. 1704: Mr. ANDREWS.
H.R. 1798: Ms. DEGETTE.
H.R. 2077: Mr. GEORGE MILLER of California and Ms. LEE.
H.R. 2141: Mr. ANDREWS.
H.R. 2149: Mr. UDALL of New Mexico and Mr. SAWYER.
H.R. 2265: Ms. HOOLEY of Oregon.
H.R. 2289: Mr. DEUTSCH.
H.R. 2494: Mr. HILLEARY.
H.R. 2579: Mr. TRAFICANT.
H.R. 2631: Mr. DIXON, Mr. JACKSON of Illinois, Ms. DANNER, Mr. QUINN, Mr. COOK, Mr. ANDREWS, Ms. LEE, and Mr. ALLEN.
H.R. 2720: Ms. LOFGREN, Mr. FROST, and Mr. MCDERMOTT.
H.R. 2736: Mr. BROWN of Ohio, Mr. MEEHAN, Mr. FARR of California, Mr. DOOLEY of California, Ms. HOOLEY of Oregon, Ms. SANCHEZ, Mrs. TUSCHER, Mr. REYES, Ms. STABENOW, Mr. BLUMENAUER, Mr. MORAN of Virginia, Ms. BROWN of Florida, and Mr. HOYER.
H.R. 2892: Mr. NUSSLE.
H.R. 2899: Mr. OLVER and Mr. LANTOS.
H.R. 2900: Mr. SERRANO, Mr. MOAKLEY, Mr. EVANS, Mr. MEEKS of New York, Mrs. MCCARTHY of New York, Mr. RUSH, Mr. MATSUI, and Ms. NORTON.
H.R. 2917: Mr. ENGEL.
H.R. 3100: Mr. GANSKE, Mr. LUCAS of Kentucky, Mr. MEEKS of New York, and Mr. BRADY of Pennsylvania.
H.R. 3177: Mr. BONIOR.
H.R. 3192: Mr. RAMSTAD, Mr. THOMPSON of Mississippi, Mr. ENGEL, Mr. MATSUI, Mr. STARK, Mr. GREEN of Texas, and Mr. ABERCROMBIE.
H.R. 3193: Mr. PALLONE, Mr. TANCREDO, Mr. MCINTYRE, Mr. ANDREWS, and Mr. WALSH.
H.R. 3212: Mr. HALL of Texas.
H.R. 3235: Mr. CAMPBELL and Mr. WEYGAND.
H.R. 3306: Mrs. CHENOWETH-HAGE.
H.R. 3485: Mr. SESSIONS and Mrs. MEEK of Florida.
H.R. 3489: Mr. STEARNS.
H.R. 3494: Ms. SCHAKOWSKY.
H.R. 3545: Mr. GEJDENSON and Mr. WAXMAN.
H.R. 3573: Mr. CUMMINGS and Ms. LEE.
H.R. 3575: Ms. DELAURO.
H.R. 3582: Mrs. BIGGERT and Mr. TURNER.
H.R. 3590: Mr. GOODE.
H.R. 3613: Ms. DEGETTE, Mrs. CAPPS, and Ms. SCHAKOWSKY.
H.R. 3625: Mr. KINGSTON, Mr. HERGER, Mr. OSE, and Mr. BAKER.
H.R. 3634: Mr. CONYERS, Mr. ACKERMAN, Ms. EDDIE BERNICE JOHNSON of Texas and Mrs. CAPPS.
H.R. 3650: Mr. FARR of California, Mr. SANDERS, Mr. MATSUI, and Mr. SABO.
H.R. 3656: Mr. UDALL of Colorado and Mr. TALENT.
H.R. 3673: Mr. COX. Mr. DREIER, Mr. STUPAK, Mr. GOSS, Mr. SPENCE, Mr. HYDE, and Mr. BURTON of Indiana.
H.R. 3698: Mr. FLETCHER, Mr. LATOURETTE, Mr. BRYANT, Mr. RANDANOVICH, Mr. FARR of California, Mr. UPTON, Mr. MCKEON, Mr. BENTSEN, and Mr. SHAYS.
H.R. 3705: Mr. UDALL of Colorado, Ms. CARSON, Ms. HOOLEY of Oregon, and Ms. MCKINNEY.
H.R. 3710: Ms. KILPATRICK, Ms. BERKLEY, and Ms. LEE.
H.R. 3798: Ms. BALDWIN.
H.R. 3806: Mr. ROHRABACHER and Mr. UNDERWOOD.
H.R. 3819: Mr. UDALL of Colorado, Mr. BOUCHER, Mr. EHLERS, Mr. GUTIERREZ, and Mr. COOK.
H.R. 3825: Mr. JEFFERSON.
H.R. 3826: Mr. WAXMAN.
H.R. 3873: Ms. ROYBAL-ALLARD, Mr. BALDACCI, and Mr. EVANS.
H.R. 3884: Mr. WISE and Mr. OWENS.
H.R. 3885: Mr. CLAY, Mr. MASCARA, Mr. PETERSON of Pennsylvania, Mr. STARK, Mrs. BIGGERT, and Mr. MURTHA.
H.R. 3891: Mr. PAYNE.
H.R. 3916: Mr. HERGER and Mr. DEAL of Georgia.
H.R. 3983: Mrs. TAUSCHER and Mr. CRAMER.
H.R. 3998: Mr. STUPAK.
H.R. 4025: Mr. EWING.
H.R. 4029: Mr. LARSON and Mrs. KELLY.
H.R. 4033: Mr. BATEMAN, Ms. PELOSI, Mr. UDALL of New Mexico, Mrs. KELLY, Mrs. FOWLER, and Mr. PHELPS.
H.R. 4040: Mr. KASICH, Mr. FROST, and Ms. DANNER.
H.R. 4049: Mr. TURNER.
H.R. 4051: Mr. YOUNG of Alaska.
H.R. 4066: Ms. PELOSI, Ms. RIVERS, and Mr. OWENS.
H.R. 4069: Mr. STARK, Mr. RYAN of Wisconsin, Ms. LOFGREN, and Mr. EVANS.
H.R. 4082: Mr. BARCIA, Mr. SKELTON, Mr. WICKER, Mr. LARGENT, and Mr. COBURN.
H.R. 4085: Mr. BARR of Georgia.
H.R. 4102: Mr. DELAY.
H.R. 4108: Mr. HASTINGS of Florida, Mr. TRAFICANT, and Mr. GREEN of Texas.
H.R. 4154: Mr. BARTON of Texas.
H. Con. Res. 115: Mr. BACA.
H. Con. Res. 251: Mr. BEREUTER, Mr. ROHRABACHER, Mr. OBERSTAR, Mr. DOOLITTLE, Mr. KUCINICH, Ms. STABENOW, Mr. SENSENBRENNER, Mr. BARRETT of Wisconsin, Mr. KLECZKA, and Mr. LIPINSKI.
H. Con. Res. 259: Mr. HINCHEY, Mr. NEAL of Massachusetts, Mr. MCNULTY, Mr. MATSUI, Mr. BRADY of Pennsylvania, and Mr. MCGOVERN.
H. Con. Res. 262: Mr. WU.
H. Con. Res. 275: Ms. DANNER and Mr. GEJDENSON.
H. Con. Res. 276: Mr. GUTIERREZ.
H. Con. Res. 297: Mr. MCNULTY, Mr. BLAGOJEVICH, and Mr. ROHRABACHER.
H. Res. 398: Mr. PALLONE, Mr. CROWLEY, Mr. HOLT, Mr. HORN, Ms. ESHOO, Mr. FORBES, Mr. ROGAN, Mr. MCGOVERN, Mr. BILIRAKIS, Mr. KENNEDY of Rhode Island, Mrs. TAUSCHER, Mr. TIERNEY, Mr. CAPUANO, Mr. KILDEE, Mr. FRANKS of New Jersey, Mr. MCNULTY, Mr. ROTHMAN, Mr. KLECZKA, Mr. ANDREWS, Mr. HOYER, Mr. WEINER, Mr. STARK, Mr. WAXMAN, Mr. MARTINEZ, Mr. MENENDEZ, Mr. DINGELL, Mrs. KELLY, Mr. SAXTON, Ms. MCCARTHY of Missouri, Mrs. MALONEY of New York, Mrs. NAPOLITANO, Mr. SOUDER, Mr. BROWN of Ohio, Mrs. MORELLA, Mr. COSTELLO, Mr. ROYCE, and Mr. LIPINSKI.
H. Res. 414: Mr. WEXLER, Mr. BACA, Mr. FRANK of Massachusetts, Ms. HOOLEY of Oregon, and Mr. FROST.
H. Res. 415: Mr. ROMERO-BARCELO.
H. Res. 420: Mr. OLVER.
H. Res. 437: Mr. MOAKLEY and Mrs. FOWLER.
H. Res. 458: Mr. VITTER, Mr. JOHN, Mr. KASICH, Mr. MORAN of Virginia, and Mr. FROST.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 4011: Mr. FRELINGHUYSEN.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146 WASHINGTON, WEDNESDAY, APRIL 5, 2000 No. 41

Senate

The Senate met at 9:31 a.m. and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

As we pray today, we remember Booker T. Washington, born on this day. Once a slave, he became an outstanding American reformer, educator, and writer. His life emulated one of his most significant statements: ''I am determined to permit no man to narrow or degrade my soul by making me hate him.''

Let us pray.

Almighty God, Lord of history, You call great leaders and anoint them with supernatural power to lead in times of social distress when Your righteousness and justice must be reestablished. We praise You, O God, for the life and leadership of Booker T. Washington in the cause of racial justice. You gave him a dream of equality and opportunity for all people which You empowered him to declare as a clarion call to all America. As we honor the memory of this truly great man and courageous American, we ask You to cleanse any prejudice from our hearts and help us to press on in the battle to assure the equality of education, housing, job opportunities, advancement, and social status for all people regardless of race or creed. May this Senate be distinguished by its leadership in this ongoing challenge to assure the rights of all people in this free land. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WAYNE ALLARD, a Senator from the State of Colorado, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. ALLARD. Mr. President, today the Senate will resume consideration of Senate Concurrent Resolution 101, the budget resolution.

By previous order, there will be 90 minutes of debate on the Hutchison-Robb amendment equally divided between the two managers. Following the debate, there will be two back-to-back votes at 11 a.m. The Robb second-degree amendment regarding prescription drugs will be the first vote, to be followed by the vote on the Hutchison amendment regarding the marriage tax penalty.

Other amendments will be offered throughout the day, and therefore Senators may expect rollcall votes during today's session. There are approximately 20 hours of debate remaining on the resolution.

I thank my colleagues for their attention.

The PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Mr. President, I want to make sure we have 45 minutes on each side. The vote will not occur right at 11 o'clock.

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

FISCAL YEAR 2001 BUDGET—Resumed

Pending:

Hutchison/Ashcroft amendment No. 2914, to express the sense of the Senate to provide for relief from the marriage penalty tax.

Robb amendment No. 2915 (to amendment No. 2914), to condition Senate consideration of any tax cut reconciliation legislation on previous enactment of legislation to provide an outpatient prescription drug benefit under the Medicare program that is consistent with Medicare reform.

The PRESIDENT pro tempore. Who yields time?

Mr. LAUTENBERG. Mr. President, I yield 5 minutes to the Senator from Minnesota.

The PRESIDENT pro tempore. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I thank my colleague from New Jersey.

Let me first of all commend Senator ROBB of Virginia. I think what he has done out here on the floor of the Senate is very important for our country, and not just for senior citizens. He submitted an amendment that would make it out of order for the Senate to consider a reconciliation bill that spends on-budget surplus on tax cuts unless Congress has already enacted legislation establishing an outpatient Medicare prescription drug benefit.

I come here to the floor of the Senate to congratulate Senator ROBB and to speak for senior citizens in Minnesota.

If we are about legislation that is important to people's lives, if we want to be here to represent the people in our States, there is no more important amendment for us to pass. This isn't where the rubber meets the road, but it is all about the general direction for the Senate, and the direction Senator ROBB's amendment calls is to make sure we make a commitment to funding prescription drug coverage for senior citizens in this country.

In the State of Minnesota, on the basis of hearings I have attended, on the basis of conversations and meetings—some of them incredibly heartfelt and incredibly painful—with elderly citizens in my State, there is no more important thing we can do than to pass this amendment and to once and for all cover prescription drug benefits for senior citizens.

First of all, in the State of Minnesota, because of a very unfair and, I argue, even discriminatory Medicare reimbursement to our managed-care plans and to our seniors, we have in our State only one-third of senior citizens

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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receiving any kind of prescription drug coverage at all. Two-thirds of the senior citizens in Minnesota don't have any coverage whatsoever. I think in the country it is about one-third. But in our State it is an acute problem; it is a problem of crisis proportion.

Second of all, as a result of that, it is not uncommon to meet seniors who, even when the doctor gives them a prescription, can't fill the prescription because they don't have the money, or they cut the pills into thirds or into halves, all of which is dangerous. I have met all of those senior citizens. I have been in these conversations with senior citizens about this. It is not uncommon to meet people who spend $300 or $400 a month to meet their prescription drug costs and at the same time their total monthly income is $1,000—all the while, in the pharmaceutical industry, the costs have gone up 17 percent a year over the past couple of years, and they are projected to go up again. The pharmaceutical industry rakes in record—I argue exorbitant, I argue obscene—profits.

But for today, what is so important about the Robb amendment is that if we want to do something to really make a difference in the lives of people we represent, we must expand Medicare and provide this coverage.

My colleagues on the Republican side want to go forward with tax cuts, many of which go to higher income people least in need. They seem to believe it is not an appropriate role for Government or the Senate to provide prescription drug coverage as a part of what Medicare is all about.

I think the vast majority of people in the country believe that when it comes to certain pressing issues of their lives, there is a positive role Government can play. This is a perfect example to make sure people do not go without the very prescription drugs they need, which is so essential to their health. That is what is so important about this amendment.

When my Republican colleagues say they want to limit this to low-income senior citizens, I just want to say what has made Medicare and Social Security work is that it is a universal coverage program. It commands broad support. This is about building on Medicare. This isn't going back to means-tested programs which quite often become poor programs.

Just because a senior citizen in Minnesota or Virginia or Massachusetts has an income of $17,000 a year or $18,000 a year, it does not mean he or she or both of them are not in need of some help so they can purchase the prescription drugs that are so important to their health.

This is a very important amendment. I am tired of the Minnesotans having to go to Canada to purchase prescription drugs they can afford. I am tired of the Minnesota Senior Federation, which is a courageous, gutsy grassroots organization, having to raise Cain over and over and over again about the fact that so many senior citizens are not able to afford the prescription drugs they need for their health.

''All politics,'' Tip O'Neill said, ''is local.'' I argue all politics is also personal. Having been the child of parents, both of whom have passed away with Parkinson's disease, I know what drugs such as L-Dopa and Sinemet cost.

There is no more important thing we can do if we want to get real, if we want to respond to what our constituents need, than to pass this Robb amendment.

I thank the Senator from Virginia for his leadership. I yield the floor.

Mr. REID. The Senator from North Dakota is allotted 5 minutes.

Mr. DORGAN. Mr. President, this budget is brought to the floor as part of an annual ritual. The ritual in the Senate is to debate budget priorities. It is about making choices.

One hundred years from now we will all be gone. We will not be around, but historians can look back at this day, and by evaluating what we viewed to be important and what we wanted to spend money on, they can evaluate what our priorities were. Did we feel health care was a priority? Was education a priority? Were tax cuts a priority?

Let's look at the choices. This budget is brought to the floor suggesting that a significant priority is to provide tax cuts, the benefit of which go largely to upper-income folks in this country. The Senator from Virginia, Mr. ROBB, offers a different set of priorities. He says: Let's not have these tax cut proposals move forward until and unless there is a prescription drug benefit added to the Medicare program.

I happen to think we ought not have tax cuts until we have made a significant payment toward reducing the Federal debt. I also believe, with the Senator from Virginia, that we ought to have a benefit for prescription drugs in the Medicare program.

That is what this debate is about—it is about making choices. What are the right choices? I have held hearings in six States with the Democratic Policy Committee on the issue of prescription drugs and Medicare. Let me tell Members about choices senior citizens are making. The Senator from Virginia suggests we are about to make the wrong choice unless we adopt his amendment. I agree with him. Let's make the right choice.

Let me describe the choices senior citizens are making. At a hearing in Dickinson, ND, Dr. James Baumgartner told me of a patient of his on Medicare who had surgery for breast cancer. He told her about the prescription drug she would have to take to reduce the chances of recurrence of breast cancer. She said: Doctor, I can't do that. I don't have the money to buy those prescription drugs. I'm just going to have to take my chances.

That is a choice. Not a good choice, but a forced choice because there is no coverage for prescription drugs in Medicare.

How about the choice of buying food? At another hearing in Illinois, a woman told me that where she goes to the grocery store, the pharmacy counter is at the back end of the store. She must go to the rear of the store to buy her prescription drugs, first, because only then will this older woman know how much money she has left for food. She must buy her prescription drugs first because only then will she know what she can afford to pay for her food.

That is a choice she had to make.

At another hearing, a fellow told me that he pays $2,400 for medicine. He is living on a fixed income in retirement. He said: I eat spaghetti sometimes 8 and 9 days in a row because I can't afford anything else, and still be able to pay for my prescription medicine.

That is a choice. Not a good one but a choice.

Or transplant recipients at a hearing in Illinois. We had two people with heart transplants and one with a double lung transplant. One of them said her prescription drugs costs $24,000 a year.

That person could probably make a choice of having the rejection of her transplants, but that is not much of a choice either, is it?

Or the woman in New York at the hearing I held. Connie, from Rye Brook, NY, has no prescription drug coverage and is forced to pay out-of-pocket costs she cannot afford. She said: I cut the pill in half and take half the dosage so it lasts twice as long.

That, too, is a choice. Not a good choice.

All over the country, senior citizens are having to make these choices. They are not good choices because we don't have a prescription drug benefit in the Medicare program.

Senator ROBB from Virginia has said in his amendment that we ought to make it a priority to do the right thing. He is dead right. We have a responsibility to add a prescription drug benefit to this Medicare program. This is the time and the place to make that choice. This vote will determine what that choice is going to be.

I yield the floor.

Mr. REID. Mr. President, I yield 1 minute to the Senator from Virginia. Following his statement, I yield 5 minutes off of our 45 minutes, or whatever time is remaining, to Senator KENNEDY from Massachusetts, and then 5 minutes on the bill for a total of 10 minutes to Senator KENNEDY.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Mr. President, I first thank the Senator from Minnesota and the Senator from North Dakota for their statements.

The bottom line is this particular provision in the resolution before the Senate locks in as a matter of law a permanent tax cut that would gobble up all but 2 percent of the on-budget

surplus that is available. No matter how much we talk about the desire to do something in terms of prescription drugs for seniors, after the stories we hear about choosing between food and medicine, the bottom line is we lock in a tax cut and we take all the money that would otherwise be available. Notwithstanding the expressed good intentions, it just won't work.

This is a matter of priorities.

I am delighted to yield to the distinguished Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I express appreciation to Senator ROBB for his leadership in bringing the Senate to where we are this morning with an opportunity to vote at 11 o'clock on whether we will put the seniors in this country ahead of an unwise tax cut at this time.

A budget is about national priorities. This amendment says to the American people that prescription drug coverage under Medicare is as high a priority for the Senate as it is for the American people. This amendment says health care for the elderly is more important than tax cuts for the wealthy.

Without this amendment, this Republican budget resolution has its priorities backwards. It says the first priority is tax cuts.

Yesterday, my friend and colleague, the distinguished chairman of the Senate Budget Committee, and I engaged in a discussion of this point. I asked the chairman if there was any guarantee in the budget instructions that we will have prescription drugs on the floor by September 31, which is effectively the last week of Congress. This is what my honorable friend said: No, there is no guarantee.

He went on to say that under the resolution a prescription drug bill could be brought to the floor without a budget point of order being lodged against it after September 1.

That is an empty promise. Such a bill would still be subject to a filibuster. It would still require 60 votes to even get to the floor if any Senator objected to its consideration. It would still have to be called up by the majority leader or offered as an amendment if there was a suitable vehicle. If by some miracle it did get to the floor, an unlimited number of amendments could be offered, and it would still be subject to a number of restrictions that I will discuss in a moment.

Compare that to the tax bill. It is required to be reported by the Senate Finance Committee no later than September 22—not permitted, required. It cannot be filibustered under Senate rules. Debate is limited, in terms of the total hours, to 50 hours. It requires only 50 votes to pass.

Of course, we know the majority party is absolutely committed to pass a tax bill, but this budget resolution makes it abundantly clear there is no similar commitment to Medicare drug coverage. It is that plain and simple. There are two different standards, make no mistake about it—one standard for the tax, and an entirely different one for prescription drugs. I daresay the one on the prescription drugs is illustrated by the language of the resolution itself. It says that, in the Senate, the budgetary limits may be adjusted and allocated and may be revised by legislation reported by the Committee on Finance to provide a prescription drug benefit. ''May be'' is optional. That is different from where it says the Senate Finance Committee shall report to the Senate on the tax bill.

So we have not only the requirements that it ''may be'' rather than ''shall'' with regard to prescription drugs, but we have the whole procedure in the Senate that will permit filibusters in bringing it up, in debating it on the floor of the Senate. It will require 60 votes to be able to get to a final resolution as compared to 50 votes for the tax bill. That is dramatically different.

What we are saying with the Robb amendment is let us pass the prescription drug bill first and then consider the tax cut afterwards.

In the remaining time, I want to mention one additional item. This particular prescription drug proposal, as I mentioned, is a 3-year proposal, even if they are able to jump through the hoops that I have mentioned. Let's say we are able to consider the bill; let's say we are able to get the majority leader to call it up. It is very difficult to get any measure that we can amend, as we have seen over the course of this time, but let's say we get the majority leader to call it up. And let's say we have the 60 votes to get cloture. It is only for 3 years. Beyond that, you only get a continuation of that program if we find the solvency of the Medicare fund, and there is going to be a complete revamping of the Medicare program without using any general funds in order to stabilize the Medicare system. Here we find, again, the conditions that have to be realized before we are able to extend it.

The tax cut is permanent. Do we understand? The tax cut is permanent. It is virtually automatic. Once this bill passes, there will be a requirement that the tax bill be on the floor of the Senate in September. But this prescription drug proposal has to jump through all the hoops for the first 3 years, and even if we jump through the hoops for the first 3 years, we have to go back through the hoops over the remaining 2 years. It is not permanent as is the tax bill.

Finally, I want to once again review about whom we are talking and what the costs are in terms of the prescription drugs. Yesterday I tried to point out, as has been mentioned here, a third of American seniors do not have any coverage and another third are losing it dramatically. In the last 3 years, we have seen a 25-percent drop in coverage. If you take the drops in 1998 and 1999, it shows it is going right on down, and the costs of Medigap are going through the ceiling. The HMOs are setting limits that make it difficult if not virtually impossible for senior citizens to get the protections they earned.

Who are these senior citizens? Look at this chart here and we see what the income is for senior citizens, the retirees, the men and women who fought in the World Wars, brought this country out of the Depression, and have made it the great Nation it is. Mr. President, 57 percent of them have incomes below $15,000; 21 percent below $25,000. That is almost 80 percent of our senior citizens, those with incomes below $25,000. Then it continues on with only 7 percent at $50,000 or over. Many would say that is just middle income. Certainly, if you have some children at school, $50,000 is considered to be middle income. We are talking about individuals who are hard pressed. These are men and women who made the country and now are dependent upon these prescription drugs in order to be able to survive.

Finally, we see in this chart what it is costing these elderly citizens. For so many of the moderate-income beneficiaries, typical drug costs versus their income—when you look at about 150 percent of poverty, that is almost the median income for senior citizens in this country. Look at this chart of what it costs for these routine illnesses and sicknesses of our elderly people. Every elderly person either is in danger of, or fears, or has osteoporosis and heart trouble, high blood pressure, irregular heartbeat——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. REID. Mr. President, I yield the Senator from Massachusetts 2 minutes off of the bill.

Mr. KENNEDY. High blood pressure, heart disease. This is the typical cost in 1 year. This is the percent of their income they are paying: 20 percent, 26 percent, 31 percent, 40 percent, 240 percent of their income.

This is just for prescription drugs. This is not for any other medical expenses. That is more than they are spending, in many instances, for their rent, their food, their clothing, and their other necessities.

As we see this issue, there is nothing more important—preserving our Social Security and preserving Medicare—than prescription drug protection for senior citizens. I believe we ought to be able to shape a program that will be universal, that will have the catastrophic as well as the basic, and that will be affordable for individuals as well as the Federal Government.

What we are saying is let's debate that issue. Let's have an opportunity for the Senate to take action on that issue prior to the time we go to these massive tax breaks. That is what this Robb amendment is all about, putting our seniors first. I hope our colleagues will join in supporting it.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I ask unanimous consent the time this morning that has been charged to the resolution, which I think is about 7 minutes, not be counted to the 45 minutes of time on the side of the minority.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. REID. Mr. President, I yield 7 minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I applaud my colleague from Massachusetts for his tremendous leadership on this subject and for having just pointed out the realities of the situation we find ourselves in on the floor of the Senate. It is hard for anybody, rationally, to think about the problems our seniors face in this country and then measure those problems against what the Republican majority is presenting the country in its budget resolution.

I do not understand the rationale. I do not understand how they can come to the floor prepared to guarantee the wealthiest Americans are going to get an extraordinary tax cut. That is absolutely cast in stone. That is going to happen. They saw to it in this budget resolution that there is a certainty as to the tax cut. But at the same time they saw to it that there is no certainty with respect to senior citizens having an opportunity that we take care of their needs for prescription drugs. Their budget pays lipservice to the critical issue of helping seniors afford medications that are prescribed by their doctors.

If you measure this, the budget resolution provides a tax cut of over $150 billion over 5 years. Those tax cuts will require we pay $18 billion more in interest payments. So when you add the interest payments to the tax cuts themselves, you have virtually the amount of the entire non-Social Security surplus that is going to be taken off the table and given back. But what is extraordinary is their focus. Here is a major problem. There is not one of us, as Senators, who does not go home to our States and find countless numbers of citizens come to us and say: I cannot afford to buy drugs. I have to choose between paying rent or food and buying the prescription drugs I need to be healthy.

We have citizens who are piling into buses going to Mexico and Canada to buy drugs, and yet ''our'' fixation, the fixation of the majority is to absolutely guarantee that the wealthiest people in America who have done the best over the last 15 to 20 years are absolutely going to get a tax cut, but the neediest people in America who need help with prescription drugs, who are paying thousands of dollars a year and are on a fixed income and cannot afford it, have no guarantee in this budget that they are going to have the Senate produce a prescription drug benefit.

There is some lipservice to $40 billion, but as my colleague from Massachusetts pointed out, there is no guarantee we are ever going to see legislation.

Why is it that there is an absolute certainty as to the tax cut, an absolute guarantee that people who have done the best are going to be helped but people who are the most needy are not going to be helped? The Senate ought to be committed to addressing the importance of working families receiving this kind of help.

Why is that so important? It ought to be obvious to every Member of the Senate. When Medicare was created in 1965, the biggest cost concern for patients was a long stay in the hospital. Today, particularly because of the wonders of modern medicine and the biotechnology revolution, patients who once needed surgery now can take drugs; patients who once needed extensive stays in hospitals are now able to take wonder drugs of the modern age to lower cholesterol, lower blood pressure, stabilize weak hearts, and do extraordinary things, but they cost a lot of money.

There has been a remarkable cost-shifting process. It used to be that if one went to the hospital to have an operation and stayed in the hospital, insurance took care of the stay. But now the hospital stay and the long period of convalescence has been supplanted by the miracle drug, and the cost has shifted from the insurance to the individual, and most of these individuals are not able to afford it.

Take, for instance, a highly effective drug for hypertension. Sixty percent of the people over the age of 65 have hypertension. The fact is, highly effective drugs to control this typically cost about $40 a month. They greatly reduce the potential of stroke. A stroke, obviously, requires rehab time in hospitals and a variety of in-house costs and services to the medical system. If we can prevent that from happening, we save the system money. But if that cost shifting is to the individual who is on a fixed income, they get stuck with the problem.

Prescription drug expenditures in the United States—and I ask my colleagues to focus on this—have grown at nearly double-digit rates almost every year since 1980, with seniors' drug prices growing at four times the rate of inflation.

In 1997, prescription drug expenditures had the highest growth rate of all health and human services and supplies. There was a 14.1-percent growth in those costs versus the overall health care expenditure cost that rose at only 4.8 percent—14.1 percent for prescription drugs; health care costs were generally 4 percent.

A lot of us will support the increase in the NIH funding because we want to continue this revolution, but the fact is, it does not do a lot of good to put on the shelf drugs from the laboratory that are completely inaccessible to the average American who needs them because they simply cannot afford them.

We are missing a historic opportunity in the Senate in terms of our legislating process. The fact is, we have an opportunity to provide 14 million senior citizens, who lack prescription drug coverage, with that coverage. That is, one-third of all Medicare beneficiaries have no prescription drug coverage at all.

Three-fifths of all Medicare beneficiaries lack dependable coverage, and one-quarter of all Medicare beneficiaries have retiree drug coverage from their former employer, but the number of firms offering that coverage has declined by 25 percent over the last 4 years.

In our state of Massachusetts, there are 982,934 Medicare beneficiaries. 45% of these seniors lack prescription drug coverage. 55% of these seniors have some form of coverage—but, the form that coverage takes is often capped, costly, inadequate or all of the above.

Prescription drugs are the largest out-of-pocket health care cost for seniors in Massachusetts and throughout the country. More than 85% of Medicare beneficiaries take at least one prescription medicine, and the average beneficiary fills 18 prescriptions per year. The average annual prescription drug cost for Medicare beneficiaries will reach $1,100 this year. Even beneficiaries with some drug coverage incur high out-of-pocket spending, an average of $700 per year. Increasing costs coupled with the lack of coverage force 1 out of 8 seniors in our country to choose between buying food and medicine.

Unless we act, we can only expect these numbers to increase. Americans aged 85 and older represent the fastest growing segment of the population, with expected growth from 4 million people today to 19 million people by 2050. We cannot afford to allow this problem to continue.

Medicare was enacted in 1965 as a promise to the American people that, in exchange for their years of hard work and service to our country, their health care would be protected in their golden years. Mr. President, it is past time we deliver on that promise.

My hope is that we will adopt the Robb amendment. I congratulate the Senator from Virginia for bringing this amendment to the floor. It requires that we find some methodology by which we will guarantee that Congress will pass a prescription drug program. It seems to me it is as imperative we do that as give a tax cut, considering the fact that the Federal tax burden is the lowest it has been in 20 years. Let's get our priorities straight and do what is correct.

I thank the Chair.

The PRESIDING OFFICER (Mr. L. CHAFEE). The Senator from Colorado.

Mr. ALLARD. Mr. President, I ask unanimous consent that the scheduled votes for 11 a.m. today now begin at 10:45 a.m., under the same terms as previously agreed to, and that at 10:45 a.m., the majority manager be recognized to make a point of order and then

yield an additional 4 minutes to the minority side from the majority's time.

Mr. REID. It is my understanding that will give the minority 25 minutes remaining.

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. This has been checked with Senator LAUTENBERG, and we on the minority side agree to this unanimous consent request.

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

Mr. ALLARD. Mr. President, I yield 15 minutes to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Mr. President, I rise to address the underlying amendment offered by the Senator from Virginia and his colleagues which links our efforts to provide affordable access to outpatient prescription drugs for seniors to the issue of tax relief. I believe this amendment is unnecessary.

One of the highest priorities in the Republican-sponsored budget is to provide outpatient prescription drug coverage for Medicare beneficiaries, something in which I, as a physician who has taken care of thousands of Medicare beneficiaries—individuals with disabilities and seniors—and my colleagues strongly believe is critical to the health care security of these beneficiaries. They need and deserve affordable access to prescription drugs, and that is an important part of our agenda.

We reduce the tax burden on hard-working Americans who today are being taxed more than at any time in the peacetime history of this country.

I simply cannot and will not support any amendment that pits these two goals, which are inherent and integral parts of this budget, against one another. It is unnecessary, and it is irresponsible. We can do both in our budget and we provide the means to do so.

It is a fascinating time in our history in terms of the evolution of health care. We are almost where we were in the early 1960s in our discussion of prescription drug coverage. Before Medicare, we did not have coverage for hospitals and physician services. In the early 1960s, we had the opportunity to shape health care security for seniors, and later for individuals with disabilities, in a way that has been very beneficial. I say that as a health care provider who has been on the frontline.

In large part as a product of the tremendous research and development and the discovery of new drugs, and the application of those drugs in recent years, it is time that we in this Congress address Medicare for seniors in a modernized way. ''In a modernized way'' means that we must bring prescription drugs into Medicare in an integrated fashion to deliver a full set of comprehensive benefits to beneficiaries. That is why in this budget we address modernizing Medicare and setting aside $40 billion to strengthen the program and include an outpatient prescription drug benefit.

But something we do that is critical, that is not being addressed by these freestanding drug bills that are being proposed—both in the House and in the Senate—is that we link that inclusion of prescription drug coverage to the overall modernization of the Medicare system.

Although this is a budget discussion, it is not just a matter of only dollars and cents. We are talking about health care security for our seniors. The physician, the hospital, the health care facility, and the prescription drugs all must be a part of one seamless health care delivery program.

As good as Medicare is today, it is not as good as most people think it is, for lots of different reasons.

No. 1, it is a fragmented system. We have a Part A trust fund and a Part B trust fund. We have outpatient care and we have inpatient care. It is incomplete. The benefit package is outdated. There is even very little in the way of preventive services as part of Medicare today, services that seniors desperately need.

Preventative care, which is in private health care plans, has proliferated. We all know how important it is. Yet there is almost none of that in Medicare today.

Many people think Medicare is going to take care of our seniors later in their lives. It is a fact, of every dollar that is spent for a senior's health care, if you put it all together, only 53 cents is paid for by Medicare. The other 47 cents, that is paid for by that senior or that individual with the disability who has to reach out, scrape around, get another insurance policy, pay out of pocket, or ask for free care in order to cover health care expenses. We can do better.

Thus, we are absolutely committed to the principle of, yes, including prescription drugs into the system, but doing it in such a way that we can improve and modernize Medicare as the whole, to be a seamless system in the provision of high-quality care for our seniors.

I believe it is irresponsible—when you have a Medicare program that is threatened in terms of long-term solvency, when you look at deficits in cash-flow, when you look at the huge demographic shift that will be occurring with the baby boomers coming through the system, with a doubling of the number of seniors over the next 30 years, and a lessening of the people who are paying into the system—it is irresponsible, unless you address the overall health care system, to take a benefit, a very expensive benefit, and simply set it on top of a system that cannot be sustained long term. It is deceptive. It is just not right. Our seniors deserve better.

Thus, instead of trying to link tax relief to improving health care for our seniors, what we Republicans believe—expressed in this budget—is that the appropriate linkage is providing prescription drugs in an affordable way, but linking it inextricably to the modernization of the overall Medicare system. That is the most prudent, short-term and long-term approach to guarantee health care security for our seniors.

The principles of prescription drug coverage are, in my mind, pretty simple. I think all of us must recognize that a new drug benefit should not be modeled on Medicare's traditional, out-of-date delivery model. We need a new model. The President's plan does not change the system at all, but instead places more financial burdens on an already fragile program, while at the same time placing Medicare beneficiaries' health at risk.

No. 2, such a benefit should be voluntary. Most would agree on both sides of the aisle including the President that it must be accessible to all. At the same time, we should not do anything that forces people into HMOs. We should not do anything that forces seniors today, who already have prescription drug coverage, to give up what they have. We should not force seniors today, who are already paying a certain amount for prescription drug coverage, to pay more than what they pay today.

The third principle is—this is important—something we have the responsibility to address in the short-term and the long-term; that is, that price controls in prescription drugs will not work. They will destroy the opportunity to develop that new drug, that new prescription, that new agent that can be lifesaving, that can treat illness and prevent disease. Price controls will wipe out drug innovation.

I believe those three principles must be a part of the drug package that we assimilate into a modernized Medicare system. Thus, the long-term goal—again, this linkage in this amendment of tax relief, or holding one hostage for the other—is not the right thing to do for our Medicare beneficiaries.

For the 35 million seniors and 5 million individuals with disabilities who are out there, why hold them hostage? Why not go to the underlying budget proposal, which I believe has the more responsible link; and that is, yes, prescription drug coverage—it has to be there—it is health care security but linking it to modernization, reform of our Medicare system. That should be our long-term goal.

Prescription drug coverage should be brought into the system alongside physician services, hospital services, facilities services, medical devices where you can consider them all, not as some freestanding plan saying drugs are over there. Those drugs are just as important as that surgical knife that I once wielded. We need a seamless system, a coordinated care approach.

On this issue, again, we are talking about the budget. But it is important for all of our colleagues to understand

this linkage that I believe is so important of bringing prescription drugs in, because it is this whole range of tools that physicians and health care providers need in order to guarantee affordable high-quality care.

Now is not the time to institutionalize freestanding plans which result in further fragmentation. If we pass a freestanding plan, it is likely to result in further fragmentation of the system when we need seamless, coordinated care.

We have moved today, in the year 2000, towards disease management and coordinated delivery of health care. We no longer operate under a model where a surgical procedure is performed and then the patient is sent to another doctor to treat the headache, and to another doctor to give a device or a pacemaker. We want that seamless management. That is why prescription drugs must be made a part of the overall, comprehensive reform of our Medicare system.

Less than 10 years ago, the Medicare trustees estimated that the Medicare Part A Trust Fund, otherwise known as the Hospital Insurance Trust Fund, would be insolvent in 1999. Since then, the Trustees' solvency estimates of the Part A Trust Fund have fluctuated tremendously. As little as five years ago the Part A Trust Fund was expected to be depleted by 2002. In 1996 and 1997, insolvency was estimated in the year 2001, in 1998, it was projected for 2008, in 1999 for 2015, and in the year 2000, Medicare bankruptcy is projected for 2023. It might seem strange that insolvency dates could fluctuate so dramatically—a 21-year range—over a 5-year period. The reason for this is simple. The Medicare Trustees' reports are estimates—estimates based on assumptions regarding growth in expenditures in the Medicare program, economy, life expectancy, and the like, which are continually changing. Therefore, any interpretation of these reports must be made with the understanding that as early as the following year, program insolvency estimates may look dramatically different. History has shown us as much.

Equally important, the definition of ''solvency'' itself calls for further examination. The historic concept of Medicare's solvency is one that has been partially and inappropriately borrowed from Social Security and has never fully reflected the fiscal integrity of the Medicare program. Solvency in Medicare is not the same as solvency in Social Security. The Social Security Trust Funds are funded exclusively through payroll taxes, so it is relatively easy to determine when Social Security expenditures are projected to exceed income.

Medicare, however, is funded by a combination of payroll taxes, general revenue, and beneficiary premiums, divided between two separate trust funds—Part A and Part B. Additionally, the ratio of these revenue streams has changed over time such that a greater portion of Medicare expenses is now paid by general revenues through the Part B Trust Fund, and a relatively smaller portion is paid by payroll taxes and beneficiary premiums—than was originally intended when the program was first enacted. The payroll tax supporting the Social Security Trust Funds is limited both by its rate and the wage base on which that rate is applied. Medicare's funding has an unlimited taxable wage base and therefore no limit on the maximum tax. The Part A Trust Fund is funded by a payroll tax of 1.45 percent on all earnings in covered employment and 2.9 percent for the self employed. In sum, the sources of funding for the Medicare program are numerous, unlimited and divided among trust funds, making the true test for program solvency much more complicated than Social Security.

Today, almost equal numbers of seniors and disabled, about 39 million total, are enrolled in both Parts A and B of the program. Part B spending represents nearly 40 percent of total program expenditures and that number will increase significantly, reaching 50 percent by 2020, as Part B spending continues to grow at twice the rate of Part A. So why is it that only 60 percent of program spending—the Part A Trust Fund only—is used to determine the financial health of Medicare as a whole?

Actually, the notion of Part A ''solvency'', or rather ''insolvency'', has been used as political leverage to shift more Medicare financing to Part B and draw on general revenues. This not only fundamentally alters the way the Part A Trust Fund is financed by moving away from payroll financing toward a formal commitment of future general fund revenues, but also sends a false sense of security to the American public regarding the true financial health of the program.

An example, in is the Balanced Budget Act of 1997, where Congress passed legislation that shifted a major portion of home health expenditures—approximately $80 billion—from Part A to Part B. By doing so, the fiction of Part A Trust Fund ''solvency'' was extended from 2002 to 2008. However, this shift increased the draw on general revenues tremendously. Worse, it continued to mask the financial instability of the program and made it easier to allow fiscal imbalances to go unnoticed.

In addition, although insolvency dates are often used to determine when the Part A Trust Fund can no longer sustain the program, there is another important element that must not be overlooked—that is trust fund assets. Long before the insolvency date is reached, the Part A Trust Fund must draw upon its assets to continue to fund the program. These assets are really a claim on the Treasury. When the trust fund runs a cash deficit, like the Part A Trust Fund has been doing since 1992, these securities are redeemed to pay for program costs. For instance, this year the Medicare Trustees Report indicates that the Part A Trust Fund will remain solvent until 2023. This only occurs, however, because securities are redeemed in order to pay for program costs, beginning in 2015. The reality is in 2015, the Part A Trust Fund will begin a deficit again where program expenditures will exceed income. To redeem the securities necessary to keep the program solvent until 2023, the government as a whole must come up with the cash by either increasing taxes, reducing spending or borrowing from the public. This is all in light of the fact that any small shift in the economy, program expenditures or health care costs could greatly affect not only the date in which the program falls into a cash deficit, but also when insolvency is reached.

The Congressional Budget Office reports that Medicare spending will grow at an annual average rate of 7.1 percent over the next 10 years. The Medicare Trustees report highlights the 38 percent growth in the Part B trust fund over the past 5 years, with these growth rates expected to continue and even increase. Clearly, addressing the financial health of the Medicare program by looking at approximately one-half of the total program expenditures is not only misleading, but also a misrepresentation of the programs financial viability—to our nation's Medicare beneficiaries and the public at large.

Even the Medicare Trustees acknowledge that future operations of the Part A Trust Fund will be very sensitive to future economic, demographic, and health cost trends and could differ substantially from 2023 insolvency projections estimated this year. Medicare has never had a trust fund balance at the beginning of any year that could cover much more than one year's worth of expenditures. In 1996, the program was able to fund a little more than one year's worth of expenditures, the highest ratio yet, but in 1983 the Part A Trust Fund would have only been able to fund one-fifth of Medicare program expenditures—and in 1999 only 92%.

You see, we can continue to kid ourselves into believing that Medicare is financially stable. We can address only a fraction of the program and shift numbers until the program looks solvent on paper. But the truth is the Medicare program is in great financial trouble and fast approaching a financial crisis. Without addressing Medicare's fundamental programmatic and financial problems, combined with the huge demographic shift of baby boomers in a decade, Medicare will go bankrupt at the expense of Americans who need and deserve quality, affordable health care. As we continue to discuss the addition of a new entitlement to Medicare—outpatient prescription drugs—I urge my colleagues to carefully consider the fragile financial condition the program is in.

I believe there is consensus among many of us here this morning—much of which has been heard over the last twenty four hours—to include an outpatient prescription drug benefit in the

Medicare program this year. I agree completely. More than ever, as a physician, I understand the need to ensure our nation's seniors and individuals with disabilities have access to life-saving drugs. But I also believe that we all have a responsibility to ensure that Medicare is viable and can be sustained with any new benefit that is added. I want to be able to guarantee my fellow Tennesseans and every Medicare beneficiary health care security. This is not an easy task—and it is tempting to avoid the difficult discussions and decisions that must be made to address the overall programmatic and financial health of Medicare. But we owe it to our grandmothers and grandfathers, our children and even ourselves to be responsible in developing an outpatient prescription drug benefit to ensure Medicare will be available now and well into the future.

I thank the chairman for bringing forth a budget that sets aside funding specifically for Medicare and outpatient prescription drugs. And again I reiterate that the amendment put forth by Senator ROBB and his Democratic colleagues is unnecessary. The Republican-supported budget resolution sets aside $40 billion over the next 5 years for Medicare and the inclusion of an outpatient prescription drug benefit. In addition, it also provides relief to hard-working Americans who are being taxed at the highest rate in the peacetime history of this country. Both are high priorities—they are not mutually exclusive. We should not be pitting the health of our nation's Medicare beneficiaries against tax relief. It is unfair and it is irresponsible to do so. Both are critical to this budget and can be done—and we will continue to work hard to reach these important goals.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. All the majority's time has expired.

The Senator from Nevada has 25 minutes.

Mr. FRIST. May I yield myself 3 more minutes?

Mr. REID. As long as we vote at 10:48.

Mr. FRIST. I yield myself 3 more minutes.

The PRESIDING OFFICER. The Senator has no more time to yield.

The Senator from Nevada.

Mr. REID. I say to my friend from Tennessee, we have 5 speakers to take up our time. We have no more time. If he wants to extend the time to vote, that is fine with me. That would be 10:48.

Mr. DOMENICI. Mr. President, I have 10 minutes left on the bill?

The PRESIDING OFFICER. There is no time remaining on the majority side.

The vote is set for 10:45.

Mr. REID. I yield 5 minutes to the Senator from Louisiana.

Mr. BREAUX. I thank the Senator from Nevada for yielding me 5 minutes.

It is interesting to hear discussion and debate in the Congress on the question of prescription drugs for seniors and the Medicare program. There is no one in this Congress I know who is going to come to the floor of the Senate and say: I am opposed to giving seniors prescription drugs. That is not the issue. I think there is almost unanimous agreement by everyone in the Congress that prescription drugs today are as important as a hospital bed was in 1965 when the Medicare program was first established.

In that period of time, Members of Congress said: We have to pay for seniors' hospital stays, and we have to pay for their doctors' treatment. But at that time, prescription drugs was not that big of a deal in the sense of being something that helped people, in fact, stay out of hospitals and be cured of what ailed them in medical terms.

Today, it is quite different. Today, prescription drugs keep people out of hospitals as well as cure them from diseases that formerly were thought to be incurable. The question today is not whether Medicare, which serves almost 40 million seniors, should cover prescription drugs. The answer is, of course, it should. The question is, How do we go about doing it and when do we do it? That is what the subject of this debate is all about.

There are some on the Democratic side who make the point with the Robb amendment today that we should add prescription drugs to Medicare before we do tax cuts that are excessive. Excessive tax cuts? What is excessive? One hundred fifty billion over 10 years? How about $25 billion over 10 years? Is that excessive? The point made by many of my Democratic colleagues is, do prescription drugs before you do excessive tax cuts.

On the other hand, Republican colleagues take the approach, let's do prescription drugs but make sure we do reform of the program at the same time. In other words, don't put the cart before the horse, as so many of my Republican colleagues have said.

I share the concern that just adding prescription drugs to a program that last year spent $7 billion more than we took in is certainly not helping the solvency of the Medicare plan. Does it make people feel good about adding prescription drugs? Yes? But does it do anything to fix a program that spent $7 billion more than it took in? It doesn't do that at all. In fact, it makes it more difficult for the program to provide the benefits that are necessary for our seniors.

The latest analysis by the Medicare trustees says the program is OK until the year 2023. Tell that to the nursing homes. Tell them it is all right that they are being cut and put into bankruptcy and put out of business. Tell the rural hospitals of America the program is in great shape, when many of them, in fact, do not get enough money to stay open and treat the Medicare patients we are talking about. Tell the home nursing facilities that are going bankrupt and being put out of business: The program is fine; don't worry.

The truth is, the trustees looked only at Part A. They did not look at Part B, which is growing at almost 40 percent annually and is expected to increase even further.

It is absolutely clear that we make a serious mistake if we do one without the other. As Senator MOYNIHAN, ranking Democrat on the Finance Committee said:

> Medicare reform is the price you must pay for adding prescription drugs to the program.

That makes a lot of sense. If we do the dessert before we do the spinach, no one is going to be around to eat the spinach. We are all going to issue a press release and say: We added prescription drugs; isn't that a great thing?

It is the right thing to do, if we do it in the context of reforming the program and taking it out of the 1960s and bringing it into the 21st century.

Some say: Just add more money to the program and we will fix it. I have drawn the analogy that it is like adding more gasoline to a 1965 automobile. It is still going to run like an old car.

The fundamental problem we have is to reform the program, the delivery system. We cannot continue to micromanage Medicare with 133,000 pages of regulations, three times more than the IRS, where every time someone wants to do something differently, they have to come to Washington and get an act of Congress to add a treatment or to subtract a treatment.

I conclude by saying, yes, I am for prescription drugs. Yes, we agree on the amount that needs to be spent. But, yes, we should also do it in the context of reforming the program.

Mr. REID. Mr. President, I yield 10 minutes to the Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I will make a few points about the budget resolution.

First of all, I am quite concerned that the budget fails to set the right priorities. At least when we listen to the American people as to what their priorities are, this budget resolution before us does not fit, does not manage.

Once again, this budget resolution emphasizes massive tax cuts at the expense of most everything else. I don't think that is where most Americans are. It might not be readily apparent that this budget resolution emphasizes massive tax cuts. For example, last year's budget provided for a tax cut of $792 billion. This year's provides for a tax cut of only $150 billion. So at first glance, one might say the tax cut this year is a lot less than one-fifth of the one proposed last year and the one that was rejected last year. But that is only at first glance. One has to compare not apples with oranges but apples with apples.

Last year's budget was based on 10-year projections; this year's is based on 5-year projections. So if you compare apples with apples, by looking at the 5-year projections, you see that last

year's budget resolution would have cut taxes by $156 billion, almost precisely the same as this year's budget resolution. In other words, it is the same big tax cut, when extended out 10 years as opposed to five. In fact, 98 percent of the projected on-budget surpluses in this budget resolution would be used for tax cuts. But the authors of the resolution fiddled with the accounting periods to make it look a little bit smaller.

I don't buy it. I think that is wrong. We should assume that a tax cut that has virtually the same effect over 5 years also would have virtually the same effect over 10 years. Therefore, it is the same old, excessive, unpopular, proposal in a new flashy suit, the one the American people rejected last year. Once they know what is in this budget resolution, I am sure they will have the same feeling; that is, not be in favor of it. It is the wrong priority. In other words, this is a tax cut of about $800 billion over 10 years which will make impossible other popular American priorities.

Don't get me wrong. I believe there is room for a reasonable tax cut. I think most Americans think there is room for a reasonable tax cut. But it should be targeted and it should be one that provides relief to working families, people who really need the help. The budget resolution must leave room for other national priorities.

In particular, we must take this wonderful opportunity we have to reduce the national debt. I don't know how many times we are going to have this opportunity again. We have it today with a very prosperous economy and with large projected budget surpluses. We should take advantage of this opportunity that we have during this year, and the next couple of years, to dramatically reduce our approximately $7 trillion national debt. That should be a higher priority. It is not a high priority in this budget resolution.

The budget resolution should also clearly provide for full prescription drug coverage, as the Robb amendment would do. Prescription drugs are more effective than ever before in maintaining health. They are also much more expensive, leaving many seniors with a choice of either buying groceries or paying for prescriptions.

I have seen it, Mr. President. I have worked at a drugstore, and I have seen seniors faced with this choice. It is a very unhappy sight. Our elderly need help now. We have heard comments from Senators who say, shouldn't prescription drug coverage be folded into general Medicare reform? Ideally, it should be, but we have to do the best we can with what we have. I say it is important because seniors need help now. We can't wait for an abstraction of help in the future. We need it now. Clearly, we should enact prescription drug benefits this year.

While seniors make up 12 percent of our Nation's population, they account for only about 30 percent of all prescription drug spending. Twelve percent of our population are seniors, but they account for 30 percent of all drug spending. And while about a third of seniors lack drug coverage overall, that number increases to nearly 50 percent in rural areas. Thirty percent of Americans do not have coverage for prescription drugs, overall, in America. In rural America, it is closer to 50 percent.

In Montana, there is very little employer-provided coverage. Medigap—the program which is insurance coverage to pay for the difference between Medicare and the cost—coverage is much too expensive in America, particularly in Montana, and there is no Medicare managed care in Montana. That is right. Until January of this year, my State of Montana had only one Medicare HMO, providing quality care and drug coverage to about 2,600 seniors in Billings, MT. But now that plan has pulled out, leaving those seniors without a drug benefit. So we have no managed care Medicare program in Montana because it is too expensive. We don't have the population to provide it. Our seniors are being left out in the cold. In my mind, providing seniors with a prescription drug benefit is a top priority, and it should be part of this budget resolution.

I also want to make a point about the so-called marriage penalty. I support the Hutchison amendment. I agree that, as that amendment says, we should pass legislation which begins to reduce the marriage penalty. But I would like to add a word of caution.

Listening to some of the debate here, it almost sounds as if the majority is for marriage and that anyone who questions their proposal is against marriage. Nothing could be further from the truth. Marriage is a great institution; I am all for it. It is one of the most wonderful institutions devised by the human race. But the proposal before us and the challenge before us is not quite as simple as some might like it to be. After all, the so-called marriage penalty is not something that was intentionally cooked up to penalize married people and reward sinners. Rather, it is an unintended offshoot of some very difficult, complex decisions that have to be made about our tax system, such as how to tax individuals compared with married couples, which is not an easy question to answer, and how to tax married couples who have a different distribution of income between spouses. Sometimes that is difficult to do.

We have wrestled with this problem since virtually the inception of the Tax Code. The current system, which sets the ''break points''—that is, 15 percent, 21 percent, 28 percent—and the various brackets for individuals at about 60 percent of those for couples filing joint returns, was established in 1969 in the tax reform bill signed by President Nixon. So the basic concept we have was enacted in 1969, again, and signed in by President Nixon.

It was set in response to a very legitimate concern at that time. That concern was that previous rates were unfair to individuals. So the current system, where we have to correct the mistake that was biased against individuals, now is the one we are dealing with to make sure marrieds are treated fairly as well.

There is no easy, pat solution to this problem that doesn't create additional problems. For example, it is mathematically impossible to have a neutral marriage tax—or it is neutral to all married couples if at the same time we want a progressive tax system—and we do—and if at the same time we want all married couples who have the same total married income to be taxed equally, as we do. It is mathematically impossible to accomplish those objectives altogether. I could insert proof of that into the RECORD. That is to say, when you try to adjust the rates, you are going to cause inequities elsewhere, as to what the taxes might be on marrieds versus individuals. It is not an easy thing to do.

In fact, the bill reported by the Finance Committee does not eliminate the marriage penalty; it merely reduces the penalty. At the same time, over half of the total relief the bill reported out by the Finance Committee goes to married couples who don't pay any marriage penalty today whatsoever.

This bill is somewhat a marriage penalty relief bill, but the Democratic alternative proposed by the Finance Committee, particularly by our ranking member, Senator MOYNIHAN, is a better approach. Why? First of all, it is less costly and much more targeted. It targets every dollar to the couples who actually are facing a marriage penalty. In other words, it is more targeted, in my judgment, and more responsible.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BAUCUS. Might I have 1 more minute?

Mr. LAUTENBERG. The time is already allocated. I am sorry. We owe our friends on the other side a couple minutes.

Mr. BAUCUS. Apropos the discussion we just had about 15 minutes ago.

Mr. LAUTENBERG. We had a good advantage of time here, so if the Senator might wrap it up.

Mr. BAUCUS. How about 30 seconds?

Mr. LAUTENBERG. OK.

Mr. BAUCUS. To sum up, the budget resolution before us does not reflect the priorities of the American people. That is clear. The American people do not want 98 percent of the surplus to be allocated to tax cuts. I daresay the majority of Americans want a large part of it targeted to debt relief, paying off the national debt, something targeted for a marriage penalty, something targeted for prescription drugs, and just to do things right, not make a political statement.

I thank my colleagues and yield the floor.

Mr. LAUTENBERG. Mr. President, I yield 4½ minutes to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. WYDEN. Mr. President, budgets aren't just about charts and graphs and cold figures on a sheet of paper. Budgets are about the hopes and aspirations of the American people and our core values. In my view, if the Senate passes the Robb amendment this morning, it will send a message to the millions of senior citizens and families across this country that their hope of prescription drug coverage under Medicare is a priority for the Senate.

If the Senate passes the Robb amendment, it will be a chance to build on the progress that was made on the prescription drug issue in the Budget Committee. I particularly thank my colleagues, Senator SNOWE and Senator SMITH. In the Budget Committee, we were able to lock in a hard figure of $40 billion to start this prescription drug program.

Just as important, in the Budget Committee, there is a stipulation that if the Finance Committee doesn't act on the prescription drug issue on or about September 1 of this year, it is possible for any Member of this Senate, without points of order, to come directly to the floor. So we have been able to register our commitment behind the urgency of prescription drug coverage for older people.

The Robb amendment recognizes that the revolution in modern health care has bypassed the Medicare program. Every major private sector player in the health care field understands that pharmaceuticals are essential because they help to keep people well. Medicare Part A, on the other hand, will pay thousands of dollars for senior citizens' hospital bills, but Medicare Part B will not pay for outpatient prescription drug coverage to help older people stay well.

So that is why this is so important to the American people, and the Robb amendment says to all of those senior citizens who are breaking their pills in half because they can't afford their medicine or taking two pills when they ought to be taking three, who ought to be taking a drug such as Lipitor to deal with cholesterol and blood pressure and can't afford it, we have heard that, we understand how important this coverage is to older people.

If we pass the Robb amendment, it will not be possible for Members of this body to get to the end of the session and then say, gee, there just wasn't time to deal with this issue that is so important to seniors and families.

This amendment is critical to the hopes and aspirations of the American people. They are asking that prescription drug coverage be added to this program.

I yield the floor.

Ms. MIKULSKI. Mr. President, I rise on an issue of critical importance to seniors in Maryland and across the United States. That issue is the need for Medicare coverage of prescription drugs.

''Honor your father and mother'' is not only a good commandment to live by, it is a good public policy to govern by. It should be a priority not only in the federal law books, but in the federal checkbook. And I believe that providing a Medicare drug benefit is a perfect way of honoring our fathers and mothers. That is why I'm proud to stand in support of Senator ROBB's amendment, which says that a Medicare drug benefit is more important than tax cuts.

The Medicare Program has been a tremendous success story. It has reduced poverty among the elderly by almost two-thirds since it was created in 1965. But the world has changed in the last 35 years. In 1965, people feared the costs of hospitalization. One major illness, which years ago often resulted in a hospital stay of several weeks or even months, could bankrupt many families. Today, people fear the costs of chronic care. They need help with the costs of prescription drugs that control chronic conditions and keep people out of the hospital. Many of these life-saving medicines are the result of American medical science and breakthroughs made in this country. I feel very strongly that all Americans should have access to those breakthroughs. We must act now to ensure that they do.

In my home state of Maryland, almost 560,000 seniors rely on Medicare. That number is likely to increase to more than 1 million people by the year 2025. Unfortunately, 3 in every 4 of those seniors does not have decent, dependable private sector drug coverage today. At least one-third don't have any drug coverage at all, and their options for getting coverage are limited. Joining a Medicare HMO is an option for some, but not for seniors in the 17 rural counties of my state. And the other alternative, which is buying a Medigap policy, is expensive. The monthly premium for a policy with drug benefits averages about $136 nationwide, which means that Medigap policies are out of reach for many.

One of the most important things I do as a United States Senator is listen to the people and the stories of their lives. And the problems people are having getting the drugs they need is something I've heard a lot about lately. In the last 6 months, I've gotten more than 200 letters and literally thousands of telephone calls from seniors and their families about the hardships that the high cost of prescription drugs and lack of insurance coverage are causing them. For example, an 84 year old woman from the Eastern Shore who is blind and has diabetes told me that she takes 11 medicines every day and is spending $275 of her $800 monthly income on prescription drugs. The son of a 91 year old woman wrote me to say that his mother spends one-third of her income on her medications, and often takes her daily medicine every other day to make it last longer. This is simply unacceptable. Prescription medicines are now an essential part of modern medicine, and are an essential thread that must be woven into the safety net for seniors.

Thanks to the leadership of Senator DASCHLE, Senate Democrats have come together to agree on basic principles that should serve as a blueprint for action. We have agreed that a Medicare drug benefit should be:

1. Voluntary: Medicare beneficiaries who now have dependable, affordable prescription drug coverage should be able to stick with what they've got.

2. Accessible: A hallmark of Medicare is that all beneficiaries have access to dependable health care. The same should hold true of a prescription drug benefit.

3. Meaningful: A Medicare drug benefit should make a difference in the lives of seniors by helping protect them from excessive out-of-pocket costs.

4. Affordable: The benefit should be affordable both for beneficiaries and for the Medicare program. Medicare should contribute enough toward the prescription drug premium to make it affordable and attractive for all beneficiaries and to ensure the viability of the benefit. Low-income beneficiaries should receive extra help with prescription drug premiums and cost sharing.

This amendment simply says that we must provide a Medicare prescription drug benefit before we provide tax cuts. And I think that shows that we've got our priorities in the right order. The constituents who have written and called me to ask why they or their parents can't get the medicines they need don't want to hear about a tax cut. They want to hear that Medicare covers prescription drugs. That's why I will continue to fight to make access to prescription medicines a reality for seniors in Maryland and across the nation, and why I urge my colleagues to join me in support of Senator ROBB's amendment. Thank you.

Mr. SARBANES. Mr. President, I rise in support of the pending Robb amendment to prevent the Majority from spending almost all of the non-Social Security surplus on tax breaks instead of prescription drug coverage for senior citizens.

Ensuring that older Americans have access to prescription drugs should be one of our top priorities, but the Majority is clearly more interested in enacting deep and unwarranted tax cuts. The Majority's FY 2001 Budget Resolution includes a deadline for consideration of their tax cut plan, but no date is set for establishing a prescription drug benefit. With this amendment, we would clarify that funding a prescription drug benefit for Medicare beneficiaries will be given a higher priority than tax cuts that primarily benefit the wealthy.

Prescription medication is now essential to quality medical care, but many senior citizens cannot afford the

medicine they need because Medicare does not cover the cost of prescription drugs. When Medicare was created, it was modeled after a health care delivery system focused on inpatient hospital care. Today, drugs are as important as a hospital bed was in 1965, but over 13 million seniors have absolutely no assistance covering the cost of prescription medication. Medicare must be updated to include a prescription drug benefit.

Seniors need prescription drug coverage more than the average citizen because they generally live on fixed incomes and suffer from chronic diseases requiring drug therapy. To make matters worse, the cost of prescription drugs has been rising dramatically over the past few years. In addition, older Americans without any prescription drug coverage pay significantly more than HMOs, insurance companies, Federal health programs, and other favored customers for the same pharmaceuticals.

Currently, seniors can obtain some coverage for drugs by joining Medicare HMOs. But, these HMOs are not available in many parts of the country, particularly in the rural areas. Moreover, Medicare HMOs are sharply cutting back on the drug benefits they offer.

Medicare beneficiaries may also purchase drug coverage through Medigap insurance policies. However, these plans are extremely expensive and generally provide inadequate coverage. In addition, for most Medigap plans, the premiums substantially increase with age. Thus, just as beneficiaries need drug coverage the most and are least able to afford it, this drug coverage is priced out of reach. This cost burden particularly affects women who make up 73 percent of people over age 85.

Employer-sponsored retiree health plans generally offer adequate drug coverage. However, only about one quarter of Medicare beneficiaries have access to such plans. In addition, health care coverage for retirees is declining dramatically. According to a recent study, only 23 percent of Maryland firms now offer retiree health insurance.

During the Budget Committee's mark-up of the Majority's budget resolution, I supported an amendment to make $40 billion available for a prescription drug benefit. This amendment, which was adopted, will hopefully inspire action on this issue during the remaining months of this Congress. But, in the meantime, we must ensure that there will be funds available for this benefit by preventing the Majority's unreasonable tax cut plan from consuming the entire on-budget surplus first.

I urge my colleagues to take this opportunity to address one of the most widespread problems facing older Americans today by guaranteeing our seniors access to prescription medications instead of squandering the on-budget surplus on excessive tax cuts.

Mr. ROCKEFELLER. Mr. President, I rise in strong support of Senator ROBB's amendment to insist that tax cuts do not take priority over ensuring that tens of millions of seniors receive affordable outpatient prescription drug coverage.

This is a commonsense amendment about priorities. If we have hundreds of billions of dollars in the next several years to spend on tax reductions that will primarily benefit the wealthiest Americans—and that's what my Republican colleagues are saying when they voted for $250 billion over 5 years in tax cuts for some married people just last week—then we should certainly enact a meaningful Medicare out-patient drug benefit first. It's important to note that when it comes to tax cuts for married people, the Republican proposal doesn't even focus on eliminating the marriage penalty, but rather, gives large bonuses to only certain upper-income married couples. The cost of the Senate Finance marriage bonus proposal explodes in the out years. And yet, when it comes to finding a way to offer Medicare beneficiaries a prescription drug benefit there are all kinds of ifs and conditions.

Senator ROBB is right to say let's do first things first. I urge my colleagues to vote for his amendment that makes a statement about our order of priority. I know too many West Virginia seniors who too frequently go without food, or heat, or other necessities because they are forced to make the terrible choice between the drugs they need and other necessities of life. This is just plain wrong. We should provide all Medicare beneficiaries with a health care benefit that meets their needs. It is ludicrous that the Medicare program doesn't currently offer this critical component of health care today. We should change that, and we have the resources to do it this year. We have the resources if we don't fritter them away by picking favored constituencies for special tax breaks.

Let's look at the facts about how the Republican budget treats tax cuts and how it treats the real hope of many Americans that we will find a way to provide a Medicare outpatient prescription drug benefit. The Republican budget's statement of purpose is to provide $150 billion in tax cuts over 5 years. It provides the money to the Senate Finance Committee to do it. It is a certainty. It will have the protection of reconciliation.

The Republican budget resolution on Medicare prescription drugs does nothing more than suspend existing budget rules to allow for a Medicare drug benefit should the Senate meet its moral responsibility to provide one. It doesn't say do it. It says you can do it. It includes only a $20 billion placeholder to finance a drug benefit. Most people agree that won't be sufficient to offer a decent drug benefit to all Medicare beneficiaries. Moreover, the Republican budget resolution puts a 3-year time limit on a possible Medicare drug benefit—with absolutely no guarantee that the benefit would be continued after 2005. The Republican budget resolution also conditions 2004 and 2005 funding of a possible Medicare drug benefit on Medicare reform. Congress clearly has not reached any consensus on how to approach Medicare reform.

Mr. President, we have a unique window of opportunity to do something good for millions of seniors and disabled Americans. I strongly urge my colleagues to do what is right and vote for the Robb amendment to provide prescription drug coverage to Medicare.

Mr. LAUTENBERG. Mr. President, I support the Robb second-degree amendment to help ensure that Congress acts this year to provide a real prescription drug benefit for seniors.

Mr. President, prescription drugs are a vital part of health care in this country. In fact, senior citizens spend more of their own money on prescription drugs than on any other health care item. If Medicare were enacted today, it would be unthinkable to create a benefit package that did not include prescription drugs.

The resolution before us claims to provide $40 billion for a drug benefit through a reserve fund for Medicare. But there are no reconciliation instructions to make sure that the Congress actually acts—unlike the tax breaks, which the Finance Committee is required to produce.

Mr. President, this amendment ensures that Congress really will act on prescription drugs, by requiring that such legislation be enacted before we take up any tax cut. This makes sure that we keep our priorities straight. And that we won't give tax breaks for the wealthy a higher priority than life-saving drugs for seniors.

Why is it so important that we move on prescription drug legislation this year? Unfortunately, three of every four Medicare beneficiaries lack decent, dependable coverage for prescription drugs. At least a third of those people have no drug coverage at all.

And we're not talking about wealthy people here. Fifty-four percent of the people on Medicare without drug coverage earn about $17,000 a year. Most of those people can't afford to pay the high premiums for Medigap coverage.

We just can't justify a health care system that forces elderly Americans to choose between paying for food and paying for medicine. And that's what's happening today.

Unfortunately, Congress thus far has failed to act to address the need for prescription drugs. And I'm afraid that if we don't force the issue forward, it will continue to languish.

Mr. President, let me be clear. I support targeted tax cuts focused on the real needs of middle class families. But I'm not for moving forward use drain projected surpluses until we've provided seniors with the drugs that could preserve their health, or even save their lives.

In my view, before we approve any of these tax cuts, we should do first

things first, and pass legislation to provide prescription drugs to seniors. It's simply a question of priorities.

So, Mr. President, I congratulate my colleague, Senator ROBB, for his leadership on this issue, and I urge support of his amendment.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, parliamentary inquiry: How much time remains?

The PRESIDING OFFICER. Four and one-half minutes.

Mr. LAUTENBERG. I will take a minute and a half, and then yield to my colleague on the Republican side.

Very simply, I fully support this Robb second-degree amendment. We want to be sure that Congress acts this year to provide a real prescription drug benefit for seniors. Senator ROBB offered an amendment that very specifically does that. The only problem we have that I am concerned about is there are no reconciliation instructions. That doesn't ensure that Congress will act to put this very important benefit in place.

Having graduated to that status of senior citizen, I can tell you this: When I talk to people in that group, the most important and worrisome thing they have in front of them is whether or not they are going to be able to afford the drugs, not only to keep them healthy but also to provide a decent lifestyle.

I commend the Senator from Virginia for having developed this amendment because he knows this is the most critical issue right now affecting the senior citizens beyond having to preserve Social Security and Medicare.

I yield the time remaining to my friend from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I thank Senator LAUTENBERG. I yield myself 2 minutes and yield the remainder of the time to the Senator from Texas. We have 3½ minutes. Is that correct?

The PRESIDING OFFICER. The only time left is under the control of——

Mr. DOMENICI. He yielded his time. What is the ruling of the Chair? Do we have time or not?

The PRESIDING OFFICER. The Senator from New Jersey has yielded to the Senator from New Mexico.

Mr. DOMENICI. Mr. President, I will be very brief.

This amendment has very little to do with Medicare. The budget resolution takes care of Medicare, thanks to a bipartisan understanding.

I call to the attention of millions of newly married couples and all of the married couples who are filing tax returns this year that this amendment says you can't have the marriage tax penalty that Senator HUTCHISON recommends on the floor of the Senate, for the adoption of this amendment in the name of not having any tax cuts knocks out the marriage tax penalty provision. I don't think that is what Americans want.

Speaking about what Americans want, they want us to get rid of the marriage tax penalty and get rid of it quick. If you adopt this amendment, that is gone. All of Senator HUTCHISON's work in trying to get us to vote on this is out the window because we will have decided that is not in order. The Senator's amendment will not be in order. Reconciliation cannot include her marriage tax penalty. That is the issue.

I believe the Senate will overwhelmingly support Senator HUTCHISON and deny Senator ROBB because there is already Medicare in this budget resolution—$40 billion worth. Democrats crowed on how good it is and all of a sudden went to the White House and invented a new thing.

We have taken care of Medicare in this budget resolution.

I yield the remainder of my time to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, the Senator from New Mexico is absolutely right. We are going to take care of Medicare. We are going to have reform that includes prescription drugs of some kind. But we are saying a good idea is in the wrong place, and it is going to absolutely eliminate the ability for us to correct a huge inequity in the Tax Code. This is not a tax cut. It is a tax correction. Twenty-one million American couples pay an average of $1,400 extra just because they got married. A policeman and a schoolteacher get married and owe $1,000 more in taxes. This is wrong.

We must go on record saying that we are not going to tolerate it for one more minute. The Robb amendment eliminates our ability to do that. We cannot allow the Robb amendment to vitiate all the efforts that we have made to correct the marriage penalty tax in this country. We will deal with prescription drugs. We will deal with Medicare. We are committed to doing that, and we are committed to doing it in this budget.

Thank you, Mr. President.

I urge rejection of the Robb amendment and the passage of the Hutchison-Ashcroft amendment.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, the Robb amendment is not germane to the provisions of the budget resolution. I therefore raise a point of order against the amendment under section 305 (b)(2) of the Budget Act.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections of that act for the pending amendment, and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion to waive the Congressional Budget Act in relation to amendment No. 2915 to amendment No. 2914. The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER (Mr. HUTCHINSON). Are there any other Senators in the Chamber who desire to vote?

The yeas and nays resulted—yeas 51, nays 49, as follows:

[Rollcall Vote No. 52 Leg.]

YEAS—51

Abraham	Dorgan	Leahy
Akaka	Durbin	Levin
Baucus	Edwards	Lieberman
Bayh	Feingold	Lincoln
Biden	Feinstein	Mikulski
Bingaman	Fitzgerald	Moynihan
Boxer	Graham	Murray
Breaux	Harkin	Reed
Bryan	Hollings	Reid
Burns	Inouye	Robb
Byrd	Johnson	Rockefeller
Chafee, L.	Kennedy	Sarbanes
Cleland	Kerrey	Schumer
Conrad	Kerry	Specter
Daschle	Kohl	Torricelli
DeWine	Landrieu	Wellstone
Dodd	Lautenberg	Wyden

NAYS—49

Allard	Grams	Nickles
Ashcroft	Grassley	Roberts
Bennett	Gregg	Roth
Bond	Hagel	Santorum
Brownback	Hatch	Sessions
Bunning	Helms	Shelby
Campbell	Hutchinson	Smith (NH)
Cochran	Hutchison	Smith (OR)
Collins	Inhofe	Snowe
Coverdell	Jeffords	Stevens
Craig	Kyl	Thomas
Crapo	Lott	Thompson
Domenici	Lugar	Thurmond
Enzi	Mack	Voinovich
Frist	McCain	Warner
Gorton	McConnell	
Gramm	Murkowski	

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 49. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the next vote in this series be limited to 10 minutes.

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

VOTE ON AMENDMENT NO. 2914

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2914.

Mrs. HUTCHISON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 99, nays 1, as follows:

[Rollcall Vote No. 53 Leg.]

YEAS—99

Abraham	Boxer	Cochran
Akaka	Breaux	Collins
Allard	Brownback	Conrad
Ashcroft	Bryan	Coverdell
Baucus	Bunning	Craig
Bayh	Burns	Crapo
Bennett	Byrd	Daschle
Biden	Campbell	DeWine
Bingaman	Chafee, L.	Dodd
Bond	Cleland	Domenici

Dorgan	Jeffords	Reed
Durbin	Johnson	Reid
Edwards	Kennedy	Robb
Enzi	Kerrey	Roberts
Feingold	Kerry	Rockefeller
Feinstein	Kohl	Roth
Fitzgerald	Kyl	Santorum
Frist	Landrieu	Sarbanes
Gorton	Lautenberg	Schumer
Graham	Leahy	Sessions
Gramm	Levin	Shelby
Grams	Lieberman	Smith (NH)
Grassley	Lincoln	Smith (OR)
Gregg	Lott	Snowe
Hagel	Lugar	Specter
Harkin	Mack	Stevens
Hatch	McCain	Thomas
Helms	McConnell	Thompson
Hollings	Mikulski	Thurmond
Hutchinson	Moynihan	Torricelli
Hutchison	Murkowski	Warner
Inhofe	Murray	Wellstone
Inouye	Nickles	Wyden

NAYS—1

Voinovich

The amendment (No. 2914) was agreed to.

Mr. DOMENICI. Mr. President, I ask unanimous consent that Senators ABRAHAM and LEVIN be recognized as in morning business for up to 10 minutes to discuss a resolution relating to the NCAA tournament and that that time be counted towards the remaining time on the budget.

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

The Senator from Michigan.

Mr. DOMENICI. Before the Senator proceeds, on the next amendment, Senator BINGAMAN's amendment, I ask unanimous consent that the last 2 minutes we have on our hour be reserved out of our overall time on that amendment.

Mr. DASCHLE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Michigan.

CONGRATULATING MICHIGAN STATE UNIVERSITY MEN'S BASKETBALL TEAM

Mr. ABRAHAM. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 281 submitted earlier by Senator LEVIN and myself.

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

The legislative clerk read as follows:

A resolution (S. Res. 281) to congratulate the Michigan State University Men's Basketball Team on winning the 2000 National Collegiate Athletic Association Men's Basketball Championship.

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

Mr. ABRAHAM. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 281) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 281

Whereas the Michigan State Spartans were Big Ten Conference regular season co-champions, and were winners of the Big Ten Conference Tournament, and, with a 26–7 record, earned a number one seed in the Midwest region of the 1999–2000 N.C.A.A. Tournament;

Whereas the Michigan State Spartans proved their dominance over the Midwest Region in reaching the Final Four, defeating Valparaiso 65–38, Utah 73–61, Syracuse 75–58, and Iowa State 75–64;

Whereas in winning the Midwest Region the Michigan State Spartans reached the Men's Final Four for the second year in a row, last year losing to the Duke University Blue Devils in the semifinals;

Whereas the Michigan State Spartans vowed after that loss to return to the Final Four in 1999–2000, and to settle for nothing less than the ultimate prize;

Whereas the Michigan State Spartans moved one step closer to their goal when they defeated the University of Wisconsin Badgers 53–41 for the fourth time of the 1999–2000 season to reach the championship game;

Whereas in that game, the Michigan State Spartans, with an entire team effort that demonstrated why college athletics are so special, defeated the University of Florida Gators 89–76 on April 3, 2000, and won the N.C.A.A. Men's Basketball Championship for the second time in the history of the program;

Whereas Coach Tom Izzo, who hails from Iron Mountain, Michigan, in only his fifth year coaching the team, has proven himself to be one of the finest coaches in Men's College Basketball, and he and his staff instilled into the Spartans a will to win second to none, exemplified by their cutthroat defense, which suffocated many potent offenses throughout the season, and particularly in the second half of N.C.A.A. Tournament games;

Whereas Mateen Cleaves, Morris Peterson, and A.J. Granger, three seniors who have been playing together for four years and who ended their collegiate careers with a win, spurred this team to victory throughout the year, Mr. Cleaves with his incredible leadership, Mr. Peterson with his clutch shooting, and Mr. Granger with his consistent long marksmanship;

Whereas Mateen Cleaves, Morris Peterson, and Charlie Bell, three individuals who hail from Flint, Michigan, and have thus been given the nickname ''The Flintstones,'' have been playing together since elementary school, and whose comradeship and loyalty to one another carried out onto the floor, and made the Spartans team a family off the floor as well;

Whereas Mateen Cleaves, the fearless captain of the team and the all-time assist leader in the Big Ten's history, who led not only with words but also with the example he set, who returned to the championship game after sustaining a high ankle sprain to his right leg, led his team to the title and, like a true champion, made good on his word;

Whereas Morris Peterson, named the Big Ten Conference Player of the Year, saved the Michigan State Spartans from the clutches of defeat many times this season, and particularly in the tournament, with his laser-like shooting and stingy defense;

Whereas Charlie Bell, perhaps the best rebounding guard in the nation, also led the team with his quickness, tireless defense effort, and athleticism, and who will be counted upon for his leadership next year;

Whereas A.J. Granger, displayed his awesome variety of offensive skills in both assisting on, and hitting, several big shots when the Spartans needed them most;

Whereas Andre Hutson, the man in the middle, who was often called on to shut down the opposing team's top player, particularly in the 1999–2000 tournament, handled his job with a workmanlike skill that defined professionalism, and in doing so provided the Spartans with the whole package the entire year;

Whereas Mike Chappell, Jason Richardson, and Aloysius Anagonye, provided the Spartans with quality minutes off the bench all year, and particularly in the championship game, where they held their own against the vaunted Florida bench;

Whereas David Thomas and Adam Ballinger, provided valuable contributions throughout the season and the tournament, both on and off the court, often providing the Spartans with the lift they needed; and

Whereas the contributions of Steve Cherry, Mat Ishbia and Brandon Smith, both on the court and in practice, demonstrated the total devotion of the Spartans players to the team concept that made the Spartans into the most dominating college basketball team of the new millennium: Now, therefore, be it

Resolved, That the United States Senate congratulates the Michigan State University Men's Basketball Team on winning the 1999–2000 National Collegiate Athletic Association Men's Basketball Championship.

Mr. ABRAHAM. Mr. President, I will speak briefly about the resolution. I know my colleague, Senator LEVIN, will as well.

We rise together today to offer this resolution and to congratulate the Michigan State University Spartans men's basketball team for their outstanding victory in the NCAA championships which took place Monday night.

As a graduate of Michigan State, I am proud of the skill and dedication shown by our Spartans as they defeated the Florida Gators by a score of 89–76.

This was a well-earned victory and the culmination of a splendid season. Their 32–7 record is a sign of hard practice, teamwork and an overwhelming desire to excel.

It also is the result of a long history of dedication to success on the court. Mateen Cleaves, Morris Peterson, and A.J. Granger, three seniors who have been playing together for four years, spurred this team to victory throughout the year. Mateen with his incredible leadership. Morris with his clutch shooting. And A.J. with his consistent long marksmanship.

Mateen Cleaves, Morris Peterson, and Charlie Bell, all hail from Flint, Michigan. As a result, thousands of fans known them by their nickname, ''The Flintstones.'' These three players have been playing basketball together since elementary school. Their comradeship and loyalty to one another carried out onto the floor throughout the season, and made the Spartans team a family off the floor as well.

Andre Hutson, the man in the middle, was often called on to shut down the teams top player, particularly in the 1999–2000 tournament. He handled his job with a workmanlike approach that defined professionalism.

Mike Chappell, Jason Richardson, and Aloysius Anagonye, each provided

the Spartans with quality minutes off the bench all year, and particularly in the championship game, where they held their own against the vaunted Florida bench.

David Thomas and Adam Ballinger, provided valuable contributions throughout the season and the tournament, both on and off the court, often providing the Spartans with the lift they needed. And Steve Cherry, Mat Ishbia, and Brandon Smith demonstrated the total devotion of the Spartans players to the team concept both on the court and in practice.

Finally, a special mention must go to Head Coach Tom Izzo, who hails from Iron Mountain, Michigan, and is in only his fifth year coaching the team. Coach Izzo has proven himself to be one of the finest coaches in men's college basketball. He and his staff instilled into the Spartans a will to win second to none, exemplified by their cutthroat defense, which suffocated many potent offenses throughout the season, and particularly in the second half N.C.A.A. Tournament games.

Coach Izzo has served as in inspiration to his team, and to young men throughout Michigan and the nation who share the spirit and excitement of the sport of basketball.

I acknowledge his and his family's contribution. In fact, I had the pleasure of attending high school with his wife, Lupe.

Mr. President, I had the opportunity to attend the championship game, and I want to compliment everyone associated with the Spartans for the courage and class they exhibited throughout the game, and during the entire season. Everyone in Michigan—from Copper Harbor to Monroe, to Niles—should be proud of what this team has accomplished.

In closing, let me say, as a graduate of Michigan State University and as one who attended Michigan State at a time when our basketball program was not as successful as it has been since Magic Johnson's arrival in 1978 and in the time since, how proud I am of my alma mater for this great victory for the Spartans green and white.

I yield the floor to my colleague.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I join Senator ABRAHAM in sponsoring this resolution which commends and recognizes the extraordinary successes of the Michigan State Spartans.

As we speak today, about 150,000 people are lining the parade route in Lansing, MI, after a rally at our capitol, to welcome home and cheer on our heroes.

College athletics is at best about more than winning. It is about hard work and determination and relying on teammates to overcome adversity. The Michigan State Spartans surely displayed all of those characteristics in their season-long drive to become the national champions.

Coming off a loss to Duke in the Final Four last year, many had picked MSU as this year's favorite to win the NCAA Tournament. However, when star point guard and former Big Ten Player of the Year Mateen Cleaves was sidelined with a stress fracture on his right foot early in the season, the hopes of a championship season seemed lost. But the Spartans never gave up. The rest of the team pulled together to play the first 13 games of the season without their emotional leader.

When Mateen returned to the basketball team, MSU went on to win their third straight Big Ten Championship, clinching the top seed in the Midwest region of the NCAA Tournament.

During the NCAA tournament the Spartans faced many challenges, winning come from behind victories against Utah, Syracuse, and Iowa State to reach the Final Four for the second straight year. After beating conference rival Wisconsin in the semifinals, the stage was set for Michigan State to take home their first National Championship title since Magic Johnson led the Spartans to victory over Indiana State in 1979.

Monday night the young Florida Gators played a great game, but their depth and energy didn't quite match the experience and determination of the Spartans. Mateen Cleaves led the team in scoring until five minutes into the second half when he was sent to the locker room with a sprained ankle. While many teams would have crumbled under the pressure of playing for the National Championship without their star player and floor leader, the Spartans came together like they have done all season long and their lead over the Gators grew. When the injured Cleaves came back onto the floor, limping up and down the court, his presence provided the emotional spark that the team needed to win by a final score of 89 to 76.

In today's sports world where, where many talented young players leave college early or don't go at all, and coaches skip from team to team it is refreshing to see the kind of dedication that these student athletes and their coach have shown. ''The Flintstones''—seniors Mateen Cleaves and Morris Peterson, and junior Charlie Bell, have become heroes and role models to those from their hometown of Flint. Senior A.J. Granger's often unsung heroics have proved how much these Spartans value the success of the team over individual accolades. The full roster of that extraordinary team is as follows: Al Anagonye, Jason Andreas, Adam Ballinger, Charlie Bell, Mike Chappell, Steve Cherry, Mateen Cleaves, A.J. Granger, Lorenzo Guess, Andre Hutson, Matt Ishbia, Morris Peterson, Jason Richardson, Brandon Smith, David Thomas, and Adam Wolfe.

Coach Tom Izzo has spent his entire career in Michigan, including 12 years as an assistant under former Michigan State head coach, Jud Heathcote. They have set a wonderful example of what can happen when you are willing to combine patience, hard work, and dedication.

Those names belong in the CONGRESSIONAL RECORD. They are all being honored here for their teamwork, which produced a national champion.

Coach Tom Izzo has spent his entire career in Michigan, including 12 years as an assistant under former Michigan State head coach, Jud Heathcote. He and his assistants have set an extraordinary example of what can happen when you are willing to combine patience, hard work, and dedication. Indeed, the whole Michigan State family deserves credit because they truly represent, on and off the court, what we frequently talk about—family values. They believe in family, both at home and on the court. They act as a family and they play as a family. We owe them our congratulations and our thanks for that as well.

There is going to be a long list of bands in that parade going down Michigan Avenue in a few minutes. Many of the high school teams from around the State will be there. They have been invited to march. One of the groups, though, that I want to make special mention of in closing is the band from Tom Izzo's hometown of Iron Mountain. Tom Izzo is an ''Upper,'' as we say; he comes from the UP. His heart has always been close to Michigan and Michigan State. He is originally from the UP. It is a special treat for him and for all of us that one of the bands marching down Michigan Avenue today will be indeed from his hometown of Iron Mountain.

We also pay tribute to the Florida Gators. It was an extraordinary game. They deserve an awful lot of credit for what they did to bring themselves to the finals. I am sure that in the future their heroics will again prove that they will go far in these NCAA tournaments. Hopefully, they will again get to the finals and, hopefully, again lose to a Michigan team.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the two Senators from Connecticut be permitted to speak as in morning business and that their comments be counted toward the remaining time on the budget.

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

Mr. DODD. Mr. President, this will take about 5 minutes.

CONGRATULATING THE WOMEN UCONN HUSKIES FOR THEIR NCAA NATIONAL BASKETBALL CHAMPIONSHIP

Mr. DODD. Mr. President, I am pleased to join my colleague from Connecticut. I appreciate the indulgence of the chairman while I digress for a couple of minutes.

My colleagues will understand that there is a sense of collective pride in the Nutmeg State among the Connecticut delegation over the success on Sunday night that brought the NCAA

basketball championship home to Connecticut for the second time in 6 years. The women did a magnificent job. With all due respect to our colleagues from Tennessee, the Lady Vols and Pat Summit, the wonderful coach there, there has been a wonderful tradition and competition between these two schools. They have met twice this year—a split decision. The University of Connecticut won its game against Tennessee in Tennessee, and only a few weeks later Tennessee brought its team to Connecticut, and they won on our home court. So the final game was sort of a rubber match between these two very fine programs, wonderfully coached and well-staffed teams, with magnificent players.

Senator LIEBERMAN and I feel a sense of pride, obviously, as our colleagues would appreciate, that the women's basketball team at UConn capped a dominating 36–1 season in which they began the season ranked No. 1, and they ran through the entire season ranked No. 1, and now finished ranked No. 1 and national champs, with a decisive victory of 71–52.

All of the years have been memorable for a team which has now recorded 14 consecutive winning seasons and 12 consecutive NCAA tournament appearances, including the landmark 1994–95 championship season in which the UConn women never lost a game, and this season in which they only lost one—a loss avenged on Sunday when they beat Tennessee in the final tournament game, having lost to them in our home court.

This second national title only seals the legacy of the UConn women's basketball program as one of the best programs of the 1990s. So it is appropriate that they mark the turn of the millennium with this victory. For Shea Ralph, the tireless team leader, and the Final Four's Most Outstanding Player, the triumph was even sweeter. She returned to play this year after spending last season on the sidelines with her second knee injury in 2 years. Her dedication reflects the spirit of this entire team. All who watched the tenacity and determination with which she played will certainly agree with those statements.

What stands out about these women is their ability to accomplish just as much off the court. Ten players since the 91–92 season have made the school's dean's list, and UConn boasts a 100-percent graduation rate for recruited student athletes. Every recruited freshman who has played for Head Coach Geno Auriemma at Connecticut and completed her eligibility has obtained her undergraduate degree.

Since Coach Auriemma arrived on campus in Storrs in 1985, when the team had seen only one winning season, he has compiled 393 wins and the third highest winning percentage among active Division I coaches: nine Big East regular season titles, eight Big East tournament championships, and two NCAA national championships. Coach Auriemma has again been named National Coach of the Year—for the third time in his career—and has been honored three times, as well, as the Big East Conference Coach of the Year.

Mr. President, as a fan myself, along with my friend and colleague, Senator LIEBERMAN, we want to take a moment to voice the importance of this team to the State of Connecticut. The Connecticut Huskies have ranked No. 1 in the Nation in home attendance for the past 6 years, attracting close to 1 million fans at UConn's Gampel Pavilion. This kind of support is exciting, especially in a State surrounded with talented pro sports teams, but with very few of its own.

This team has reinforced the importance of women's athletics at the collegiate level—including issues such as title IX—and whether it is Connecticut or Tennessee or another worthy team, I am pleased to see such a high level of attention and excitement nationwide for women's college athletics, and particularly for basketball.

It was in 1995 when we last congratulated a national champion UConn women's team. The future of graduating players that year in the sport they grew up playing was limited to involvement in training or coaching at collegiate and high school levels. Today, we should all be proud of the fact that these champions may go on to follow their ''hoop dreams,'' if you will, and continue to inspire the dreams of others by playing basketball professionally.

I congratulate everybody involved in this great victory on a memorable tournament and season, including All-Americans Svetlana Abrosimova and Shea Ralph, as well as Sue Bird, Asjha Jones, Tamika Williams, Kelly Schumacher, Swin Cash, Marci Czel, Stacy Hansmeyer, and many other talented players; Coach Ariemma, Associate Head Coach Chris Dailey, and Assistant Coaches Tonya Cardoza and Jamelle Elliott.

Again, we look forward to a wonderful season next year. We welcome them to Washington, and invite our colleagues to meet them when they come here.

At the appropriate time, Senator LIEBERMAN and I will submit a resolution regarding this great success the other night.

I yield to my colleague from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank my friend and colleague.

I am delighted in the midst of this debate on the budget, which sometimes lacks exhilaration, to interject, along with our friends from Michigan, a note of euphoria. This euphoria, of course, is of the basketball variety.

We are just days removed from the completion of that exhilarating spring spectacle we've come to know as March Madness—the National Collegiate Athletic Association Basketball Tournament. And here in the Nation's Capital, Senator DODD and I are very fortunate and proud to be establishing a spring rite of our own: coming to the floor on behalf of grateful fans across Connecticut—and we would like to think admiring fans across America—to praise the incomparable University of Connecticut Huskies, last year's men's team and this year's women's team champions of the basketball world once more.

With this victory on Sunday night defeating archrival Tennessee 71 to 52, the women Huskies not only earned their second national championship in 5 years, they also managed to set a school record for wins with 36 and to overcome what was their only loss in an otherwise perfect season to a very good Tennessee Volunteer team.

As just one measure of the University of Connecticut's captivating run to the championship, four of the five players named to the All-Tournament team were Huskies, including the tournament's Most Valuable Player—the extraordinary and indomitable Shea Ralph.

In celebrating this tremendous achievement, we are particularly proud of our National Coach of the Year, Geno Auriemma, for whom victory served on Sunday night as something of a triumphant homecoming. Geno was raised in the steel mill town of Norristown on the outskirts of Philly by his parents who brought him and his family from their country of birth, which was Italy. He was accompanied to Sunday's game by his mother, Marsiella, who watched from the stands. And, as anybody who watched the game on television learned, she was holding a jar of holy water in her lap, which she sprinkled on Connecticut's players for good luck.

They responded by playing what I would have to call a divinely inspired game.

It was, if you saw the game, one of those occasions when everything seems to come together and go right. It was an extraordinary experience for those of us who are the fans of this team.

On Monday, as the dawn came, people across Connecticut bore witness to a spectacle that I think few fans of women athletics could have envisioned when Congress first passed title IX in 1972. Across the State, from Danbury to Dayville, from Stamford to Stonington, communities came together and exalted in the accomplishments of this great Huskies team, a celebration equal in intensity to the one sparked by the men's championship last year. The Hartford Courant thought so much of the Husky victory that it dedicated its entire front page to their win, and it says it in one word. Here is a great picture of our coach, Geno Auriemma, doing his impersonation of Alan Keyes in the mosh pit—in this case, the team holding our triumphant coach. The one word which expresses our attitude in Connecticut about this great team is ''euphoria.''

Huskymania, we have come to learn, is an equal opportunity experience. In the town of Storrs, the picturesque, wooded hamlet that the University of Connecticut students, faculty, and administrators call home, more than 5,000 people turned out Monday for a midday pep rally of appreciation at the Gampel Pavilion, where sellout crowds watched this great team work their magic all year long. As the celebration grew more and more boisterous and enthusiastic, it seemed hard to believe that this was the same part of our State that used to be called ''The Forgotten Corner,'' because these days, if you follow college basketball, it is an awfully hard place to forget.

The fact is, thanks to the Huskies, Storrs is home to the stars now. We like to think of it as the ''College Hoops Capital of America.

Last year, when we came to the floor to celebrate the men's victory, I closed with an impersonation of a University of Connecticut cheerleader. I was advised by many people, including my dear friend and senior colleague, not to repeat this performance. But you know that I feel it would be unfair. So very briefly, U-C-O-N-N, UConn.

Thank you. I yield the floor.

Mr. DOMENICI. Mr. President, the last time I saw something like that was when Senator D'Amato did a tune.

Mr. LIEBERMAN. The Senator, let it be known, was one of my role models. I compliment him.

FISCAL YEAR 2001 BUDGET—Continued

AMENDMENT NO. 2926

(Purpose: To redirect $28.133 billion of risky tax schemes toward key education programs proven to increase student performance, including programs that ensure qualified teachers in every classroom; small classes where every child receives the attention needed; safe, modern schools; extra resources for schools with large numbers of poor children and resources to turn around failing schools and implement tough accountability systems; research-based early literacy programs; public school choice programs; and increased Pell grant funds for students needing financial assistance for college education)

Mr. BINGAMAN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico (Mr. BINGAMAN) for himself, Mr. KENNEDY, Mrs. MURRAY, Mr. DASCHLE, Mr. DODD, Mr. KERRY, and Mr. WELLSTONE, proposes an amendment numbered 2926.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 4, line 4, increase the amount by $1,930,000,000.

On page 4, line 5, increase the amount by $6,230,000,000.

On page 4, line 6, increase the amount by $5,480,000,000.

On page 4, line 7, increase the amount by $5,810,000,000.

On page 4, line 8, increase the amount by $6,940,000,000.

On page 4, line 13, increase the amount by $1,930,000,000.

On page 4, line 14, increase the amount by $6,230,000,000.

On page 4, line 15, increase the amount by $5,480,000,000.

On page 4, line 16, increase the amount by $5,810,000,000.

On page 4, line 17, increase the amount by $6,940,000,000.

On page 4, line 22, increase the amount by $5,640,000,000.

On page 4, line 23, increase the amount by $7,120,000,000.

On page 4, line 24, increase the amount by $6,470,000,000.

On page 4, line 25, increase the amount by $7,080,000,000.

On page 5, line 1, increase the amount by $8,420,000,000.

On page 5, line 7, increase the amount by $1,930,000,000.

On page 5, line 8, increase the amount by $6,230,000,000.

On page 5, line 9, increase the amount by $5,480,000,000.

On page 5, line 10, increase the amount by $5,810,000,000.

On page 5, line 11, increase the amount by $6,940,000,000.

On page 18, line 7, increase the amount by $5,640,000,000.

On page 18, line 8, increase the amount by $1,930,000,000.

On page 18, line 11, increase the amount by $7,120,000,000.

On page 18, line 12, increase the amount by $6,230,000,000.

On page 18, line 15, increase the amount by $6,470,000,000.

On page 18, line 16, increase the amount by $5,480,000,000.

On page 18, line 19, increase the amount by $7,080,000,000.

On page 18, line 20, increase the amount by $5,810,000,000.

On page 18, line 23, increase the amount by $8,420,000,000.

On page 18, line 24, increase the amount by $6,940,000,000.

On page 29, line 3, decrease the amount by $1,949,000,000.

On page 29, line 4, decrease the amount by $28,133,000,000.

Add new Section 105, as follows:

SEC. 105. RECONCILIATION OF REVENUE REDUCTIONS IN THE SENATE.

Not later than September 29, 2000, the Senate Committee on Finance shall report to the Senate a reconciliation bill proposing changes in laws within its jurisdiction necessary to reduce revenues by not more than $19,000,000 in fiscal year 2001 and $1,743,000,000 for the period of fiscal years 2001 through 2005.

Mr. REID. Mr. President, I yield to the Senator from New Mexico 15 minutes off the resolution.

The PRESIDING OFFICER. The Senator is recognized for 15 minutes.

Mr. DOMENICI. Mr. President, I have to leave the floor for a while. I wanted to indicate that one-half hour of our hour in opposition is going to be yielded to the Senator from Texas. He will have half an hour.

I thank the Senator from New Mexico.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I am offering the amendment on behalf of myself, Senator KENNEDY, Senator MURRAY, Senator DODD, Senator KERRY, Senator DASCHLE, and Senator WELLSTONE, several of whom will speak.

It would increase the national investment in education over the committee's mark by $5.6 billion in budget authority in fiscal year 2001.

Let me put up a chart that shows the difference between our proposed amendment and the budget resolution. You can see that the budget resolution is $75 billion in 2001. Our amendment will raise that up to $80.64 billion.

It also would increase over a 5-year period the total amount devoted to education by $34.7 billion.

This second chart shows the comparison between the budget resolution that came to the floor and what this amendment would do.

In our view, this increase is essential if we are going to reflect the priorities of the American people. All of us know that the top priority of the people we represent is to see improvements in education and to see every child in this country given the opportunity to get a good education. Clearly, the decisions we make in this budget resolution will go a long way to determining whether that is possible or not.

The amendment I sent to the desk would use about 15 percent of the proposed Republican tax cut. It would reduce the tax cut by that 15 percent in order to guarantee sufficient funding for programs that have been proven to improve student performance in our public schools and to assist students seeking a postsecondary education.

What are those programs? That is the subject of our amendment. The amendment that we are proposing would seek to protect many such programs.

First, it seeks to protect a program to increase safety and decrease overcrowding in our schools by providing $1.3 billion in grants and loans for urgent repair of 5,000 public elementary and secondary schools in high-need areas and by leveraging $25 billion in interest-free bonds to help build and modernize 6,000 schools.

The amendment also demonstrates a national commitment to building and renovating our schools to make sure all children are able to study in safe, modern environments by setting aside $3.7 billion of the proposed tax cut, which is just 1.8 percent of the total tax cut, to back those interest-free bonds for school construction costs.

These programs I estimate would provide about $200 million in my home State of New Mexico where current estimates are that school repair and modernization needs exceed $1.8 billion. Many schools are overcrowded. Over 69 percent of our schools in my State report plumbing and electrical problems; 75 percent have problems with environmental factors such as lighting and heating.

Another program we guarantee funding in what we believe is a reasonable

level is the afterschool programs. We expand existing afterschool programs so approximately 1.6 million more school-age children in over 6,000 new 21st century community learning centers have access to afterschool programs in safe and drug-free environments.

The amendment seeks to ensure an increase of $547 million in these programs. The estimate for my State would be about $5.3 million of the total amount. Also, in this amendment we support tough accountability standards for increasing the funding for title I accountability grants by $116 million over last year's level, to the level of $250 million. This is essential to accelerate efforts to turn around failing schools and to implement tough accountability systems.

Under current law, States in districts receiving funding under the title I program, which is every State and most school districts in the country, are required to monitor student and school performance on State assessments based on State standards. States and districts are required to take action if schools are failing. In committee, we strengthened the accountability system, but we did not strengthen it enough.

During the debate on the Elementary and Secondary Education Act, I hope to offer an amendment that strengthens it further. Nevertheless, no accountability system is going to prove effective without the resources to implement. Although most States have adopted statewide standards, they have not directed adequate resources to schools that are failing in order to meet those standards. Dedicated funds are necessary to develop improvement strategies which create rewards and penalties holding schools accountable for continuous improvement in their student performance.

The Federal Government directs over $8 billion in Federal funding to provide critical support programs for disadvantaged students under title I. However, the accountability provisions in title I have not been adequately implemented due to insufficient resources. The amendment we are offering today provides for this critical assistance and the strict accountability measures for improvement in student performance to turn around so-called failing schools.

My colleagues and I believe this amendment is necessary because the proposed budget we are now considering, if implemented, will make adequate increases in education spending virtually impossible. Several of my colleagues have already pointed out the proposed budget calls for at least $168 billion in tax cuts over 5 years; that is the largest tax cut ever proposed. These tax cuts, at a minimum, leave nothing in the budget surplus for education or for the other priorities so important to the American people.

Without cutting other programs or dipping into Social Security, this budget resolution causes Members to choose between tax cuts and education. Unless unrealistic cuts are made to noneducation programs, the Republican budget resolution disregards these and other national priorities and exhausts 98 percent of the total non-Social Security surplus on tax cuts over the next 5 years. The budget resolution only covers the next 5 years; over 10 years the tax cuts would cost substantially more than the projected non-Social Security surplus projected by the CBO.

While the Budget Committee's resolution provides increases for discretionary spending for defense, it cuts nondefense discretionary funds by $105 billion, or 6.5 percent over the next 5 years below the amount the Congressional Budget Office indicates is necessary to maintain current funding.

Mrs. BOXER. Will the Senator yield?

Mr. BINGAMAN. I am happy to yield to the Senator.

Mrs. BOXER. I say to the Senator from New Mexico, I am proud to be a sponsor of his amendment. The Senator goes to the heart of what our country's priority ought to be—frankly, what all of the Republicans and Democrats alike say our priority ought to be. When we look at numbers, we realize the Republican budget is going to be devastating to education.

I engage my friend in a question about afterschool programs. The Senator and I have worked hard in getting more funding for afterschool. Thanks to a lot of hard work in this Congress and with the Vice President's leadership, we have seen spending on afterschool programs go up to about $453 million in the year 2000. By the way, a few years ago it was $1 million; then it was $40 million. The need is tremendous.

The President is asking in his budget to accommodate the waiting list of children, which is more than one million children. He envisions spending $1 billion on afterschool programs to accommodate that wait. In the Republican budget, that number is cut by $547 million; it freezes the amount for afterschool.

I ask my friend, because he works so hard on the issue of school dropout rates and helping kids who need a hand, and he does so much work on gang violence prevention, does the Senator think this Republican budget is going to harm these million children? If we go with the President's numbers, they will be included in his programs.

Mr. BINGAMAN. I thank the Senator from California for the question.

My own view is there are a great many young people out there who want to be in these programs. There are a great many parents who want to have their children in these programs. Our estimate is that 1.6 million more of the students nationwide would be able to participate if we are able to succeed with this amendment and add the $547 million of additional funds that the President has requested. That is what we are trying to do. Clearly, it is a question of priorities. Where do people think this money should be spent?

My own view is these programs are extremely effective not only in improving children's performance but in keeping kids out of trouble. The drug problem is real. We all talk about the need to fight the drug problem. We are having a great discussion now in the newspapers about how much should be spent to deal with the drug problem by assisting the country of Colombia. I support doing something significant there.

Clearly, reducing demand through more attention to young people through afterschool programs is part of the solution.

Mrs. BOXER. I know the Senator is aware, but I want to underscore the incredible support afterschool programs have with the American people. Ask the American people, and 90 percent of them support safe afterschool programs for our children.

In addition, is the Senator aware that this is a top priority for law enforcement? Look at the FBI statistics. Juvenile crime occurs from the hour of 3 p.m., and it starts to go down around 6 o'clock or 7 p.m.

If my friend could answer that question, is he aware that this is a priority with the American people?

Again, I do agree with the Senator from California that this is a top priority with the American people and with much of law enforcement. I have had law enforcement officers in my State, police from local and State Police organizations, tell me they wish we would do more to deal with juvenile crime in these types of programs so they would not have to do so much afterwards, when crimes have been committed.

Mrs. BOXER. I thank the Senator.

Mr. BINGAMAN. Let me go ahead and complete the summary of this amendment, if I could.

First, I do recognize the Republican resolution, which we have on the floor, asserts a commitment to increase spending for a few important education programs. We support the committee's decision to commit to increased funding for IDEA and for Pell grants and some other elementary and secondary education programs. But we do not support pitting these programs against other critical programs. We believe the more prudent course would be to guarantee the level of funding required to protect the programs that have proven themselves in our efforts to reform schools and bring improvements in student performance.

Let me just go through this chart to try to clarify my understanding at least of the Republican budget resolution that is before us. The resolution asserts a $4.5 billion increase for mandatory and discretionary Department of Education programs. But when you try to figure out how that $4.5 billion is arrived at, the specific elements that are discussed at different parts of the budget add up to more than $4.5 billion. For example, there is $2.3 billion set

aside for a new, mandatory performance bonus fund which is established.

The PRESIDING OFFICER (Mr. BURNS). The time of the Senator has expired.

Mr. BINGAMAN. Mr. President, I ask for an additional 8 minutes.

Mr. REID. I yield 8 minutes off the resolution.

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

Mr. BINGAMAN. When you look at this $2.3 billion the Budget Committee report sets aside for this new, mandatory performance bonus fund, that, of course, presumably, should come out of the total amount for education. I believe it does very explicitly. Therefore, when you subtract that, the resolution asserts a $2.2 billion increase for discretionary education programs. Given the size of the tax cut in relation to the non-Social Security surplus, this increase does not seem possible, as I mentioned before. But if we assume it is, it still falls short of covering the priorities specified in their own resolution.

The resolution earmarks, out of the $2.2 billion that remains after you subtract the $2.3 billion down here—$1 billion for IDEA, it sets aside $1.6 billion for increases in other elementary and secondary education programs, and it sets aside $700 million for the increase to raise the maximum Pell grant by $200. If you add the $700 million, the $1.6 billion, the $1 billion, and the $2.3 billion, you get $5.6 billion.

So the unfortunate reality is that there is no way to get it all done in the $4.5 billion that is permitted in the way of increases for education. Therefore, the $1.1 billion difference between the $5.6 billion and the $4.5 billion needs to be cut from other education programs in order to reach the specified increases.

Based on what is outlined in the committee-reported budget, Non-elementary and Secondary Education Act or IDEA education programs would have to be cut about 22 percent to meet the assumptions for education spending.

The funding for fiscal year 2001 for discretionary programs under the Republican proposal is $2.3 billion below what the President requested. If all discretionary education, training, and social programs in function 500 of the budget are considered, the resolution is $4.7 billion below the President's budget.

Our amendment would guarantee real dollars for targeted efforts, for programs that are known to improve student performance. The program would provide increases in funding that would allow for this $1 billion increase in IDEA. As I said before, we compliment the committee for agreeing to that. I believe that is very important.

Our amendment would also sustain our commitment to the student loan program and to the impact aid programs. The amendment would provide for a $400 increase in the maximum Pell grant rather than the $200 increase proposed by the President and contained in the committee report.

In addition, the amendment would guarantee increased investments in programs that we know are essential to educational reform, including those I mentioned before. Let me mention just a few more of those. There is a $1.5 billion increase in our proposed amendment for teacher quality programs. This is $1 billion over the President's proposal, so we can ensure every child is taught by a qualified instructor. Research shows that high-quality teachers are the single most important determinant of student learning.

This amendment increases resources for schools with high concentrations of poverty. Here we are talking about the title I program. We would propose to increase funding there by $1 billion, which, frankly, is not enough. During the Elementary and Secondary Education Act markup, which we concluded in the Health and Education Committee just the other day, our committee voted unanimously—all Democrats and all Republicans voted unanimously to increase the authorization for title I to $15 billion. I would like to work with my Republican colleagues to ensure we are at least on the path to meeting that goal. At the very least, we need to commit to make a substantial increase next year. All of us know the importance of title I funding. All of us give speeches about how important it is to adequately fund title I. Here is a chance to actually vote to do that.

The amendment we are offering continues our commitment to smaller classes, providing $1.75 billion to hire 100,000 teachers to reduce class size in the early grades. In addition, the amendment expands support for creating smaller learning communities in large schools.

This amendment makes college more affordable for many of our young people. As I mentioned before, we are increasing the maximum Pell grant by $400—we are proposing to do that. That would make postsecondary education accessible to 96,000 more recipients than currently have access. The amendment increases the GEAR UP program and the TRIO Program so more disadvantaged children can be given the support they need to attend college. Under the amendment, students in my State would receive an additional $5 million in aid under the Pell Grant Program.

Let me just conclude by saying the public does want its schools fixed, even if that means somewhat less in the way of a tax cut. That is the issue before us. Should there be something in the range of a 15-percent reduction in the tax cut in order to adequately fund education in this budget? The budget resolution before us does not reflect the priorities of the American public. It flies in the face of what Americans say their priorities are in this robust economy. In survey after survey, American voters have not only told us education is the most important issue nationally, but they support action at the national level to improve our country's schools. This sentiment extends to the funding of education, just as it extends to other changes in our education.

So I believe this is very important. I believe this amendment will improve this budget resolution dramatically and will put it much more in line with the interests and priorities of the American people. I hope very much it will be agreed to by my colleagues.

I yield the floor and yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I am sure that anybody following this debate might get confused as to what the Democrats are for, but there is not any way on Earth they can fail to figure out what they are against. They are against a tax cut.

They are against eliminating the marriage penalty. They are perfectly willing to allow the Tax Code, which penalizes people who fall in love and get married, to stand.

They are opposed to repealing the death tax. They are perfectly willing to leave in place a Tax Code that says: You work your whole life to build up a family business or a family farm, you pay taxes on every dollar you earn, and when you die, your children still may be forced to sell off the business or sell off the farm to give the Federal Government another 55 percent of your life's work.

They are against those things, and in trying to kill the tax cut, they are for many other things.

As to education, there are a lot of reasons for which one can criticize this budget, but not spending enough money on education is simply not one of them. This budget provides $47.9 billion for the Department of Education, which is $600 million more than the President proposed. In fact, last year in our budget and in the appropriations process, we spent more money on education than the President proposed.

Unless we get carried away with euphoria and believe that spending a whole bunch of money on education is somehow going to change anything, that somehow having a smaller class size is going to improve performance—we have been lowering class size since 1965 and performance has been declining.

The real debate about education is about whether or not we ought to be the national school board in Congress or whether we ought to let the States decide how to spend this money. That is the real debate between Democrats and Republicans. Democrats believe we ought to have Congress say how the money is going to be spent, and Republicans believe we ought to let the States say how the money is going to be spent.

Mr. President, Senator DOMENICI yielded me 30 minutes to speak. I ask

unanimous consent that the 30 minutes come off the resolution.

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

Mr. GRAMM. Mr. President, I want to talk about the evolution of this budget. I want to talk about the last 8 years of the Clinton administration and how we came to be where we are today with a balanced budget.

The one thing about history is everybody wants to rewrite it to suit themselves, but facts are persistent things.

What I want to do today is begin with the first budget President Clinton ever submitted to the Congress. I want to trace his budgets through Congress until we get to the last budget he will ever submit to Congress, which is the one we are considering today.

The objective is to basically try to get a clear picture of what has been proposed and what has been done.

When President Clinton took office, he sent to the Congress on February 17 of 1993 a budget entitled ''A Vision of Change for America.''

I have the budget in my hand today. Many people have made a great point about the fact that the President did impose the largest tax increase in American history, but the result of it was a balanced budget.

I begin by noting that on page 22 of the first budget President Clinton ever submitted to Congress, the deficit he started with was $319 billion. His first act as President, in addition to proposing the largest tax increase in American history, was to raise that deficit in 1993 from $319 billion to $332 billion. He did that by proposing that spending actually go up by more than his tax increase in the first year and, in fact, he proposed a stimulus package of $16.262 billion of brand new spending.

Some of my colleagues will remember the proposal was to spend this out of a projects book. We were able to defeat this proposal on the floor of the Senate, after it passed the House, by pointing out that in this projects book were such proposals as an ice skating warming hut in Connecticut and an alpine slide in Puerto Rico.

In the last budget that was adopted when the Democrats had a majority in Congress—and I have the conference report from that fiscal year 1995 budget, which was adopted on May 4 of 1994—that budget has on page 4 their deficit for fiscal year 1995 which, not counting the money that was being plundered from Social Security, was $239.5 billion. It was projected to rise in 1996 to $253 billion, in 1997 to $278 billion, in 1998 to $281 billion, and finally, the fiscal year 1999 deficit they were projecting in the last budget when the Democrats controlled Congress was going to be $300.7 billion.

When the American people looked at those numbers and looked at the Clinton health care bill which proposed having the Government take over and run the health care system, they elected a Republican majority.

When the Republican majority showed up in January of 1995, it was greeted by the President's fiscal year 1996 budget. This was a budget that Bill Clinton sent to the Republican Congress in February 1995. Actually he began to write it in large part before he knew there would be a Republican Congress. That budget proposed in January of 1995 that we adopt a budget that had a deficit of $203 billion, and it proposed in the year 2000 that the deficit would be $194.4 billion. This was the budget that Bill Clinton submitted to the new Republican Congress.

In 1995, Bill Clinton was asked on many occasions, because the Republican Congress started talking about balancing the budget, when he thought we could balance the budget. He had many different answers. This is what he said in 1995: How many years will it take to balance the budget? He said: Nine years.

Then he was asked the question again, and he said: Well, 10 years.

Then he said 8 years.

Then he said 9 years.

Then he said 7 years.

Then he said 7 to 9 years.

Then he said 7 years.

Then he said 9 years.

And then he said 10 years.

These are all statements that President Clinton made in 1995 when Republicans on the floor of the House and on the floor of the Senate, for the first time in the modern era, were talking about balancing the Federal budget.

He was saying: Yes, we might balance the budget. We could balance it 4 years after I leave office; 5 years after I leave office; 3 years after I leave office. But he never, ever proposed that we balance the budget while he was President. Nor did he ever submit any budgets that would require it, until it had already been accomplished.

What happened to the deficit? When Congress arrived in January of 1995, this was the Clinton budget proposal as it related to the deficit: Basically, it was a $200 billion deficit that went on forever. The American people in 1994 elected a Republican majority in Congress, and it took office in 1995. I ask the people to look at what happened to the deficit under a Republican Congress. The deficit fell very rapidly, and by 1998 we had a balanced Federal budget.

Let me, if I might, make the following point, and do it in taking the President's new budget. First of all, there is one thing that is totally consistent in every Clinton budget. For 8 years, he has submitted budgets, and in every year they have had one thing in common: massive increases in nondefense discretionary spending.

Mr. REID. I apologize to my friend from Texas, but I want to say this. I stepped off the floor to take a phone call. In my absence, there was a request to take 30 minutes off the resolution. I am very upset about that. There was an agreement made, before we left, with the manager of the bill, that 30 minutes would be taken from your side. I ask unanimous consent——

Mr. DOMENICI. Taken from the amendment.

Mr. REID. That is right. I ask unanimous consent that the original unanimous consent agreement be reestablished.

Mr. GRAMM. Reserving the right to object, and I will not object. I was passed a note saying, given the makeup of time, that it would be helpful if I would ask for 30 minutes off the resolution. I made that request. If the Senator objects to it, I will be glad to withdraw it.

Mr. REID. I will just say this. I appreciate very much the Senator from Texas.

I also say this, I am not going to leave the floor anymore. I will be here all day.

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

Mr. DOMENICI. Mr. President, might I suggest, I think this is the right decision. We had an agreement. I left the floor and he left the floor. This time should come off the amendment.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. I was not a party to the agreement. I really did not know the details of the agreement. I was simply trying to accommodate other people who wanted to debate the amendment. I did not get an opportunity yesterday, because I was working on a lot of other things, to talk about the budget itself. Normally I resent deals that I am not part of, but in this case I would be happy to try to comply with it.

The point I wish to make, in concluding, in looking at the 8 years of the Clinton budget, is that on one point they are totally consistent; and that point is, they always proposed dramatic increases in nondefense discretionary spending. It is an interesting paradox that in the first budget that President Clinton ever proposed, his first proposal was to increase nondefense discretionary by 12.5 percent. We rejected it when we rejected his stimulus package. In the last budget that he will ever propose, remarkably, he proposes to increase nondefense discretionary by 12.5 percent, which brings me to my final point on the budget.

Increasingly, we are hearing from our Democrat colleagues, and we are hearing, in fact, from the President and from the Vice President, that somehow our effort to let working people keep more of what they earn is risky, that somehow repealing the marriage penalty is risky, that somehow repealing the death tax is risky. I guess they say it is risky because that is money that we are giving back to the American people.

But I would ask my colleagues to understand and remember that if you take last year's budget, and you take President Clinton's proposal for this year's budget, he is proposing an increase in spending over the 5 years—from 2002 to 2006—he is proposing new

spending of $494 billion. That is brand new spending in this budget. Some 80 new programs in this budget would be funded at a level of $494 billion above the level we are spending now.

So what President Clinton is saying, what Vice President GORE is saying, what our Democrat colleagues are saying, is, let us start 80 new programs and let us spend $494 billion.

It is interesting. My Governor, who has been criticized by the President and the Vice President, and many of our Democrat colleagues, said: No. Let's take $483 billion and give it back to working Americans by repealing things such as the marriage penalty and by repealing things such as the death tax.

Here is what I do not understand. Why is it risky to give $483 billion of non-Social Security surplus back to working families but it is not risky to spend $494 billion on some 80 new programs? Why is it risky to let the American families spend the money and why is it not risky to let the Government spend the money? Do our Democrat colleagues believe that the Government can spend this money better than the family can spend it? Does anybody believe that if we have a crisis that we will really go back and eliminate these 80 programs and get the $494 billion back? If we did, it would make history because we have not done it. There have been numerous occasions that Congress has raised taxes after giving a tax cut.

I simply repeat the point that gets lost in all this political rhetoric, with all the talk about debt reduction: You have to go back to when Jimmy Carter was President to find a budget that spends as much money as does the new Clinton budget. It spends $494 billion on new programs over the next 5 years. That is more money than anyone has talked about in terms of tax cuts. Why is it risky to give the money back to working people and not risky to have Government spend it? That is the unanswered question in this whole debate.

Let me conclude by making two additional points. We have had a lot of amendments on Medicare. The President is talking about Medicare. I want to remind my colleagues that five Members of the Senate and 12 other Americans who had some knowledge of Medicare and health care in general were appointed to a bipartisan commission where President Clinton appointed four of the members; the leadership of both Houses appointed six members each; and they jointly appointed a Chairman, Senator JOHN BREAUX.

With all this talk about Medicare, we had an emerging consensus in the Breaux commission that would have reformed Medicare and would have provided prescription drugs to Americans who had a modest income and had a difficult time paying for their pharmaceutical benefits.

We would have done it in the context of reform, where we did not jeopardize other Medicare benefits, where we did not jeopardize the pharmaceutical coverage that other Americans had who had the ability to pay for it; but we had a responsible, bipartisan reform program, and we provided pharmaceuticals for seniors who needed the help. Help those who need the help; do not destroy the coverage of those who already have it—roughly 65 percent of all seniors—and do not jeopardize the future of Medicare. It was a pretty good proposal.

What happened to the Breaux commission report? It failed by one vote because every single appointee of President Clinton voted no. So while we have all this rhetoric today about Medicare, I think it is important to remember that the Medicare commission failed by one vote to reach a consensus, and four of the ''no'' votes were by the four people the President appointed. At some point, I would like to get that commission back together to try again to come up with a bipartisan solution.

A final point, and then I will yield the floor.

What we have shown on this chart is the history of spending on nondefense discretionary spending. This is money that we are not required by law to spend on things such as Medicare and Social Security. These are discretionary programs. And we are not talking about defense. We are talking about nondefense programs.

What this shows is, over the last 5 years we have done a relatively good job of controlling spending.

The President has consistently urged us to start massive new spending sprees, but we have refused to do that over the 5-year period.

One of the reasons this budget has been difficult to write is that in looking at the last 5 years individually, in 1996, when we had just elected a Republican majority, we actually were able to reduce spending in real terms by 4.1 percent. Then real spending grew by 1.8 in 1997; 0.8 in 1998; 3.6 percent in 1999; and then by a whopping real 4.7 percent in the year 2000.

The point is, there is a real danger that this surplus is going to burn a hole in our pocket. There is a real danger that in the midst of this great opportunity to rebuild the base of Social Security, to reform Medicare and provide prescription benefits to people who cannot afford the benefits themselves, with an opportunity to let working Americans who face the highest tax rates ever in American history keep more of what they earn, unless we are careful, we are going to end up spending this non-Social Security surplus.

We will have some votes later today or tomorrow where there will be efforts to strike points of order in the budget which represent our discipline in trying to stay with the budget we have adopted. Despite all the rhetoric about cuts, there are no cuts in this budget. Defense spending grows by almost 5 percent, and nondefense spending grows faster than inflation. How many families in America would say they have a lower family budget if their income grew by more than inflation did this year? Nobody would say that. But then we are not constrained to logic or reason or fact when we are talking about these budgets.

I urge my colleagues, in this golden moment of economic prosperity, when revenues are gushing into the Treasury, when Americans are working and prospering and rejoicing in it, we have an opportunity to fix Social Security forever with an investment-based system so that we don't have to cut benefits of people who are retired today and so that young people will own their own investments to pay for their retirement. We have an opportunity to fix Medicare with reasonable reforms that promote economy and efficiency and that help people who cannot afford pharmaceuticals to get them without destroying the coverage that 65 percent of our citizens have. And we have a chance to do things that need to be done—repeal the marriage penalty, repeal the death tax.

If we keep this spending spree underway, if we keep spending more and more money, in the end those things are not going to get done. What we need to do is to try to exercise the kind of responsibility that American families exercise when they look further than just the moment, when they look at their future and look at the problems they face and opportunities they have.

I yield the floor.

Mr. REID. Mr. President, I yield 15 minutes to the Senator from Massachusetts to offer a resolution.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, what is the matter that is before the Senate at the present time?

The PRESIDING OFFICER. The amendment numbered 2926 offered by the Senator from New Mexico, Mr. BINGAMAN.

Mr. KENNEDY. Mr. President, to get back to the Bingaman amendment, I will take a few moments of the Senate's time to spell out where we are today in the area of education. I think most Americans believe there ought to be a partnership between the Federal Government, the States, and local communities. Most parents want to make sure their children are advanced in terms of academic achievement and accomplishment. Most Americans want to see opportunities for continued education available to their children. Most Americans understand and support programs that will assist gifted and talented needy children who want to continue their education by getting some help to further their education.

It is important, as we are considering the budget amendment of Senator BINGAMAN, that we look over exactly where we are and examine what has been the record of the Republican leadership on the help and assistance to education in recent years.

The 2001 GOP budget resolution, I believe, deserves a failing grade on education. It is anti-education, it is anti-children, and it is anti-family. The Republicans claim their budget makes a substantial investment in education, but, as we have had to do every year since the GOP took the majority in Congress in 1995, we must be equally vigilant of Republicans when it comes to education funding. Over and over, we have heard their rhetoric, but the reality is just the opposite. They say they want to invest in education, but their record shows they won't and don't. Year after year it is the same story.

If we look back at the contrast between 1980 and 1999, the Federal share of education funding has declined. This demonstrates what percent of the Federal budget was going for elementary and secondary education: 11.9 percent in 1980; 7.7 percent in 1999. In higher education, it was 15.4 percent, and now we are down to 10.7 percent. This is what we have had over the last few years: a major withdrawal of Federal participation in the area of aid to both elementary-secondary as well as higher education.

Having seen the percentage of our budget allocated to education, look at what has happened to the enrollment in K through 12. In 1990, 46.4 million students were enrolled in school. We are up to 54.4 million and continuing to rise. We have seen this incredible expansion of the number of children attending K through 12, increasing pressures on local communities, increasing pressures on the State, and increasing pressures, obviously, if we are going to meet our responsibility. The total number of enrollment has been growing steadily—every community in this country can tell us that. Talk to the school boards, talk to the parents, talk to the teachers. However, our percent of GNP is decreasing in education.

Look what is happening in higher education, the millions of Americans who are attending colleges and universities across this country. It has gone from 12.2 million in 1985 up to an estimated 15.6 million in 2005. An increase in the total number of K through 12 students, an increase in the number of students attending higher education, and what has been the corresponding Federal response? A decline in terms of helping and assisting families across the country.

Let's look at the record of the Republican history of cutting education funding in appropriations bills.

In 1995, when the Republican leadership took control of the House and the Senate, we had a rescission. The money had already been appropriated. The President signed it. We had a request to cut back, but of all the different areas of the Federal Government, we only cut funding in the area of education. This is about the same time the Republican leadership wanted to abolish the Department of Education. Their 1996 budget would have reduced the Federal investment in education by one-third over 7 years, forcing deep cuts in Head Start and aid to elementary and secondary education, freezing funding for Pell grants, and slashing $10 billion from student loans.

Their 1997 budget would have slashed education by 20 percent over six years, causing 1.3 million students to lose Pell grants, and 344,000 children to lose Title I support.

Their 1999 and 2000 budgets were no different. They claimed to invent in education, but the numbers always added up to a loss for students, families, schools, and colleges across the country.

This is the fact, Mr. President. We can go through all kinds of shenanigans and gimmicks, but these are the facts. They are printed in the RECORD. The current Republican budget will cut education by $4.7 billion below President Clinton's level. It is no surprise that they refuse to address basic education priorities. Once again, the GOP budget fails to meet the obvious need. Parents want the help today. Parents want to improve the quality of education now.

The Republican budget claims a $4.5 billion increase in Department of Education programs in fiscal year 2001. But, $2.3 billion of that amount is for a new mandatory program that is not contained in current law, and if it were, it would not direct funding to states until at least 2005.

That leaves an increase of $2.2 billion for discretionary education programs in the jurisdiction of the Department of Education. But, the Republican budget also assumes a $700 million increase in Pell grants, to increase the maximum grant by $200 to $3,500—bringing it to the President's level. In addition, it claims a $2.6 billion increase for elementary and secondary education programs. That's a total increase of $3.3 billion specified for K–12 education programs and Pell grants. But, the Republican resolution only allows for a $2.2 billion increase.

That means the Republican budget robs Peter's education to pay for Paul's education. It would force $1.1 billion in cuts, below last year for higher education.

Now, the Budget Committee will say: Well, we have $2.3 billion that we may appropriate, and it will be mandatory spending to try to help schools improve themselves. We want to try to help improve the schools today. That is what the President wants—that is what this amendment is about. It is about today and trying to get sufficient resources to try to help families across the country.

So that is the spread, Mr. President. Look at what happens when we look at the particular expenditures in the areas of higher education, as well as in K through 12. With the President's request, we have a $500 million increase in the fiscal year 2001. This includes all higher education funding, except Pell grants. The President's would be $500 million.

The Republican's 2001 budget resolution forces $1.1 billion in cuts, below last year for higher education. Do we understand that? That is the reality. We are talking now about higher education funding, except for Pell grants. Where are these cuts? I haven't heard a great deal of talk from those on the Budget Committee.

The College Work-Study program would be cut by $282 million below the President's request, reducing the ability of 286,000 students to work their way through college. Massachusetts students would lose $14 million in funding for college work study opportunities.

TRIO would be cut by $222 million below the President's request, denying an additional 195,000 disadvantaged students the opportunity to prepare for college and attend college. This is a reduction in the TRIO Program, which is the program to try to help gifted and talented, first generation college students go on to college.

Under the Republican budget, GEAR UP would be cut by $169 million below the President's request, denying 810,000 low-income middle and high school students access to academic and support services needed to increase their academic achievement and to prepare them to pursue a college education. With the money appropriated last year, 80 percent of the seventh graders in the city of Boston will have a chance to move on to graduate together and hopefully will be guaranteed, when they do graduate, that they will be qualified and able to go to college.

Colleges and middle schools are working together to provide additional help and assistance to students by educating their families about the importance of a college degree. They are getting whole school communities to think that college is a reality for their children. The TRIO Programs have been an excellent model for building cohorts of young people from different schools. GEAR UP's objective is to build the capacity of under-achieving schools by getting all of their students to think about college early, prepare for college, and move on to achieve the highest education level possible. We have seen extraordinary success in different parts of the country where this program has been implemented. These important programs would be significantly cut back by the budget resolution.

The Supplemental Educational Opportunity Grants program would also be cut by $199 million below the President's request, reducing support for 346,000 needy undergraduate students. Massachusetts would lose $9 million that helps its colleges and universities provide needy undergraduate students with additional financial aid. That adds up to a $1.1 billion cut.

Make no mistake about the great importance of this amendment. If you are concerned about the higher education cuts, now look what happened here on K through 12 education programs.

The Republican budget cuts K through 12 education programs by $1.4 billion below the President's request. The other side can say they put on an additional $1 billion in special education. We agree on increasing funding for IDEA—our amendment will match that level. But, it's still not enough. All we are trying to do is make sure these other programs are getting adequate funding. The Republican budget does nothing to ensure the pressing education needs of families and communities across the country will be met, and ensure new, substantial investments in what works.

But I remind our friends that when we had the opportunity, even a year ago, when the Republicans had their $780 billion tax cut and a number of us offered an amendment to try to provide full funding for special education needs and reduce the tax cut for wealthy individuals, virtually every Member of this side voted in favor of it and there was Republican opposition to it. We are glad we have an additional billion dollars. But if we are going to compare apples to apples and oranges to oranges, we can say this is an increase of $2.6 billion, and that would be $4 billion, but you still have the dramatic spread in the area of K through 12.

The Bingaman/Kennedy/Murray Education amendment would reverse these unacceptable cuts in the GOP budget and increase the national investment in education by $5.6 billion in FY2001 and $34.7 billion over 5 years. It will give parents and communities the support they need to provide every child with a good public school education, and to send every qualified student to college. It would reduce the tax cut by 15% in the first year, and 18% over 5 years. It would use 14% of the on-budget surplus over 5 years.

The Republican budget cuts $450 million from the President's request for the bipartisan class size reduction program, preventing the hiring of 20,000 additional qualified teachers to reduce class size in grades 1–3. Massachusetts communities would lose $7.3 million to help them further reduce class size next year.

Our amendment continues the national commitment to smaller classes by providing $1.75 billion to continue the effort to hire 100,000 teachers to reduce class size in the early grades. The funding will bring the total number of qualified teachers hired to 49,000.

Research has documented what parents and teachers have always known—smaller classes improve student achievement. In small classes, students receive more individual attention and instruction. Students with learning disabilities are identified earlier, and their needs can be met without placing them in costly special education. In small classes, teachers are better able to maintain discipline. Parents and teachers can work together more effectively to support children's education. We also know that overcrowded classrooms undermine discipline and decrease student morale.

Project STAR studied 7,000 students in 80 schools in Tennessee. Students in small classes performed better than students in large classes in each grade from kindergarten through third grade. Follow-up studies show that the gains lasted through at least eighth grade, and the gains were larger for minority students.

STAR students were less likely to drop out of high school, and more likely to graduate in the top 25% of their classes. STAR students in smaller classes in grades K–3 were between 6 and 13 months ahead of their regular-class peers in math, reading, and science in grades 4, 6, and 8. Michigan, California, Nevada, Florida, Texas, Utah, Illinois, Indiana, New York, Oklahoma, Iowa, Minnesota, Massachusetts, South Carolina, and Wisconsin have initiated or considered STAR-like class size reduction efforts.

Our amendment helps communities modernize their schools by providing $1.3 billion in grants and loans for the urgent repair of 5,000 public elementary and secondary schools in high-need areas. States will be able to issue $25 billion in interest-free bonds to help build and modernize 6,000 schools.

Nearly one third of all public schools are more than 50 years old. 14 million children in a third of the nation's schools are learning in substandard buildings. Half of all schools have at least one unsatisfactory environmental condition. The problems with ailing school buildings are not the problems of the inner city alone. They exist in almost every community—urban, rural, or suburban.

In addition to modernizing and renovating dilapidated schools, communities need to build new schools in order to keep pace with rising enrollments and to reduce class sizes. Elementary and secondary school enrollment has reached an all-time high this year of 53.4 million students, and will continue to grow. The number will rise by 324,000 in 2000, by 282,000 in 2001, and by 250,000 in 2002. It will continue on this upward trend in the following years.

According to a report this year, total unmet school modernization needs, including technology and infrastructure, totals $307 billion—almost three times the amount estimated in 1995.

This amendment expands after-school opportunities for children by increasing funding for the 21st Century Community Learning Centers from $453 million to $1 billion for FY2001.

Each day, 5 million children, many as young as 8 or 9 years old, are home alone after school. Juvenile crime peaks in the hours between 3 p.m. and 6 p.m. Children unsupervised are more likely to be involved in anti-social activities and destructive patterns of behavior.

Children who attend quality after-school programs while their parents work have better peer relations, better emotional adjustments, better grades, and better conduct in schools. They have more learning opportunities and more enrichment activities. Research also shows that students participating in after-school programs have higher achievement in reading and math, are more interested in learning, are more likely to stay in school, and are less likely to be involved in crime.

Our amendment supports tough accountability for results, by increasing funding for Title I Accountability grants by $116 million to $250 million, to accelerate efforts by states and school districts to turn around failing schools.

Stronger accountability in education is imperative. Effective accountability steps—what business leaders call quality control measures—can make sure that public tax dollars are used wisely and produce better results for children.

Despite concerted efforts by states, school districts, and schools, the accountability provisions in Title I have not been adequately implemented due to insufficient resources. In 1998, only 8 states reported that their support teams have been able to serve the majority of schools in need of improvement. Less than half of the schools in need of improvement reported that they received additional professional development or technical assistance.

We must make all our schools accountable for good teaching and improved student achievement. We cannot turn our backs on low-performing schools. We must do all we can to improve them. Schools, school districts, and states need additional support and resources to address weaknesses soon after they are identified.

The amendment increases support for Title I by $1 billion to ensure that the neediest students get the extra help they need to succeed in school. Disadvantaged communities need more help to ensure that all public schools give children a good education. Title I is working in many schools across the country. We should help bring that success to every community.

Ninety-nine percent of Title I funds go to local school districts. In addition, Title I and other federal programs are much more targeted to high-poverty districts than state and local funds.

More than 80 percent of poor school districts, and almost half of all districts nationwide, report that Title I is ''driving standards-based reform in the district as a whole.'' In addition, Title I funds, as well as other federal education funds, are more targeted to high-poverty districts than state and local funds. Title I now supports 95% of the highest-poverty schools and is helping these schools to dramatically improve student performance.

As I mentioned, in the higher education, we are talking about the GEAR UP program, which reaches out to low- and middle-income high school students to help them so they can continue on to higher education. The amendment increases funding for GEAR UP by $125 million to $325 million, to put more low-income middle

and high school students on the path to college. This increase will support at least one state or local partnership in every eligible state. It will also leverage the resources of more than 2,400 community organizations and businesses as partners, and provide services to 1.4 million low-income students.

Our amendment would also increase funding for TRIO by $80 million to $725 million, to expand and improve post-secondary outreach and student support programs for 760,000 minority and disadvantaged students.

Our amendment increases the maximum Pell Grant by a total of $400—from the current maximum of $3,300 to $3,700.

Pell Grants are the most effective way to make college a reality for the nation's neediest students. Yet, today, the maximum grant is worth only 86% of its 1980 value in constant dollars. Clearly, we have fallen behind. We are failing to maintain our commitment to make college accessible to the neediest students.

I am pleased that the Committee accepted the Feingold-Smith amendment to increase the maximum Pell grant by $200 to $3,500. But it's not enough.

The average family income of Pell recipients is $14,500. In 1997–98, approximately 87% of all Pell Grant recipients had incomes less than or equal to $30,000. These students come from working families who sacrifice to make sure that their children can go to college. These parents understand the importance of education, and they want to make sure that their children have every advantage.

Opening the doors of college to more students should be a high priority for Congress. Nearly 4 million students received Pell Grants in 1999. Our $400 increase translates into 96,000 new Pell grant recipients. In Massachusetts, 4,000 additional students would receive Pell Grants.

Our amendment also increases funding for College Work-Study by $77 million to $1 billion, which will give 1 million students the opportunities to work their way through college.

Now, Mr. President, finally, I want to mention an extraordinary factor in higher education. Mr. President, we know that 89% of children who come from families with incomes over $74,000 attend college, but only 40% of children from families with incomes below $25,000 attend college and only 1 in 4 attend a 4-year college. May I have 5 more minutes on the resolution?

Mr. REID. I yield 5 more minutes on the resolution to the Senator from Massachusetts.

Mr. KENNEDY. Thank you. Family income should not determine whether a child goes to college—their academic achievement should be the only factor to consider. Let's promise kids a level playing field for college. Let's make sure that if a student is qualified to attend college, the money will be there so that they have the credentials that they need to more fully participate in our economy than their parents were able to participate.

That is a family value, Mr. President. We hear many around here talk about family values. Minimum wage is a family value—about respect for work and people having an opportunity to live with dignity. A family value is the quality to be able to succeed and continue their education at a time when it is essential if they are going to have any economic opportunities. Every year, we cut back on that opportunity and reduce and fly-specking this particular budget, and we diminish this country and the promise it has for the children of this Nation. That is what this amendment is about. The Democrats believe we ought to invest in the young people of this country. We believe that is a higher priority than tax breaks for the wealthy individuals.

We will have an opportunity to call the roll on that. We hope we are not going to be denied that chance by our good Republican friends. Let's have a vote on this particular measure. I stand with those who say if you deny us an opportunity with a second-degree amendment, we are coming back again and again on this budget resolution until we get a vote.

What are they going to be frightened of in terms of this particular amendment? We are either going to stand for working families, the children of working families, and for talented young people to be able to have their dream and be part of the American dream, or we want to nickel and dime them in order to have a tax break for wealthy individuals in this society. You couldn't have a clearer opportunity on the issue of priorities: Who is going to stand with the young people in this country today, and who is going to stand for a tax cut?

I hope when the time comes, this body will support the Bingaman amendment.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I extend to the senior Senator from Massachusetts 15 minutes off the resolution.

The PRESIDING OFFICER. The Senator is recognized.

Mr. KERRY. Mr. President, I thank the Chair, and I thank the Senator from Nevada. I thank my colleague from Massachusetts, whose passion and understanding of this issue provide the most important leadership in the country with respect to the question of education.

I join him on the floor of the Senate in an absolute state of incredulity that the Republicans can turn their backs so brazenly and so overtly on the educational opportunities that are needed for young people in our country.

We just had a conference in Massachusetts last Saturday with many leaders of what is called the ''new economy.'' I think we are getting lost in all of this talk about a new economy and an old economy. What we are seeing is an economy in transition. It is in transition because we are moving into a very different world —a world where skills are more needed than ever before. Every single day, we talk about the economy and its changes—about the knowledge-based economy. The presumption is that people are able to get the knowledge on which that economy is based, that they are able to get the skills.

But at this conference in Boston, which is one of the leading cities in the Nation experiencing the changes in the economy today, we had leader after leader after leader of new technologies, not just the Internet—everybody talks about the Internet and the Internet companies, but there are a host of companies on which this new opportunity is based—but companies in biotechnology, artificial intelligence, robotics, advanced materials. You could run down a long list of critical technologies where the United States of America is in the lead today.

But guess what. We have a bill before the Senate to raise the number of visas which permit people to come into the country to fill technical slots. They are called H–1Bs. The level of H–1Bs was at 65,000. It was as high as 115,000 for a year or so. Several pieces of legislation are now seeking to enable up to 200,000 people to come in. But the leaders of the new revolution in our economy tell us that we are anywhere from 400,000 to 1 million people behind where we need to be in terms of hiring.

Here we are with a bill that might let in several hundred thousand at the end of this year or next year when the demand is 400,000 to a million, and when countless numbers of our citizens are facing a transition in their life—movement from the old kind of job to the new kind of job or the hope that they are going to be able to find some kind of job in the new economy where they can share the higher salaries that so many Americans are beginning to experience.

What do the business titans tell us? What are those leaders and entrepreneurs who are breaking the ground of the new economy —who, I might add, are in a voracious race with other countries for the market share. We are not the only people experiencing this. You go to Europe; you have all kinds of companies racing to try to grab their share of the markets. You go to Asia; the one thing leaders in Asia will tell you today is that they are focused on education. The one thing leaders of Europe will tell you they are focused on—and also in Latin America—is education because only by educating Americans ultimately are we not only going to provide the labor pool to be able to fill the jobs of this new economy, but, quite frankly, only by educating Americans are we going to have a citizenry that is capable of managing our own democracy and making the difficult kinds of decisions we will face in the future.

So one would think the Senate in facing this reality—it is not a partisan reality. Most of these leaders of industry

who are telling us in the Senate to wake up and pay attention to education are Republicans. They will tell us it is long since overdue that the United States make a more pronounced commitment to the education system of the country.

I know we don't run the education system at the Federal level, and none of us is advocating that we should. I understand that. I know no one wants Washington telling the local community what to do. I understand that. I don't want to tell them what to do. I would like to empower them to be able to do what they know they want to do but can't do because they don't have the resources.

All over this country, there are communities in rural areas and urban centers of the Nation where they don't have the tax base. In the United States of America, for some reason that is beyond me, we still base our school systems on the property tax, which is part of the old agrarian structure we had when we first founded our public school system. And yet, in the urban centers and in many rural centers where they don't yet share in the kinds of salaries or the kinds of opportunities as do other parts of the country, they don't have a property tax capacity to pay the teachers more money, put the equipment into the school, have an extended schoolday, have the kind of laboratories for language that they need, do the kinds of remedial work with students who are troubled, have dance, arts, music, sports, and the kinds of things that are the real stuff of a complete education.

What do these districts do? In some cases, they have received help from States because the States have engaged in education reform, and there is a State revenue sharing process. But where is the Federal Government? Where is the great equalizer which, as a matter of national priority, is supposed to help provide the kinds of empowerments to communities that federalism embraces? That is the whole notion of a national government. It is the whole notion of a Federal system of sharing so that all parts of the country are uplifted simultaneously.

We have some great public schools in Massachusetts. We have some great public schools in some urban centers where mayors have paid particular attention to help scrounge up enough money. But even in those areas, they are desperate for additional Federal assistance and for more capacity to do the things they know they need to do. Yet here we are with a budget resolution on the floor of the Senate which gives a very meager increase to the special needs side of the ledger. We are happy for some increase on the special needs side, but we fundamentally reduce the capacity of our schools to face this most important mission.

It ought to be an acceptable national priority that our citizens are well educated. It may be a responsibility of the local level to actually do it, but it is certainly a Federal priority that it is done. If we have the capacity by leveraging resources to the local communities to empower those local communities to be able to achieve that national priority, we ought to do it.

Americans may not be aware that in the budget we are about to spend $1.8 trillion of collected taxpayers' money. People ask, My God, out of $1.8 trillion we cannot find $5 billion additional for education?

A lot of that budget obviously goes to pay for the entitlement programs, including Social Security, Medicare, military retirement, and Federal and civilian disability benefits. We will spend over $1 trillion of the $1.8 trillion on all of the entitlement programs, which no one has suggested we will suddenly cut or stop. Then we have the defense spending as well as everything else the Government does that will come out of the remaining $600 or $700 billion. Out of that $600 billion, we have to make interest payments on the national debt, pay for our defense, build our highways, channel our harbors, finance mass transit, pay for housing assistance, nutrition programs, finance health research, public health programs, fund crime control, drug trafficking, and foreign aid, which is minuscule compared to the total budget. All of these are by choice of our majority, and when measured against other significant choices, it leaves precious little money for education.

Why? Because they want to give a $150 billion, 5-year tax break to the wealthiest people in America. Every single tax break they have ever brought to the floor of the Senate has been with 60 percent or more going to the top 20 percent of income earners of America. I have gladly voted for many of the tax cuts we have given over the last years I have been in the Senate. In the year 2000, we are looking at about a 1-million-person gap in the high-skilled labor needs of this country.

Kids in our schools test ahead only of Cyprus and South Africa in math and science. Kids in our country are reading at a 1988 level that hasn't progressed since then. Because of the property tax revolution in California, Massachusetts, and a lot of other States, we saw the schools decimated over the last 10 years. Programs were cut, libraries were shut, and teachers' pay was not raised. We now need 2 million additional teachers in the course of the next 10 years. We need 1 million of those teachers over the course of the next 5 years.

It is precious hard to find a kid out of most colleges who says, I want to teach, when teaching means starting anywhere from $22,000 though $27,000, and after 15 years of teaching and getting a master's degree you can get into the thirties and the forties, depending on the system in which you are working in this country. Their colleagues from college will be earning $40,000 and $50,000 a year within a couple of years of getting out of college. College graduates today have $50,000 or $100,000 in loans and have to begin paying back those loans immediately.

What kid at the top percentile of their class, with $100,000 in loans, will say, yes, I will go into an urban center at $20,000-plus a year, so I never have a chance to send my kids to college unless they get a scholarship or I somehow qualify for assistance? If that isn't a national emergency, I don't know what is a national emergency.

Yet this budget does nothing to address the question of how the Federal Government is going to assist these revenue-starved communities to be able to deal with the problem of education in this country. It does nothing to answer the question of executives across the Nation about how they will have a skilled labor pool in the future that will be able to address the question of education. It goes backwards. Under their proposal, there will be a cut.

The President has proposed a hiring of teachers to reduce class sizes so we get a nationwide average of 18 students per class. But what happens? Under their proposal, 20,000 new teachers could not be hired in order to do that. It cuts $540 million from the President's request for 21st century community learning centers where approximately 1.6 million school-age children in over 6,000 new centers would have access to before- and afterschool programs. Again, it defies common sense to believe we are going to continue to turn our backs.

I do understand some of it. I understand some of our colleagues on the Republican side of the aisle don't want to put money into the Federal education system unless it is done in one way—maybe a big block grant that has no targeting whatever with respect to any of the priorities we might embrace as a Federal Government.

For instance, if we happen to believe it is important in certain States that Head Start be a priority or that afterschool programs be a priority or early childhood intervention be a priority, and we think as a matter of Federal priorities it is very important that at least the Federal Government say, hey, you go decide how you want to spend the money—if you want to put it into this kind of child care or that kind of child care, that is your business; we just want to make sure some of it goes to child care; that is all we are looking for—we cannot even get that kind of an agreement.

The great divide in the Senate is over putting some money into a grant where there is so much discretion that States that have never chosen to do any of these things could continue to choose not to do any of these things. Is that a smart expenditure of Federal dollars? I don't think so.

We are not even going to have an opportunity in this budget resolution to guarantee that the kind of dollars that ought to be part of that will be part of

it. So we will see reductions in the total amount of expenditure in order to have some huge tax cut as a matter of priority at a time when the Federal component of taxation is at its lowest level since I have been in the Senate. It seems to me we ought to be measuring our priorities a little bit more carefully.

I know my colleagues on the other side of the aisle are going to come to the floor and say: We put additional money into the special needs sector, into IDEA. They have about $1 billion that goes into IDEA.

All the other priorities, the real stuff of educating in America today, are in the cities and the rural areas that do not have the tax base. No matter what they say about money that will go into education spending, there is nothing in this budget that will guarantee those communities most in need are going to find the additional funding they need to address the needs of education in the country.

We should be talking about putting somewhere between $40 billion to $50 billion over the next 10 years in additional funding for education. We should probably have a significant separate trust fund that guarantees education is going to be the kind of top priority it needs to be, so every school in America has the ability to keep its doors open into the evening so parents—who are working extra hours, many of them single parents who have their kids in child care during the day and would like to have ongoing education—can participate in the new economy and have the ability to use school facilities well into the evening, even while their children may be there also getting their homework done in a secure environment so they can go to school the next day ready to learn.

In community after community in the United States, there are kids on waiting lists for Head Start, early childhood intervention—for all those programs that bring a child to the first grade ready to learn. I have talked to so many first grade teachers who tell me they have kids coming into a classroom with 25 kids in a class, 30 kids in a class, and the kids cannot even do the elementary things kids coming to first grade ought to be able to do such as early numbers or recognizing shapes and forms and colors. So they have to step aside and they have to deal with the problem of that child, magnified five, six, seven, eight times over, and try to deal with the mainstreaming of a full class of 25 kids at the same time.

We believe the standard of education that requires you have 18 kids and no more in a class is appropriate. These are the kinds of priorities left out of this budget. I regret that enormously. I regret this budget is a negative against even the rate of growth of inflation. I hope we will have a chance to rectify that in the days ahead.

The PRESIDING OFFICER (Mr. SANTORUM). Who yields time?

Mr. DOMENICI. Mr. President, how much time do I have in opposition to the amendment?

The PRESIDING OFFICER. The Senator has 36 minutes remaining.

Mr. DOMENICI. I yield up to 20 minutes to the distinguished Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 20 minutes.

Mr. GREGG. Mr. President, I thank the Senator from New Mexico. I congratulate him on putting together this budget resolution, which was a very difficult task in the present climate. It is ironic; when we are running surpluses, it is almost more difficult to put together a budget than when we are running deficits. But through the adept and able leadership of the Senator from New Mexico, this budget has come forward. It is an excellent effort to address the issues which are critical to our country, especially the issue of protecting Social Security, as he does in this budget, so no Social Security funds are spent for anything other than Social Security, and the effort to protect some of the on-budget surplus so it will be available for debt reduction but also for reducing taxes for hard-working Americans who pay that extra money in that is no longer needed by the Government.

The effort we are talking about today is in a number of categorical areas, but specifically today we are mentioning the area of education. I wanted to speak to the Bingaman amendment and some of the comments that were made, especially by the Senator from Massachusetts, first to their inaccuracy and second their inconsistency as to how we address quality education in this country. In fact, I can speak to the remarks of both Senators from Massachusetts who have spoken on this topic because I tend to disagree rather pointedly with both of them.

Let me begin with Senator BINGAMAN's amendment. He held up a chart. It has been referred to by a number of Senators on the other side. The chart showed how much of an increase the Democratic leadership proposed in spending, and then they showed the Republican budget on the same account, same chart. They showed our budget being about $5 billion below what they were. What they failed to put up on the chart—which I found ironic and sort of misleading, relative to the way the debate was going—is the President's number.

What did the President ask for in education? What the President asked for in education, if they had put it on the chart, would look something like this: The President asked for the greenish-blue line here. I am not sure what color you would call that—aqua, I guess. The aqua line here, that represents the President's request in education. Our request, what we put in the budget for education, is the red line. In each of the years of the budget, the Republican budget exceeds what the President of the United States asked for in education.

This yellow insert here—which we had to jury-rig because we did not actually have the chart of the Senator from New Mexico—would be the Senate Democratic proposal. It is a dramatic increase over what the President requested and what we have put in our budget, which is an increase over what the President requested.

So there is a bit of inconsistency for the Members of the other side of the aisle to come to the floor and savage the Republicans in this House, and the Republican budget, on the issue of education and not mention the fact we exceeded the President's request. Why didn't they savage the President's budget, too? Why didn't the Senator from California, Mrs. BOXER—she said we did not care about kids—say the President didn't care about kids? Maybe she just forgot. The President's budget was actually less—less than what we have put in our budget for education.

I think what we have is a classic attempt at grandstanding, trying to throw more money at an issue and trying to address a problem, not by addressing it substantively but simply by saying: We outspent you on that issue, so you don't do as well as we do on education.

Actually, we do very well on education. As I mentioned, we exceed the President's number in each year. It is not the dollars so much; it is the way we spend the dollars that I think is important to note. This is where I have disagreements with both Senators from Massachusetts who recently spoke on this matter, because there is a fundamental disagreement of philosophy on how we should address education. It is not a difference over money, really. As I said, our dollars exceed what the President requested for education. It is a difference of philosophy.

Stated very simply, there are two philosophical differences. The first is that on the Republican side of the aisle, we think when the Federal Government says to the local school districts, you must spend a certain amount of money on education and we, the Federal Government, will help you by paying a percentage of the cost of that spending, when the Federal Government puts that type of mandate on local school districts, the Federal Government ought to live up to its obligation. It ought to pay the money it says it is going to pay. Before it starts new educational programs, it ought to pay for the ones it already requires from the States.

What am I talking about here? Special education, IDEA. It has been alluded to by the other side of the aisle. It is almost a throwaway line there, at least from the Senator from Massachusetts, Mr. KERRY: Oh, sure, the Republicans will talk about IDEA, but we have done more about education; we don't have to worry about IDEA.

IDEA is probably the most significant area you could find where the

Federal Government has failed to fulfill its obligations to the school districts of this country. It is the largest unfunded mandate which the Federal Government puts on the States and the school districts, and which therefore causes the States and school districts to have to pay for the Federal share and, as a result, take local resources and reallocate them to pay the Federal obligation and, as a result, skew the local budgets.

Local school districts, which would probably want to have better language courses, better computers, maybe more teachers, better trained teachers, smaller classes, can't do any of these things, in many instances, because they are having to take a large amount of their local dollars to pay for the Federal share of special education.

On this side of the aisle, we have said that is wrong. We have said it is wrong now for 4 years. Every one of the President's budgets that has come up here over the last 4 years has had virtually no increase in special education funding, even though the Federal Government, when we arrived as a Republican Senate, was only paying 6 percent of the costs of special ed funding in this country when it originally said it was going to pay 40 percent of the costs. Even though the Federal Government was paying such a minimal part of the cost of special education, this administration has never sent us a budget that has significantly increased special education dollars.

They have always taken the attitude, and it has been supported by the other side of the aisle: What the heck, let the local school districts pick up the Federal share. We are going to start a new categorical program that says to the local school districts you must, in order to get the Federal dollars, start this new program, too, rather than funding the special ed dollars which were originally owed.

The practical effect of that, as I have said, is to skew the local budgets, and too many local school districts have been unable to do things they might have wanted to do because they have had to cover the Federal share of special education dollars.

So what did we as a Republican Senate do? We changed that paradigm. In the last 4 years, we have more than doubled the funding for special education. We have gone from 6 percent up to almost 13 percent of the special ed dollars. In this budget, we increase it significantly again. It is our No. 1 priority. Yes, it is our No. 1 priority as a Congress, as a Republican Congress: Fund special education because that is our obligation. We said we would do that back in 1976, when Public Law 94–142 was passed.

So it is not a throwaway line for us. It is something we should do. Yes, that is where some of our dollars are flowing. When we exceed the President's budget in education spending, which we do, some of that excess spending in education goes into special ed, a significant amount more than what the President requested. He requested virtually none, no increase.

So that is the first fundamental difference. We believe the special ed student deserves to get the funds, the funding support to which the Federal Government originally committed.

(Mr. HAGEL assumed the chair.)

Mr. GREGG. Mr. President, why do we believe that? We believe it, first, because it is an unfunded mandate, but more important, because in our school districts across this country, that special-needs child and his or her parents are being put in the impossible position of going into school meeting after school meeting and being told that resources are being used to pay for their child that should be used to pay for other children in the school district.

As a result, the special-needs children and their parents are being put in an untenable position. They did nothing wrong. The people who did things wrong were the President and this administration for failing to fund special ed.

We are saying let's give the special-needs children in this country a little relief, and let's fund special ed.

Mr. SANTORUM. Will the Senator yield for a question?

Mr. GREGG. Yes.

Mr. SANTORUM. The Senator from Massachusetts, who just spoke, talked about how their legislation targets those schools in inner cities and poor areas that are most in need of this help and that our increase in spending will not do that. Can the Senator from New Hampshire tell me where the highest percentage of populations of IDEA students are located?

Mr. GREGG. Ironically, in Massachusetts, from where the Senator who was just speaking comes, 30 percent of their students are coded as special needs. If one looks at it across the country, most special-needs children, regrettably, do come from lower income school districts. They tend to have a higher percentage of kids in special needs.

Mr. SANTORUM. I guess my question is, by putting more money into IDEA, are we actually sending more money into the schools on which he believes we need to be focusing?

Mr. GREGG. There is no question about that. As we increase special education funding, the Senator from Pennsylvania is absolutely right, more of that funding will be flowing to schools in lower income districts and also in rural districts.

Mr. SANTORUM. I thank the Senator.

Mr. GREGG. The second philosophical difference we have with the other side of the aisle is, again, highlighted by the discussion of the Senator from Massachusetts who said essentially there are a lot of States that do not know what they are doing in the area of education and we, the Federal Government, do know what we are doing; therefore, the programs from the Federal Government should be categorical so that States live up to their obligations to do what we in the Federal Government tell them they should do in education.

It is essentially the attitude of ''we know best'' in Washington how to run the school districts across this country; that the people who run the school districts—the local school boards that are usually elected, the local legislatures that are always elected, and the Governors of States who are elected—that these individuals, for whom education is usually their No. 1 priority because it is their No. 1 spending issue, as compared with the Federal Government which has other priorities like national defense, Medicare and Social Security, these individuals who are almost all elected are not capable of doing their job.

That is essentially the attitude taken on the other side of the aisle when they say we in the Federal Government know best how to run education and States do not know what they are doing in education; therefore, our programs must be categorical. They must tell the States exactly what they must do with dollars coming to them from Washington.

It is a little bit of a disconnect, of course, because the dollars coming from Washington did not start in Washington. They started in the States. They came to Washington. Then we took 15 to 20 percent off the top and sent it back to the States. Maybe they got 80 percent back, but certainly not 100 percent. In any event, it is not our money in Washington.

As a practical matter, we do not know more about running a school than the local school districts. I, for example, do not contend I know more about the Epping School District than the people in Epping or the people on the school board in Epping. When they look at their elementary school, they know whether they need another teacher or another classroom, whether they need computers or whether they happen to need a new baseball field or language course. I do not know that. It is not my purpose to tell them how to run their school district. So our philosophy of education on this side is a little different.

They say it is a block grant; just send the money. No, that is not it at all. The Elementary and Secondary Education Act, which we passed in the HELP Committee a couple of weeks ago, will be before the Senate in a few weeks. That bill has a brandnew approach to education. The theme is not that we are going to send the money back in a great big huge block grant and the States can do whatever they want. It is not we are going to send it back with a targeted proposal and tell people what they must do with it. It is a different approach.

The theme is, first, that funds should be spent for purposes of the child. The child is the center of our attention.

Second, we will look for achievement on the part of the child to be sure they are actually learning.

Third, there is flexibility.

And fourth, there is accountability.

We have reoriented these programs so that we send the money back, yes. For example, in our Teacher Empowerment Act, we send the money back in a rather large lump sum. We take the Eisenhower grants and the class size money and put it together. Then we say: You can use this money, local school districts. You do not have to hire a new teacher if you do not need a new teacher. You can use it to hire new teachers if you want to reduce class size. You can use it to improve the ability of your teachers to teach. You can use it to give teachers more support. You can even use it to pay teachers. They cannot keep the really good teachers in the classrooms because they are being hired by the private sector. This is especially true of our science and math teachers who are leaving because the opportunities are so lucrative outside education.

You can pay teachers more to keep them by using bonus payments. You can use it for any of those things, but you have to produce results. We are not going to tell you how to produce results. We are not going to tell you that you must have 17 kids to every teacher. We are not going to tell you that you must have a computer in every classroom. We are not going to tell you that you must have a classroom that is 6 feet by 25 feet or 12 feet by 13 feet. We are not going to tell you how many books you must have in your library.

No, we say: You can get the money and use it for these defined areas, and you have flexibility to use it in those areas, but you have to show us that the academic achievement of the low-income child—because that is where ESEA is basically aimed in the title I funds—is improving in relation to the other kids in the school. You have to have tests—not designed by the Federal Government; we are not out to design tests because that means we end up designing curriculum—tests that are designed by the local school districts and the States. Those tests have to ascertain annually whether or not the children in the low-income categories are improving academically.

What a radical idea—we expect kids to learn. We are not going to tell schools how to teach. We are not going to tell schools the ratio of their classes. We are not going to tell schools the size of their classes. What we say is take this money and show us that kids are learning something and that they are improving in their academic achievement.

That is a very radical idea. It is the idea we are pushing forward as an approach to education. It is not a block grant. It is not: Here is all the money and you can do whatever you want with it. It is: Here are the dollars, but we are not smart enough to tell you, the local school district, how to improve your children's education and what you need because we cannot look into every classroom and guide every classroom, even though they would like to do that on the other side of the aisle.

On the other side of the aisle, they want to have a string running from every desk out to every classroom in America; 30,000 strings running off the desks, and pull a string here and there so every classroom in America has to fall into exactly what we outline in Congress. That is not the approach we suggest.

The approach we suggest is, take the money and use it in a variety of different areas; have flexibility, but then show us, prove to us, that achievement is improving amongst those children who are targeted with the dollars. That is our approach to education. That is what is funded in this bill.

Let me remind you, one more time, what the Bingaman amendment fails to mention: Our funding in this bill exceeds the President's funding in his budget. Therefore, our proposals in this bill make a lot of sense. They address the IDEA issue; they address special ed; they address the need to fund children in schools at a level that is appropriate and actually exceeds the President's level, and, more importantly than that, they expect the kids to achieve. As a result of achieving, we are going to get a much better return for the dollars we spend.

Mr. KERRY. Would the Senator yield for a question?

Mr. GREGG. Sure.

Mr. KERRY. It is my understanding, reading the Republican budget, that $2.3 billion of the money that the Senator claims is for an increase——

Mr. GREGG. Mr. President, I will have to reserve my time. If the Senator wants to use his time to ask a question, I would be happy to yield.

Mr. REID. We yield, off the resolution, 3 minutes to the Senator from Massachusetts.

Mr. KERRY. My understanding is, $2.3 billion is for a new mandatory program that will not even be spent until the year 2005. That leaves an immediate increase of $2.2 billion. But the Republican budget resolution also assumes the $700 million increase in Pell grants. That brings it up to the President's level. It claims the $2.6 billion increase for elementary and secondary education programs alone, of which $1 billion is reserved for the IDEA. That means you have supposedly a total of $3.3 billion specified for K through 12. But the resolution only allows for a $2.2 billion increase because you do not even have an expenditure permission until 2005 for $2.3 billion. So there is a lot of ''robbing Peter to pay Paul.''

Is that not true?

Mr. GREGG. Well, obviously it is not true. As the Senator knows, this is budget authority. Maybe the Senator skipped over that point or maybe he did not understand it. It is possible either way. But in either case, the Senator is wrong.

Mr. President, I yield the floor.

Mr. KERRY. Mr. President, that is not an answer to simply say it is wrong.

The PRESIDING OFFICER. Who yields time?

Mr. KERRY. Mr. President, I would like to make a comment, if I may.

The PRESIDING OFFICER. Who yields time?

Mr. REID. The Senator from Massachusetts is yielded 3 minutes.

Mr. KERRY. Mr. President, that is a classic response to simply say the Senator is wrong. But there is no showing to the contrary. The language of the budget is absolutely clear. There is no question it forces $1.1 billion in cuts. But the way to have a debate is—to simply say it is wrong, and question whether the Senator's facts or capacity to even understand the facts are correct, I mean, we could talk about rule XIX here, but I am not going to do that. But I would suggest, we deserve a better debate than that.

I yield the remainder of my time to the distinguished manager.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, the Senator from Washington is yielded 15 minutes.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I have come to the floor today to offer my support and thanks to Senators BINGAMAN and KENNEDY for offering this extremely important amendment.

Senator KERRY is exactly correct. The budget proposal before us is a sleight of hand. We should not be duped by that. It is very clear, in looking at the budget, that it shortchanges America's students.

The Republican budget proposal says tax cuts for a few are more important than a first-rate education for all of our children. Their budget tells students across America a tax cut is more important than their future.

We think that is wrong. We think that is incredibly wrong. We do not think America's students should only get the spare change left over after the Republican tax cut. America's students should not be the last in line in this budget. That is why we are offering this amendment today, to make sure all students get the resources they need to reach their full potential.

The Republican budget that is before us is very crafty because at first glance it looks as if education funding has been increased. But when you look closely at the numbers, it is really an empty promise. Senator KERRY of Massachusetts pointed that out. The rhetoric of this budget does not meet its reality.

I do want to acknowledge one thing. This underlying budget does one thing right. It does fund special education programs that the Senator from New Hampshire talked so eloquently about a few moments ago. That is important. We agree with that. Unfortunately,

that is the only thing this budget does well.

But every other education investment—whether it is reducing class size or improving teacher quality or modernizing our schools—is not treated as a priority in this budget. There are no guarantees in this budget that those other vital education programs will get the investments they need to continue to help America's students.

This budget funds one program and leaves the other programs hanging. It does not have to be this way. That is why I am supporting the Bingaman amendment.

This amendment says we can support special education. In fact, we support the same level as the Senator from New Hampshire. We are not disagreeing with that. But it says we can fund that and other key education investments at the same time. We should not have to choose which students get served. We should be serving every student. This amendment shows us how we can do that.

This budget's misplaced priorities will be felt in classrooms across the country. I am very concerned that this budget does not provide the resources to help our public schools move forward. I am concerned that this budget abandons the programs we know are working for students across this country.

Parents are asking us—pleading with us—to become partners with their local districts to help them with overcrowded classrooms. This Republican budget fails to make a commitment to reduce class size.

Teachers are asking us for more help in mastering the best ways to teach our children the basics. The Republican budget fails to make a commitment to teacher quality.

Students are asking us for schools where they can feel safe and secure when they get off that schoolbus or walk to school every day. This Republican budget fails to make a commitment to school safety.

Parents are asking—and pleading—for afterschool programs so their children will not get into trouble or become victims of violence after school. This Republican budget fails to make a commitment to afterschool programs.

Teachers and students are asking for school buildings that are modern. This Republican budget fails to make a commitment to modernizing our aging schools.

The American people are asking for a stronger commitment to the programs that make a difference in their child's education. But the Republicans are too focused on their exploding tax cut to meet these needs of America's students.

This budget freezes our progress. That is why our amendment would put the resources where parents and teachers and students need them the most.

The amendment before us will ensure adequate funding for a number of key educational priorities. To reduce overcrowded classrooms, this amendment will provide $1.75 billion to continue our Class Size Reduction Program. Any Senator here can go home to their State, to their local schools that have taken advantage of the class size money we have passed over the last 2 years, and talk to teachers, and hear them say the same things I hear; which is, it has made an incredible difference.

I have teachers tell me every time I visit one of these classrooms that, where 5 years ago, 3 years ago, they had 24, 25, 30 kids in a classroom, that today, where they have 16, 17, 18 kids in a classroom, the difference is remarkable.

Teachers tell me in the small classes we have provided dollars for, in the first, second, and third grades, that those students—every one of them—will be able to read at the end of this year because of that reduced class size. This is making a difference. We have to keep that obligation going. We need to keep that partnership going.

Schools tell me every day they could not have done it without the commitment and the partnership of the Federal Government. The underlying budget fails to meet that. With this amendment, we on our Democratic side meet that obligation.

Our amendment modernizes school buildings by providing $1.3 billion. I was in a school a week ago where kids were in portables with no running water. In order to go to the bathroom they had to go outside in the rain, which is not uncommon in my State, go to another building and come back soaked. I saw kids in coats in classrooms because there was not enough heat in the school buildings.

We recognize we have an obligation, a partnership that we need to provide at the Federal level to meet these basic needs. Our amendment does that. This amendment looks at improving teacher quality. It provides $2 billion for professional development to recruit new educators and reward excellent teachers. We all understand that we need to make sure we have young people today committed to becoming teachers for our students tomorrow. We need to provide the dollars to partner with our local schools to make sure that they can recruit those best and brightest among our young students to be the teachers for our classrooms tomorrow.

This amendment ensures that students have safe educational activities at the end of the school day. It ensures adequate funding for afterschool programs. I commend Senator BOXER for her tremendous work on this initiative. We address that in this amendment.

To make sure that disadvantaged students have the extra classroom attention they need, this amendment will increase funding for title I programs by $1 billion. I have heard a lot of rhetoric in the HELP Committee and on the floor about local control and sending money to the States and that this is somehow miraculously going to happen. Talk to your local schools, as I have; talk to your title I schools. They will tell you this program has changed dramatically since its inception. They will tell you they have much more flexibility and local control. They fear us sending a block grant to the State will mean they lose the access and the ability to ensure that the money will be there for disadvantaged students in the future.

This amendment recognizes how important title I funding is to ensure that the kids at the bottom get the opportunity to learn as well. We increase title I funding by $1 billion to address the incredible needs out there.

Finally, this amendment will increase funding for Pell grants, grants that help disadvantaged students go to college, by $400 per year for each student. I would guess that my colleagues hear the same thing I hear when I talk to young people about the incredible amount of debt they accrue when they go to college, debt they have to pay off. We have to make sure we allow the kids at the bottom to have access to higher education. We recognize this in the amendment by increasing the Pell grants for students so we can assure that more young people can go on to college and our best and brightest will be encouraged to go on to college no matter what their income is.

These are the types of investments we should be making in America's young people. Unfortunately, the Republicans have the wrong priorities in their budget. They are putting their tax cut ahead of the needs of America's students. We know they are wrong, and we have introduced this amendment to make sure our students don't lose out.

I urge my colleagues to support this amendment. For those members of the majority who are inclined to oppose it, I want them to know this amendment would take only 15 percent of the tax cut and put it towards education. I can't think of a better priority for this Senate to support. I don't think it is too much to ask for America's students. By voting for this amendment, we will be saying that the young people of our country are a priority. They deserve a budget that treats them as a priority.

I thank the Chair and yield my time back to the Senator from Nevada.

Mr. REID. Mr. President, the Senator from Connecticut, Mr. DODD, is yielded 15 minutes.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, before my colleague from Washington leaves the floor, let me commend her for a very fine and eloquent statement. She brings to this debate not only an intellectual commitment to the issue but hands-on experience from her previous life directly involved in the education of young children.

I think it is valuable for us to pay attention to our colleagues who bring their life experiences to this Chamber and can help us be better enlightened

about what is needed. We certainly listen to our fellow colleague from Tennessee, a good doctor, when he talks about health care issues. We listen to other Members who were part of the private sector and add a significant contribution to the debate. It is a fortunate moment, indeed, that we have an educator, an elementary and secondary schoolteacher who was involved in early education, in our midst. I thank her for her efforts not only today but over the years on education issues.

I also commend the author of this amendment, our colleague from New Mexico, Senator BINGAMAN, and the other cosponsors of this proposal.

It has already been pointed out but it is worth repeating: There are roughly 55 million children, from Maine to California, every day getting up to go to school. Of that 55 million who went off to school today, 50 million of them walked through the doors of a public school.

Our primary obligation is, obviously, to these students in public schools. That is not to say we are uninterested or not involved with the 5 million who go to private or parochial schools or a home school. But our fundamental, basic obligation goes to the public institutions that serve all children no matter their means, needs or backgrounds. That is primarily where our tax dollars flow.

Now, the federal investment in schools overall is small, shockingly small. Seven cents on every dollar that is contributed to the educational needs of children comes from the Federal Government; 93 cents of every dollar comes from State and local taxes. The lion's share of the cost of education is borne at the local and State level.

Historically, we have contributed as much as 12 percent. Today, we are down to 7. Although that is better than some recent years when it was even lower. This debate about what we do with our 7 cents may not seem like much, but to local communities, to parent-teacher associations, to school boards, to teachers, to superintendents, to principals at the local level, this 7 cents is important. It helps direct scarce and valuable resources towards those elements of national educational need that are most pronounced, most in demand, or should be.

For those who argue a block grant approach to the States, we do a great disservice to our local communities, where the bulk of the education costs are borne. We do a great disservice to them to deprive them of the direct funding in the areas they are crying out for help. To merely send a check back to the States, knowing full well that so many of these local communities lack the kinds of clout and influence at the State level, particularly those communities, rural and urban, that are most in need, is to do a great disservice to the parents and educators, to the citizens of those communities.

Outside of the dollar amounts, block grants also are a step backward in time as well as policy. We tried a block grant approach in the past. Basically, it was revenuesharing. I think the American public wants more than that. They want us to offer a sense of national purpose, what ought to be our goals, how best to achieve them, and support the efforts of local schools, local communities in meeting these.

Our goal is to get the dollars back to the community and the schools as fast and in the most direct, targeted way we can and not allow it to be interrupted. I hope as we go through the process this year of talking about the Elementary and Secondary Education Act, we will keep in mind that it is our relationship with our parents, students and local communities, not with the States, on which we ought to focus.

Beyond these policy differences, this budget highlights our differences with the funding approach of the majority. When it comes to resource allocation, the majority claims that they have, in fact, increased spending on our schools, but the numbers just don't add up. I will explain why.

The No. 1 priority in this budget is a major tax cut. Again, I think the American public has spoken rather clearly on this issue. This budget provides for $150 billion of tax cuts, at a minimum, over 5 years. Paying down the debt, dealing with Medicare, Social Security, and improving the quality of education in this country are a distant second, if even that, to that primary goal—A tax cut. Even though these other needs hold a far greater sense of priority for most Americans than a large tax cut which most people think is not warranted in this kind of an economy, the best economy we have had in the history of our country. To fund this tax cut, the budget cuts overall nondefense discretionary programs by 6.2 percent.

On education, this budget claims a $4.5 billion increase in spending. Keep these numbers in mind. They say $4.5 billion; $2.3 billion of that is for a new mandatory program, a new program—it is hard enough to get funding for existing ones—a new mandatory program that won't be spent until the year 2005, 5 years from now. That leaves an increase of $2.2 billion of the $4.5 billion.

The Republican budget resolution also assumes a $700 million increase in Pell grants to increase the maximum grant by $200 to $3,500, and a $2.6 billion increase for elementary and secondary education programs alone, of which $1 billion of that $2.6 billion is for special education. If you have had your pencils out and added this up, all of these good sounding programs add up to $3.3 billion.

That means to simply provide funding for these stated commitments, and level fund other programs, this budget should provide $3.3 billion more than what our colleagues said, but this budget only provides for the additional $2.2 billion in spending.

This gap can only be filled by cutting other education programs—core national efforts, such as college work-study, campus-based child care, TRIO, and GEAR UP would have to be cut by 22 percent to meet these goals.

There is no great new deal for education in America in this proposal. This is just another in the string of Republican budgets that undercut, undermine, and underfund education. The math is not complicated here. They say $4.5 billion, but this isn't adequate to meet their commitments. So to make up the difference within the Department of Education, you would have to cut at least amount—22 percent—in the areas I have described.

We have and will continue to take a different approach on education funding. This is a key national priority. In the amendment, we are offering we make a simple proposition—a little bit less in tax cuts, 10 percent, in the first year, and 16 percent over 5 years, for an additional $4.5 billion in education. That means cutting the $150 billion tax cut by about $15 billion—a tax cut nobody wants—and applying it to education to make all the difference in the world for children, families, and educators across this country.

Let it be clear, the choice is simple here. This amendment would support our efforts to accelerate change and improvement in our schools. The status quo is unacceptable. Our schools are improving. Children are doing better in many areas. Reading and math scores are up—not as high as they should be, but they are up—in nearly every age group and all the different groups of students across the country, particularly in our poorest schools.

Mr. President, but that is not good enough. We need to accelerate the pace of this change, and change doesn't come inexpensively. Someone once said, ''If you think education is expensive, try ignorance as a cost.'' That is what we are going to get if we don't make intelligent investments in these programs.

What we propose is more resources, with more accountability and higher expectation for success. The budget by the majority, which is in front of us, of less funding for education goes right along with their proposals for education—block granting programs currently focused on areas of national need and concern, and transforming targeted, successful programs into vouchers for private schools. Remember, 50 million of the 55 million students are going in the door of public schools. This is a recipe for failure in our public educational system—dollars frittered away on the status quo, less targeting, less funding, less accountability.

If you want no accountability, put dollars into in a block grant. How do you follow that or find out where the dollars have gone if it ends up in one big, large block of money that goes back to the States? How do you track that and keep account of it? For those

of us who care about accountability, one sure way to get less of it is to have a block grant approach.

So we want to see less of the status quo approach. Their policies and funding for them are tired, timid, and dangerous for our schools. Block grants and vouchers are proven failures; why would we waste more dollars on them in the beginning of the 21st century?

Instead, our amendment proposes to reinvigorate our investments in our public schools—as I said a moment ago—which serve 90 percent of the America's 55 million students.

It would provide the needed resources to train teachers across the country in reading and literacy. It would support local afterschool programs for an additional 1.6 million students. It would assist local communities as they work to transform school facilities into safe, modern, learning environments for all students. It would ensure smaller class sizes in the early grades, when students are most in need of attention as they learn to read. Mr. President, it would support tough accountability and results in targeting resources to the schools that are most in need. It would also shore up our national commitment to support students as they move on to postsecondary education.

This is no litany of Federal programs. These are real initiatives we can afford to do with the 7 cents—our 7 cents on the dollar spent for elementary and secondary education—to assist local communities, to see that our towns and counties across this country get the backing and support they need in the Federal Government.

Ask any parent about class size; ask them about afterschool programs and about school safety; they are crying out for this help. That is what they want, and that is what this amendment offered by our colleagues as an alternative to what is in this budget would do.

The choice is very clear. Can we afford to take about $10 billion or $15 billion over 5 years out of this tax cut proposal and put it into the one area, Education, that Americans all across the economic, racial, ethnic, gender spectrum, say they want to see this Congress spend time and effort on? They have never spoken more loudly or clearly on an issue.

In light of that, we think this amendment is a responsible, prudent, and efficient way to continue to get the accountability and resources necessary to improve the quality of the education of our children as we sit on the cusp of the 21st century. With all of the challenges we will have, we should offer nothing less than the very best we can to see that local communities will have the tools to succeed in what will be the most competitive environment any generation of Americans has ever had to face in our 210-year history. For those reasons, I strongly urge adoption of this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. Mr. President, the manager of the bill is on the floor. I ask to be yielded some time, if he would.

Mr. DOMENICI. If the Senator will be patient a moment, how much time does the Senator want?

Mr. GORTON. Ten minutes.

Mr. DOMENICI. I yield 10 minutes to the Senator.

Mr. GORTON. Mr. President, I have listened with great care to the Senator from Connecticut paradoxically claiming that to create a half dozen new categorical education aid programs and keeping control over all of them, to enable the U.S. Department of Education to write a few hundred pages more of rules and regulations, somehow or another enhances local control.

Mr. President, that is an Alice in Wonderland argument. A debate that will be at the heart of education will take place in this body next month when the Elementary and Secondary Education Act comes to the floor. By a regrettable partisan vote, that committee has proposed an Elementary and Secondary Education Act renewal that gives more promise to increase the academic performance of our students than has any other educational debate in this body for a decade or more.

On one side, including the chairman of the committee whose bill that is before us, are those who believe in true education reform and the kind of innovation that focuses not on how well teachers and superintendents and principals fill out Federal forms but on how well our students actually do. On the other side is the attitude that the Federal Government knows best and that somehow or other men and women all across the United States of America—parents and teachers and principals and superintendents and elected school board members, most of them working without compensation—somehow or other don't know or don't care what is best for their kids and we have to provide them with guidance.

Recently on this issue, one of my colleagues said that if we give these local communities the right to set their own education priorities, they will likely use the money for ''building a new locker room or redecorating office space.''

On hearing this charge, one of my superintendents, the superintendent of the Oak Harbor School District, had this to say:

> School boards are very close to their constituencies. Probably more than any other type of governing body, they are sensitive to the needs and demands of their communities. After all, they see their constituents on a daily basis at grocery stores, soccer fields and dance concerts. A parent can easily influence all five of our board members. Ten parents can move mountains locally. By contrast, what influence would these same people have on the education department, or even Congress? The best opportunity to avoid wasteful expenditures of education funds is at the local level where individual citizens have the greatest power and influence.

Yet what do we have from the minority party in the health committee on this request? Twenty new Federal education programs. We already have teacher training programs, to early childhood programs, to programs for delinquent and at-risk youths. They offered these new programs in that committee even though the General Accounting Office finds that we already fund 127 at-risk and delinquent youth programs in 15 Federal agencies and departments, 86 teacher training programs in 9 Federal agencies and departments, and more than 90 early childhood programs in 11 Federal agencies and departments. But, according to them, we need 20 more to be added to all of these.

Our view, to the contrary, is just this. We should allow our States and local education agencies to make the determinations of how best to use this money, and we should hold them accountable in only one way so the students actually do better.

We have offered three alternatives. One is that any State that likes the present system, that believes it is perfectly all right to fill out these forms, that doesn't mind a bureaucracy with hundreds of different education programs, can continue to do it the way they do it today. Any State that likes the present system can continue it.

Fifteen States will be allowed the opportunity under Straight A's simply to take all of the money, give 95 percent of it to the school districts in the same proportion they get it today, and be accountable only for the performance of their students. And all of the other States will be allowed the program proposed by the National Governors' Association, both Democrats and Republicans, that would require title I money at least to go directly down to the school district in exactly the amounts that it does today.

For 35 years under title I, we have attempted to reduce the disparity between title I-eligible students and the more privileged students who are not eligible for title I. That disparity has not increased. For the first time in these programs, we are actually offering an incentive—more money to those States that work to decrease the disparity and show they have actually been successful.

There is, unfortunately, a great gulf between the two sides on this issue. The one side likes the present system and, in fact, apparently believes we need more than 127 programs for at-risk and delinquent youths, more than 90 early childhood programs, more than 86 different and distinct teacher training programs, more forms from the Federal Government and from the bureaucracy, and less trust in the ability and interest of either State officials or local school officials in making the determination as to what our children need to succeed.

That is simply wrong. The men and women who know our children's names know best what they need to succeed in

education. The accountability we set out for them in our proposal is the most fundamental accountability of all. It is: To see to it that your students do better, come up with a system of tests that show whether or not they are succeeding in their academic subjects, and if they do succeed, you will go forward with this flexibility; you will in fact get more money.

The difference is striking. It is a great contrast. But those who believe in local control will allow the people in our States and communities to have that control, and we will not tell them they have to spend their time filling out forms and following hundreds of pages of Federal regulations.

There is a great gulf between the two sides in this debate. But our side is the one that believes in the future of our children and believes the future can best be determined by their parents, by their teachers, and by their elected school board members at home.

To go down the road putting more money into a failed system is to put new wine in old bottles. The bottles will simply burst and the wine be wasted.

Mr. DOMENICI. Mr. President, I thank Senator GORTON for the remarks he made. I don't think people remember that when we first started this movement toward more flexibility and control by local government and accountability, SLADE GORTON offered the first amendment. And there has been a constant evolution in that direction. I personally thank him for it.

Mr. REID. Mr. President, I yield 10 minutes to the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. EDWARDS. Mr. President, I rise in support of the Bingaman amendment. The single most important thing we do as a government is educate our young people. What we should be doing and talking about today in this debate is making this decade ''the education decade.''

We have in the United States the best roads, the best technology, and the best economy. But we don't have the best schools. We should be working toward making our schools the envy of the world.

I intend to submit a sense-of-the-Senate amendment later during the course of this debate which provides that 10 percent of the non-Social Security surplus will be devoted to education. I think it is the kind of statement that we as a body need to make to show the American people we are committed to providing the resources that are necessary to educate our young people.

If I can make just one comment in response to the Senator's remarks, what we are talking about in this debate is simply providing the resources for the programs that are so desperately needed, which I will talk about in just a minute. We are not talking about placing bureaucratic restrictions on State and local school districts. I believe very strongly that we don't want our school systems run out of Washington. In fact, we need our school systems to be run at the State and local level. We need to be sure they have the flexibility to make the decisions about what is best for their schools. I support that. We support that.

The issue we are debating today is whether we are going to provide in this budget process the resources that are so desperately needed in our public schools today. If we don't provide these resources, it is going to be impossible for our children to compete in the world. There is no doubt that they will be required to compete in a global economy. Our responsibility is to give them the tools to compete. They will not have the tools to compete unless we provide the resources that are so desperately needed by our public schools.

I would like to talk briefly about four areas.

First, afterschool programs: We have thousands and thousands of children all over this country who are on the waiting list to get into afterschool programs.

I actually have some firsthand experience with afterschool programs because my wife and I helped start an afterschool program in Raleigh, NC.

We have computers, we have technology, and volunteer tutors help children to learn technology, help them with their homework, help them prepare for tests. I have been able to see firsthand what happens when kids are put on a level playing field and they are all given a chance.

We know the time kids are most likely to get in trouble is between the time they get out of school and the time their parents get home from work. It is nobody's fault their parents have to work. We ought to give the kids a safe place to go, a safe environment where they can continue to learn and continue to be productive; equally important, give them a sense of self-esteem and make them believe they have an equal opportunity to compete against all the students around them. I have seen firsthand what happens. Their self-esteem grows, their self-image grows; as a result, their engagement grows and their grades improve. It happens over and over and over.

That is why afterschool programs are so important. This is not about a line item on a budget, this is about the lives of our children.

Class size: Every teacher I encounter tells me they feel as if they are babysitting. It is impossible for them to teach when they have 30, 32, 33 children in a classroom. We have to do something about that.

We have trouble attracting good teachers. We have trouble retaining good teachers. Our responsibility is to give teachers the tools they need to do the job they want to do. They are professionals. They are professionals who are in this business because they want to educate kids. We have to give them an environment that allows them to be effective. That is what reducing class size is about. Making our kids effective, allowing kids to have access to the teachers they say they so desperately want to have access to so they can learn—that is what this debate is about.

School construction and modernization: Just a few weeks ago, I was at Wayside Elementary School in Statesville, NC, a small, overcrowded, school built more than 50 years ago. They have literally put pieces of carpet all over the floor to cover asbestos tiles. The roof is leaking. The children have to go outside in order to go to the bathrooms. There are trailers, mobile homes, everywhere. The teachers who teach in that school a couple years ago got an incentive bonus. These are already underpaid teachers, but instead of keeping the bonus money for themselves and their families, they turned their bonuses back in to be used at the school. It is obvious these teachers are committed to the young people whom they are trying to educate. These kids cannot learn in a school that is falling apart. They cannot learn when they are sitting on top of each other in classrooms.

What kind of message does it send to the American people when these kids go to the local mall, all the stores are beautiful and shiny and new and well built, and then they go to Wayside Elementary School, the building is falling apart, patches of carpet are everywhere, the roof is leaking, and in order to go to the bathroom they have to go outside?

We need to do something about this. We need to put our kids in good quality buildings. We need to modernize the schools. We need to do it in a fiscally responsible and sound way. It is critically important we put our kids and our teachers in an environment where they can learn—the teachers can teach and the kids can learn.

Finally, Title I: Visit the schools in North Carolina, and the one thing you learn immediately is, we don't have a level playing field. There are some schools in Wake County and Mecklenburg County, Raleigh, and Charlotte that are beautiful and new with lots of technology. Go out into the rural areas of North Carolina, and we find schools that are falling apart, where they can't keep teachers. These are the schools at which Title I is aimed.

Title I has not been as successful as we would like in some areas. Although it has done very good things, there is more that needs to be done. We need to make sure a child living in the country in North Carolina has just as good an opportunity to learn as a child who lives in Raleigh or Charlotte. There is absolutely no reason that a child who is born in Raleigh, NC, should have an opportunity for a better education than a child who is born in rural North Carolina. That is what Title I is about. It is about leveling the playing field.

There is nothing more important we can do in the Senate this year than focus on education. We must send a clear and unmistakable message to the American people that we are willing to do whatever is necessary, financially and otherwise, to support our public school system, to educate our children, to give our children a chance to compete against every other child in this global economy. That is what we should be talking about today. That is what we should be debating. More importantly, that is what we should be committing to do in this budget process.

I yield the floor.

Mr. REID. I yield 10 minutes to the Senator from New York.

The PRESIDING OFFICER (Mr. GREGG). The Senator from New York.

Mr. SCHUMER. Mr. President, I thank the Senator for yielding. I thank our Senator from New Mexico and the Senator from Massachusetts and so many others who have put together this outstanding amendment. This amendment is one of the most important amendments we will vote on this entire year.

We have moved into an economy where ideas matter. As Alan Greenspan puts it: High value is added no longer by moving things but, rather, by thinking things. We cannot afford an educational system that the OECD—the 22 developed nations in North America, Europe, and Japan—ranks, in America, 15th, 16th, or 17th.

I think Americans have come together on two types of issues: One, that we are willing to spend more money on education. We have to. When a starting salary for a teacher is $24,000, when we have such shortages of classrooms, when we don't have the kinds of things we need for afterschool and computers and all the things that make a modern education worthwhile, there is only one answer. It is money.

We all know the local property taxpayer who from the beginning has funded education in this country is up to here in property taxes. The choices are simple: Let education stagnate or let the Federal Government play a more significant role. Most Americans want us to do that. It is unfortunate the budget that is put before the Senate does not do that.

The second issue I think we all embrace in general is that we must have standards in education. A student who is not reading at a third-grade level should not be promoted from the fourth to the fifth grade. A teacher who is not certified in a subject should not be teaching it. We need real standards and real accountability. Put that together and I think we can come up with a significant education program that can bring Americans together and do the job our country needs.

Mark my words, if our educational system stays at the present level, we will not be the leading economy in the world in the year 2025 or 2050. This is a crisis that demands some dramatic urgency.

The amendment put forward by the Senator from New Mexico and others, including myself, makes a difference. Let me go over again what it does. First, it puts a qualified teacher in every classroom. There is $2 billion for recruitment, mentoring, and professional development of qualified teachers. Many of the things I have been working on, a Marshall Plan for teachers, are included in this amendment. We desperately need it in New York. Nationally, for instance, we face a teacher shortage of 2.2 million over the next decade. New York faces a teacher shortage of 80,000 men and women over the next 5 years. How are we going to get qualified teachers? Currently, only 10 States require and fund programs for new teachers, 12 pay veteran teachers to be mentors. This amendment provides those kinds of resources.

Second, it helps communities modernize our schools. My children attend the public schools in New York City. I will never forget the day I went to open school day for my little one, Alison's kindergarten class, a few years back. There were two classes in that one kindergarten room. You could not hear above the voice of the teacher of the other class in the other corner of the room; you could not hear what Alison's teacher was saying to her students.

Left alone to the localities, left with the tremendous burden the property tax puts on so many Americans, we will not modernize our schools. But our amendment comes to the rescue. It provides $1.3 billion in grants and loans for the much needed repair of 5,000 public elementary and secondary schools in high-need areas. It leverages an additional $25 billion in interest-free bonds to help build schools.

New York currently has an unmet funding need for school construction of $50.7 billion, one-sixth the national need of $307 billion. We desperately need this part of the amendment.

The amendment supports tough accountability for results. To put money into a program without having it be accountable, as it would be in the private sector, has been one of our failures in education—lack of accountability.

I disagree with some of my friends on the left who say that accountability is wrong or unmeetable. I plead with my colleagues to do two things. First, keep the bar high. That is the only way we are going to stay a leading country. But help provide the resources to let those get over that bar. The other two choices are unacceptable: to lower the bar or to not help people get over it. Neither is good. The tough accountability for results in this amendment—$116 million over last year to $250 million for accountability—is vital.

This amendment rejects the cuts that have been proposed in impact aid. We have, in New York State, districts such as Indian River near Fort Drum and Highland Falls near West Point which would be devastated by the cut actually in the President's budget because he eliminates $94 million in impact aid. This amendment restores that.

Not least important, this supports a commitment to smaller classes; $1.75 billion to hire 100,000 new teachers and reduce class size in the early grades. My daughter has seen class size grow in her public school, P.S. 230. She is one of millions of American children who see that.

We expand afterschool opportunities for children. I participated in afterschool programs and played basketball. It kept me in good shape. Many students do not have that opportunity. We increase it.

We increase support for children with disabilities, and we make college more affordable by increasing the individual Pell grant by $400.

These are all important things to do. Compare this with the budget that has been proposed by my friends. The problem is twofold. No. 1, it does not provide those resources. We can talk and talk and talk about education, but, unless we provide resources, we are not going to achieve our goal.

Most Americans support that wish. I think the other side is being pennywise and pound foolish to not support increasing aid for education. Ask Americans what is their No. 1 priority, above any other spending program, above tax cuts and above retiring the deficits. It is education. The budget proposed by my friends on the other side of the aisle does not recognize that need. It is woefully inadequate. It actually cuts, by $1.4 billion, from what the President did. I am the first to say what the President did in his budget was not enough in this important area. It is the spending area where we most need an increase.

No. 2, the budget envisions this block grant procedure, which I know my colleagues on the other side want to move forward, in the ESEA bill on which we will vote. In their budget, under function 500, it says:

> This bill will give States greater flexibility in delivering hundreds of elementary and secondary education programs and will place more decisionmaking in the hands of States, localities and families.

It is good rhetoric, but I will tell you I don't think we should take the Federal taxpayer dollars and let it be frittered away in the same way we have seen money wasted in the past. We in this Congress should set our priorities for education. We should certainly not mandate on the locality that they have to take our priorities. But if they want some money, they better improve and reform their systems.

Crime is the area in which I have the most expertise. I remember when we had a crimefighting block grant very similar to this proposal. One locality bought a tank. Another State bought an airplane so the Governor could fly from Washington to Indianapolis—it was the Governor of Indiana—all under the block grant process.

I do not get the logic. Our friends on the other side say the system is not

working well enough. I agree. Then they give money to the same exact people to spend in the same exact way. What sense does that make? We are trying to get the localities to reach to a higher goal: Lower class size and we will give you some dollars; increase accountability and we will give you some dollars; make better classrooms and we will give you some dollars. But we are not going to give dollars—I ask the Senator from Nevada, may I have an additional 2 minutes?

Mr. REID. The Senator from New York is yielded 5 minutes.

Mr. SCHUMER. I thank the Senator.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, we set out goals. A block grant is a continuation of mediocrity. A block grant does not give families the power to spend the money. It gives money so the same local institutions, many that have been mired in mediocrity, can do the same thing as they have been doing before. Sure as we are sitting here, if we have a block grant, do you know where it is going to end up? Administrators' folderol.

The programs in the amendment of the Senator from New Mexico are designed to do specific things that all Americans support and, more importantly, even that our educational experts tell us are needed to improve education. So the fact that the budget is pusillanimous, is stingy in the area where we most need help—education—and the fact is, instead of laying out a specific guidepost based on careful analysis and what the experts say is needed, it just takes a ball of money and throws it to a locality or throws it to a State, separating the taxing authority from the spending authority. That is probably the greatest problem in block grants because when you separate the taxing authority from the spending authority, you almost always get wasted money. It is free money to others. Those are the two great problems in education, our most important priority with the budget that is put before us.

I ask my colleagues on the other side of the aisle to look at that budget; when they go home and make speeches about how important education is, to then ask themselves how they can vote for a budget that actually cuts from the President's budget by approximately $1.4 billion, not including IDEA.

I ask my colleagues on the other side who criticize the present system, why just give, in a mass block grant, money to the same States and same localities that have not measured up now? Why not increase the amount of dollars but only allow them to go into the classroom, whether it be teachers or new classrooms or standards for those classrooms that everyone, when they go back home to give speeches, seems to say we need?

I salute the Senator from New Mexico, the Senator from Massachusetts, the Senator from Washington, and all the others who have put together this amendment. It is a marvelous blueprint, a well-thought-out blueprint of where we need to go in education. Let us stop simply giving the American people rhetoric. Let us put together a concrete plan that makes a difference in the areas where we need to make a difference, such as reducing class size, modernizing and building more classrooms, improving the quality of teachers, and improving accountability.

This amendment does it. I urge my colleagues to support it and reject the present budget. The budget before us is a pusillanimous and unfocused approach towards education.

I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 6 minutes.

Mr. DOMENICI. I want to reserve 2 minutes. I will speak for 4 minutes.

Mr. President, this request has been worked out with the minority. I ask unanimous consent that the vote occur in relation to the Bingaman amendment at 5:30 p.m. in a stacked sequence, with no amendment in order to the Bingaman amendment prior to the vote and, further, that there be 2 minutes for debate prior to each vote for explanation. I further ask unanimous consent that following the use or yielding back of time on the Bingaman first-degree amendment, the amendment be laid aside, and Senator ALLARD be recognized to offer a first-degree amendment relative to debt reduction. I further ask unanimous consent that following the use of or yielding back of time, Senator CONRAD be recognized to offer a second-degree amendment relative to debt reduction, and that following the use or yielding back of time, those votes occur in a stacked sequence.

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

Mr. DOMENICI. I ask unanimous consent that all votes in the voting sequence after the first vote be limited to 10 minutes in duration.

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

Mr. DOMENICI. In light of this agreement, the next votes will occur today starting at 5:30 p.m. I thank all Members for their cooperation.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, to alert all Members, especially on the minority side, we have been told the majority leader expects to spend a lot of time here tonight, and the minority will offer amendments throughout the evening.

It is my understanding the majority leader wants to get the time left on this resolution down to single digits. We are now in high double digits. We will have to work into the evening tonight to eat up some of that time.

Mr. DOMENICI. Mr. President, I yield myself 4 minutes, reserving 2 minutes.

First, wherever the distinguished Senator from New York referred to the Senator from New Mexico, it is more fair he say the Senator from New Mexico, Mr. BINGAMAN, because I do not want credit for something of which I am not in favor.

I want to make three quick arguments: First, for those who are listening and those in American education who think we are going to decide in detail how the money in this budget is going to be used for education, I assure them the appropriations subcommittee headed by Senator SPECTER and the Senate is going to determine how the money in this budget resolution is spent in education.

We can come to the floor and talk about all the problems in education and say the Bingaman amendment takes care of these things. The truth of the matter is that is a wish list. That is what somebody hopes will happen. What will happen is what the appropriators decide. Anybody who has a wish for education can come down here today and say the Senate budget resolution is going to take care of this problem in education, and if those listening believe it, then wait around for 3 months and see what the appropriators do.

My second point is that there is a lot of talk about whether or not we cut the President's budget. I have a Congressional Budget Office analysis of our education numbers. This is what they say: The Senate's budget is $47.877 billion in budget authority, program authority; the President's is $47.228 billion, a difference of $600 million more in the pending resolution than that for which the President provided.

The baseline from which we start this year is $43.3 billion. Everybody can do the arithmetic. We have added more than the President to this function. Where it goes will be determined by the appropriators.

My other observation is that while in office, this President has called himself the education President. He has bragged that he has gotten Congress to go along with him on education. There are Members coming to the floor saying these are Republican education numbers while, as a matter of fact, the President is bragging they are his over the last 5 years. I do not know whom to believe, but I think we have increased education significantly over the last 6 years while we have been in power in the Senate.

My last observation has to do with whether or not the new bill that is going to be reported out of committee and come to the floor is going to do away with categorical programs. To those who love the 300 or 400 categorical programs we have and think they must be helping education, I say that is why it has not gotten any better in the last 10 years. If they think that is what the bill says, let me tell them it

is going to have three menu items. One is if schools like what we have now, they can keep it. They can keep that program everybody thinks is so great or they can opt to take a lump sum with strings attached that mean performance and accountability. If they take that, they have to account for it; they have to be accountable, and they receive a bonus if their accountability is on the plus side. If not, they do not get a bonus.

Actually, we are going to let the schools decide which way they want to go. Republicans are already in the field trying out this idea. To the amazement of some Democrats, school leaders, school boards, superintendents, and principals are opting our way, saying: Give us a chance instead of putting all these strings on our education money.

We have done enough. We do not need the Bingaman amendment. I hope it is tabled later in the day. I commend my colleague for his interest in education. We have done enough when we do more than the President this year.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I yield 10 minutes to the Senator from South Carolina, and this will be off the resolution.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, upon taking office, President Ronald Reagan appointed a commission to root out government waste, fraud and abuse. Headed by Peter Grace, the Grace Commission reviewed the numerous Federal departments and agencies, and called for the elimination of tremendous waste. The commission also called for an annual report on the implementation of its recommendations. Eighty-five percent of the Grace Commission's recommendations were implemented by 1989, but today not only has Congress abandoned the Grace Commission's initiative but is racing in the other direction.

Section 201 of the Social Security Act requires that Social Security surpluses be invested in Treasury bills so that the trust fund can reap interest and grow. Paradoxically, section 201 requires that the trust fund be spent or eliminated. When you buy Treasury bills you give the Government the money and the Government, in turn, gives you a note or bond which amounts to an IOU. The only way to have the trust fund reflect a surplus instead of a deficit is to require the Secretary of the Treasury to maintain in the trust fund cash in an amount equal to the total redemption value of its Treasury bills. Today, instead of trust fund surpluses of $1,099 billion, the Social Security ''lockbox'' is $1,009 billion in IOUs.

The policy of investing in U.S. Government instruments is sound. Some think that the fund could make more money by investing in the stock market, but this involves risk that the Congress is determined not to take. Fifteen years ago we only owed Social Security $50 billion. We were not worried because we were taking in surpluses each year. In 1990, we amended the Budget Act prohibiting the President and/or Congress from reporting a budget offset by Social Security surpluses. We wanted the people to know the true condition of the Social Security trust fund and the growth of the national debt. Nevertheless, surpluses continued to be applied against the national debt obscuring its elephantine growth. As the debt grows, carrying charges or interest costs grow. Come the year 2013, there will be a day of reckoning. In 2013, there will not be enough revenue from payroll taxes to pay the Social Security benefits. Congress, for the first time, will look to the trust fund which was supposed to have been saved to take care of the baby boomers. Instead, the Social Security trust fund is projected to be in the red $4 trillion. Congress will have two options: cut the benefits or raise the taxes. Looking at the increasing need and already short $4 trillion, Congress will no doubt cut benefits. In the meantime, interests costs on the national debt, the waste that the Grace Commission intended to eliminate, grows like ''gangbusters.''

When President Lyndon Johnson balanced the budget last in 1968 the annual interest cost on the national debt was only $16 billion. Today, the Congressional Budget Office, CBO, estimates it will be $362 billion—almost a billion dollars a day for nothing. No one thinks we should accumulate $4 trillion in the Social Security trust fund by repealing section 201. Yet, the people should be awakened to the fact that Congress hasn't paid for the Government it has been providing for 31 years. CBO estimated in February that we will spend $58.9 billion more this year than we take in. Looking at the votes in Congress since that time, the deficit will exceed $100 billion. Talk of a surplus is a total farce. Talk of not spending Social Security is a total farce. Talk of a Social Security lockbox is a total farce. And any proposal for a tax cut is no more than an increase in the debt, an increase in interest costs, an increase in waste.

Mr. President, I thank the distinguished Senator and yield the floor.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I yield the Senator from Minnesota 10 minutes.

The PRESIDING OFFICER. The Senator from Minnesota.

AMENDMENT NO. 2926

Mr. WELLSTONE. Mr. President, I thank the Senator from Nevada. I especially thank my colleague, Senator BINGAMAN from New Mexico, not only for his amendment but for his work in education and for children.

Quite often, we will come out here on the floor and talk about how great Senator ''so and so'' is. I am not saying it is not meant because I think quite often it is meant. But from my point of view, at least, I think Senator BINGAMAN's methodology as a Senator is interesting. He never seems to try to claim credit for what he does. He is extremely thoughtful. He is very substantive. I believe he is one of the best Senators in the Senate. I am proud to support this amendment.

Really, what this amendment says, as we look at this overall budget—after all, our budget speaks to our priorities—is that there is a difference between the Democrats and Republicans. It is a difference that makes a difference.

Republicans, in their budget proposal, have provided much more funding for IDEA. I thank the Presiding Officer, the Senator from New Hampshire, for his strong voice on this. Ever since he came here to the Senate, he has been talking about the need to live up to what is an unfunded mandate and to provide for more resources in this area. I think that is extremely important.

I also hear from people at our school district levels: Look, if you would do the job of providing the funding here, that would help us in many important ways. Above and beyond that, what we have done is said yes to that. We provide for the same funding, but we go further. We say that we think there is an important choice we need to make as Senators, and there is an important choice and decision the country needs to make: Whether we go down the path of the tax cuts—many of them disproportionately flowing to high-income people, to more affluent citizens—or whether, as we look over the next 5 years, we could, in fact, do better by our children and do better by education with close to an additional $35 billion.

I think I heard my colleague, my friend from New Mexico, whom I work with a lot in the mental health area, say: Look, we have done enough. Basically, we believe there is enough in this budget.

I do not agree. I am in profound disagreement. I am in a school every 2 weeks, most of the time in Minnesota, although sometimes in other States, as well. I was a college teacher for 20 years. I love to be in schools. I love to teach. I love to meet with students.

I will tell you right now, in Minnesota, and all across the country, we have a lot of crumbling schools. I think in Minnesota we have well over a $1 billion challenge ahead of us.

I will tell you this: It is very difficult to tell students and young people we value them and then not invest in these schools to the point where the infrastructure is crumbling. What we say to students when we do not even invest in the physical infrastructure is: We do not value you.

We have the task of rebuilding crumbling schools. But don't stop there, I say to Senators. We need to do more. I do not think this budget that our Republican colleagues have presented does near enough. I am in profound disagreement.

You ask the students—talk to them; in many ways, they are the experts on education—what works and what doesn't? They will all tell you that one of the keys to a good education is good teachers.

In the budget proposal that the Democrats have brought to the floor, Senator BINGAMAN taking the lead, we talk about the need to get more resources to the school district level so that we can hire more good teachers and we can have smaller class size.

I would argue today and tomorrow and for the rest of this year and for the next 10 years, that is one of the best things we can do.

One of the things we do not include in this budget proposal but Democrats have talked about—I wish we would back it more with investment—is what we should be doing prekindergarten.

But let me go on about what we can do and what is in this proposal.

In addition, we are talking about afterschool programs. I have not found any issue where there is a greater community consensus—from law enforcement to teachers, to parents, to social workers, to youth workers—that we have to give our children and our young people positive alternatives after school: places to go, places to be. We include that in this proposal. That makes a whole lot of sense.

We had a debate—sort of a debate—on the Ed-Flex bill. I will admit, I was in a minority of one on that. I think the final vote was 99–1. But one of the arguments I made—which I believe most Senators agree with, I hope—and which is certainly a part of this proposal, is that we are talking about flexibility at the same time we are providing title I money, which goes to those students who are disadvantaged, those students who need additional support. We are funding it at about a 30-percent level.

In my State of Minnesota—I am in inner-city schools all the time—in the city of St. Paul, after you go below the threshold of 65 percent of your students coming from homes which make them qualified for the free or reduced school lunch program, we do not have any funding. Once you have 60 percent of your students low income, you do not qualify. We are out of money. We can do much better.

My colleagues on the other side of the aisle say we have done enough. No, we have not done enough. It is not enough to give speeches. It is not enough to have photo opportunities next to children. It is not enough to say we are all for education. It is not enough to say we are for young people because they are our future. It is not enough until we back it up by digging into our pockets and, yes, spending more money and making the investment.

I think this amendment that we bring to the floor is a ''divide'' amendment. This is a divide amendment between Republicans and their priorities—more tax cuts; more tax cuts disproportionately going to wealthy, high-income people, versus more investment in children and more investment in education.

Frankly, I would be willing to debate any colleague who says we have done enough, that we should not be making this additional investment.

Of course, we should be making this additional investment. We are not going to provide the best education for every child on a ''tin cup'' budget. This additional $35 billion can make a difference.

Let me also point out, since we have this debate on the floor of the Senate—and we will have much more of this debate when we get to the Elementary and Secondary Education Act—that I am deeply troubled by all of the Senators—I hope not a majority—who want to talk about high stakes standardized tests and want to say we are for rigor and want to say we are for accountability and want to even say that, by gosh, if a third grader, age 8, does not pass this test, then she is going to be held back, but we are unwilling to make the investment and get the resources to the local school district level so that every one of these children have the same opportunity to pass these tests. We hold children responsible for our failure to invest in their achievement and their future. We can't have it this way. We ought to be talking about high standards. We ought to be telling our children we expect the very best of them, but we also need to have the policy integrity, as Senators, to provide the resources to our local communities so we can make sure that, as a Nation and as a Senate, we have met the opportunity-to-learn standard, that every child in the United States of America, regardless of color of skin, rich or poor, low income or high income, rural or urban, or boy or girl, will have the same chance to reach his or her full potential.

This $35 billion is not Heaven on Earth. It doesn't make it perfect, but it makes it a better Earth on Earth for our children. I believe we should support it, and I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. SARBANES. Mr. President, I rise in support of the pending Bingaman amendment to increase funding for education programs in the FY2001 budget resolution—programs that have been proven to increase student performance. Few of the problems facing us today are as important as the challenge of educating our children to meet the demands of the future. Yet, the budget resolution put forward by the Majority does nothing for key priorities like funding for high-quality teachers, smaller class sizes, modern and accountable schools, and expanded and improved technology in the classroom. In fact, total discretionary spending for education, training and social services programs in the Republican budget plan before us is $4.7 billion below the President's budget request, reducing discretionary education funding to below FY2000 levels.

I strongly supported an amendment offered during the Budget Committee markup to provide increased funding for smaller class sizes, school construction and renovation, and teacher quality—initiatives that are critical to ensuring an educated citizenry. I regret that Republican members of the Committee opposed this amendment, resulting in its defeat, and I would strongly urge my colleagues to support the pending amendment.

Mr. President, the quality of teachers and principals is essential to student achievement. Research indicates that high-quality teachers are the single most important determinant in how well students learn. Likewise, research has shown that students attending small classes with qualified teachers in early grades make more rapid educational progress than students in larger classes. This amendment would increase funding in these critical areas, as well as in other areas such as afterschool programs and school modernization, offset by reducing the irresponsible tax cuts included in the Majority's proposal. It would also make higher education more affordable and accessible by increasing the maximum Pell Grant, and increasing funding for the TRIO and GEAR-UP programs.

Throughout my service in the United States Senate, I have been committed to the goal of ensuring a quality education for all our Nation's citizens. This amendment would move us in the direction of that important goal and I again urge my colleagues to support it.

AMENDMENT NO. 2928

Mr. DOMENICI. Mr. President, I wonder if Senator REID will agree that I may offer the Johnson amendment—he asked that it be offered on his behalf—and a second-degree from me, and we vote on both of them by voice vote.

Mr. LAUTENBERG. No objection, Mr. President.

Mr. DOMENICI. Mr. President, on behalf of Senator JOHNSON, I send a first-degree amendment to the desk and ask for its immediate consideration. I ask unanimous consent this be in order.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI] for Mr. JOHNSON, for himself and Mr. ABRAHAM, proposes an amendment numbered 2928.

Mr. DOMENICI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following:

SEC. . RESERVE FUND FOR MILITARY RETIREE HEALTH CARE.

(a) IN GENERAL.—In the Senate, aggregates, allocations, functional totals, and other budgetary levels and limits may be revised for legislation to fund improvements to

health care programs for military retirees and their dependents in order to fulfill the promises made to them, provided that the enactment of that legislation will not cause an on-budget deficit for—

(1) fiscal year 2001; or

(2) the period of fiscal years 2001 through 2005.

(b) REVISED LEVELS.—Upon the consideration of legislation pursuant to subsection (a), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

AMENDMENT NO. 2929 TO AMENDMENT NO. 2928

(Purpose: To limit the amount of the reserve)

Mr. DOMENICI. Mr. President, I ask unanimous consent that all time on this amendment be yielded back and that I may send a second-degree amendment on behalf of myself to the desk, that all time be yielded back and the second-degree amendment be agreed to, that the first-degree amendment, as amended, be agreed to, and that the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. Mr. President, reserving right to object—I don't know whether I will—could I ask the Senator to again summarize the second-degree amendment. I couldn't hear him.

Mr. REID. If I could say to my friend from Minnesota, Senator JOHNSON, the sponsor of the amendment, has worked with the majority. They have worked something out that is to the satisfaction of Senator JOHNSON. This was his amendment. He believes the second-degree strengthens the amendment and that it should be accepted. I personally don't know the subject matter of the amendment.

Mr. WELLSTONE. I thought the Senator had just summarized it.

Mr. DOMENICI. All it does is, it makes it clear that the bill we are relating to is to be reported out by the Senate Armed Services Committee.

Mr. WELLSTONE. That is the second-degree amendment.

Mr. DOMENICI. That is the second-degree amendment. It makes it clear.

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

The amendment (No. 2929) was agreed to, as follows:

In subsection (a), after the words ''may be revised for'' insert the words ''Department of Defense authorization'', and after the word ''legislation'' insert the words ''reported by the Committee on Armed Services of the Senate''.

The amendment (No. 2928), as amended, was agreed to.

Mr. DOMENICI. I thank the Senator.

Mr. REID. Mr. President, on the pending amendments—the amendments we have been working on most of the day—the minority has no more speakers. We yield back the time we have on that subject under the unanimous consent agreement. I understand the Senator from Colorado will now offer his amendment.

Mr. DOMENICI. Mr. President, I yield back the 2 minutes I have on the amendment.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

AMENDMENT NO. 2906

(Purpose: To protect social security and provide for repayment of the Federal debt)

Mr. ALLARD. Mr. President, I have an amendment at the desk numbered 2906.

The PRESIDING OFFICER. The clerk will report.

The senior assistant bill clerk read as follows:

The Senator from Colorado [Mr. ALLARD], for himself, Mr. ENZI, and Mr. GRAMS, proposes an amendment numbered 2906.

Mr. ALLARD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the resolution, insert the following:

TITLE —SOCIAL SECURITY PROTECTION AND DEBT REPAYMENT

SEC. 1. BALANCED BUDGET REQUIREMENT.

Beginning with fiscal year 2001 and for every fiscal year thereafter, budgeted outlays shall not exceed budgeted revenues.

SEC. 2. REDUCTION OF NATIONAL DEBT.

(a) IN GENERAL.—Beginning with fiscal year 2001 and for every fiscal year thereafter, actual revenues shall exceed actual outlays in order to provide for the reduction of the Federal debt held by the public as provided in subsections (b) and (c).

(b) AMOUNT.—The on budget surplus shall be large enough so that debt held by the public will be reduced each year beginning in fiscal year 2001. The amount of reduction required by this subsection shall be $15,000,000,000 in fiscal year 2001 and shall increase by an additional $15,000,000,000 every fiscal year until the entire debt owed to the public has been paid.

(c) SOCIAL SECURITY SURPLUS AND DEBT REPAYMENT.—

(1) IN GENERAL.—Until such time as Congress enacts major social security reform legislation, the surplus funds each year in the Federal Old Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund shall be used to reduce the debt owed to the public. This section shall not apply beginning on the fiscal year after social security reform legislation is enacted by Congress.

(2) DEFINITION.—In this subsection, the term ''social security reform legislation'' means legislation that—

(A) insures the long-term financial solvency of the social security system; and

(B) includes an option for private investment of social security funds by beneficiaries.

SEC. 3. POINT OF ORDER AND WAIVER.

(a) POINT OF ORDER.—It shall not be in order to consider any concurrent resolution on the budget that does not comply with this title.

(b) WAIVER.—Congress may waive the provisions of this title for any fiscal year in which a declaration of war is in effect.

SEC. 4. MAJORITY REQUIREMENT FOR REVENUE INCREASE.

No bill to increase revenues shall be deemed to have passed the House of Representatives or the Senate unless approved by a majority of the total membership of each House of Congress by a rollcall vote.

SEC. 5. REVIEW OF REVENUES.

Congress shall review actual revenues on a quarterly basis and adjust outlays to assure compliance with this title.

SEC. 6. DEFINITIONS.

In this title:

(1) OUTLAYS.—The term ''outlays'' shall include all outlays of the United States excluding repayment of debt principal.

(2) REVENUES.—The term ''revenues'' shall include all revenues of the United States excluding borrowing.

Mr. ALLARD. Mr. President, I rise today on behalf of myself, Senator ENZI, and Senator GRAMS, to offer this very important amendment to the budget resolution. Our amendment concerns the repayment of the $3.6 trillion debt owed to the American public. I am eager to join my colleagues in this important discussion about the Federal budget, the budget surplus, and the American Government's economic future.

When I was first elected to Congress in 1990, the discussion was radically different. The concept of a budget surplus, let alone long-term projections for a surplus, was foreign. The notion that a national debt measured in trillions could ever be paid off was practically science fiction. While 1990 was only 10 years ago, we stand on the floor of the Senate today a million miles from the bleak fiscal outlook of those times.

We must be careful. While our present fiscal condition may be rose colored, fiscal irresponsibility and a refusal to wisely use the budget surplus can not only lead us back to our deficit spending ways of the past, in my view, it will threaten the fiscal health of our Nation for yet another generation of Americans.

I am here today to urge my colleagues to address the responsibility that comes with the $5.7 trillion debt. During the 105th Congress, I introduced the American Debt Repayment Act. This legislation provided an amortization schedule for the repayment of the national debt.

The largest purchase an American family will ever make is the purchase of their home, and this expenditure is made possible because they laid down a plan on how to pay off this mortgage. It is a set schedule of payments. When I was crafting the American Debt Repayment Act, I studied this traditional form of payment and said, why doesn't this apply to our enormous Federal debt?

Now, 2 short years later, the outlook has changed somewhat, as the Federal Government has run and is estimated to continue to run an on-budget surplus. During the previous two budget cycles, we have witnessed an eagerness to spend more and more money. On-budget surplus dollars have become lumped into the appropriations process to allow for increased spending.

One result yielded by our time of prosperity has been the use of surplus

money to raise the discretionary spending levels, allowing Congress to shy away from making some hard choices. The willingness to spend surplus dollars is so strong, in fact, that when Congress adjourned last fall, there was no real certainty as to whether we would spend all of the on-budget surplus dipping into the Social Security trust fund. This, quite simply, is no way to run an enterprise—any enterprise. Plowing surplus money back into discretionary spending to the extent that Social Security money would be jeopardized is bad policy.

Today, I rise to offer an amendment that would not only provide an opportunity to control the impulse to spend surplus dollars but would eliminate the entire $3.6 trillion debt owed to the public, save over $3 trillion in interest, and protect the Social Security program from annual discretionary appropriation raids. It is simple legislation in the model of the American Debt Repayment Act, providing dedicated debt repayment over a 20-year period.

Beginning with the fiscal year of 2001 and for every year thereafter, this amendment requires that the Federal Government maintain a balanced budget. As most families and business owners know, you must live within your means. It provides this payment schedule I have described—I have it on this chart—so that, by 2021, we have paid down the debt using the on-budget surplus dollars. The on-budget surplus dollars have become lumped into the appropriations process to allow for increased spending. And if you can live within your means, then you are assured better prosperity in the future because it is going to carry you through the ups and downs of our economy.

It is fair and equitable that the Federal Government, I believe, live under the same parameters. I believe this is the first and most essential step in Federal budget accountability and payment.

My amendment further provides that Congress must budget for a surplus that must be dedicated to the repayment of the publicly held portion of the debt. Specifically, again, in fiscal year 2001, Congress will be using $15 billion of on-budget receipts to pay down this debt. Every succeeding year, the amount of debt repayment must increase by $15 billion. So that in 2001 there is $15 billion toward debt repayment, the next year it goes to $30 billion, and then $45 billion. It increases in increments of $15 billion our obligation to pay off that debt, which is looking basically at the surpluses we anticipate over the years in our budgeting as we move forward. Every succeeding year, the amount of debt, again, is increased by $15 billion, so the amount Congress must budget for and pay toward the debt in fiscal year 2002 will be $30 billion, and then $45 billion, and so on. In this system, if it is adopted, by year 2021, the entire debt owed to the public will be zero.

We must have a plan to repay the debt, and we must have a repayment schedule, the same as you have on your home mortgage, and we will have the ability to cut taxes. A plan provides certainty and structure. I believe that anyone concerned with the national debt or tax cuts will understand the need for a responsible repayment schedule on the national debt.

In addition to the on-budget surplus payment required by this amendment, I have added language to require that until such time as serious Social Security reform is implemented, Social Security surplus dollars must also be dedicated to the repayment of the debt owed to the public. Every Member of this body is aware of the enormous obligation this country has made to present and future Social Security recipients. I believe the policymakers must address the future solvency of Social Security.

I am not here today, and my amendment is not drafted, to address the vital issue of Social Security solvency in the long term. What this amendment will do, however, is dedicate a surplus in Social Security dollars to debt repayment until the Congress can generate an appropriate long-term fix to the obstacles that stand in the way of this program.

I note that the 20-year schedule I have introduced does not account for the inclusion of Social Security surplus money to repay the debt owed to the public. I believe the only sensible use for these funds, until such time as they may be used to reform Social Security, is again reducing the debt owed to the public. Directing these surplus funds to debt repayment will only accomplish total repayment at an earlier date.

I must stress today, I offer a dedicated repayment schedule to eliminate the entire debt owed to the public in 20 years, without using Social Security surplus money. The use of Social Security surplus dollars will only serve to pay the debt down more quickly, removing the burden of the publicly held debt from Social Security in the annual budget process.

In recent weeks, the distinguished Speaker of the House and the President have talked a great deal publicly about seizing this unprecedented opportunity that lies before us, and that is to pay down the Nation's debt. Testifying before the Senate Banking Committee in January, Federal Reserve Chairman Alan Greenspan strongly urged Congress to use surplus dollars to pay down the debt. Chairman Greenspan stated:

> My first priority would be to allow as much of the surplus to flow through into a reduction of debt to the public. If that proves politically infeasible, I would opt for cutting taxes. And under no conditions do I see any room in the long-term outlook for major changes in expenditures.

I think that very succinctly spells out where we should be. This dialog has been tremendously helpful in further drawing the attention of the public and elected officials to the importance of debt repayment.

As many of my colleagues can attest, and as I have experienced in my numerous town meetings around my home State of Colorado, this is an issue that the public understands. It is an issue of basic common sense, equity, and responsibility. This amendment is a call to action and accountability. It demands that this country and this Congress recognize the debt it has created. It structures a disciplined, fiscally responsible schedule for the repayment of our debt. In the process, it is my view that this legislation will serve to generate greater fiscal responsibility with every appropriation cycle, prevent future deficit spending, and save the taxpayer more than $3 trillion in interest payments. Now, that is $3 trillion that would be better spent on necessary expenditures, the strengthening of Social Security, and tax cuts.

I wish to compliment Senator DOMENICI, and the Budget Committee under his leadership, for working to pay down the debt. I recognize their sincere efforts in that regard. But during a time of unprecedented growth in our country, I think we need to seize the opportunity to make a firm commitment to pay down the debt. I am asking that the Senate take us a little step further in that process, and this American Social Security protection and draft repayment amendment—I haven't introduced it as a bill but as an amendment on this Budget Act—deals with several issues in order to further our commitment to paying down the debt.

First of all, it says we are going to have to balance our budget; that is, we are not going to spend more than what comes in in revenues. We are proposing a plan to reduce the national debt. The amendment I have before you talks about a $15 billion commitment every year in additional obligations to paying down the debt. We have a provision in there to preserve the Social Security surplus and to state, as Senators, that we are serious about saving Social Security, and that we are going to work hard for the long-term fiscal soundness of a very important program for our elderly in America, and that we are going to have an option to allow individuals to play a role in their Social Security accounts.

Then, we also have a very important provision that says, look, if the revenue projections don't hold up as anticipated, there is a means where the Congress will come back on a quarterly review of these revenues. If they don't hold up, we are going to have to cut spending. It is going to help ensure that when we make decisions as we did last year in the budgeting process, where we got to the end of the appropriations process last year and we weren't entirely sure whether we would have spent Social Security or not until our final figures would have come before us in February of this year—now, fortunately, those revenue figures held

up—we do not spend Social Security dollars.

I have a mechanism in place which protects our position so that when we say we are not spending Social Security dollars, we will have an opportunity to make sure we are protecting the Social Security surplus; that we are staying to our schedule to paying down the debt because we in Congress are going to go back and review it on a quarterly basis and then help assure the American people that we will stay on schedule.

We are moving into somewhat turbulent times. If you watched the stock market yesterday and the amount of oscillation it went through, it reminds us of how the economy is changing.

I am concerned that at some point in time we will be overly optimistic about our revenue, and if we don't have this particular plan in place we will find ourselves in trouble and back into deficit spending, which I think we need to avoid. We need to utilize this prosperous time in our country to pay down the debt, which I think is extremely important.

I think the Congress can do all of those things. We can have a schedule to pay down the debt. We can save Social Security. We can also have some provisions for tax cuts.

With a three-pronged approach, the American people will understand our commitment to their future.

I yield the floor.

Mr. REID. Mr. President, I extend 15 minutes to the Senator from South Carolina.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, now the gamesmanship is revealed.

Look at this amendment. It says let's spend Social Security.

Let me read that to you.

Until such time as Congress enacts major Social Security reform legislation, the surplus funds each year of the Old Age and Survivors Insurance trust funds shall be reused to reduce the debt owed by the public. This section shall not apply beginning the fiscal year.

They say reduce the debt owed by the public. You are back to playing the game of taking one credit card and paying off the other credit card and owing the same amount. It is as if I have a MasterCard and a Visa card. I want to pay off the Visa card with the MasterCard. I say the Visa card is the public debt. And I paid it off—$3.6 trillion—never mentioning that my MasterCard bill went up by the same amount.

My distinguished colleague from Wyoming is a cosponsor. He smiles because he is a CPA. He knows what we're talking about.

As the Director of the Congressional Budget Office, Dr. Rivlin, says, you are just taking the debt from one pocket and putting it in another.

I want the distinguished Chair and the Parliamentarian to pay close attention because a point of order will be made later.

In other words, over on the third page of the particular amendment, it reads: No bill to increase revenues shall be deemed to have passed the House of Representatives or the Senate unless approved by a majority of the total membership of each House of Congress by a rollcall vote.

That is in violation of Section 305 of the Budget Act. It has not been considered and referred to the Budget Committee. That point of order can be made in due time.

I refer to what the law says about the public debt, and not what Alan Greenspan says. I worked with Alan Greenspan 20 years ago when I was the chairman of the Budget Committee. I have tremendous respect and affection for him. But he represents Wall Street. As long as we can borrow from ourselves; namely, as long as we can spend surpluses on government programs, then we stay out of the stock market. Mr. Greenspan doesn't want us coming in with the sharp elbows of Government driving out private capital and running up interest rates.

As long as we play the game for Wall Street, Mr. Greenspan is happy. We have had a wonderful economy. Rather than raise interest rates, we ought to put in a value-added tax allocated to reducing the deficit and the debt. Then we could save trillions of dollars not only in principal but in interest costs. That bill is in the Finance Committee. I introduced it. I had a hearing when Senator Bentsen was the chairman. But I have not been able to get a hearing on it since then. I would be glad to start this afternoon with a hearing on that initiative.

I think that is what we have to do.

This debt goes up, up, and away, as shown by the numbers published by the Secretary of Treasury.

I ask unanimous consent to have printed in the RECORD the public debt issued by the Secretary of the Treasury.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE PUBLIC DEBT TO THE PENNY

[Current 04/04/2000—$5,758,854,640,223.41]

Current month:	Amount
04/03/2000	$5,750,620,100,381.36
Prior months:	
03/31/2000	5,773,391,634,682.91
02/29/2000	5,735,333,348,132.58
01/31/2000	5,711,285,168,951.46
12/31/1999	5,776,091,314,225.33
11/30/1999	5,693,600,157,029.08
10/29/1999	5,679,726,662,904.06
Prior fiscal years:	
09/30/1999	5,656,270,901,615.43
09/30/1998	5,526,193,008,897.62
09/30/1997	5,413,146,011,397.34
09/30/1996	5,224,810,939,135.73
09/29/1995	4,973,982,900,709.39
09/30/1994	4,692,749,910,013.32
09/30/1993	4,411,488,883,139.38
09/30/1992	4,064,620,655,521.66
09/30/1991	3,665,303,351,697.03
09/28/1990	3,233,313,451,777.25
09/29/1989	2,857,430,960,187.32

THE PUBLIC DEBT TO THE PENNY—Continued

[Current 04/04/2000—$5,758,854,640,223.41]

09/30/1988	2,602,337,712,041.16
09/30/1987	2,350,276,890,953.00

Source: Bureau of the Public Debt.

Mr. HOLLINGS. Mr. President, you will see that when we started the fiscal year the debt was $5.656 trillion It has gone up to $5.750 trillion.

We have increased the debt. Everyone is talking about ''surplus.'' What are we going to do with all of these great surpluses?

We do not have a surplus. We had a deficit last year of $127 billion.

As the debt goes up, I am trying to clear up the confusion in this particular body rather than engaging in this charade.

When the distinguished chairman of the Budget Committee keeps talking about how he paid down the public debt by $1.1 trillion, here is the actual record as provided in the Budget Committee of the non-Social Security surplus:

In the year 2001, $11.1 billion; 2002, $3.2 billion; 2003, $6.5 billion; 2004, $8.7 billion; 2005, $12.7 billion, for a total of $42.2 billion.

The distinguished chairman says he pays down the debt $1.1 trillion. It is actually $42 billion in non-Social Security surpluses. And, of course, the rest of it—over $1 trillion—is Social Security. Yet, in the same breath, he maintains that we are saving Social Security with a lockbox.

I pointed out a second ago that we have nothing but IOUs in the lockbox.

Let me refer to the most recent Congressional Budget Office figures on the Social Security surplus. As of last year, 1999, we had a surplus of $125 billion. In this past fiscal year, we expect a surplus of $154 billion; 2001, $166 billion; 2002, $183 billion; 2003, $196 billion; 2004, $209 billion; and 2005, $225 billion.

That is how you may be able to use the expression ''pay down the debt.'' They say pay down the public debt because they don't want to say they are separating, in their minds, the public debt from the government debt. You simply can't do that. There is just one debt. We owe it.

I ask unanimous consent to have printed in the RECORD the trust funds that have been looted already to balance the budget.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TRUST FUNDS LOOTED TO BALANCE BUDGET

[By fiscal year, in billions of dollars]

	1999	2000	2001
Social Security	855	1,009	1,175
Medicare:			
HI	154	176	198
SMI	27	34	35
Military Retirement	141	149	157
Civilian Retirement	492	522	553
Unemployment	77	85	94
Highway	28	31	34
Airport	12	13	14
Railroad Retirement	24	25	26
Other	59	62	64
Total	1,869	2,106	2,350

Mr. HOLLINGS. Mr. President, this particular chart shows that in 1999 we

looted $1.869 trillion from all of the trust funds. This year, we are on course to loot $2.106 trillion. We have $78 billion in non-Social Security surpluses. That is tied up in Medicare, military retirement, civilian retirement, the unemployment compensation fund, the highway-airport trust fund, railroad retirement, etc.

We are beginning to make the record and have it understood.

If there is any doubt with respect to the public debt, I refer to the particular budget that is now under consideration on page 5, ''Public Debt.''

''The appropriate levels of public debt . . .''—I am referring to the budget; it will get a majority vote. We are going through a little exercise. I say ''a little exercise''; it is actually a charade. We worked 2 days and nights, and we produced the budget. Upon completion of a budget resolution in committee, the chairman is allowed to make technical adjustments through a unanimous consent. This year the technical adjustment was $60 billion. Imagine that. Tell the appropriators they have to cut some $60 billion in order to fall within the caps.

The instrument itself, I refer to S. Con. Res. 101, page 5:

(5) Public debt.—

The appropriate levels of the public debt are. . . .

And then they list the levels for 2000 through 2005 going from $5.625 trillion to $5.923 trillion. That is without that $60 billion technical adjustment. But even there, they list the debt going up $297 billion.

This is the overall debt, which is not going down. When they say ''paying down the debt,'' they are instead referring to the public debt.

With the course we are on, by the year 2013 there will not be any surpluses of payroll tax revenues sufficiently large to make the payments due on that particular year. So we are going to be running into a wall, and we will have to either cut the benefits or raise the taxes.

I ran over what we had done on the Grace Commission about cutting spending, but each year the spending goes up because health costs are going up, the military costs are going up. We have to live in the real world. Everybody understands that. Here is the first frontal assault according to the Allard amendment: You shall spend the Social Security surpluses. Until such time as Congress enacts major Social Security reform legislation, the surplus funds of Social Security shall be used to reduce the debt.

What you are doing is using Social Security moneys to make it appear that the debt is less and some kind of interest cost is saved. The truth is, you have gone from one credit card to the other. That is the sort of game we have played each year, making the debt increase from less than $1 trillion under President Johnson, when he balanced the budget back in 1968 and 1969, to almost $5.7 trillion now. Interests costs of only $16 billion back then are now $362 billion, or $1 billion a day.

That is a waste. If we had that $200-some billion we are paying in interest costs, I could almost double the defense budget, give you all the research for health, build all the highways, bridges, the libraries, courthouses. We could do everything anybody wanted to do. I could give Gov. George W. Bush's tax cut and Vice President GORE's program of spending.

We are spending the money for nothing. When are we going to get hold of ourselves and sober up and cut out this political campaign? The worst campaign finance abuse is us. We are using our payroll to run around here and give a lark and a story to the American people that we are going to save Social Security; no, we are going to pay down the debt, pay down the public debt.

I retain the remainder of our time.

Mr. ALLARD. How much time remains?

The PRESIDING OFFICER. The Senator has 45 minutes.

Mr. ALLARD. I yield 15 minutes to the Senator from Wyoming.

Mr. ENZI. Mr. President, I rise to support the amendment offered by my friend from Colorado, Senator ALLARD. This is an amendment that will keep our budget balanced. It will protect the Social Security surplus by preventing these revenues from being used for additional spending, and—this is the important part—it establishes a concrete schedule for paying off the publicly held debt payments with non-Social Security surplus. This is a true paydown of the debt.

I am pleased we had the comments from the Senator from South Carolina to whom I have been paying attention since I got to this body. I am pleased to say I think this is a bill he could sign onto when we have an opportunity to explain all the ramifications.

The first year Senator ALLARD and I were in the Senate, we talked about balancing the budget. It seemed a dream at that time, but it happened. Everybody in this body listened to constituents at home and said, by golly, they want the budget balanced. And we balanced it.

Now, a little fluke in that was that we were partly balancing it with Social Security surplus. The difference between what people paid into Social Security and the amount paid out was a positive revenue; it was extra money. And we were spending it.

We said: That is not honest. The people of America listened, and they said: We want some honesty with our Social Security money. Quit spending the Social Security surplus. We have done that. Everybody paid attention last year. We will have an honest surplus, not counting Social Security surplus for the first time in decades.

Now what we are talking about is debt accountability. Honesty with the trust funds is where we are headed. Debt accountability is what we need to get there.

There is a fellow in Gillette, WY, who calls me regularly. Steve Tarver is a fellow accountant, retired now. He says: Congress keeps talking about the debt being paid down, but I call the Treasury regularly and I say: How much is the national debt?

The debt keeps going up, in spite of the Social Security surplus, which is supposed to be used to be paying down the public debt already. We are taking the money out of one pocket and putting it in the other pocket. Debt to the public becomes debt to the Social Security trust fund. But it is IOUs. That debt as of 11:51 this morning: $5 trillion, 730 billion and some-odd change.

The U.S. population as of 11:51 this morning was 274,548,318 people. A little simple division demonstrates that every man, woman, and child in this Nation right now owes, in national debt, each of us, $20,873. I love to go to school classrooms and say: Did you know you already owe a tremendous debt? That amount is over $20,000. That is pretty staggering to a kid in sixth or seventh grade. He or she doesn't just owe that $20,000; every single person in each family owes that $20,000. That is how big the debt is for the Nation.

We have gotten some benefits as we have run up the till. But it is a debt. I can say as I have traveled across Wyoming, the people understand that debt. They don't like the Federal Government being in debt any more than they like being in debt. They recognize the debt is something you have to pay off sometime. They don't think it is fair that we make our kids and our grandkids pay off our debt.

Maybe the portion that attributes down to them, they could; OK, but $5.7 trillion is one heck of a package to pay off. It is a staggering package.

So how do we do it? We do it by starting sensibly. We start with a plan. We put this country on a mortgage program. The mortgage program is outlined in the bill. It starts with a payment of $15 billion. It sounds like a lot of money. Around here it is not much money—$15 billion. Essentially, the money then that you save in interest, you do not run out and spend; you add that to the principal. And the next year you pay down the $15 billion. We are adding a little bit to it because those surpluses are going up, and it has been predicted, if we pay down the national debt, if we honestly pay down the national debt—and that is what we are talking about, debt honesty—there will be an increase in the national economy. That is the biggest factor that can increase the national economy. That means we will have a little additional revenue we can add to the $15 billion plus the interest we save. Each year we will escalate that payment so in 20 years we pay off the national debt, not using the Social Security surplus.

This is honesty in paying down the national debt. We have to do something about these trust funds that are IOUs. People keep talking about it. This one

does not add a dime to the IOUs. This one pays down the national debt in a very calculated, fashioned program.

I do not think we are tied to 20 years on this. I do not think we are tied to $15 billion the first year. I do not think we are tied to the same additions each year. It is time this country got on a plan to pay that debt down. You want to make the loan longer? You want to have some years when you have a little flex in it? It does not matter to me. We just have to be honest on paying down the national debt. This is one that forces honesty. This is a plan that pays off the national debt honestly over a 20-year period.

This amendment makes good economic sense, and it is good for America's future. It fulfills our promise to America's seniors without savaging our grandchildren's future. For too long, Congress has followed the path of reckless abandon in spending money we didn't have for programs with short-term benefits and long-term burdens. We have left our children and grandchildren holding the mortgage on this $5.7 trillion Government mansion that they may not even be able to visit. That is right. If we fail to rise to the challenge of eliminating the Federal debt, we leave our children shackled to the high interest payments that were mentioned earlier, and the looming debt created by the last 40 years of big Government programs, while the benefits of that spending fade into the sunset of history.

This Congress is in the best position of any Congress in a generation to eliminate the debt held by the public—honestly. In 1999, after only 4 years of a Republican Congress, we were able to balance the budget. We have now projected budgeted surpluses beyond the next 10 years, and every year those are recalculated and become considerably greater.

Given this unique opportunity made possible by the ingenuity of the American people and the hard work of a Republican Congress willing to control Government spending to reduce it from an annual growth of about 20 percent a year, down to about 2 percent a year—it is still growing—we should get our financial house in order by setting up a definite repayment plan to eliminate the $3.6 trillion of publicly held debt, while ensuring Social Security remains strong for future retirees.

This amendment contains three main provisions that have been outlined, three main ones that start out easy and build as we go and then continue to pay down the debt, even if Congress enacts meaningful Social Security reform next year. It creates a responsible, concrete method of paying off the debt while ensuring the future solvency of Social Security.

I have been listening to the budget debate. I found it interesting to hear the number of people on the Democratic side of the aisle talk about the budget resolution before us being irresponsible because it allows for a modest tax cut over 5 years. They argue we could be using that money to pay down the debt.

This is not the first time I have heard this argument. In fact, I have heard a lot of these same claims as we debated the Taxpayer Refund and Relief Act of 1999, which is the best policy discussion and only policy discussion we have had on taxes since I have been in the Senate. I think it helped people understand how we could make a more fair, more simple Tax Code. It passed. It was vetoed. During that time, I heard a lot of rhetoric about how the most important thing was paying down the national debt.

I do not think the people using the rhetoric necessarily believe the national debt would be something we would put up as a project, that it could actually be done. That is what we are doing here. We are giving everyone a chance to back up their rhetoric with real action, by voting in favor of debt reduction by voting for this amendment.

This amendment contains three main provisions. First, it requires Congress to continue passing balanced budgets for each and every year. Second, this amendment requires yearly repayments to be made from the non-social security surplus. This schedule would begin a payment of $15 billion in the coming fiscal year, and this amount would increase in each succeeding year by $15 billion per-year. Third, this amendment requires that the entire social security surplus would be used for debt reduction until Congress enacts social security reform legislation. These last two provisions are essential, because they ensure that we will continue to pay down the debt even if Congress enacts meaningful social security reform next year. This amendment creates a responsible, concrete method of paying off the publicly-held debt while ensuring the future solvency of social security.

As the only accountant is the Senate, I spent a great deal of time listening to last year's discussion on tax relief. I was amazed at the number of my Democratic colleagues who opposed the tax relief bill because they said the money should be used for debt reduction. This was the same reason the president gave for vetoing our tax cut. When the president submitted his budget to Congress this year, he made clear that his rhetoric on debt reduction was a fleeting facade, behind which he could hide his real desire for countless new government programs, each one requiring substantial new government spending which would further threaten our children's economic future. As soon as the threat of a tax cut disappeared, so did President Clinton's commitment to debt reduction. This amendment challenges my Democratic colleagues to choose between a plan that offers real debt reduction or the hollow promises of President Clinton which are nothing more than a smokescreen for huge new Government spending.

I urge my colleagues to join me in rebuilding a financial house of responsibility where our parents and grandparents can retire in peace and where our children and grandchildren will be welcomed for years to come. We should join together in laying an important cornerstone in that foundation today by supporting Senator ALLARD's amendment to this budget resolution.

I want to mention a few of the things my colleagues have said. The Senator from North Dakota said:

> The first choice, it seems to me, ought to be, during good economic times you pay down part of the Federal debt. That is the best gift we can give the children of this country, and that would also stimulate lower interest rates and more economic growth.

The Senator from Virginia—this is the Democratic Senator from Virginia—said:

> I would rather have nothing, notwithstanding some of the good things upon which both sides agree, and simply begin to pay down the debt.

The Senator from the other side of the aisle from Michigan said:

> That would be the greatest gift of all that we could make for the American people, the reduction on that debt, because that would be a reduction in the interest rates which people pay on their mortgages and cars and credit cards, and that would truly be a contribution to the well-being of our constituents.

And the Senator on the other side of the aisle from Vermont said:

> I believe Congress should follow three basic principles to continue our strong economy and provide targeted tax relief. First, we must continue to keep our fiscal house in order and pay down the national debt. The national public debt stands at $3.6 trillion. That's a lot of zeros. Like someone who has finally paid off his or her credit card balance but still has a home mortgage, the Federal Government has finally balanced its annual budget but we still have a national debt to pay down. Indeed, the Federal Government pays almost $1 billion in interest every working day on the national debt.

The Senator from California said:

> Debt reduction is the external debt, the debt that is owed to private people, Americans and those around the world who picked up our bonds. We owe them debt. I see my friend from South Carolina has pointed this out. Because of that debt, we are paying over $300 billion a year in interest payments which, as my friend said, is bad for the economy, it's wasteful, it does no good to anyone.

And finally the Senator from the other side of the aisle from Washington said:

> We will not be able to pay off our debt, a very important issue that is facing us, which we have not left ourselves room for with a massive cut of this size.

That is a lot of people encouraging us, giving us an indication that they would like to see the debt paid down. I hope they will follow through on that and help us do it.

Mr. HOLLINGS. Will the distinguished Senator yield?

Mr. ENZI. I am on a limited time.

Mr. HOLLINGS. I will do it on our time. It is not a question of time. I wanted to ask a question because I am referring, on page 2, to line 12:

Until such time as Congress enacts Social Security reform legislation, these surplus funds of Social Security shall be used to reduce the debt.

So you are using Social Security trust funds to pay down the national debt? And yet you are saying we are saving Social Security.

So if I increase the debt for Kosovo or for regular defense or for food stamps or for foreign aid or for your pay and my pay, or whatever, that is the debt of the Government. That is the national debt and you use Social Security to pay it?

Mr. ENZI. If I can answer the question, in the State of the Union speech, the President said we are going to use the Social Security surplus to pay off the national debt. Over a 10-year period, we are going to have $1.8 trillion in money we can use to pay off the national debt. And I said the same thing you did, that is, moving the money from one pocket to the other. That is not honest. But we have made a commitment that we will protect that Social Security surplus.

The one thing that is allowed by law to be done with that is to pay off bonds in the public debt. The only investment we are allowed to have at the present time for Social Security is bonds.

Mr. HOLLINGS. That is right. Bonds are IOUs, so you just increase the IOUs.

Mr. ENZI. No, it keeps the IOUs the same. The Social Security surplus will grow; the debt stays the same. Then the interest gets added to the public debt because, again, it cannot be taken out. It has to be invested in more bonds.

That is part of the problem with Social Security; the only thing that can be done with the Social Security funds is buy U.S. bonds.

Mr. HOLLINGS. Right.

Mr. ENZI. So there are the public bonds out there and the private bonds out there. If we wind up with more private ones, we have to buy out some of the public ones. It can be done a number of ways. They are all exactly the same. They are transferring money from one pocket to another, as the Senator says.

Paying down the national debt is a commitment this Congress has made. We are not changing that commitment. We put that in the bill, and we are not changing Congress' commitment. We would like to change Congress' commitment. If Congress changes Congress' commitment, they can do that. That is what that says.

In addition, there is an honest debt repayment in the amendment. The Senator is choosing to overlook the honest portion of the debt repayment, which is the focus of this bill. It is the focus of the bill that Senator ALLARD and I introduced the first year we were here: Paying down, with true surplus, the public part of the debt. We are going to do that part and another part.

The PRESIDING OFFICER. The Senator's 15 minutes have expired.

Mr. ALLARD. Will the Senator from South Carolina yield?

Mr. HOLLINGS. Yes.

Mr. DOMENICI. The Senator does not have any time.

Mr. ALLARD. Our time has expired. The Senator's time has expired.

Mr. DOMENICI. Mr. President, has the Senator used the full hour? He had a full hour.

Mr. ALLARD. I am sorry, the time I yielded to the Senator from Wyoming has expired.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I am opposed to the amendment, so I control the time. Does the Senator from South Carolina want some additional time?

Mr. HOLLINGS. Two minutes.

Mr. DOMENICI. I yield as much time as the Senator wants.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. HOLLINGS. Mr. President, the Senator from Wyoming talked about the commitment to pay down the national debt, but on page 5, the national debt is listed beginning on line 20, fiscal year 2000, as $5.625 trillion going up to, on page 6, $5.923 trillion. It's an increase in the debt of $297,712,000. Here is the Senator's commitment to reducing the national debt.

There is no commitment that I have seen. I ask unanimous consent to print in the RECORD a listing of the national debt as it has gone up since the days of President Truman.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HOLLINGS' BUDGET REALITIES

[In billions of dollars]

President and year	U.S. budget (outlays)	Borrowed trust funds	Unified deficit with trust funds	Actual deficit without trust funds	National debt	Annual increases in spending for interest
Truman:						
1946	55.2	−5.0	−15.9	−10.9	271.0	.....
1947	34.5	−9.9	4.0	+13.9	257.1	.....
1948	29.8	6.7	11.8	+5.1	252.0	.....
1949	38.8	1.2	0.6	−0.6	252.6	.....
1950	42.6	1.2	−3.1	−4.3	256.9	.....
1951	45.5	4.5	6.1	+1.6	255.3	.....
1952	67.7	2.3	−1.5	−3.8	259.1	.....
1953	76.1	0.4	−6.5	−6.9	266.0	.....
Eisenhower:						
1954	70.9	3.6	−1.2	−4.8	270.8	.....
1955	68.4	0.6	−3.0	−3.6	274.4	.....
1956	70.6	2.2	3.9	+1.7	272.7	.....
1957	76.6	3.0	3.4	+0.4	272.3	.....
1958	82.4	4.6	−2.8	−7.4	279.7	.....
1959	92.1	−5.0	−12.8	−7.8	287.5	.....
1960	92.2	3.3	0.3	−3.0	290.5	.....
1961	97.7	−1.2	−3.3	−2.1	292.6	.....
Kennedy:						
1962	106.8	3.2	−7.1	−10.3	302.9	9.1
1963	111.3	2.6	−4.8	−7.4	310.3	9.9
Johnson:						
1964	118.5	−0.1	−5.9	−5.8	316.1	10.7
1965	118.2	4.8	−1.4	−6.2	322.3	11.3
1966	134.5	2.5	−3.7	−6.2	328.5	12.0
1967	157.5	3.3	−8.6	−11.9	340.4	13.4
1968	178.1	3.1	−25.2	−28.3	368.7	14.6
1969	183.6	0.3	3.2	+2.9	365.8	16.6
Nixon:						
1970	195.6	12.3	−2.8	−15.1	380.9	19.3
1971	210.2	4.3	−23.0	−27.3	408.2	21.0
1972	230.7	4.3	−23.4	−27.7	435.9	21.8
1973	245.7	15.5	−14.9	−30.4	466.3	24.2
1974	269.4	11.5	−6.1	−17.6	483.9	29.3
Ford:						
1975	332.3	4.8	−53.2	−58.0	541.9	32.7
1976	371.8	13.4	−73.7	−87.1	629.0	37.1
Carter:						
1977	409.2	23.7	−53.7	−77.4	706.4	41.9
1978	458.7	11.0	−59.2	−70.2	776.6	48.7
1979	504.0	12.2	−40.7	−52.9	829.5	59.9
1980	590.9	5.8	−73.8	−79.6	909.1	74.8
Reagan:						
1981	678.2	6.7	−79.0	−85.7	994.8	95.5
1982	745.8	14.5	−128.0	−142.5	1,137.3	117.2
1983	808.4	26.6	−207.8	−234.4	1,371.7	128.7

HOLLINGS' BUDGET REALITIES—Continued

[In billions of dollars]

President and year	U.S. budget (outlays)	Borrowed trust funds	Unified deficit with trust funds	Actual deficit without trust funds	National debt	Annual increases in spending for interest
1984	851.9	7.6	−185.4	−193.0	1,564.7	153.9
1985	946.4	40.5	−212.3	−252.8	1,817.5	178.9
1986	990.5	81.9	−221.2	−303.1	2,120.6	190.3
1987	1,004.1	75.7	−149.8	−225.5	2,346.1	195.3
1988	1,064.5	100.0	−155.2	−255.2	2,601.3	214.1
Bush:						
1989	1,143.7	114.2	−152.5	−266.7	2,868.3	240.9
1990	1,253.2	117.4	−221.2	−338.6	3,206.6	264.7
1991	1,324.4	122.5	−269.4	−391.9	3,598.5	285.5
1992	1,381.7	113.2	−290.4	−403.6	4,002.1	292.3
Clinton:						
1993	1,409.5	94.2	−255.1	−349.3	4,351.4	292.5
1994	1,461.9	89.0	−203.3	−292.3	4,643.7	296.3
1995	1,515.8	113.3	−164.0	−277.3	4,921.0	332.4
1996	1,560.6	153.4	−107.5	−260.9	5,181.9	344.0
1997	1,601.3	165.8	−22.0	−187.8	5,369.7	355.8
1998	1,652.6	178.2	69.2	−109.0	5,478.7	363.8
1999	1,703.0	251.8	124.4	−127.4	5,606.1	353.5
2000	1,769.0	234.9	176.0	−58.9	5,665.0	362.0
2001	1,839.0	262.0	177.0	−85.0	5,750.0	371.0

*Historical Tables, Budget of the US Government FY 1998; Beginning in 1962 CBO's 2001 Economic and Budget Outlook, Feb. 16, 2000.

Mr. HOLLINGS. Mr. President, one can see how that debt has gone up. One can see we were doing pretty good under the Budget Act, which was the solution we had in 1993 under President Clinton. We came from a $403.6 billion deficit. We were spending over $400 billion more than we took in, until 1993 when we reduced it to $349.3 billion. And in 1994, it went down to $292.3 billion. Then in 1995, it went down to $277 billion. In 1996, it went down to $260.9 billion. In 1997, it was $187.8 billion. In 1998, it was $109 billion. In 1999, it was $127 billion. It went back up last year.

Under this chart, it shows we are going back down. These are CBO figures.

As I related a minute ago, with the votes we have had, it is going to be over $100 billion. I am always trying to jump off the Capitol dome to emphasize a point. I make that offer again to my distinguished chairman—I will jump off the Capitol dome if we balance the budget. Watch. Come October, when we adjourn for the year and start the new fiscal year, we will be running a deficit again. I yield the floor and retain the remainder of our time.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, I yield 5 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. VOINOVICH. Mr. President, as many of my colleagues know, earlier I offered an amendment to provide for a tax reduction. At this time, I speak on behalf of the Allard-Enzi-Grams amendment because I believe it is a responsible way in which to deal with the problem of reducing the national debt.

First, we need to pay down our national debt so we can decrease our interest payments on that debt, a debt which stands at $5.7 trillion. The way I calculate it, the interest we'll pay this year comes out to over $224 billion. We pay about $600 million a day on interest costs alone. Out of every Federal dollar we spend, 13 cents goes to pay interest on the national debt compared, for example, with 16 cents for national defense and 18 cents for nondefense discretionary spending. We will spend more money on interest this year than we do on Medicare.

These numbers make me determined to do all I can to decrease our debt even further. I believe every fiscal decision we make in Congress should be measured against the backdrop of how it will decrease our national debt. And I am not the only one who believes that. In fact, in Congressional testimony in January of this year, CBO Director Dan Crippen stated:

> Most economists agree that saving the surpluses, paying down the debt held by the public, is probably the best thing we can do relative to the economy.

On that same day, Federal Reserve Chairman Alan Greenspan said:

> My first priority would be to allow as much of the surplus to flow through into a reduction in debt to the public. From an economic point of view, that would be, by far, the best means of employing it.

Lowering the debt sends a positive signal to Wall Street and Main Street and encourages more savings—and we need more savings in this country—and investment which, in turn, fuels productivity and continued economic growth. It also lowers interest rates which, in my view, is a real tax reduction for the American people.

Furthermore, devoting on-budget surpluses to debt reduction is the only way we can ensure our Nation will not return to the days of deficit spending should the economy take a sharp turn for the worse or a national emergency arise. As Alan Greenspan has testified before Congress:

> A substantial part of the surplus . . . should be allowed to reduce the debt, because you can always increase debt later if you wish to, but it's effectively putting away the surplus for use at a later time if you so choose.

Many in the Senate have argued that putting the Social Security surplus in the lockbox will be enough to pay down the debt. I remind my colleagues, we will have to use some of the surplus everybody is talking about for paying down the national debt in order to fund reform of the Social Security system, if we are going to solve the problems of Social Security.

We cannot keep putting off our responsibilities. If we have the ability, as we do now, we have a moral obligation to pay down the debt.

When I go back to Ohio, people say: we're not asking for more tax cuts; I want you to do something about Social Security, Medicare, health care, and if you have some money, for goodness sake, pay down the debt.

That is what we do in our own families. If we get a little extra money and we are in debt, we pay down the debt. That is what the people want this Government to do. That is the message I am getting from the people in the State of Ohio. I am sure my colleagues who are supporting this amendment are hearing from the people in their states.

Last but not least, I agree with GAO Comptroller General David Walker. In testimony before the House Ways and Means Committee last year, he said something that is really very important to those of us who have children and grandchildren, as most of us in this body do, about our obligation to future generations. David Walker said:

> This generation has a stewardship responsibility to future generations to reduce the debt burden they inherit, to provide a strong foundation for future economic growth, and to ensure that future commitments are both adequate and affordable. Prudence requires making the tough choices today—

We have to make the tough choices today—

> while the economy is healthy and the workforce is relatively large—before we are hit by the baby boom's demographic tidal wave.

We should support this amendment. It makes sense. It is good for America, and it is good for fiscal responsibility.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER (Mr. SESSIONS). The Senator from New Mexico.

Mr. DOMENICI. How much time does Senator ALLARD have?

The PRESIDING OFFICER. Senator ALLARD has 25 minutes remaining.

Mr. DOMENICI. I yield myself 5 minutes. Let's make it 10 minutes.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DOMENICI. Mr. President, I have the greatest respect for Senator ALLARD and all those who are supporting him on this amendment. But I surely did not want the debate to end today without talking about what we have already done and what this budget resolution does.

In the last 2 years, we have reduced the debt held by the public. I hear people talking about both kinds of debt on the floor. But did I hear Senator VOINOVICH say he was quoting from somebody who stated the best thing we can do is reduce the debt held by the public when we have a surplus? We have already reduced it by $355 billion. This budget resolution—so everyone will know—will reduce the debt by an additional $1.1 trillion.

Frankly, I am going to give an estimate, but I think I will be close. If we stay on this path, the interest on the national debt will have been reduced between $100 billion and $130 billion.

I ask, how much is enough?

There is an argument being made that since this money is Social Security trust fund money, it does not really reduce the debt because we may have to use it someday. Right now, as we sit in this Senate, and as I stand and talk, there is less interest being paid because the Social Security trust fund money is not being spent; it is being saved, which means we have that much less IOUs to the public.

We are going to have $1.1 trillion more over the next 5 years, making the total, in a period of about 7 years, of almost $1.5 trillion.

I think that on my side of the aisle, the same Senators who are concerned about whether this is real, because someday we have to fix Social Security, in my mind's eye I think they are all for personal accounts as a solution to the Social Security problem. I suggest that if we do personal accounts, then we will not spend this money. In fact, it will turn up on the side of the ledger as having been saved rather than having been spent. So it is too early to predict what kind of reform will occur, and when it will occur, if it occurs, on Social Security.

What we have to look at is right now and the next 5 years in this budget resolution. Some would make it sound as if $1.1 trillion applied to the debt—a portion of which is from the on-budget surplus—isn't enough, that we ought to do more.

Let me suggest, what is left over after doing that, over the next 5 years, is about $390 billion. That is what is left over in new money, off a freeze.

You have to take care of defense with that, which I think a fair guess would be that by itself it is going to grow at $20 billion a year at a minimum. What about all the rest of Government? Are we literally going to say we are not going to have a single increase in the rest of Government? Of course, we are going to have some.

What about a tax bill of some type? Sooner or later both sides of the aisle—and we are going to get a new President, but we are going to have some tax relief. That all has to come out of the remaining money, some portion of which they keep saying: Put more on the debt. They can argue whichever way they want. Part of it will come out of the tax relief in the future; part of it will come out of spending in the future; maybe part of it will come out of defense in the future.

But I do not believe this Budget Committee did anything but the right thing in assuming that about $1.1 trillion out of a surplus that is probably totally, for both kinds of surplus, about $1.5 trillion, is put on the debt.

Everybody claims they want to do more. Everybody quotes Alan Greenspan. My friend, Senator GRAMM, once said: Quoting Alan Greenspan is sort of like quoting the Bible. It depends on whether you are reading John or Matthew; you can get a quote in one of them that faith alone gets you to Heaven, and you can quote the other one that faith and a little work gets you to Heaven. Choose whichever you like. But you can quote either one.

I am going to say—to quote Alan Greenspan to my way of thinking—the best thing you can do is put a surplus on the debt that you owe to the public. But then he says, if the next choice is between spending it and tax relief, unequivocally, tax relief; and, third, the worst for the economy is to spend more.

Frankly, I am amazed that we have Republicans complaining about not having enough on the debt when all we have left over is used for two things: $150 billion, spread over 5 years, in tax relief, unless we do not do it. If we do not have tax relief at all, it all goes on the debt. That is right in the budget resolution. That is binding. So if you do not do tax relief, it goes on the debt. The rest goes to contemplated increases in defense and a very small amount for the myriad domestic programs that we have in our Government.

We have to be both realists and theorists. We have to be philosophical and we have to apply it with some benchmarks to reality.

To tell you the honest truth, and to share with my fellow Senators, never in my life—25 years of which was spent with great deficits—did I ever assume we would be applying as much as this budget resolution contemplates against the debt. Our interest is going to decline—I am corrected here—from about $224 billion a year to about $166 billion by the year 2005. That is with the tax relief we have and with the defense increases we have. Then, if you want to go out the next 5 years, it comes down precipitously thereafter.

Frankly, this generation of Americans, and those working and trying to make a living, are all out there saying: We are putting part of our taxes into debt relief. They are asking: How much is enough? Are you going to have any left over to give us a little tax relief? Are you going to have any left over so we can have an adequate Defense Department? Or are you really going to put it all on the debt?

I understand I am exaggerating when I say ''all,'' but how much more can we do?

I do not believe we ought to go beyond what we have in this budget resolution. Democrats will claim maybe $75 billion more ought to go on the debt. Senator ALLARD has it in some formula by the year we ought to have more. I think they both ought to lose. I hope, before we are finished, they will both lose because the right thing to do is just about what the Budget Committee agreed to: about $10 billion, or so, a year out of the on-budget surplus; and the entire Social Security surplus going unused, staying in the fund.

When I ask, How much is enough? I suggest that the most significant fiscal policy change made to this point—to the benefit of Americans of the future—is something that came from our side of the aisle, and in particular that I thought up one day; and that most significant fiscal change of events is that all the Social Security surplus stays in the Social Security fund.

Ask Dr. Greenspan, looking over the last decade, and from what he can see in the future: What is the most significant fiscal policy change to the betterment of America? He will say that one, if you live by it. We are living by it right here in this budget resolution, and somebody is suggesting that isn't enough. Somebody such as Dr. Greenspan thinks it is a whopping amount. I imagine if he could write it down on a piece of paper, he would say: I really never thought Congress would ever do that. If they do it for another 5 or 10 years, what a plus will occur, what a positive thing to happen for American consumers, the American worker, and America's future.

I will just summarize by stating a rather unbelievable fact: By the year 2005, interest expenses will have decreased from 13 percent to 8 percent of the Federal budget. That is the only significant portion of the budget that has declined, from 13 percent of the budget down to 8 percent by 2005. Pretty good work, Congress, pretty good work.

Mr. STEVENS. Will the Senator yield for a minute?

Mr. DOMENICI. I yield whatever time the Senator would like.

Mr. STEVENS. Mr. President, I send to the desk two amendments to strike section 208 and section 210, and I ask unanimous consent that they be qualified and temporarily set aside to be called up later. We will have a third amendment pertaining to section 211 to be offered later.

Mr. REID. Reserving the right to object, what was the request?

Mr. STEVENS. That these amendments be qualified and put in line.

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

Mr. DOMENICI. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, I will take the opportunity to respond to some of the comments of the Senator from South Carolina and also to some of the comments from the chairman of the Budget Committee.

We all appreciate the effort the chairman of the Budget Committee has put forth in paying down the public debt. I think he is to be commended for his commitment. We have talked about the need to pay down the public debt.

What I am saying with this particular amendment is that we need to go beyond 5 years. We need to look at 20 years and put a plan in place. This is a minimal plan. We have over a $1.6 trillion budget. We are just taking $15 billion of it and saying let's commit each year an additional $15 billion to paying down the debt and that we ought to be able to do that. I don't care whether it is 15 or 10 or 7. Senator ENZI from Wyoming made the same comment. The important thing is that we have a plan to pay it down.

This is a legitimate plan. This is not just a paper transfer. The Senator from South Carolina implied that this is just a transfer on paper. It isn't. It is taking the on-budget surplus and using that towards paying down the debt as a minimal plan. If the Budget Committee comes up with more dollars they want to put aside for debt reduction, God bless them. Let's do it. I am all for that. But this doesn't prevent them from doing more if they want to do it.

In addition to that, we say, instead of taking the Social Security surplus and transferring it over to the general fund where it gets spent, hold it in a fund very much like the Domenici lockbox. We put it there, and we don't spend it. It stays in that fund until we have serious Social Security reform. Then, when we have changed Social Security, when we have saved Social Security, then we can relook at changing the law, where we have an automatic transfer of surplus and Social Security that goes to the general fund to be spent. We can look at the implications on our total debt figure.

What you have here is a minimal plan. If you start including the off-budget surpluses in the year 2001, you have a total debt payment of around $152.4 billion because there is $137.4 billion that comes in on top of the $15 billion we have in the minimal plan. Then in the next year, in 2002, we go up to $30 billion that we are using in on-budget surplus to pay down the debt. That is a minimal plan to pay it down by 2021. We add on top of that another $143.6 billion to bring it up to $173.6 billion at the end of the 2002 budget year. That is assuming we don't do anything to reform or change Social Security.

I think most of us agree that Social Security is going to have to be changed. We will have to do something to save it. I am saying, in the meantime, instead of leaving the money out there, leaving it vulnerable, let's use the money to pay down the public debt an additional amount so it doesn't get built into the spending patterns of the Congress and obligate us to programs we may not be able to afford if we go into a time period where our economy is going to turn down.

I believe our economy is cyclical. Right now, we are going through unprecedented growth. At some point in time, it is going to turn around. We are going to regret the day we didn't do more to pay down the debt to get us in a position to ride through those economic downturns when they occur.

I think this is an important provision. It is in no way intended to be critical of the efforts of the Budget Committee to date. It says we can do just a little bit more; instead of looking at 5-year increments, let's look at a 20-year increment for paying down the debt. We can do that in 20 years, by 2021. It says that in the process of doing that, at a minimum, we will save ourselves $3 trillion in interest payments.

It is a concrete plan. It doesn't eliminate the opportunity, if Members of the Senate want to have reduced taxes. It does not eliminate that. It has an enforcement mechanism.

Last fall, we got into a discussion in the Senate as to whether or not we were spending Social Security dollars because there was a disagreement on what the revenues were going to be at the first of the year, and we moved into February. We have provided that if our projected revenues don't hold up, we can go in and make adjustments on spending so that when we tell the American people we are not going to spend Social Security dollars and the revenues don't hold up, we won't spend Social Security dollars. We will have saved Social Security. I think it is straightforward budgeting. It is accountable. I think it is a step in the right direction.

I reserve the remainder of my time. I wonder if we have anyone further who wants to speak on the other side.

The PRESIDING OFFICER. Who yields time in opposition?

If neither side yields time, the time will be subtracted equally against both sides.

Mr. ALLARD. Does the other side have anybody who cares to speak? If not, I can yield on this side.

Mr. LAUTENBERG. We do, Mr. President. If, however, the proponent of the amendment wishes to continue addressing the Senate, we have no objection. We are waiting for people to come by.

Mr. ALLARD. I think Senator ENZI may want to make a point or two in the debate. I will yield some time to him, unless the Senator has somebody in line to speak.

Mr. LAUTENBERG. That would be fine.

Mr. ALLARD. I call on the Senator from Wyoming, Mr. ENZI, and yield him 5 minutes.

Mr. ENZI. Mr. President, we have been hearing about the Social Security surplus, and I hate for the debate to really revolve around the Social Security surplus. The Senator from New Mexico, Mr. DOMENICI, did come up with a marvelous plan last year—the lockbox for Social Security—which has been adopted as one of our budget principles now; we lock up the Social Security surplus. I can't give enough credit to him for his effort, along with those of us who joined him to make that preservation of Social Security. It is extremely important. That continues under this bill.

The focus of the bill should be a plan to pay down the rest of the national debt over a specified period of time, just as you do a house payment. Why is this important? Every family in America will understand why that is important.

I hear some words around here occasionally that if you have extra money after you do these other things, then you understand you are supposed to pay down your debt. No, that is not how it works, and the American people understand that. If you have a debt, you have a payment you have to make, and you allocate that payment before you do anything else.

That is what we are talking about here—responsibility, just as you have in a family, for paying down the national debt. It would come first. It would have to be the first thing we did. We would still find the money to do the other things we thought were important, but we would first pay down this national debt we have accumulated on behalf of our kids and grandkids.

We have talked about the debt being reduced by $1.1 trillion over the next 5 years. That is marvelous. That is taking the Social Security surplus and locking it up. It is a very important concept. But that does not pay down the national debt so there is money left with which to eventually do additional things.

There was a comment that there is $130 billion in interest savings by paying that down. Not if we are being honest about Social Security. If Social Security has bonds, Social Security should earn interest. If Social Security earns interest, that also has to go into the account because we can't spend it. We don't want to spend it, we are not supposed to spend it, and we have made it a principle not to spend it. But we should still pay the interest to Social Security. It will increase the debt reduction on this changing from one pocket to another. But it is still interest that has to be paid.

We are talking about a billion dollars a day of interest on the national debt—borrowing from what the Senator from South Carolina used as a figure. But I have to tell you, that billion dollars a day is not free to be spent until all of the national debt is paid off—all of it.

When you pay down a house mortgage, you pay it down a little bit and it saves you some interest, but you actually apply that interest to your payment because the payment stays constant on a house payment. So you can't spend the interest you save on a house payment. We are suggesting you can't spend the interest you save on a debt reduction payment.

As the only accountant in the Senate, I spent a great deal of time listening to last year's discussion on tax relief. I was amazed at the number of my Democrat colleagues who opposed that bill because they said the money should be used for debt reduction. This is the same reason the President gave for vetoing our tax cut. When he submitted his budget to Congress this year, he made clear his rhetoric on debt reduction was a fleeting facade behind which he could hide his real desire for countless new Government programs, each one requiring substantial new Government spending, which would further threaten our children's economic future. As soon as the threat of the tax cut disappeared, so did the President's determination and commitment to debt reduction—other than moving it from one pocket to the other on Social Security.

This amendment challenges all of my colleagues to choose between a plan that offers a real debt reduction or the hollow promises which were nothing more than a smokescreen for huge Government spending.

I urge colleagues to join me in rebuilding the financial house of responsibility where our parents and grandparents can retire in peace and where our children and grandchildren will be welcome for years to come. We should join together in laying an important cornerstone in that foundation today by supporting Senator ALLARD's amendment to this budget resolution.

I reserve the remainder of my time and I yield the floor.

Mr. ALLARD. Mr. President, I reserve the remainder of our time on this side.

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

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

Mr. REID. I ask unanimous consent that the time be charged equally to both sides.

The PRESIDING OFFICER. Is there objection?

Mr. ALLARD. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I yield to the Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, what is the parliamentary situation regarding the time for any opposition to the amendment?

The PRESIDING OFFICER. Under the previous agreement, there are 41 minutes remaining in opposition.

Mr. LAUTENBERG. Mr. President, I will speak off the budget resolution itself. I have listened with interest to the comments of the Senator from Colorado. I salute what he says he wants to do to get the debt reduced more than anybody else: Get it lower, bring it down. It doesn't matter how we get it there, if we have to burn the house down to get it.

There isn't anybody here who doesn't know we are terribly short of funding for programs we need to have in place, that even the Republican budget resolution—and I serve on the Budget Committee—was passed by the majority without any support from the minority. None of the Democrats voted for this resolution.

I think it is fair to say the principle of paying down the debt was established by President Clinton and his administration when they said, ''Save Social Security, pay down the debt.'' They were almost simultaneous acts. Some disagree and say it is another IOU from the Government. But it is an IOU from a much stronger balance sheet. I come from the business world, and that is the way I look at things.

I ask the Senator from Colorado, if he will indulge me, what is the total savings he hopes to have or the total debt reduction he plans to have over the 5-year period?

Mr. ALLARD. If we look at it overall, we plan on saving, in interest over the 20 year period, $3.2 trillion. Now, if we look at our debt payment over 5 years in surplus, then we are going to be paying down our trust fund. In 2006, we are going to be looking at—let me get the figure out here—a total of having paid down the surplus in 5 years of $982.7 billion and a savings of the interest, which would be that much less since we have to pay interest on it.

Mr. LAUTENBERG. Mr. President, will the distinguished Senator be kind enough to tell me what the formula says in direct debt repayment over the 5-year period? I understand that it is in increments.

Mr. ALLARD. Fifteen billion dollars.

Mr. LAUTENBERG. Then $30 billion.

Mr. ALLARD. Then $45 billion. Yes. So when we get down here to the year 2006, we would be making a $90 billion payment for the debt payment. But $15 billion of that comes out of the spending for that year as new revenues come in. So we are establishing a program.

Mr. LAUTENBERG. I appreciate the Senator's response. I am trying to get it nailed down to a figure so we can discuss it with a degree of understanding.

If it was $15 billion, $30 billion, $45 billion, $60 billion, and $75 billion, it comes to about $255 billion in 5 years.

Mr. ALLARD. The program amount paying down the debt would be $90 billion in the year 2006.

Mr. LAUTENBERG. But we are talking about starting in 2001. It comes to $255 billion. We don't have to take this much longer. I was surprised to see the Senator introduce a 20-year forecast. Am I correct? Was that on the chart?

Mr. ALLARD. It is not a forecast. It is a plan to pay down the debt so we will have completely paid off the debt by the year 2021.

Mr. LAUTENBERG. It is a mandatory retirement of debt each year regardless of the financial condition in this country.

Mr. ALLARD. It includes the Social Security surplus. The bill sets the Social Security surplus over here, and says it will not spend the Social Security surplus unless we do Social Security reform. On top of that, you have the Social Security surplus. If we took 2001 and 2002, for example, when you include a Social Security surplus, it is more than $15 billion. It is $152.4 billion in 2001, and $173.6 billion paying down the debt in both those years. It is pretty similar to what the Budget Committee is doing right now.

Mr. LAUTENBERG. To be clear, because I think there is perhaps some misinterpretation of what the Senator is looking for, that is pay down the debt as a mandate of the budget process—pay down the debt, and that is regardless of where those payments come from. I understand the Senator wants to get the debt paid down. But I just want to be sure I am correct in what I understand his intention is, once again to pay down the debt. Regardless, we are going to take $15 billion out next year, and the next year it is $30 billion, and then $45 billion, et cetera, among the first things. That is a mandate.

Mr. ALLARD. That is a priority.

Mr. LAUTENBERG. I thank the Senator. I hope it is clear to everybody who is listening that this is a cut taken without regard for the consequences. It doesn't matter where it comes from. It can come out of Medicare, based on what we are hearing. It could come out of education. It could come out of COPS. Pull in the FBI, cut the number of FBI agents, cut safety programs, cut Coast Guard—cut, cut. It is like the harvest at the end of the growing season—just cut it. The only problem is we have other obligations.

Maybe the Senator from Colorado thinks the principal obligation is similar to running an accounting office such as H&R Block, or something such as that. We cut regardless of the consequences. Take down the respirators. Take down the blood transfusions. If the patient dies, the patient dies.

We can't have that. Forgive me, but everybody knows that this is a political idea whose time should never come. We cannot plan on eliminating the debt without establishing where it is that the funds are going to come from to pay down that debt. I did not hear the Senator say ''only if there is a surplus.'' He didn't allocate the resource to the surplus. Even if we are in debt because of an economic downturn of some significance, we will just pay down the debt. We will take it out of programs that are life-sustaining programs in some cases—or increasing

taxes. That is where we have to go if there is no accounting. I know the Senator, in addition to being a professional, is also, if I may say, a businessman. He knows what balance sheets and P&L statements look like. We are going to just pay down the debt regardless of where it comes from.

I know the distinguished chairman of the committee on which I serve, the Budget Committee, has a word or two he wants to pass along. I must say that this proposal, unless we know where and how the funds are going to be generated to pay down that debt, you will forgive me, borders on the reckless.

I ask the Senator to answer in short form, because it is on opposition time, where does the Senator plan to get the funds to pay down this debt?

Mr. ALLARD. Mr. President, my response is, we have 4-percent growth in outlays projected into the schedule that we have laid out. In reality, there are no program cuts. We make provisions for 4-percent increases. There is just a plan. It is similar to an amortization schedule for your home. If the family runs into problems, they can redo that plan to pay down the debt. But the key is that we have a plan to pay down the debt. We have allowed 4-percent growth in spending in that plan. I think that is reasonable.

Mr. LAUTENBERG. I am sure the Senator considers it reasonable.

I point out that this cut would be to reduce the Republican budget resolution plan for spending by $205 billion.

I ask the chairman of the Budget Committee what kind of effect this might have if your budget plan for discretionary spending and nondefense was cut, and maybe even throw defense in the $205 billion.

Mr. DOMENICI. Mr. President, I say to the Senator that all good intentions are attributable to this amendment. But this amendment prejudges everything that we need for the next 5 years, and perhaps 5 years after that. Assuming we know right now about everything we need—and we ought to use his number, which is 4 percent for defense and everything else—and decide all the rest goes on the debt, then budget committees will start with those ground rules in the future. Pretty soon, we will just write a budget right here on the floor like this. We don't have to meet. Nothing happens any differently every year. We just determine this is exactly how much will be left over, and all the rest goes to the debt.

I am already against the amendment. I don't think it is the right thing to do. I didn't yield time off my amendment, but I would have if I had been here.

Mr. LAUTENBERG. I could see a hefty tax raise coming to pay off the debt.

Mr. DOMENICI. It could, and it could be tax cuts in the future, which is not what Republicans have been thinking either. The Senator from Colorado says he doesn't intend to affect them. But the truth is we don't know that.

Mr. LAUTENBERG. Mr. President, I have finished with my remarks.

Mr. FEINGOLD. Mr. President, I regret I will be unable to support the amendment offered by Senator ALLARD to provide for budget procedures designed to reduce our national debt. While I strongly agree with the goal of debt reduction, I cannot support the amendment because of several important flaws.

First, the amendment calls for at least partially privatizing Social Security as part of an overall reform plan for that program. While I believe we need to pursue modest reforms to Social Security, I strongly oppose efforts to privatize that program. For the past seven decades, Social Security has worked to keep retirees out of poverty. Roughly half of seniors would in live poverty were it not for Social Security. It would be a great mistake to eliminate the fundamental shared security that program provides by moving to a privatized system.

Second, while a policy of planned debt reduction may be meritorious, there are clearly times when it would be wise to temporarily suspend such plans. The amendment provides for one exception, namely a declaration of war. However, there are other circumstances under which an exception may be needed, in particular, when there is a severe economic recession. At such a time, debt reduction may aggravate an economic slump. At the very least, the amendment should provide some flexibility with respect to the level of debt reduction. Unfortunately, it does not.

Finally, the amendment may be unconstitutional, as it attempts to constrain the power of the Vice President, provided in the Constitution, to break tie votes in the Senate. It is ironic that perhaps the most critical vote of the past decade in the cause of a lower national debt, the vote to pass the 1993 deficit reduction package, was decided by the tie-breaking vote of the Vice President and would have been precluded had this provision been in effect at the time. That single vote may be more responsible for the record-breaking economic growth we have experienced than any other over the past seven years. More importantly, this provision is almost certainly unconstitutional, and on that basis alone, warrants opposition.

This budget resolution would certainly look a lot better were it to incorporate the levels of debt reduction contemplated by this amendment, and it is regretful that, thanks in large part to the fiscally irresponsible tax cuts in it, the underlying budget resolution could not sustain the level of debt reduction that Senator ALLARD proposes. While I cannot vote for his amendment, I congratulate Senator ALLARD on his effort, for he has certainly helped to raise the critical issue of debt reduction, and given it the priority it deserves.

Mr. GRAMS. Mr. President, I rise to strongly support Senator ALLARD's amendment, which would protect Social Security and eliminate the federal debt held by the public. I believe this is a fiscally responsible amendment and it will help us to maintain fiscal discipline in an era of budget surplus.

If enacted, this amendment would stop Washington's spending spree and eliminate the entire $3.6 trillion debt owed to the public, save over $3 trillion in interest, and protect the Social Security program from annual discretionary appropriations raids.

Mr. President, thanks to our strong economy, we will have a $1.9 trillion non-Social Security surplus and a $2.3 trillion Social Security surplus over the next 10 years.

Yet there are many proposals to spend this surplus. If we spend it, rather than save it, we will confirm the public's worst fears about the irresponsibility of their elected leaders.

This budget surplus didn't just fall from the sky. It is working Americans who generated the surplus—not Congress, not the President, but Americans' hard work. And it should be returned to taxpayers in the form of debt reduction, tax relief, and Social Security reform.

If we don't lock in the budget surplus and return it to the taxpayers in these ways, Washington will spend it all. Last year's appropriations spending has proven that my fears are well founded.

Federal Reserve Chairman Greenspan has repeatedly advised the Congress and the administration that we should use the surplus for debt reduction or tax relief, rather than increasing government spending. Here is what he said:

> Saving the surpluses—if politically feasible—is, in my judgment, the most important fiscal measure we can take at this time to foster continued improvements in productivity.

The Allard amendment would achieve this goal by dedicating some of the non-Social Security surplus to retire the debt. It also locks up the entire Social Security surplus for debt reduction, so we can have more cash reserves to save and reform Social Security, and to ensure Social Security will be there for our seniors, baby boomers, and future generations.

I am pleased that under this budget resolution, we dedicate the $1.1 trillion budget surplus to reduce the debt. This is a move in the right direction. We should now accelerate and continue the debt repayments.

The Allard amendment will just do that. Starting in fiscal year 2001, this amendment requires Congress to use $15 billion of non-Social Security surplus receipts to pay down the debt. Thereafter, in every succeeding year, the amount of debt payment must increase by $15 billion. Under this amendment, we will do more to pay down the debt.

Futhermore, the Allard amendment leaves plenty of room to provide tax relief for working Americans, while protecting the Social Security surplus.

Our colleagues on the other side of the aisle talk about debt reduction, but what they really want is to use debt reduction as an excuse to deny working Americans tax relief and to increase government spending. When I offered an amendment in the Budget Committee to dedicate this fiscal year's $26 billion on-budget surplus to retire the national debt, all of the Minority party members voted against my amendment, claiming that it would cut government spending too much.

Mr. President, our economy has greatly improved our short-term fiscal situation, and we will have a significant budget surplus over the next 10 years. However, our long-term fiscal condition, such as the insolvency of Social Security, still constitutes the primary threat to the health of our future economy.

We must seize the opportunity presented by this budget surplus to address our long-term fiscal imbalances caused by the astronomic unfunded liability of Social Security. Without reform, the long-term financial imbalances will crowd out all of our discretionary spending. It will create fiscal hardship for millions of baby boomers and impose a heavy burden on future generations.

The Allard amendment offers us the opportunity to fix the problem.

The Allard amendment maintains the fiscal discipline we need in an era of budget surplus. It requires Congress to budget for a surplus that will be dedicated to the repayment of the publicly held portion of the debt, while maintaining a balanced budget.

As I have repeatedly warned, without returning this budget surplus to the taxpayers in the form of debt reduction and tax relief, Washington will spend all of it. Let's pass the Allard amendment to stop that.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, while the manager of the bill has been talking on this most important issue, I have been meeting with staff and some others to try to get the remaining time lined up before 5:30.

I say to the manager of the bill on the majority side that Senator CONRAD is here and would like to offer an amendment. He can either do it when time runs out or he could do it now.

If the Senator from Colorado wishes to offer an amendment, we could take 5 minutes before 5:30.

Senator KENNEDY and Senator BINGAMAN would also like 5 minutes to speak before the vote takes place. The Senator from North Dakota, who is going to offer the amendment, needs about 12 minutes.

Mr. DOMENICI. We have been working very well together on this but I don't want to agree to that. That means on your side you have 10 minutes to speak on the education matter and you have not yielded anything to us in opposition.

Mr. REID. I have no problem with you having whatever time. I am trying to protect Senators BINGAMAN and KENNEDY because they requested time a long time ago.

Mr. DOMENICI. The unanimous consent said each of them can speak 2 minutes before the vote. That is agreed to in the unanimous consent; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. So they have 2 minutes each.

Mr. REID. If they are here and I get the floor I will yield them some time.

Mr. DOMENICI. I am ready to let the Senator proceed with his amendment although there is time remaining. I want to yield my time. If the Senator will yield his time, he will not have time left except the 2 minutes for each side.

Mr. REID. I think the two leaders would not agree to that because they have alerted everybody the vote is going to take place at 5:30.

Mr. DOMENICI. Under my proposal, we yield back our time on Allard, he yields back his time, and we are finished with Allard except for the 2 minutes.

Mr. REID. And then the rest of the time we talk on debt reduction.

Mr. DOMENICI. Up until the time we allow 2 minutes for each amendment.

Mr. ALLARD. I want 2 or 3 minutes to summarize. I can do that and then yield back the remainder of my time.

Mr. DOMENICI. Wouldn't you rather speak before your amendment is voted on?

Mr. ALLARD. Yes.

Mr. DOMENICI. The Senator has 2 minutes under the unanimous consent to do that.

Mr. ALLARD. That is fine.

Mr. DOMENICI. I yield back the time and assume the time has been consumed on the Allard amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

AMENDMENT NO. 2935 TO AMENDMENT NO. 2906

(Purpose: To increase the amount of debt reduction contained in the resolution by $75 billion over 5 years)

Mr. CONRAD. Mr. President, the amendment I am offering is simple. It reduces the proposed $150 billion tax cut in the Republican plan. It cuts it in half and dedicates the savings to debt reduction.

The U.S. economy is stronger than it has ever been. We have now had the longest economic expansion in our history. The question before the Senate is: What is the best strategy for keeping this extraordinary economic expansion underway? That is the question before the Senate.

Virtually every economist who came before the Budget Committee, virtually every economist who came before the Finance Committee on which I also serve, has said the highest priority ought to be the further paying down of the national debt. That is what my amendment addresses.

I believe rather than some ambitious, new spending scheme or some ambitious, new tax scheme that our priority ought to be paying down the national debt. Why? Because that is what has triggered this enormous economic expansion, getting our fiscal policy in order.

In 1993, we had a $290 billion deficit, a deficit as far as the eye could see. We were running up the national debt. In fact, we quadrupled the national debt in about a 10-year timeframe. That would put this economy in the tank. In 1993, when we passed a plan to bring down the deficit, a 5-year plan that brought down the deficit each and every year, that put us on a course to lower interest rates and of higher rates of economic growth, to get the crowding-out factor removed from the marketplace so the Federal Government wasn't in competition with the private sector for scarce resources.

The result has been reduced interest rates. The result has been more money available for productive investment in this economy. The result has been the lowest unemployment in 30 years, the lowest rates of inflation in more than 30 years, and the longest economic expansion in our history. Those are the facts. The critical component, according to every economist that has come before us, is to continue that strategy, continue to pay down the debt, lift this debt burden off of the economy, pay off this publicly held debt by the year 2013 or before so that we have as big an economy as we can possibly grow before the baby boomers start to retire. That is the wisest course.

It is not just the opinion of the Senator from North Dakota; that is also the opinion of the Chairman of the Federal Reserve, who says: Pay down the debt first. The best use of the surplus is to reduce red ink.

Chairman Greenspan said on debt reduction: Saving the surpluses, if politically feasible, is, in my judgment, the most important fiscal measure we can take at this time to foster continued improvements in productivity.

Listen to Mr. Greenspan on this question:

> . . . there are limited fiscal resources in this country and until we have strong evidence that there is a major structural increase in the surplus, that trying to commit it to various different programs or even tax cuts, I think, is unwise.

The alternative budget we are offering on our side dedicates 82 percent of the projected surpluses to debt reduction. This is what we are proposing over 10 years; 82 percent of all of the surpluses dedicated to paying down the debt. We leave 14 percent for tax cuts and other high priority domestic needs such as prescription drug benefits.

The vast majority of what we are proposing in our substitute is to pay down the debt. This includes every penny of the Social Security surplus, and it includes the biggest percentage of the non-Social Security surplus for paying down the debt.

I know this is a conservative approach and some are surprised we are

advocating it, but this is our position. We believe it is the best strategy for the economy. We believe it is the best strategy for the country, and it is the strategy we are strongly supporting.

Our friends on the other side of the aisle primarily advocate tax cuts. Virtually all of the non-Social Security surplus in the plan on the other side of the aisle goes for tax cuts. Our alternative is to say, yes, there is room for tax cuts, but it ought not to be the first priority out of the non-Social Security surplus. The first priority ought to be further debt reduction. We dedicate 36 percent of the non-Social Security surplus in addition to 100 percent of the Social Security surplus. In addition, we advocate 36 percent of the non-Social Security surplus to debt reduction, the biggest percentage.

The next biggest percentage is for tax cuts. Yes, tax cuts are called for with this prosperity. Yes, we ought to address the marriage penalty; we ought to solve it. Yes, we ought to deal with some of the other things in the Tax Code that are unfair. For example, I believe 39 years of depreciation for leasehold improvements makes no sense when the economic life of those improvements is 10 to 15 years. We ought to change that, too. We ought to change the estate tax. The current unified credit is out of date. We ought to update that. We ought to dramatically increase what we are doing in terms of relief for people with an estate tax problem.

The top priority ought to be debt reduction. That is what we have made the top priority in our proposal. Mr. President, 36 percent of the non-Social Security surplus is for debt reduction; 29 percent for tax cuts; 23 percent for prescription drugs and other initiatives, and, of course, 11 percent for interest costs.

Mr. REID. Will the Senator yield?

Mr. CONRAD. I am happy to yield to the Senator.

Mr. REID. Would a debt reduction be a tax decrease for everybody in America?

Mr. CONRAD. Absolutely. That would reduce interest costs over time. Of course, we are burning up a lot of money in the Federal budget in interest costs.

The other thing I think is often missed in this whole question of debt reduction, Lloyd Bentsen when he was Secretary of the Treasury came to a meeting of the Finance Committee and said the best bang for the buck, the biggest bang for the buck is to take measures that reduce debt, that reduce deficits, that as a result take pressure off of interest rates.

For every 1 percent we save on interest rates, we lift a $128 billion debt burden off this economy, every year—every year. That is bigger than any tax cut anybody has come up with, in terms of relief to our economy, by lifting the debt burden on this economy.

The proof is in the pudding. What happened in 1993, when we cut spending and, yes, raised income taxes on the wealthiest 1 percent so we could reduce the deficits, balance the budget, and get us on a course that could be sustained financially? We triggered reduced interest rates, increased rates of savings, societal savings that made more money available for productive investment that kicked off the longest economic expansion in our history. That is what is working. We ought to continue that course.

We ought to stay the effort, continue the effort to pay down this debt, relieve the debt burden on the economy, take Government out of competition for scarce resources so the private sector has more money to invest, so we are better able to grow the economy, so we have a bigger economy when the bills of the baby boom generation start to come due. That is what every economist has told the Finance Committee. It is what they have told the Budget Committee. We have the Chairman of the Federal Reserve telling us that is the wisest course. Let's do it. Let's take some of this tax cut, half of it, and use it to reduce the debt. That is the wisest course.

We know there are things that need to be done on tax relief. I mentioned the marriage tax penalty. We ought to eliminate the marriage tax penalty. We ought to eliminate that. We have enough money in our proposed tax cuts to take care of that problem and also to address other serious needs in the tax arena. But when I talk to my constituents, they say to me: Senator, pay down the debt. That is really the crying need in this economy.

We know; we have seen the reports in the Washington Post, that individuals' taxes have gone down. That is the finding of the Congressional Budget Office. That is the finding of the Tax Foundation, that taxes on individuals have gone down because we have expanded the earned-income tax credit; we provide the $500 tax credit for children. As a result, we have provided tax relief, very meaningful tax relief. That is one reason people are not clamoring for the additional tax relief.

What they are clamoring for is a continuation of the economic strategy that has made us the wonder of the world. It has created the longest economic expansion in our history. Whatever we do, we should not put that economic expansion at risk. And the best way to foster a continuation of this economic expansion is to continue the strategy of paying down debt.

Might I inquire how much time I have remaining?

The PRESIDING OFFICER. The Senator has not sent up his amendment, so the time has not begun to run on his amendment.

Mr. CONRAD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The senior assistant bill clerk read as follows:

The Senator from North Dakota [Mr. CONRAD], for himself, Mr. KOHL, Mr. DORGAN, Mr. FEINGOLD, Mr. HARKIN and Mr. ROBB, proposes an amendment numbered 2935 to amendment 2906.

Mr. CONRAD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

In the amendment strike all after the first word and add the following:

Notwithstanding any other provisions of this resolution the following numbers shall apply:

On page 4, line 4, increase the amount by $6,579,000,000.

On page 4, line 5, increase the amount by $12,427,000,000.

On page 4, line 6, increase the amount by $15,376,000,000.

On page 4, line 7, increase the amount by $18,775,000,000.

On page 4, line 8, increase the amount by $21,724,000,000.

On page 4, line 13, increase the amount by $6,579,000,000.

On page 4, line 14, increase the amount by $12,427,000,000.

On page 4, line 15, increase the amount by $15,376,000,000.

On page 4, line 16, increase the amount by $18,775,000,000.

On page 4, line 17, increase the amount by $21,724,000,000.

On page 5, line 15, increase the amount by $6,579,000,000.

On page 5, line 16, increase the amount by $12,427,000,000.

On page 5, line 17, increase the amount by $15,376,000,000.

On page 5, line 18, increase the amount by $18,775,000,000.

On page 5, line 19, increase the amount by $21,724,000,000.

On page 5, line 23, decrease the amount by $6,579,000,000.

On page 5, line 24, decrease the amount by $12,427,000,000.

On page 5, line 25, decrease the amount by $15,376,000,000.

On page 6, line 1, decrease the amount by $18,775,000,000.

On page 6, line 2, decrease the amount by $21,724,000,000.

On page 6, line 6, decrease the amount by $6,579,000,000.

On page 6, line 7, decrease the amount by $12,427,000,000.

On page 6, line 8, decrease the amount by $15,376,000,000.

On page 6, line 9, decrease the amount by $18,775,000,000.

On page 6, line 10, decrease the amount by $21,724,000,000.

On page 29, line 3, decrease the amount by $6,579,000,000.

On page 29, line 4, decrease the amount by $74,881,000,000.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I thought we had an implicit understanding when I yielded back all my time on the amendment that Senator CONRAD would offer his amendment, it would be a half-hour on his side on his amendment and a half-hour on our side. That is what second-degree amendments carry.

Mr. CONRAD. I thought we had 12 minutes on our side.

Mr. DOMENICI. Twelve only? Whatever anyone wants to do, we have to leave some time.

Mr. REID. Will the Senator yield? I say to the Senator from North Dakota, I offered a unanimous consent agreement to give him 12 minutes. He thought that had been agreed to. It had not been. That is why he asked the Chair how much time he had left. He offered his amendment. I guess the time will just be split now; is that right?

Mr. DOMENICI. He has used 12 minutes. How much time has he used on his amendment?

Mr. REID. How much time has the Senator used?

The PRESIDING OFFICER. The Senator spoke for 11 minutes off the resolution.

Mr. REID. So, 45 minutes, approximately, would be remaining?

Mr. DOMENICI. At what time are we supposed to vote?

Mr. REID. We are to vote at 5:30; there are 35 minutes left.

Mr. DOMENICI. We need 2 minutes to talk about the amendment that is up, that is going to be called up. Why don't we split the remaining time.

Mr. REID. That will be fine.

Mr. DOMENICI. So we need 4 minutes before we vote at 5:30, and the rest of the time will be divided equally, which is giving him a very big break, but I am glad to do it.

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

Mr. CONRAD. Mr. President, first let me thank my colleagues. We are glad to split the remaining time.

I think the point has been made and hopefully clearly made. I am offering a second-degree amendment to the amendment of the Senator from Colorado. Let me just speak, if I may for a moment, about the amendment of the Senator from Colorado because there is something in his amendment that also should concern my colleagues.

Right at the beginning of the amendment of the Senator from Colorado, he defines a balanced budget as one that includes all budgeted outlays and budgeted revenues. He says, ''budgeted outlays shall not exceed budget revenues.'' That sounds like a balanced budget but, unfortunately, under the legal terms to which we have to hold, that is a definition of a balanced budget that includes the Social Security surpluses.

We have all pledged here not to do this. We have all pledged not to use Social Security surpluses to balance the budget. Now the Senator from Colorado comes in here and defines a balanced budget as one that uses Social Security revenues to balance. That is precisely——

Mr. ALLARD. Will the Senator yield?

Mr. CONRAD. No, I will not. That is precisely what we should not do. That is going back to the bad old days around here of using Social Security money to balance the budget. That is going back to the bad old days of raiding Social Security, of looting Social Security to make it look as if we have balanced the budget.

Why ever would we want to go back to that approach? We have just spent years convincing our colleagues and the American people that we should not count Social Security surpluses to balance the operating budget of the United States. Now we have an amendment from a colleague that suggests we ought to go back to the bad old days and we ought to raid Social Security to balance the budget.

I hope we will not go in that direction. I hope we will continue on the path of reserving every penny of Social Security for Social Security. Let's not, please, colleagues, go back to defining a balanced budget as one that raids the Social Security surpluses in order to achieve balance. That would be a profound mistake.

Instead, I hope we take the second-degree amendment I have offered that says let's make the top priority debt reduction, let's take every penny of the Social Security surplus and dedicate it to Social Security, and let's take the biggest chunk of the non-Social Security surplus and use it to pay down debt. That is the best game plan for maintaining economic prosperity in the country, for extending this remarkable period of economic expansion, for broadening and deepening economic opportunity in this country.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, how much time does Senator CONRAD have remaining?

The PRESIDING OFFICER. Ten minutes.

Mr. DOMENICI. How much do I have remaining?

The PRESIDING OFFICER. Fifteen minutes.

Mr. DOMENICI. I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I do not want to provoke a long argument about who did the most to cause America to have these years of prosperity. I will summarize what I think.

Frankly, I do not believe it is rational to say the Clinton tax increase of $290 billion is what caused this American economy to go buoyant and produce strong growth rates for the last 7 years. Essentially, that is what happened in that first year. Some say it added some credibility. To the extent it added credibility, it probably should have been taken off after the next year we had credibility.

In any event, I want to talk about what we are doing here. I do not know why it is, with the surpluses we have, that we cannot get to the point where those on the other side of the aisle—at least almost all of them. They really do not want to have very much tax relief, if any, for the American people. When we boil it right down, the difference is not paying off the debt —there is a slight difference there—but the difference is spending, and that is it. They want to spend more, and we say let's give back more to the American people in tax relief.

This is about as dramatic as I can give it, and it is a pretty honest interpretation of the Democrats' budget—that is what the Senator alludes to—versus our budget.

The committee's resolution has 11 percent of the surplus going to tax reductions. They have 4 percent. In the committee's resolution, spending gets 17 percent of the surplus—this is the total surplus—and we put 72 percent of that surplus on the debt. The Democratic plan says let's do 4 percent in tax relief and 22 percent in spending.

If one wants to quote Alan Greenspan correctly—as I said, it is like the Bible: It depends on how one wants to read him. But Alan Greenspan would say: Do not spend any of it; put it all on the surplus. And if you cannot put it all on the surplus, do not spend it; put it on tax relief. That is what we did.

Essentially, when the argument is finished, for some reason, even though we get our tax relief down to a small amount—$1 in tax relief for $13 in debt reduction in the first year; over 5 years it is $1 in tax relief for $8 in deficit reduction—that is not good enough. We cannot even give back to the taxpayers $1 out of $9—8 plus 1; $8 in reduction of the debt. Here is the difference: We would spend 17 percent; they would spend 22 percent. It seems to me we are following the admonition of the distinguished Chairman of the Federal Reserve Board and they are not.

On the other hand, we can argue all day who is closest to what he says. The Republicans are being realistic. Out of these huge surpluses, we ought to give a little back to the American people sooner or later, and if we spend it, we do not have it to give back. That is just the way it is. That is the difference between the two.

I do not believe I will need all of my half hour. I assume I have used 5 minutes.

Mr. ALLARD. Will the Senator from New Mexico yield to me? Will the Senator from New Mexico give me some time to respond to the comments of the Senator from North Dakota?

Mr. DOMENICI. Mr. President, on the Senator's amendment or in opposition to the Conrad amendment?

Mr. ALLARD. In opposition to his amendment. He made some comments I want to clarify for the record.

Mr. DOMENICI. I will give the Senator from Colorado 3 minutes.

Mr. ALLARD. Mr. President, the Senator from North Dakota indicated that we include Social Security in our provision when we say we have to balance the budget. That is correct. But he did not read the whole bill because if he had read another section of the bill, it shows we set aside the Social Security surplus and do not spend it. We do treat Social Security as an off-budget item, and we keep it there. It stays there until there is Social Security reform or we do something to save

Social Security. We all agree Social Security is headed for trouble. I wanted to clarify for the record that we do protect Social Security.

I point out in opposition to the amendment of the Senator from North Dakota that my amendment does more than what he is proposing. We have a plan in place that specifically saves Social Security, and we have an enforcement mechanism in there.

I plan to vote against the amendment of the Senator from North Dakota because I believe that unless we have the enforcement mechanism, all of this is a sham. We need to have the enforcement mechanism that says if our revenues do not measure up, we do not spend Social Security.

I thank the Senator from New Mexico for yielding to me so that I could clarify the record. I yield back any remaining time.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, with the 10 minutes we have remaining, I yield 4 minutes to the Senator from North Dakota, 2 minutes to the junior Senator from North Dakota, and 4 minutes to the Senator from Massachusetts. Senator BINGAMAN will use our 2 minutes in wrapup.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I say to my colleague from Colorado, I read his amendment. His amendment defines a balanced budget as one that includes all receipts and all outlays. That includes the Social Security surplus funds as a definition of a balanced budget. That, in my judgment, is not a balanced budget. It is exactly the mistake we made around here for 30 years. Defining a balanced budget as one that includes Social Security surpluses is to set up the circumstance in which we could go back to the bad old days of raiding and looting Social Security for operating expenses, and that is something we have all pledged not to do.

Maybe the intention of the Senator from Colorado is to protect Social Security, but when he defines a balanced budget in the amendment he has offered as one that raids Social Security surpluses to accomplish balance, he has turned back the clock to the bad old days. That is a mistake. That should not happen. We should not vote for it.

Instead, I say to my colleagues, we should vote for the second-degree amendment I have offered that says let's put debt reduction as the first priority of this Government; that says we are going to reserve every penny of the Social Security surplus for Social Security; and that says of the non-Social Security surplus, instead of making a tax reduction, a tax-cut scheme virtually the only priority of the non-Social Security surplus, we ought to adopt a plan that says, no, we ought to make the top priority of the non-Social Security surplus debt reduction.

That is the proposal before the Senate: to cut in half the proposed tax cut and dedicate the money to debt reduction. That is what the economists have told us should be the highest priority for these funds. I believe that is the case. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I have been listening to this debate, and it is fascinating. Some things that are debated in the Senate are complicated. This is not.

The question proposed by Senator CONRAD is: Will we devote more money to reducing the debt? If during good economic times we have a surplus and we cannot reduce the debt we have accumulated during tough economic times, when are we going to see real debt reduction? I do not think there is any Senator who ought to be voting against Senator CONRAD's second-degree amendment.

With respect to the point he made about the use of Social Security funds, he and I, the Senator from Nevada, and others have been on this floor for, I guess, 5 or 6 years talking about this very issue. We cannot use these funds as offsets for something else and then say: No, we didn't use them; in fact, we created a lockbox. Some lockbox. Somebody got away with the key in the middle of the night, apparently.

Back to the point. The issue here, offered in the second-degree amendment, is, if during tough economic times we ran up this Federal debt to $5.7 trillion, will we, during good economic times, when we have a surplus, begin to make significant payments to reduce that debt?

Is there any greater gift we can give to America's children to reduce that burden on their shoulders of this Federal debt? The answer is no.

This second-degree amendment is an amendment every single Senator ought to be supporting if they believe in basic conservative principles of, during good times, paying back what you had to borrow during tough times. That is what this second-degree amendment is all about. It is very simple. As I said when I started, there are a lot of things that are frightfully complicated on which we vote on the floor of the Senate. This is not. This is incredibly simple. We ought to support the second-degree amendment.

Mr. President, I yield the floor.

Mr. REID. I ask the Senator, do you want to use some of your time? We only have 4 minutes left. You have 15 minutes or thereabouts.

Mr. DOMENICI. Do we have anybody else here?

Mr. President, I said about as much as I can say about the difference between the budget resolution and Senator CONRAD's approach. I think it is shown right behind me on this chart. Essentially, it does not have very much to do with who brings the debt down quicker. It has more to do with who wants more money for spending?

I want to repeat that I am firmly convinced that, for some reason or another, the other side is not frightened by the idea of spending the surplus but somehow they are very frightened about giving some of it back to the citizens of the United States. I know Senator CONRAD has a tax plan also. He is on the Finance Committee.

But I submit, if we were to adopt his amendment, any realistic change in the marriage tax penalty over the next 5 years to make it more fair, so millions of newlyweds will not come into April finding out they are paying an average of $1,400 a year more in taxes because they are married than they would if they were single, filing separately—we think that will cost, over 5 years, somewhere between $60 billion and $65 billion.

There is some education tax relief that has passed with rather substantial margins. That is about $8 billion. There is health care tax relief that is about $13 billion.

That leaves small business provisions for which both sides have voted. They are very good provisions for small businessmen, such as one that says anyone who works for an employer that does not have insurance, if they buy their insurance as an employee, they can deduct it. Isn't that something? I assume Americans thought that was the case already. But unless your employer deducts it, employees cannot. So two people working for different employers, neither of whom has health care, if they pool their resources and buy a health care plan for themselves and one child, they cannot deduct a nickel of it.

But there is some relief we propose here on the floor of the Senate that ought to get done, and a number of small business provisions.

The minimum for those kinds of reforms is somewhere between $100 billion and $130 billion. We are led to believe we are going to grant all kinds of tax relief to the rich people of America, when the plan encompasses these ideas because that is what we have been talking about. That is what the Finance Committee is going to consider.

If you take that much of the surplus and say, we are going to put that much more on debt, you cannot accommodate these kinds of tax relief measures.

Last but not least, I repeat, how much debt reduction is enough?

Frankly, I would like to get rid of the whole debt. But we accumulated it over 30 years. How in the world we expect one generation of Americans to pay that whole debt down is beyond me. I think the $400 billion we have already done plus the $1.1 trillion in this budget resolution in the reduction of debt is pretty good.

As a matter of fact, I think we will substantially reduce interest payments. That ought to permit lower interest rates in this country. Although Dr. Alan Greenspan insists on raising interest rates to solve other problems, maybe it will not have an impact for some time.

I reserve the remainder of my time and yield the floor.

Mr. REID. Senator KENNEDY is now recognized for 4 minutes, with the Chair's permission.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I yield myself 3½ minutes of the 4 minutes.

I think this chart really tells what is happening in the area of the Federal share of education funding. It demonstrates the very significant decline from 1980 to 1999.

The blue on the chart indicates what was being spent in elementary and secondary education in 1980. Here we see it was 11.9 percent in elementary and secondary education and 15.4 percent in higher education. Now we are at 7.7 percent in elementary and secondary education and 10.7 percent in the area of higher education. There has been a significant decline in terms of the money that is being spent in education.

Look at what has happened in the area of higher education, where you see a continuing expansion of enrollment in terms of higher education. And it is going to continue. There is an important need in the area of higher education, as there is in K through 12. This chart shows the enormous rise in the total enrollment in schools all across this country. Every parent, every school board, every local group can tell you that.

It is against that background that we find in the President's budget there would be $6.9 billion. This increases $2.2 billion. That reflects the difference in the Bingaman amendment. We say allocate that money before we are going to have a tax break.

There was a question raised earlier about whether this was an accurate portrayal. I will put in the RECORD the CBO figures, as prepared by OMB, that give the whole function that lists education, training, and the Head Start programs. The bottom line shows there is $4.7 billion less, according to CBO, than the President's budget. Those are the figures. Those are the figures in the Bingaman amendment.

Mr. President, I ask unanimous consent to have that table printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FY 2001 SENATE BUDGET RESOLUTION

[Budget authority in billions of dollars]

	CBO WODI	Inflated base	CBO president	SBC	SBC res minus CBO			Percent change		
					WODI	Inflated base	President	WODI	Inflated base	President
500: Education, Training, Employment, & Social Services:										
Impact Aid	906	921	770	906	0	−15	138	0	−2	18
Special Education	6,036	6,076	6,369	8,236	2,200	2,160	1,867	36	36	29
Other Elem and Second Education	16,478	16,615	19,678	16,878	400	263	2,800	2	2	−14
Pell Grants	7,640	7,770	8,356	7,828	188	58	−528	2	1	−6
Head Start	3,867	3,933	4,867	4,122	255	189	−745	7	5	−15
All other programs:										
Other higher education	3,687	3,750	4,136	3,521	−166	−229	−615	−5	−6	−15
Training and employment	7,248	7,334	7,851	6,921	−327	−413	−930	−5	−6	−12
Remaining programs	8,784	8,965	9,517	8,388	−296	−577	−1,129	−5	−6	−12
Subtotal, all other programs	19,719	20,049	21,504	18,830	−889	−1,219	−2,674	−5	−6	−12
Total	54,646	55,364	61,544	56,800	2,154	1,436	−4,744	4	3	−8
Memo: Department of Education	35,498	35,900	39,983	39,998	4,500	4,098	15	13	11	0
550: Health:										
NIH	17,814	18,169	18,813	18,914	1,100	745	101	6	4	1
Indian Health Service	2,391	2,457	2,620	2,620	229	163	0	10	7	0
All other programs:										
CDC	2,892	2,962	3,239	2,745	−147	−217	−494	−5	−7	−15
HRSA	4,564	4,648	4,386	4,333	−231	−315	−53	−5	−7	−1
Substance abuse & med health serv	2,652	2,699	2,823	2,518	−134	−181	−305	−5	−7	−11
Remaining programs	3,445	3,562	3,421	3,270	−175	−292	−151	−5	−8	−4
Subtotal, all other programs	13,553	13,871	13,869	12,866	−687	−1,005	−1,003	−5	−7	−7
Total	33,758	34,497	35,302	34,400	642	−97	−902	2	−0	−3
570: Medicare:										
Medicare Provider Fees	0	0	−220	0	0	0	220	NA	NA	−100
All other	3,067	3,175	3,197	3,100	33	−75	−97	1	−2	−3
Total	3,067	3,175	2,977	3,100	33	−75	123	1	−2	4

Based on CBO estimates. The Republican Budget Resolution is $4.7 billion below the President's budget.

Mr. KENNEDY. We believe we ought to accept the Bingaman amendment if we believe education is the first priority. This is supported by every single parent group. It is supported by all of the student associations across the country, the NEA, the AFT, the national school boards, the Council of Great City Schools, and the American Council on Education that represents all of the various universities in this country.

This makes sense. Which is important for the American people? Putting education ahead of tax breaks. That is what the Bingaman amendment does. We need that in order to meet our responsibility to the children in this country. I hope the Senate will accept the amendment.

Mr. DOMENICI. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator from New Mexico has 5 minutes.

Mr. DOMENICI. Mr. President, let me use 3 minutes of it.

I say to Senator KENNEDY, I am not arguing with your CBO or OMB numbers. I could not tell which it was. You said CBO and then said OMB. I do not know which it is.

Look, I am not arguing about that because that is a total function. That is not education. There are other things than education in that function.

Here is the education part. I will put in the RECORD what is in this budget resolution because it is supported by the Congressional Budget Office.

Mr. President, I ask unanimous consent to have that table printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF EDUCATION—SBC 2000 MARK VS. CBO WODI 2000 VS. PRES REEST 2000

[In millions of dollars]

Summary	2000	2001	2002	2003	2004	2005
REPORT TOTAL						
Resolution: BA	34,935	47,877	48,043	48,138	48,423	49,321
MARK:						
OP	24,075	23,191	.....	.....	.....	.....
OT	35,988	41,117	44,506	47,001	47,622	48,367
Mar 2000: BA	34,934	43,384	43,550	43,186	42,776	43,041
WODI:						
OP	24,075	23,191	.....	.....	.....	.....
OT	35,987	41,050	42,791	43,243	42,804	42,848
President: BA	34,444	47,228	47,434	47,668	48,188	49,099
REEST:						
OP	24,075	23,191	.....	.....	.....	.....
OT	35,532	40,840	44,955	46,475	47,134	47,957
Group 1: BA	1	4,493	4,493	4,952	5,647	6,280
Group 2:						
OP	0	0	.....	.....	.....	.....
OT	1	67	1,715	3,758	4,,818	5,519

Mr. DOMENICI. If we are speaking about education—not AmeriCorps; that is not part of education; some might think it is, but it isn't—according to the CBO, our budget resolution provides $47.877 billion for education. The President had $47.228—slightly less, $600 million less. What we are spending this year is 43.3.

To get up and say all these groups support this—of course, if we ask them, do you want more money, they will say, of course, we want more money. Right? I don't think anybody in the education field, whether it is at the State level, the district level, or the national level will not affirmatively answer a questionnaire, will you support more money for education?

The question is, Are we treating it with the priority that it deserves in this budget? There are two parts to ours. One is the sense-of-the-Senate language that says we need reform in education, not only more money. We don't need to try the same old things we have been trying, the so-called status quo, more targeted programs telling them precisely what to do, such as we did with special education. Then we didn't even fund special education to the amount we promised them, and they had to take it out of their regular budgets. We set the standard and we told them how to do it. I guarantee you, they would say, give us more funding in that program. They would answer yes across America. And we do provide more funding. In fact, since the Republicans have been in leadership, we have been trying to play some catchup on special education funding for the schools across America.

Everyone should know our history has been for many decades, the cities, the States, and the counties pay for education essentially, not the Federal Government. So to make this out as a debate on what happens to public education in America is to ignore the fact that for most of our history we have paid between 6.5 and 8 percent of the total cost of kindergarten through 12, somewhere between 6.5 and maybe 8.5 percent. The rest is paid by whom? The taxpayers of the sovereign States of America.

We are suggesting that a new program ought to come into being where they have more say-so, rather than less, about how our money is used, more flexibility and accountability. We have both suggestions in our budget resolution.

I will take 1 additional minute. In every function in this Government, even the Economic Development Administration, where we understand there are 334 different activities in the Federal Government, they want more, not less. In a buoyant economy, growing with less than 5-percent unemployment, America putting money into economic development so people can run around acting as if they are creating jobs, of course they want more money. But the point is, don't the American taxpayers in a surplus of this size deserve some consideration? Shouldn't they be given an opportunity to say maybe we ought to get a little tax relief such as the marriage tax penalty.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. I will respond briefly to my colleague from New Mexico on the question of our plan and what it can accommodate and what it can't. I start by saying I have great respect for the chairman of the Budget Committee.

With respect to the marriage tax penalty, we do have sufficient resources to address the marriage tax penalty. The tax cuts we have provided out of the non-Social Security surplus are net tax reductions of $265 billion over 10 years. The plan we offered to address the marriage tax penalty in the Senate Finance Committee costs $150 billion. It is a very simple plan. It says we are going to give people the choice of filing as a married couple or filing separately. They can file and pay whichever is less.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Massachusetts has 1 minute.

Mr. KENNEDY. Mr. President, I say to my friend and colleague, who is chairman of the Budget Committee, money may not be the answer to all of the problems. Just throwing money at a particular problem isn't going to be all of the answer. But we do know that in the budget, this allocation is a clear indication of what a nation's priorities are going to be. That is the decision we are making. We say we ought to give a higher priority in the area of education than we should in tax cuts. That is what the Bingaman amendment is doing, and that is why I believe we should support it.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from New Mexico has 1 minute remaining.

Mr. DOMENICI. Mr. President, it is very interesting; the distinguished Senator from Massachusetts says this is going to show our priorities. We have more than the President of the United States in education. So one would think that he would have more money available for tax reduction. But guess what. He found there are a lot of other priorities. So he has a 14-percent increase in domestic programs, all with high priorities equivalent to education—increase them all. Actually, in truth, the difference is, do you want to spend more money on the domestic programs of America, even though we are increasing education more than the President, do you want to spend more and not even give the taxpayers a shot as to whether or not they should get some tax relief via the marriage tax penalty, some small business help and those kinds of things?

That is essentially the difference in priorities. We think ours are very good priorities. There is a lot of money in here for education. To the extent the Federal Government can be helpful, I believe we will be helpful.

AMENDMENT NO. 2926

The PRESIDING OFFICER. The time on this amendment has expired. There are 4 minutes evenly divided on the Bingaman amendment. Who yields time?

Mr. BINGAMAN. Mr. President, I will use the 2 minutes we have to summarize the amendment.

I agree with Senator KENNEDY from Massachusetts that this is a simple choice we have to make. Is there going to be a reduction in the amount of the tax cut? The proposed tax cut is the largest on the Senate floor with which I am familiar. And the proposal is to reduce that tax cut by about 15 percent and commit 15 percent of those revenues to improvements in education.

The argument is that the underlying budget resolution has $1 billion for IDEA, which we support. Our amendment has that, too. There is no difference on that issue.

The argument is that their budget resolution asks for more than the President's proposal. The truth is, their budget resolution says that of the increase in education, $2.3 billion of it needs to be spent on a so-called performance bonus fund. It is committed to that. It is dedicated to that. It can't be spent for 5 years. So no school is going to see any benefit from that. If you take that out, there is a cut in education in the budget resolution on which we are voting.

Our amendment tries to restore those funds and get the funds up to the level in the programs that have been proven to work, programs that matter to people all over this country. We believe those programs should be adequately funded: programs to improve the quality of teachers in the classroom, programs to modernize our schools, programs to increase accountability for the expenditure of funds, particularly title I funds, programs for after school. Those are the types of programs we are trying to see are adequately funded.

We do not believe those programs should suffer in order that we create a new mandatory performance bonus. That is the issue before us today.

I hope Members will support the amendment.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, it is not often that we are on the floor in this mode, where I am opposing my junior Senator's request. On this one, I am in opposition and will shortly move to table.

I suggest the Congress of the United States is going to have an opportunity before the year is out to vote on a new Elementary and Secondary Education Act. That act, as passed, plus the appropriations decisions made by Senator SPECTER and his Democratic minority member, approved by the appropriations in the Senate, will determine

where the specific money goes—not what we are saying on the floor that we assume is in our number.

I believe we are going to reform the Elementary and Secondary Education Act, and it is not going to be filled with targeted programs as it is now, or at least the States will have an option to do otherwise, to approach this from ''we will receive the money, we will sign an accountability agreement, and let us decide where our priorities are.''

One shoe doesn't fit every school district in America in terms of aid. In fact, sometimes we tell them to do the things they don't want to do.

I don't believe this is a debate over the enumerated tools Senator Bingaman says he is adding. The issue is, are we adding as much as the President to a budget of last year, which was $43 billion. The answer is, yes, we are. We are going to decide, as the Senate and House, how it is spent. We are not deciding that tonight, whether the Bingaman amendment is adopted or not; It is going to be up to another series of votes.

I don't know whether we are going to fund the programs that he thinks are great programs. Somebody else is going to decide that. We are doing as much as the President in program authority; of that, I am confident.

With that, I move to table the Bingaman amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion to table the amendment of the Senator from New Mexico. The clerk will call the roll.

The bill clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 46, as follows:

[Rollcall Vote No. 54 Leg.]

YEAS—54

Abraham	Frist	McConnell
Allard	Gorton	Murkowski
Ashcroft	Gramm	Nickles
Bennett	Grams	Roberts
Bond	Grassley	Roth
Brownback	Gregg	Santorum
Bunning	Hagel	Sessions
Burns	Hatch	Shelby
Campbell	Helms	Smith (NH)
Cochran	Hutchinson	Smith (OR)
Collins	Hutchison	Snowe
Coverdell	Inhofe	Specter
Craig	Jeffords	Stevens
Crapo	Kyl	Thomas
DeWine	Lott	Thompson
Domenici	Lugar	Thurmond
Enzi	Mack	Voinovich
Fitzgerald	McCain	Warner

NAYS—46

Akaka	Daschle	Kennedy
Baucus	Dodd	Kerrey
Bayh	Dorgan	Kerry
Biden	Durbin	Kohl
Bingaman	Edwards	Landrieu
Boxer	Feingold	Lautenberg
Breaux	Feinstein	Leahy
Bryan	Graham	Levin
Byrd	Harkin	Lieberman
Chafee, L.	Hollings	Lincoln
Cleland	Inouye	Mikulski
Conrad	Johnson	Moynihan
Murray	Rockefeller	Wellstone
Reed	Sarbanes	Wyden
Reid	Schumer	
Robb	Torricelli	

The motion was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. GRAMM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. I ask unanimous consent that the next two votes be 10-minute rollcall votes.

The PRESIDING OFFICER. It is in order.

AMENDMENT NO. 2935 TO AMENDMENT NO. 2906

The PRESIDING OFFICER. Who yields time on the Conrad amendment?

Mr. CONRAD. Mr. President, my second-degree amendment is very simple. Instead of using $150 billion for a tax cut over the next 5 years, we take half of that money and dedicate it to further debt reduction. Every economist who has come before the Finance Committee and the Budget Committee has said the highest priority is to pay down the debt.

The question is, What do we do to best secure a continuing economic expansion in our country? Every economist who has come before the Budget Committee and the Finance Committee, as well as the Chairman of the Federal Reserve, has said the highest priority is to continue to pay down this debt. We take half of the proposed tax cut and use it for further debt reduction. That ought to be our priority. That is what this amendment does.

I hope my colleagues will support the second-degree amendment and oppose the underlying Allard amendment which defines a balanced budget as one that raids Social Security. Let's not go back to the bad old days. Let's pay down the debt.

Mr. DOMENICI. Mr. President, I will be very brief. I will shortly move to table the amendment. I want to show you a chart that simply depicts the difference in priorities between the two sides. Alan Greenspan suggested we should put our surplus against the debt, unless we intend to spend it, in which event we should reduce or reform or give relief to the taxpayer. A big difference between the two is exemplified by this. They would give 4 percent of the surplus to the taxpayers.

The difference is very easily depicted. They give 4 percent of the surplus to tax relief for the American taxpayer; we would give 11 percent. They would spend 22 percent of the surplus; we would spend 17 percent.

That explains it. Alan Greenspan suggests instead of spending money, we ought to give it back to the taxpayers. That is what we are doing—but a very small amount. As a matter of fact, $150 billion over 5 years, if we pass it, means $13 goes to debt reduction for $1 in tax relief in the first year; 8–1 over the 5 years.

How much is enough? It seems to me the taxpayer deserves a little bit of it. We shouldn't be spending it. We should give it back to them.

I move to table the amendment. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion to table amendment No. 2935. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER (Mr. SMITH of Oregon). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 55 Leg.]

YEAS—52

Abraham	Gorton	Nickles
Allard	Gramm	Roberts
Ashcroft	Grams	Roth
Bennett	Grassley	Santorum
Bond	Gregg	Sessions
Brownback	Hagel	Shelby
Bunning	Hatch	Smith (NH)
Burns	Helms	Smith (OR)
Campbell	Hutchinson	Snowe
Cochran	Hutchison	Stevens
Coverdell	Inhofe	Thomas
Craig	Jeffords	Thompson
Crapo	Kyl	Thurmond
DeWine	Lott	Torricelli
Domenici	Lugar	Voinovich
Enzi	Mack	Warner
Fitzgerald	McConnell	
Frist	Murkowski	

NAYS—48

Akaka	Durbin	Levin
Baucus	Edwards	Lieberman
Bayh	Feingold	Lincoln
Biden	Feinstein	McCain
Bingaman	Graham	Mikulski
Boxer	Harkin	Moynihan
Breaux	Hollings	Murray
Bryan	Inouye	Reed
Byrd	Johnson	Reid
Chafee, L.	Kennedy	Robb
Cleland	Kerrey	Rockefeller
Collins	Kerry	Sarbanes
Conrad	Kohl	Schumer
Daschle	Landrieu	Specter
Dodd	Lautenberg	Wellstone
Dorgan	Leahy	Wyden

The motion was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. BOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2906

The PRESIDING OFFICER. There will be 2 minutes debate evenly divided preceding the vote on the Allard amendment.

Who yields time? The Senator from Colorado.

Mr. ALLARD. Mr. President, I speak in behalf of the amendment. We are going through unprecedented good times. We ought to take advantage of this time and put in place a plan to pay down the debt. We do not have a plan to pay down the debt, and my amendment lays in place a 20-year plan to completely eliminate the debt.

By doing that, we save over $3 trillion in interest payments, and we also do not eliminate the opportunity to reduce taxes. In fact, I believe repaying the debt is the first step necessary in providing the structure to make further tax cuts. Repayment of the debt

owed to the public by requiring all Social Security surpluses be applied to the debt until we have Social Security reform is the proper approach. This is a minimal plan in paying down the debt. It will probably do more because the Social Security surplus will also go towards paying down the public debt.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. First of all, Mr. President, I am sure this amendment violates the Budget Act because it is not germane. I will make that point of order shortly.

But I am afraid that if we adopted this amendment, it could, over time, preclude the kind of defense spending we need and the kind of tax relief in which we might be interested. I believe we are doing plenty to reduce the debt in this budget resolution: $177 billion in the first year, $1.1 trillion over 5 years. The ratio of tax relief to debt reduction, over 5 years, is 8 to 1. In the first year, it is 13 to 1. That is a pretty good game plan.

Mr. President, I make a point of order that this is not germane to the provisions of the budget resolution.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, pursuant to section 904 of the Budget Act, I move to waive section 305 of the Budget Act for the consideration of Allard amendment No. 2906 and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The question is on agreeing to the motion to waive the Budget Act in relation to Allard amendment No. 2906. The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 16, nays 84, as follows:

[Rollcall Vote No. 56 Leg.]

YEAS—16

Allard	Enzi	McCain
Ashcroft	Fitzgerald	Smith (NH)
Campbell	Grams	Thomas
Collins	Hutchinson	Voinovich
Craig	Hutchison	
Crapo	Inhofe	

NAYS—84

Abraham	DeWine	Johnson
Akaka	Dodd	Kennedy
Baucus	Domenici	Kerrey
Bayh	Dorgan	Kerry
Bennett	Durbin	Kohl
Biden	Edwards	Kyl
Bingaman	Feingold	Landrieu
Bond	Feinstein	Lautenberg
Boxer	Frist	Leahy
Breaux	Gorton	Levin
Brownback	Graham	Lieberman
Bryan	Gramm	Lincoln
Bunning	Grassley	Lott
Burns	Gregg	Lugar
Byrd	Hagel	Mack
Chafee, Lincoln	Harkin	McConnell
Cleland	Hatch	Mikulski
Cochran	Helms	Moynihan
Conrad	Hollings	Murkowski
Coverdell	Inouye	Murray
Daschle	Jeffords	Nickles
Reed	Sarbanes	Stevens
Reid	Schumer	Thompson
Robb	Sessions	Thurmond
Roberts	Shelby	Torricelli
Rockefeller	Smith (OR)	Warner
Roth	Snowe	Wellstone
Santorum	Specter	Wyden

The PRESIDING OFFICER. On this vote, the yeas are 16, the nays are 84. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent that with respect to the Byrd-Warner amendment regarding gas tax, all debate time be consumed this evening and there be no amendment in order to the amendment prior to the vote. I further ask unanimous consent that the vote occur on the Byrd-Warner amendment first in any series of votes scheduled by the majority leader, after consultation with the minority leader, on Thursday. Finally, I ask unanimous consent that prior to the vote, there be 2 minutes equally divided for closing remarks.

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

The Senator from West Virginia.

Mr. BYRD. Mr. President, I will shortly be speaking on an amendment which I will offer on behalf of myself, Mr. WARNER, Mr. BAUCUS, Mr. VOINOVICH, Mr. LAUTENBERG, Mr. BOND, and Mr. REID.

Mr. President, I understand that the Senator from Maine would like to be recognized for 5 minutes.

Ms. COLLINS. Yes, for 5 minutes as in morning business to put in a bill.

Mr. BYRD. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Maine, Ms. COLLINS, for not to exceed 5 minutes, after which I will regain the floor.

Mr. REID. Reserving the right to object, and I won't object, but I want everybody to know that there will be no more unanimous consents for morning business today or tomorrow as long as I am on the floor.

Mr. DOMENICI. We don't need to have morning business. Let's let her speak and count it against the bill. That is what you would like, and I would like that also.

Mr. REID. That will be better.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Maine is recognized for 5 minutes.

(The remarks of Ms. COLLINS and Mr. ABRAHAM pertaining to the introduction of S. 2365 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. DOMENICI. Mr. President, I wonder if the Senator from West Virginia will add me as a cosponsor.

Mr. BYRD. I would be happy and most honored.

I ask unanimous consent that the name of Mr. DOMENICI be added to the list of cosponsors of this amendment.

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

AMENDMENT NO. 2943

Mr. BYRD. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD], for himself, Mr. WARNER, Mr. BAUCUS, Mr. VOINOVICH, Mr. LAUTENBERG, Mr. BOND, Mr. REID, and Mr. DOMENICI, proposes an amendment numbered 2943.

Mr. BYRD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert:

SEC. . SENSE OF THE SENATE ON THE CONTINUED USE OF FEDERAL FUEL TAXES FOR THE CONSTRUCTION AND REHABILITATION OF OUR NATION'S HIGHWAYS, BRIDGES, AND TRANSIT SYSTEMS.

(a) FINDINGS.—The Senate finds that—

(1) current law, as stipulated in the Transportation Equity Act for the 21st Century (TEA–21), requires all federal gasoline taxes be deposited into the Highway Trust Fund;

(2) current law, as stipulated in TEA–21, guarantees that all such deposits to the Highway Trust Fund are spend in full on the construction and rehabilitation of our nation's highways, bridges, and transit systems;

(3) the funding guarantees contained in TEA–21 are essential to the ability of the nation's governors, highway commissioners, and transit providers to address the growing backlog of critical transportation investments in order to stem the deterioration of our road and transit systems, improve the safety of our highways, and reduce the growth of congestion that is choking off economic growth in communities across the nation;

(4) any effort to reduce the federal gasoline tax or de-link the relationship between highway user fees and highway spending pose a great danger to the integrity of the Highway Trust Fund and the ability of the states to invest adequately in our transportation infrastructure; and

(5) proposals to reduce the federal gasoline tax threaten to endanger the spending levels guaranteed in TEA–21 while providing no guarantee that consumers will experience any reduction in price at the gas pump.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the functional totals in this budget resolution do not assume the reduction of any federal gasoline taxes on either a temporary or permanent basis.

Mr. BYRD. Mr. President, this is a sense-of-the-Senate amendment that the functional totals in this budget resolution do not assume the reduction of any Federal gasoline taxes on either a temporary or permanent basis.

Mr. President, in 1996, just four years ago, the Senate considered a proposal to repeal the 4.3 cent per gallon federal excise tax on gasoline. As I recall, the issue was debated in the midst of the 1996 presidential election, as gasoline

prices were on the rise. Today, we are considering a similar proposal under almost identical circumstances. American consumers are understandably upset about the rise of gasoline prices over the last year. In February 1999, average U.S. prices were under a dollar per gallon. Since then, the average price for gasoline in the United States has increased by about 55 cents per gallon. To make matters worse, the U.S. government has had to go hat-in-hand to the Gulf nations to beg them to produce more oil. Let us all remember that these are the very same Gulf states that the U.S. defended during Operation Desert Storm in 1991. In answer to the outrage of the American people over this latest hike in gas prices, we see, yet again, a proposal for a reduction in the federal excise tax on gasoline.

The repeal of any tax, particularly a tax on gasoline, is always politically popular, and quite a temptation for politicians, especially in the midst of a campaign season. Additionally, the temptation to remind the electorate of a tax increase approved by a political opponent is close to irresistible in an election year. However, in our rush to craft a pseudo-solution to a real concern in this election year, I hope that the Senate will carefully consider the long-term implications of its actions. To suggest that the 4.3 cent per gallon gasoline tax enacted in 1993 is the precursor of all this pain at the gas pump, and that the cure for that pain is a simple repeal of that tax, is pure and utter folly.

A look at the markets over recent months shows that gasoline prices have risen because of the basic economic forces of supply and demand. First, the Organization of Petroleum Exporting Countries (OPEC) successfully agreed last year to curb crude-oil production in order to raise exceptionally low per-barrel prices—such low per-barrel prices that U.S. producers were in danger of being put out of business. Second, U.S. crude-oil inventories were allowed to fall to dangerously low levels in 1999. Because there was no cushion from U.S. inventories to respond to the cuts in oil production, gasoline prices, naturally, increased. What we are seeing is classic supply and demand at work.

OPEC agreed last week to increase oil production, but that oil will not arrive from the Gulf states for at least another one to two months. In the meantime, there is a more or less fixed supply of oil available for U.S. consumption. This short-supply scenario means that even if the excise tax were repealed, gasoline prices would likely increase again, reflecting, guess what, the classic lack of equilibrium between supply and demand. In other words, there is no getting around the basic tenets of the problem, which are OPEC's cutbacks on production and low U.S. crude-oil inventories.

Yet, some of my colleagues would have the American consumer believe that this tax cut proposal will effect a miracle cure. Faith in snake oil never seems to diminish in the Halls of Congress. They argue that we can get around the laws of supply and demand altogether by simply reducing the gas tax. I, for one, am doubtful that consumers would significantly benefit from this latest attempt to treat a serious malady with a political placebo.

As I have said, over the past few months, gasoline prices on average have risen by about 55 cents per gallon across the nation. S. 2285, would roll back the price of gasoline to the American consumer by only 4 cents, and only until the end of this calendar year. If average U.S. prices increase to two dollars per gallon, this proposal would repeal the entire excise tax for this calendar year, which is still a reduction of only 18 cents per gallon. Assuming that these prices actually filter down to the consumer—a rather large leap of faith—how significant a difference will a 4 cent decrease be compared to a 55 cent increase in gasoline prices? Likewise, if prices reach as high as two dollars per gallon, will 18 cents make a noticeable difference in the average consumer's weekly expenses?

As I mentioned before, supporters of the proposal to repeal a portion of the gas tax assume that the tax decrease would filter down to the consumer. But there is no guarantee that any savings whatsoever will be passed on to the consumer. Since this proposal does not address the low supply of oil in the United States, the benefits of the tax cut are likely to flow to the coffers of the domestic oil-refinery industry, not to the pockets of the consumer. As I mentioned before, even though refineries would be paying less in taxes to the federal government, lower prices at the pump would drive up demand for gas, further reducing supply and increasing the price for the remaining scarce gasoline. Until oil supplies in the United States increase, gasoline will continue to be scarce and prices at the pump will continue to climb, regardless of whether or not the federal excise tax is reduced.

OPEC is also more likely to benefit from this proposal than the American consumer. Let us consider this proposal from OPEC's point of view for a moment. Gasoline prices can only rise so high before American demand begins to wane. Decreased demand means lower profits for OPEC, which is why OPEC agreed to increase oil production last week in Vienna. Stable prices are in the long-term interest of OPEC. This tax repeal proposal, however, would remove the incentive for OPEC to maintain stable oil prices. If the Congress chooses to cut the gasoline tax to reduce gasoline prices, it would effectively allow OPEC to maintain artificially low production quotas, and thus support artificially high prices, without suffering from the decrease in oil demand that the free market would otherwise dictate. A reduction in the gas tax removes the economic incentive for OPEC to keep oil production in equilibrium with demand.

Mr. President, the economics of this proposal notwithstanding, it is also important to consider the impact it would have on transportation spending, since the excise tax revenues are intended to be reserved for maintaining and improving the Nation's highways. Spring is here, and on highways and roadways across the Nation, spring is an event marked by the thump and rumble of tires hitting potholes and crumbling medians.

Mr. President, just three years ago, the Senate considered the Transportation Equity Act for the 21st Century, or TEA–21. At that time, the Senate debated at length the appropriate mechanism to finance the needs of our Nation's infrastructure. I, along with many of my colleagues, was determined to reverse the trend begun in the early 1980's of federal disinvestment in our Nation's infrastructure. During the debate on TEA–21, I, along with my colleagues Senator GRAMM, Senator BAUCUS, and Senator WARNER, championed an amendment that would allow the revenue from the 4.3 cent gas tax imposed in 1993 to be used for highway construction. Just the year before, Senator GRAMM had succeeded in seeing to it that the 4.3 cent tax was deposited into the Highway Trust Fund. The Byrd-Gramm-Baucus-Warner amendment during TEA–21 was to ensure that the new revenue to the Trust Fund would, indeed, be spent on highways as it was intended, and as we informed the American people it would be.

Mr. President, our amendment gathered no fewer than 54 cosponsors on a broad bipartisan basis—29 Democrats and 25 Republicans. The entire debate on the highway bill was characterized by bipartisanship. Back then, we heard talk about all the highway needs that were going unmet across our Nation and how the revenue of the 4.3 cent gas tax could help address those needs.

Indeed, during the debate on TEA–21, an amendment was offered to repeal the 4.3 cent gas tax. By a vote of 80 to 18, the Senate refused—refused!—to waive the Budget Act to consider that amendment. Senator MACK's proposal was appropriately rejected by the overwhelming majority of Republicans and the overwhelming majority of Democrats. On that day, March 11, 1998, the 4.3 cent tax was the difference between a highway bill that continued the status quo of disinvestment and a highway bill that made real progress in repairing our deteriorated highways. With the adoption of the Byrd-Gramm-Baucus-Warner amendment, the final highway bill that passed the Senate two days later was almost $26 billion larger than the bill reported by the Environment and Public Works Committee. And that $26 billion figure was derived directly from the Congressional Budget Office's estimate at that time of the expected revenue of the 4.3 cent gas tax.

Mr. President, I have offered an amendment to the budget resolution, on behalf of several of my colleagues whose names I mentioned earlier, which states that it is the sense of the Senate that the Federal gas tax should not be repealed on either a temporary or a permanent basis. I am pleased to be joined in that amendment by five distinguished members of the Committee on Environment and Public Works; namely, Senators WARNER, BAUCUS, VOINOVICH, LAUTENBERG, and BOND; and, in addition, Senators REID and DOMENICI.

This amendment provides the Senate an opportunity to vote, up or down, on the continued integrity of the Highway Trust Fund and the relative importance of infrastructure investment versus a short-term tax cut that may never be felt by the consumer.

The recent effort to repeal a portion of the gas tax attempts to create a political issue where there really should be none. Thankfully, Republican Senators like JOHN WARNER, GEORGE VOINOVICH, KIT BOND, and PETE DOMENICI are not being baited by the hook of this foray into election year politics. Nor are senior House Members, including members of the House Republican Leadership, such as RICHARD ARMEY, J.C. WATTS, and House Transportation and Infrastructure Committee Chairman BUD SHUSTER. The nation's governors, the nation's mayors, the state legislatures, and the nation's county executives are not going for the bait either. The national associations representing all those elected officials, both Democrats and Republicans, are all opposed to efforts to repeal the gas tax. So is the ''Triple A'' whose sole responsibility is to the driving public that is paying the higher gas prices at the pump every day. So is the Association of General Contractors, the American Road and Transportation Builders Association, the American Public Transit Association, and scores of other groups.

For those of my colleagues who wish to portray this issue as a political one, let me remind them that less than a decade ago, a bill to raise gas taxes for deficit reduction was signed into law by George Bush—that is, with George Herbert Walker Bush. I was there at Andrews Air Force Base, across the table from OMB Director Richard Darman and White House Chief of Staff John Sununu. It was at that summit where a 5-cent gas tax increase was first discussed. I did not participate in the final negotiations over the revenue measures in that agreement since they were handled by the Chairmen of the Finance and Ways and Means Committees and their Ranking Members. At the end of those negotiations, the Bush Administration was supportive of raising the gas tax by 5 cents—with 2½ cents being deposited into the Highway Trust Fund and 2½ cents going to deficit reduction. So it was the Bush/Quayle Administration that first laid the groundwork for using gas taxes for deficit reduction in 1990. Thankfully, today, every penny of the federal gas tax is deposited in the Highway Trust Fund and spent on transportation investments across the nation.

Mr. President, S. 2285, as introduced by the Majority Leader, proposes to repeal 4.3 cents of the 18.4-cent federal gasoline tax. Since every penny of the gas tax is now distributed to the states in the form of annual obligations from the Highway Trust Fund, that repeal will put at risk more than $7.1 billion in transportation funding beginning in 2002. Now, $7.1 billion will fill a lot of potholes and fix a lot of crumbling roadways. Under this bill, if the average price of gasoline reaches $2 or higher, then the entire 18.4-cent federal gas tax will be repealed, putting more than $30 billion in transportation funding at risk.

Additionally, there is some very unique language in S. 2285 that seeks to mandate that spending from the Highway Trust Fund be maintained at the levels authorized in TEA–21, notwithstanding the fact that this bill will keep revenue from coming into the Trust Fund. Does anyone truly believe that this is a workable approach? The Chairman of Surface Transportation Subcommittee, Senator VOINOVICH, clearly does not. Senator WARNER and Senator BAUCUS, who joined me in restoring the ''trust'' to the Highway Trust Fund, certainly do not. I implore all Members on both sides of the aisle to join us in rejecting a plan which will compromise that trust which would take the ''trust'' out of the Highway Trust Fund.

Mr. President, our highway and transit infrastructure can ill afford to forego several billion dollars in annual investment. Let me remind my colleagues that we have no reason to be proud of the current condition of our highways. According to the Department of Transportation's most recent figures, the condition of our nation's highways and bridges continues to deteriorate by many measures. Daily usage of our highway system has continued to grow each and every year, such that more than half of our nation's urban interstate miles are now perpetually congested—more than half! Less than half of our rural highway miles and less than half of our urban highway miles are considered to be in good or very good condition. That means that more than half of our nation's highway miles are considered to be at some level of disrepair. So when you look at the condition of our nation's highway bridges, the situation is no better. Roughly one-third of our urban highway bridges are either structurally or functionally deficient. The same is true for roughly one-quarter of our rural highway bridges. This is not just a matter of insufficient capacity. This is a matter of safety. The Senate must not turn its back to these troubling facts.

It is quite appropriate that we are debating this issue as part of the budget resolution. Indeed, the Committee report accompanying the budget resolution parrots the assumptions contained in S. 2285. The report states that ''as part of a five year, $150 billion tax reduction package, the Committee-reported resolution could accommodate a suspension or repeal of the Clinton/Gore 4.3 cent tax increase on fuel.'' Mr. President, I believe we have reached the point where we must ask the Senate where it stands on just this question. This amendment provides that opportunity.

This is an election year. I understand that this proposal is being presented to the Congress for reasons which just might have very little to do with sound fiscal policy. The American people are not foolish. They will realize that this bill would have an unfortunate effect on transportation spending. They will not thank us for handing them more of the congested, crumbling commuter routes they must already deal with every day. Likewise, they will realize that such a short-term fix does nothing to address the underlying problem of high gas prices—namely OPEC and the lack of a national energy policy to protect the United States against the roller coaster ride of gasoline price adjustments. I urge my colleagues to reject this voodoo chant remedy. We might as well hire a witch doctor to shake a tambourine over the heads of the OPEC states as adopt this approach. Our energy problems demand serious remedies, not pseudo-solutions. Vote against this bill for the people, the commuters, the truck drivers and the ambulance and bus drivers, of America. We need a serious look at the totality of our national energy policy, not a quick fix non-remedy that will only result in more broken promises and broken pavement for the American driving public.

Mr. President, I ask unanimous consent that statements in support of this amendment from the following organizations be printed in the RECORD: The Associated General Contractors of America, the National Association of Counties, the National Asphalt Pavement Association, the American Association of State Highway and Transportation Officials, the American Public Transportation Association, the National Association of Regional Councils, the American Consulting Engineers Council, and the American Portland Cement Alliance.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA,
Alexandria, VA, April 5, 2000.

Hon. ROBERT C. BYRD,
U.S. Senate,
Washington, DC.

DEAR SENATOR BYRD: The Associated General Contractors of America (AGC) strongly urges you to support the Byrd-Warner-Baucus-Voinovich-Lautenberg-Bond Sense of the

Senate Amendment to the Budget Resolution. The amendment emphasizes the importance of maintaining the link between highway user fees and highway spending, and opposes any reduction of any federal gasoline taxes on either a temporary or permanent basis.

Any reduction or suspension of the federal gasoline tax threatens to erode the spending levels guaranteed in the Transportation Equity Act for the 21st Century (TEA–21). Moreover, the reduction in gasoline taxes provides no guarantee that consumers will experience any reduction in the price at the pump.

The United States Senate has consistently opposed repealing the 4.3-cent gas tax. In 1998, 72 sitting Senators voted against repeal of the 4.3-cent gas tax. The next day, the entire Senate voted to spend the 4.3 cents for highway and transit improvements. AGC urges you to keep your promises—don't flip-flop on this highway user fee.

AGC urges you to vote for the Byrd-Warner-Baucus-Voinovich-Lautenberg-Bond Sense of the Senate Amendment to the Budget Resolution.

Sincerely,

JEFFREY D. SHOAF,
Executive Director, Congressional Relations.

NATIONAL ASSOCIATION OF COUNTIES,
Washington DC, April 5, 2000.

Re 4.3 cents Federal fuel tax/FY 2001 budget resolution

DEAR SENATOR: I am writing on behalf of the National Association of Counties (NACo) to urge that you support the Byrd-Warner-Baucus-Voinovich-Lautenberg-Bond Sense of the Senate Resolution for the continued use of federal fuel taxes for the construction and rehabilitation of our nation's highways, bridges, and transit systems which is being offered as an amendment to the FY 2001 Budget Resolution. This resolution conforms with NACo's opposition to any legislative proposals that would interfere or interrupt the current level of transportation user fees being collected which provide dedicated federal funding for transportation programs.

At our recent Legislative Conference, NACo adopted a resolution that opposes any legislation that reduces monies coming into the Highway Trust Fund. County governments, which have substantial responsibility for highways, bridges, transit systems, and airports, cannot afford cuts in federal transportation infrastructure funding such as the 4.3 cents reduction proposed in the Budget Resolution. The 4.3 cents tax on gasoline and diesel brings in $7.2 billion annually to the Highway Trust Fund—$5.8 billion for highways and $1.4 billion for transit. According to the U.S. Department of Transportation, if the 4.3 cents were repealed, the highway program would be cut by $20.5 billion through FY 2003, the final year of TEA–21. The Mass Transit Account of the Highway Trust Fund would go broke in 2003. The aviation program, just reauthorized by Congress, would lose $700 million a year, or $2.1 billion through FY 2003.

On behalf of the nation's 3066 counties, I urge you to support the Byrd-Warner-Baucus-Voinovich-Lautenberg-Bond Resolution. Thank you for your consideration in this matter. If you have any questions concerning our views on this issue, please contact Bob Fogel of the NACo staff.

Sincerely,

C. VERNON GRAY,
President.

NATIONAL ASPHALT PAVEMENT ASSOCIATION,
Lanham, MD, April 5, 2000.

Hon. ROBERT C. BYRD,
U.S. Senator,
Washington, DC.

DEAR SENATOR BYRD: The National Asphalt Pavement Association (NAPA) strongly supports the Byrd-Warner-Baucus-Voinovich-Bond amendment to the FY 2001 budget resolution clarifying that Federal fuel taxes are intended to be used for construction of our nations highways, bridges. Furthermore, the amendment clarifies that the FY 2001 budget resolution does not assume the reduction of federal gasoline taxes on a temporary or permanent basis.

Repeal of the 4.3¢ would have a catastrophic impact on the highway construction industry including the members of NAPA, and delay—perhaps for years—badly needed highway infrastructure improvement projects that save lives, reduce congestion and improve fuel economy.

There is a direct correlation between pavement smoothness and fuel economy according to research recently completed at WesTrack for the Federal Highway Administration under the auspices of the National Cooperative Highway Research Program. According to the study, a vehicle's average fuel economy improved 4.5% after the pavement was rehabilitated. In addition, the study found that an increase in pavement roughness increased the frequency of fatigue failures in the vehicles tested at the track.

If a cut in the fuel tax by 4.3¢ was enacted, revenues in the Highway Trust Fund would be reduced by $7 billion annually and delay by one or more construction seasons highway projects that result in smoother pavements. The short term gain in reducing the excise tax on motor fuel by 4.3¢ is offset by the additional 6.8¢ in additional costs a typical motorist pays on average to operate their vehicles on rough pavements that are not rehabilitated.

While the motoring public might experience a short-term benefit with a 4.3¢ reduction in the price of their fuel, the cost in terms of increased fuel consumption, congestion and safety to the motoring public will quickly erase any benefit and set the highway pavement improvement program back by years.

NAPA strongly supports the Byrd-Warner-Baucus-Voinovich-Bond amendment and strongly opposes a reduction in the federal fuels tax.

Sincerely,

MIKE ACOTT,
President.

AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS, AMERICAN PUBLIC TRANSPORTATION ASSOCIATION, NATIONAL ASSOCIATION OF REGIONAL COUNCILS,
April 4, 2000.

Hon. SPENCER ABRAHAM,
U.S. Senate,
Washington, DC.

DEAR SENATOR ABRAHAM: We are writing on behalf of the members of the American Association of State Highway and Transportation Officials, the American Public Transportation Association, and the National Association of Regional Councils to express our opposition to a temporary suspension or permanent repeal of a portion of, or all of, the federal motor fuel tax. Therefore, we respectfully urge you to support an amendment to the budget resolution that will be offered by Senator Robert Byrd and others to express the sense of the Senate that the budget resolution not assume the reduction of fuel taxes on either a permanent or temporary basis.

The Highway Trust Fund is the primary funding source for highway, transit, bikeway, pedestrian, and other surface transportation programs authorized under the Transportation Equity Act for the 21st Century (TEA 21). Proposals to temporarily repeal 4.3 cents of the federal motor fuel tax would result in a $4.5 billion loss in revenue to the Highway Trust Fund and yet offer no guarantee that the repeal would result in actual cost savings to the motoring public. The net effect of this action would be to seriously jeopardize the continued stability and reliability of the federal surface transportation program while providing no meaningful solution to the effects of the present oil shortage.

A 4.3-cent per gallon reduction in the federal motor fuel tax, if passed on to the consumer, would result in about a $13 savings this year, but would at the cost of more substantial tax reductions or of reductions in other domestic programs. Given the intense competition for use of the budgetary surplus, we believe that, absent an ironclad guarantee, it is unrealistic to assume that any portion of the budget surplus to offset the loss to the Highway Trust Fund would necessarily materialize.

We respectfully urge you to continue to support TEA 21's reliable and stable funding mechanism, and to oppose proposed legislation that would jeopardize the surface transportation program while failing to offer a meaningful solution to impacts resulting from the current oil shortage.

Sincerely yours,

JOHN HORSLEY,
Executive Director, American Association of State-Highway and Transportation Officials.

WILLIAM MILLAR,
President, American Public Transportation Association.

WILLIAM DODGE,
Executive Director, National Association of Regional Councils.

AMERICAN CONSULTING ENGINEERS COUNCIL,
Washington, DC, April 5, 2000.

DEAR SENATOR: On behalf of the American Consulting Engineers Council (ACEC), I urge you to support the Byrd-Warner-Baucus-Voinovich-Lautenberg-Bond amendment to the FY 2000 Budget Resolution. The amendment could come to the floor as early as April 5.

The Byrd amendment would establish the Sense of the Senate that federal fuel taxes should continue to be used for the construction and rehabilitation of our nation's highways, bridges, and transit systems. Congress took the proper step in the 1997 Taxpayer Relief Act by moving the last 4.3 cents of the federal gas tax into the Highway Trust Fund and away from general deficit reduction. The following year, Congress passed TEA—21, which guaranteed that all deposits into the Highway Trust Fund will be spent each year for their intended purpose.

In response to the recent surge in gasoline prices, however, legislation has appeared on Capitol Hill to repeal or suspend some or all of the federal gas tax and thus de-link the relationship between highway user fees and transportation spending. While the repeal legislation is well intentioned, we believe it will not offer any real consumer relief from high gas prices, and it could devastate transportation improvements and safety programs in every state.

Even temporarily eliminating the Highway Trust Fund structure is very dangerous because it would become too easy for Congress to eliminate or reduce the proposed transfer from the general fund ''surplus'' in the future. CBO has re-estimated the FY 2000 surplus to be $15 billion. Repealing the gas tax from April 15 to September 30 (as S. 2285 could do) would cost states $15 billion. It is highly unlikely that Congress could spend the entire budget surplus on highways and transit in the face of such competing priorities as general tax cuts, education, and emergency supplemental appropriations.

Congress is to be applauded for its efforts to bolster investment in infrastructure and for recognizing that the Highway Trust Fund provides an effective and appropriate stream of revenue for transportation improvements. We urge you to reaffirm these priorities by voting for the Byrd Amendment to the Budget Resolution. Thank you for your leadership on this issue.

Sincerely,

LEO F. PETERS, *P.E. FACEC, President.*

AMERICAN PORTLAND CEMENT ALLIANCE,
Washington, DC, April 5, 2000.

Hon. ROBERT C. BYRD,
U.S. Senate, Washington, DC.

DEAR SENATOR BYRD: On behalf of the American Portland Cement Alliance (APCA), a trade association representing virtually all domestic portland cement manufacturers, I urge you to support the Byrd-Warner-Baucus-Voinovich-Lautenberg-Bond Sense of the Senate amendments to the budger resolution.

The amendment expresses that the budget resolution should not assume a permanent or temporary reduction in the federal gasoline tax. The amendment may be considered as early as today.

APCA is deeply concerned that any reduction in the federal gasoline tax would undermine TEA–21 and the funding commitment that legislation made to the states for highway and mass transit programs. Any reduction in federal gasoline tax would jeopardize the funding guarantee under TEA–21 and introduce uncertainty for state highway and transit improvement programs, and the construction and material supply industries, such as the cement manufacturers.

Again, I urge you to support the Byrd-Warner-Baucus-Voinovich-Lautenberg-Bond Sense of the Senate amendment.

Sincerely,

RICHARD C. CREIGHTON, *President.*

Mr. BYRD. As I close, I again thank Messrs. WARNER, BAUCUS, VOINOVICH, LAUTENBERG, BOND, REID of Nevada, and DOMENICI.

Let me thank also Mr. Jim English and Peter Rogoff, fine staffpersons who have been so helpful in the work on this amendment.

I yield the floor.

Mr. DOMENICI. Will the Senator yield off his hour, 1 minute to the Senator from New Mexico?

Mr. BYRD. I will.

Mr. DOMENICI. Mr. President, I want to explain to the Senate why I am supporting this. The actual sense of this resolution says:

It is the sense of the Senate that the functional totals in the budget resolution do not assume the reduction of any Federal gasoline tax on either a temporary or permanent basis.

I might say to the Senate, that is already true. The Senate budget resolution does not—does not, in the functional totals. So I am delighted to support it. There is some language saying: Within the tax provisions. The tax committee can do a lot of different things. One thing suggested was temporary repeal of the gasoline tax. I am pleased to have an opportunity to vote on whether or not the Senate would like that to remain even contemplated. Whether they will be precluded because of a vote, I do not know, but I think we ought to vote tomorrow on this issue. I support the sense of the Senate that is proposed.

I ask Senators how many more want to speak on this resolution because we have two others?

Mr. WARNER. I would like to have 7 minutes.

Mr. DOMENICI. How much would the Senator like?

Mr. VOINOVICH. About 4 or 5 minutes.

Mr. DOMENICI. Senator BOND, on this subject?

Mr. BOND. I would like 3 minutes.

Mr. BAUCUS. I would like about 5 minutes on the amendment.

Mr. DOMENICI. I wonder if we could agree, would the Senator object if that be the unanimous consent, those Senators in that order?

Mr. BYRD. Very well.

Mr. BAUCUS. Might I ask, what is the order?

Mr. DOMENICI. It is the order you arrived on the floor: Senator WARNER and then the Senator from Ohio, Senator BOND and——

Mr. HARKIN. I have been on the floor since the last vote.

Mr. DOMENICI. Let the Senator decide.

Mr. BYRD. Very well. We can do Mr. WARNER and Mr. BOND—Mr. BOND talked with me several minutes ago. He has to go somewhere. Then Mr. BAUCUS and then Mr. VOINOVICH, if that is all right.

Mr. DOMENICI. That is fair.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from Virginia.

Mr. WARNER. Mr. President, first I commend the distinguished senior Senator from West Virginia. I was the chairman of the subcommittee that worked on ISTEA—we called it TEA–21. How well I remember that he, together with the Senator from Texas, fought the battle to take the 4.3-cent tax out of the general revenues and put it into the highway trust fund. Now our distinguished colleague and former majority leader is once again showing that leadership to keep those funds flowing to support America's highway infrastructure.

The economy of this Nation is dependent upon the efficient use of its transportation for people to get to and from their places of work, to carry our goods to the ports and terminals, to get them throughout the world. Now we are faced with this situation. I, from the first day, have resisted—even though I am in opposition to my distinguished leadership—the repeal of this 4.3 cents. It was a commitment made by the Senate by a vote, if I recall, I say to the senior Senator from West Virginia, which was in the 80s of Senators who approved the transfer of these funds from general revenue to the highway trust fund.

Every Senator understands the highway programs in his or her State. I recognize that. But stability is the key word, stability in funding.

We have the former distinguished Governor of Missouri and the former distinguished Governor of Ohio who will address those points. But as they set down their programs for highway improvement, safety and construction, they needed to have some certainty in the funding. It took almost a decade for the Senate to finally come to the recognition we ought to stop this donor-donee situation, one of the most controversial things I ever witnessed in my 20-plus years in the Senate. We got rid of that.

We also, in that bill, made a specific law whereby, when you go to the gas pump in your State and pump that gas, those taxes go to Washington and make a U-turn and go back to the State. No State got less than 90 percent of the return of those taxes.

That is what we are here for, continuity of action and decisionmaking by this body, continuity and stability in planning these programs to improve our roads, our infrastructure. There are contracts that reach out a year or more, 2 years or more. People have to order materials. They have to do design work. They have to engage labor. That is being done. We see the slow, steady improvement of our infrastructure. Now we are challenged by the 4.3 cents. As the distinguished Senator from West Virginia said, it could have a triggering mechanism where 4.3 cents goes to over 18 cents. As he pointed out, there is no certainty these funds will get back to the pockets of those who put the gas in their car—no certainty. There are many, many levels where various purposes could take off these funds.

My distinguished colleague from West Virginia talked about the groups. He put their letters in the RECORD. This is a group of organizations all across this country that support the highway construction program, whose efforts led to the passage of the ISTEA legislation in this Senate and eventually had it enacted into law.

The distinguished Governor from Ohio, who will soon speak, was very active in the National Governors' Association and the Association of Highway Administrators, which had given sound support through that legislation. He did not come by it by accident. It took absolutely years to build up to get this done.

The National Governors' Association, National Conference of State Legislatures, Council of State Governments, U.S. Conference of Mayors, National League of Cities, National Association

of Counties—these are groups that visit us every day on various issues. They write:

Proposals that would interfere with or reduce revenues coming to either trust fund by suspending or repealing any portion of Federal transportation taxes would undercut critical commitments to the nation's public infrastructure and potentially threaten the credit quality of state and local bonds already issued to finance highway, bridge and airport construction and repair.

Already the contracts are out. The revenue bonds are out. Even the American Automobile Association, one of the most valued organizations in the history of this country, stated as follows:

AAA has serious concerns about efforts to suspend or repeal any portion of the federal gas tax. While attractive at first glance, this course of action will do little to address the root cause of our gasoline price problem today, which is a shortage of supply caused by curtailed production of crude oil by [primarily the] OPEC states.

Our distinguished senior colleague covered that.

To reiterate, this Sense of the Senate amendment is critically important because of legislation that is pending before the Senate to suspend 4.3 cents of the federal gas tax until next January, and because of the instructions this resolution gives to the Finance Committee to report legislation to repeal the 4.3 cents tax.

The budget resolution before the Senate indicates that the reconciliation instructions to the Finance Committee provide $150 billion over 5 years in tax cuts that ''could accommodate'' the repeal of 4.3 cents of the federal gas tax.

It is unsound budget policy for this budget resolution to assume that a portion of the gas tax will be repealed.

It is unsound for several reasons, and today I will share with my colleagues the reasons for my concerns.

I join with my colleagues in their frustration with the rising price of gasoline. It is too high and threatens the continuation of our robust economy.

In our efforts to respond to OPEC's choking off of supply and the absence of leadership by this administration, we must not promise American's tax relief that they may not get. The entire proposal to repeal or suspend the 4.3 cents gas tax and replenish the Highway Trust Fund with general revenues is fraught with uncertainty.

I ask the question, is the repeal, or temporary suspension of 4.3 cents of the federal gasoline tax going into the pockets of American drivers? What is the guarantee that this tax cut will be passed on to consumers at the pump?

How are they protected from the oil refiners and wholesalers chipping off their share? Will the free marketplace enable them to charge the same price at the gas pump?

Just last week the Congressional Research Service issued a new analysis entitled ''Transportation Fuel Taxes: Impacts of a Repeal or Moratorium,'' which stated:

Current market conditions and the small amount of tax relief incorporated into most proposals, however, raise uncertainty as to whether prices to individuals and businesses would fall and whether any price decline would be meaningful to consumers.

If it is not passed on to consumers, and the high prices continue, Americans will feel betrayed.

The impact of a repeal on the 4.3 cents is significant on our budget surplus. According to the Department of Transportation, this repeal will result in a loss of $20.5 billion to the Highway Trust Fund for the remaining years of TEA–21—until 2003.

Efforts to repeal or suspend the 4.3 cents gas tax has generated strong opposition from the National Governors' Association, the National Conference of State Legislatures, the Council of State governments, the U.S. Conference of Mayors, the National League of Cities, and the National Association of Counties. They write:

Proposals that would interfere with or reduce revenues coming into either trust fund by suspending or repealing any portion of federal transportation taxes would undercut critical commitments to the nation's public infrastructure and potentially threaten the credit quality of state and local bonds already issued to finance highway, bridge and airport construction and repair.

Even the American Automobile Association with millions of members dedicated to highway maintenance and safety write:

AAA has serious concerns about efforts to suspend or repeal any portion of the federal gas tax. While attractive at first glance, this course of action will do little to address the root cause of our gasoline price problem today, which is shortage of supply caused by curtailed production of crude oil by OPEC states.

The Small Business Legislative Council joins those views with the following:

While small businesses are clearly suffering as a result of the high gasoline prices, we are long time staunch supporters of preserving the integrity of the highway trust fund and making sure that we have the proper infrastructure to deliver our goods and services.

My colleagues who support this repeal will tell you that the Highway Trust Fund will not be harmed—that general fund monies will be used to replace lost revenue to the Highway Trust Fund. This replacement, if it actually occurs, will be $20.5 billion.

And, where will this $20.5 billion come from? It will come from our limited budget surplus—and it will drain the limited dollars available for lasting tax cuts to Americans.

This budget resolution provides for $150 billion for tax cuts to be defined through the reconciliation process by the Finance Committee. I support this level of funding to relieve the tax burden on Americans. But, do we want to use the on-budget surplus to give a tax cut to gasoline wholesalers? Or, do we want to use the funds in the budget resolution for other, more certain, tax legislation providing real and lasting tax relief.

That is the course I want to take.

The budget resolution assumption that the Congress will repeal 4.3 cents of the gas tax comes to pass, it will have a lasting, negative impact on the Highway Trust Fund. The Highway Trust Fund is the sole source of revenue available to maintain and upgrade our nation's highways, transit systems and highway safety programs.

We are in only the second year of the 6-year TEA–21 legislation. Now is not the time to take a step backward on the important investments we are making in our nation's transportation infrastructure.

For over a decade in the Senate, I, along and many others, worked to restore faith with drivers who were promised that gas taxes they pay when buying gasoline would be used to maintain and modernize our highways and transit systems.

Finally, in 1997, with the steadfast, leadership of Senator BYRD, Senator BAUCUS, Senator BOND, and others, we achieved success. TEA–21 guarantees that all of the gas taxes motorists pay at the pump will be placed in the Highway Trust Fund and spent—100 percent—on highways, transit, and highway safety.

Before TEA–21, the gas tax was increased by 4.3 cents in 1993 to pay for spending on many programs other than transportation or deficit reduction. I opposed this tax increase, but it passed.

Later, while debating TEA–21, this body voted 80 to 18 not to repeal this tax, now that it was going to the Highway Trust Fund.

As our nation's transportation infrastructure aged and crumbled, it was imperative we transfer the 4.3-cents tax from general revenues to the Highway Trust Fund in 1997.

The TEA–21 spending guarantee reforms resulted in a 40 percent increase in transportation spending for each of the next 6 years. We are only in the second year of TEA–21, yet we can see in every state the transportation construction that is moving forward. We are just beginning to see the benefits of TEA–21 with more projects under construction, jobs being created, products moving more efficiently across the country, and most importantly, improvements in highway safety.

Do we want to turn back the clock and inject uncertainty again into our nation's highway program.

We are being asked to rely on future legislation that will have an untested triggering mechanism to restore general revenues to the Highway Trust Fund. What happens if it doesn't work.

Again, this uncertainty will jeopardize the safety of the driving public and the thousands of jobs that are now at work under TEA–21.

We all know that it takes years—far too long—for highway and transit projects to make it from the drawing board to construction. Severe swings, or even the uncertainty as to the availability of funds, in transportation spending will make it nearly impossible for states to effectively manage their highway programs.

Consistent funding levels are critical to the seamless steps of planning, design, engineering, permitting, contract selection, materials orders, and construction. A stable program, where states, local governments, and contractors have the benefits of a long-term funding cycle ensures a reliable supply of materials and an experienced, ready workforce.

Do we want to stop the modernization of our nation's transportation system to give the gas middle-man a few more pennies in his pocket? Or, do we keep on course to improve transportation and highway safety for all Americans?

Lets use wisely our limited budget surplus for meaningful and lasting tax relief—not on promises that Americans may never see.

I ask unanimous consent the letters to which I referred be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL GOVERNORS' ASSOCIATION, NATIONAL CONFERENCE OF STATE LEGISLATURES, COUNCIL OF STATE GOVERNMENTS, THE U.S. CONFERENCE OF MAYORS, NATIONAL LEAGUE OF CITIES, NATIONAL ASSOCIATION OF COUNTIES, INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION,

April 5, 2000.

TO ALL SENATORS: We are writing on behalf of the elected leaders of the nation's state and local governments to urge support for the Byrd-Warner-Baucus-Voinovich-Lautenberg-Bond Sense of the Senate Resolution for the continued use of federal fuel taxes for the construction and rehabilitation of our nation's highways, bridges, and transit systems, which is being offered as an amendment to the FY 2001 Budget Resolution.

This resolution conforms to state and local leaders' strong opposition to any legislative proposals that would interfere or interrupt the current level of transportation user fees being collected that provide dedicated federal funding for transportation programs. It supports the critical commitment to transportation infrastructure, and the funding mechanism to support that commitment, made in the Transportation Equity Act for the 21st Century (TEA–21).

Our state and local government members are responsible for almost all the nation's highways, bridges, and transit systems. We cannot afford cuts in federal transportation infrastructure funding such as the 4.3 cents reduction proposed in the Budget Resolution. The 4.3 cents tax on gasoline and diesel brings in $7.2 billion annual to the Highway Trust Fund—$5.8 billion for highways and $1.4 billion for transit. According to the U.S. Department of Transportation, if the 4.3 cents were repealed, the highway program would be cut by $20.5 billion through FY 2003, the final year of TEA–21. The Mass Transit Account of the Highway Trust Fund would go broke in 2003.

Again, we urge your support of the Byrd-Warner-Baucus-Voinovich-Lautenberg-Bond Resolution.

Sincerely,

RAYMOND C. SCHEPPACH,
Executive Director, National Governors Association.
WILLIAM T. POUND,
Executive Director, National Conference of State Legislatures.
DANIEL M. SPRAGUE,
Executive Director, Council of State Governments.
J. THOMAS COCHRAN,
Executive Director, The U.S. Conference of Mayors.
DONALD J. BORUT,
Executive Director, National League of Cities.
LARRY B. NAAKE,
Executive Director, National Association of Counties.
WILLIAM H. HANSELL, Jr.,
Executive Director, International City/County Management Association.

AAA, WASHINGTON OFFICE,
Washington, DC, April 4, 2000.

Hon. JOHN W. WARNER,
U.S. Senate,
Washington, DC.

DEAR SENATOR WARNER: AAA encourages you to cosponsor and support an amendment to the Senate budget resolution being offered by Senator Robert Byrd (D–WV). The ''Sense of the Senate'' amendment will put the Senate on record in opposition to any repeal or suspension of the federal gasoline excise tax.

AAA has serious concerns about efforts to suspend or repeal any portion of the federal gas tax. While attractive at first glance, this course of action will do little to address the root cause of our gasoline price problem today, which is a shortage of supply caused by curtailed production of crude oil by OPEC states.

The benefits to motorists from reducing the gas tax are, at best, minimal—repealing 4.3 cents would amount to about $1/week for the average consumer. However, the resulting loss of revenue to the Highway Trust Fund would be disastrous to the important work of fixing the nation's highways and bridges and improving safety.

It is highway and traffic safety that is of most concern to AAA. Lower receipts to the Highway Trust Fund compromise the safety of the traveling public. We take these roads back and forth to work and on vacations, our children take these roads to school, and our public safety officials use these arteries to respond to emergencies.

Asking Americans to choose between a gas tax reduction and safety is posing the wrong question. The right question is: How should Congress and the Administration manage an energy strategy that reduces dependence upon a foreign cartel? That way motorists would have the safe highways they've paid for through their gas taxes and an oil supply they can rely on. Short-term fixes, while politically popular, are not in the best interests of highway safety and the overall economic well being of the nation.

Congress made a very important decision by creating the Highway Trust Fund and establishing the direct link between user fees paid by motorists and trust fund monies being dedicated to improving the nation's surface transportation infrastructure. Because of TEA–21, the trust fund is now dedicated to providing Americans the safe and efficient transportation system for which they have paid and on which they rely.

AAA urges the Senate to recognize that a gas tax reduction—though well-meaning—will (1) provide little, if any, actual relief to motorists; (2) not solve the real problem, which is supply; and (3) cause real problems as our highways and bridges continue to deteriorate and with that, the safety of the motoring public.

Sincerely,

SUSAN G. PIKRALLIDAS,
Vice President, Public & Government Relations.

SMALL BUSINESS LEGISLATIVE COUNCIL,
Washington, DC, March 29, 2000.

Hon. TRENT LOTT,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR MR. MAJORITY LEADER: On behalf of the Small Business Legislative Council (SBLC), I want to indicate that we must object to the initiative to temporarily roll back the Federal gas tax. While small businesses are clearly suffering as a result of the high gasoline prices, we are long time staunch supporters of preserving the integrity of the highway trust fund and making sure that we have the proper infrastructure to deliver our goods and services.

We understand that you intend to pay for this roll back using the ''surplus.'' Right now we have many priorities for the use of that surplus. Repeal of the death tax, increasing direct expensing, full deductibility for the self-employed's health care costs, FUTA tax relief, repeal of the installment sales repeal and national debt reduction to name just a few.

As you know, the SBLC is a permanent, independent coalition of nearly 80 trade and professional associations that share a common commitment to the future of small business. Our members represent the interests of small businesses in such diverse economic sectors as manufacturing, retailing, distribution, professional and technical services, construction, transportation, tourism and agriculture. Our policies are developed through a consensus among our membership. Individual associations may express their own views. For your information, a list of our members is enclosed.

We appreciate your outstanding leadership on behalf of small business. We believe there must be a better way to provide relief for small business from rising gasoline prices without jeopardizing other small business priorities.

Sincerely,

JOHN S. SATAGAJ,
President and General Counsel.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, I thank the distinguished senior Senator from West Virginia. It is an honor to be on the floor to join with him and Senator from Virginia to make the point very strongly that suspension or repeal of the gas tax would be a grave error. Although all of us, as Senators, are aware of consumer complaints about the high gasoline prices we are facing in our States, we also should keep in mind that this is due primarily to factors other than the level of the gas tax, as the Senator from West Virginia has pointed out.

Our declining production of petroleum and the constriction by OPEC of the supply of gasoline on the world markets is the most significant factor in determining the price at the pump. Cutting the tax would merely reduce the revenues available for improving highway safety without producing real savings that would be passed on to the consumers. Because of the imposition of tax at the refinery level, there is no

assurance it would come to the gasoline purchaser, the automobile owner, or the truck or bus driver.

The CRS has issued a report saying there might not be any appreciable evidence of a reduction in tax. The consumers would never see it. Who would see it would be those people who are committed to repairing and rebuilding our inadequate roads, bridges, and highways.

In 1998, I worked hard with our friend and dear colleague, the late Senator from Rhode Island, Mr. John Chafee, on the Bond-Chafee guarantee that was incorporated into TEA–21 with the help of the Senators who spoke before me—Senator DOMENICI, Senator BYRD, and Senator WARNER. That provision created for the first time a real guarantee that revenues collected and earmarked for the highway trust fund would, in fact, be used for transportation purposes. If we collect a dollar gas tax, that dollar must be credited to the highway trust fund. This guarantees that for the first time highway users will get the transportation benefits in return for the user fee they pay through the gas tax.

We cannot have a guarantee if we continue to change the way the program is funded. To hold the trust fund harmless, supposedly by having money come from general revenue and projected surpluses, will put us back in the same sinking boat—more appropriately, crumbling highway—that we were in before. That position was one where off-budget or turnbacks were advocated. This amendment makes clear the budget resolution does not assume the reductions of any Federal gasoline tax.

We need a Department of Energy that makes energy policy, not the EPA. The administration policy has been no policy. We can stop the raid on the highway funds, and we must not repeal or roll back the gasoline tax.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, what is at issue is very clear. I hope my colleagues pay attention. The issue is whether this Congress is going to break the trust the American people have in the highway trust fund. That is the issue.

Dollars going into the Federal highway trust fund are locked in. There is a trust that those dollars are then distributed back to the States. The revenue in the trust fund goes back to the States. It is a trust, an understanding. That is why we have a highway trust fund.

We cannot go down the slippery slope of opening up the trust fund and replenishing it with general revenue or using general revenue to pay for highway allocations because once we start down that slippery slope, we will then have broken the trust. We will have sprung a leak, which will grow into perhaps a creek or a river, and will drain the highway trust fund, as the trust is broken. It is that simple.

I very much thank the Senator from West Virginia for drawing this to the Senate's attention. Not only is it the resolution before us, but it is also any potential revenue matters that might come up in this body. The essential point is the linkage.

I strongly urge my colleagues to continue the trust this Congress made with the American people when it passed the last highway bill, TEA–21. That bill was heralded as a landmark piece of legislation, overwhelmingly passed by both bodies. We all touted it, not only because of the revenues and dedication to the infrastructure so desperately needed but also because of the trust; that is, the assurance that the gasoline tax and the diesel fuel tax people pay at the pump will come back to the States; that it will not be tampered with by the Congress; it will not be changed by the Congress. That is something on which the people could count, of which they could be assured. It is something that is certain, something they can trust.

I very much hope we resist the temptation, we resist the siren song for a short-term political change, to jigger around with the 4.3 cents, repealing it and adding the difference to the surplus or revenue. It is an exercise that is not only futile; it is an exercise that is a misrepresentation of what we did in TEA–21, and it will be an exercise which begins to break the trust.

Either we keep the trust or we do not. There is no halfway here. There is no little breaking of the trust. Either we keep it or we do not. I submit the American people want us to keep the trust. They will be very upset if we break it.

Mr. President, I ask unanimous consent to print a letter in the RECORD from various organizations—the National Governors' Association, the National Conference of State Legislatures, the Council of State Governments, the U.S. Conference of Mayors, National League of Cities, National Association of Counties, International City/County Management Association, all in favor of the amendment offered by the Senator from West Virginia.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL GOVERNORS' ASSOCIATION, NATIONAL CONFERENCE OF STATE LEGISLATURES, COUNCIL OF STATE GOVERNMENTS, THE U.S. CONFERENCE OF MAYORS, NATIONAL LEAGUE OF CITIES, NATIONAL ASSOCIATION OF COUNTIES, INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION,

April 5, 2000.

DEAR SENATOR: We are writing on behalf of the elected leaders of the nation's state and local governments to urge support of the Byrd-Warner-Baucus-Voinovich-Lautenberg-Bond Sense of the Senate Resolution for the continued use of federal fuel taxes for the construction and rehabilitation of our nation's highways, bridges, and transit systems which is being offered as an amendment to the FY 2001 Budget Resolution.

This resolution conforms to the strong opposition that state and local leaders have to any legislative proposals that would interfere or interrupt the current level of transportation user fees being collected that provide dedicated federal funding for transportation programs. It supports the critical commitment to transportation infrastructure, and the funding mechanism to support that commitment, made in the Transportation Equity Act for the 21st Century (TEA–21).

Our state and local government members are responsible for almost all the nation's highways, bridges, and transit systems. We cannot afford cuts in federal transportation infrastructure funding such as the 4.3 cents reduction proposed in the Budget Resolution. The 4.3 cents tax on gasoline and diesel brings in $7.2 billion annually to the Highway Trust Fund—$5.8 billion for highways and $1.4 billion for transit. According to the U.S. Department of Transportation, if the 4.3 cents were repealed, the highway program would be cut by $20.5 billion through FY 2003, the final year of TEA–21. The Mass Transit Account of the Highway Trust Fund would go broke in 2003.

The nation's state and local leaders look forward to working with you on this very important issue.

Sincerely,

Raymond C. Scheppach, Executive Director, National Governors' Association; Daniel M. Sprague, Executive Director, Council of State Governments; Donald J. Borut, Executive Director, National League of Cities; William H. Hansell, Jr., Executive Director, International City/County Management Association; William T. Pound, Executive Director, National Conference of State Legislatures; J. Thomas Cochran, Executive Director, The U.S. Conference of Mayors; Larry E. Naake, Executive Director, National Association of Counties.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. VOINOVICH. Mr. President, I thank the Senator from West Virginia for offering this amendment. He knows and the rest of us know that repeal of the 4.3-cent gas tax is not going to solve the problem of high gasoline prices which today confronts this country. In my opinion, the administration's lack of an energy policy and total inability to react to OPEC's production cut has pushed gasoline prices to $2 per gallon in some places in the nation.

The fact of the matter is, the American people are angry, and I share their frustration. The real problem we have today is that we do not have an energy policy in this country.

Two weeks ago, when Department of Energy officials testified before the Governmental Affairs committee, I asked them whether or not they had an energy policy. I asked them if we were too reliant upon foreign oil. Their answer to that was yes we are too reliant on foreign oil.

I said: Your department is predicting that in the next 10 years we are going to be 65-percent reliant on foreign oil. How reliant should we be? Is it 45, 50 percent?

They had no answer.

I said: As a former Governor, if I had a problem, I would set a number and say it is going to be 45 or 50 and then put a plan together and move forward and get it done.

I hope in this debate over whether or not we ought to reduce the gas tax, the administration and Members of Congress take advantage of this wonderful opportunity to come together to look at the environmental concerns, look at the issue of exploration, look at the problems of the stripper well producers in this country who are out of business because the cost of a barrel of oil has been too low. We need to get it all on the table so that we do not have a repeat performance, and so that we are not at the mercy of foreign oil producing nations, some of whom are actually avowed enemies of the United States of America.

I've said many times the price is going to go down because the administration is going to put the pressure on these nations. But what I would like to know is, what are the promises they are going to be making in order to get the price down? We ought not to be in this position.

I happen to have been chairman of the National Governors' Association when Congress did TEA–21. Most Governors were opposed to the 4.3-cent gas tax in 1993 but we came back and said: If you move that from deficit reduction to the highway trust fund, we will support it.

I want everyone to understand that for the donor States—and Ohio is a donor State—without that 4.3 cents, we would not have a guarantee of 90.5 percent of the money we are sending to Washington. This is the way we helped get some of our money back into our State.

I think if you ask most of the highway directors of the States in this country, they will tell you that without that 4.3-cent gas tax, they are not going to have any new construction programs. All of the rest of our gas tax money goes for the maintenance and repair of our highways. The new construction is being paid for by that 4.3-cent gas tax.

There are some people who say: Don't worry about it because the money will come from the on-budget surplus or from someplace else. My answer to that is, we have a users' tax. The people who use the highways pay the tax for the highways. I do not think it is fair that we should say to the people of the country what we are going to do is reduce the highway users' tax and we are going to make everyone else pay to make up for the tax reduction.

I would like to say I am just prayerful that this amendment passes, that it passes overwhelmingly, that we send the message that we are not for repealing the 4.3-cent gas tax and that we take advantage of this wonderful opportunity to come together and develop an energy policy for this great Nation of ours.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DOMENICI. I wonder if Senator BYRD could yield me 3 minutes off his time?

Mr. BYRD. Yes. I yield whatever time the Senator wishes to consume.

Mr. DOMENICI. Mr. President, I want to argue in two parts.

My first part has to do with the highways and byways and freeways of America and our home cities across this land. I think there is no one in this Chamber who has not been home to their State and found that people somewhere in their State are frustrated because we do not have adequate roads to handle the traffic.

No, I am not suggesting I know how to do that in terms of these very heavily congested areas. But there is no doubt, we are way behind the curve in terms of supplying highways, freeways, and arteries in our cities.

You are not going to tell the American people they can't have their dream. I mean, their dream is to own a house and own a car or cars. One of their big dreams is to have that place where they want it. We are just never going to succeed in telling the American people: You cannot live 5 miles from your employment, as they did in Russia. They had it all figured out: They all worked; they all got on one train; and they all went to work. In fact, they told them in high school what they were going to be.

That is not America. So we are behind. In fact, I am not sure in most places we are gaining on the congestion and traffic. Frankly, I could come down here and say I am pretty satisfied that repeal of the 4.3-cent tax would not hurt next year, but in 7 years actually it would hurt.

The truth of the matter is, we should not deceive anybody. The problem we have is the problem that America uses more crude oil and crude-oil products than we are now producing.

Frankly, we have an American policy, I regret to say—especially since President Bill Clinton has been in office and Vice President GORE—of taking more and more of America, the public lands, out of production that you cannot use; you cannot get on it to find oil, even if it is there, all under some mystique that on ''public domain'' we should not be looking for oil, that we ought to be saving it for something.

Then tonight we are going to have a debate, I say to the Senator. I am not sure where everyone is going to be on it. But actually one one-hundredth of 1 percent of the Arctic wilderness, called ANWR, one one-hundredth of 1 percent is a little strip of land that they are trying to say: Why don't we try to find out if there is oil there?

You know what they think might be there? Sixteen billion barrels of oil. Pretty much. It is as much as we will import from Saudi Arabia over the next 5, 6, 7 years. That would be the amount. That is pretty good. That is a pretty large amount of oil. All of it would be owned by Americans. All of it would be drilled by Americans. Americans would have jobs.

Instead, we say it is just going to ruin that wilderness. Somebody who is neutral ought to pass on that, not somebody who wants to save this wilderness, including one one-hundredth of 1 percent of the land surface.

If I had my notes from my desk, I would tell you how much we have taken out of production in America. We have taken lands on which people could find oil, and we have said: You cannot get on it to find oil.

We have regulations, through the Department of the Interior, that instead of saying, hey, get out here and find your oil, they make it tough. It is sort of like: Boy, do we have to put up with you? It is not like: Boy, I hope you find oil.

It is American oil. It is sort of like: Maybe it is OK, but it is just too bad that we have to do this. What is too bad about it? We are going to buy this oil someplace. We have less American oil, fewer rigs producing oil, and we are getting more dependent.

The last point is, according to the independent institute within the Department of Energy, the one that is supposed to do analysis of supply, they tell us—I hope they are wrong—they cannot find out how much the production of the world is. That sounds incredible. If they cannot, somebody in our Government should. We should not be surprised all of a sudden if somebody says: You know, they are producing 4 million barrels less. We are hurting.

We ought to know; there is no way to keep this a real secret. If we set out to find it, I am sure we could. In fact, I think there are probably some parts of the American Government we do not know about that might already know that. But that is very important.

To summarize, my last point is, we need to build more roads for America's congestion, not less. Secondly, we need to take a positive approach. If the President does not want to, we will not get it done for a while. But we have to decide what are our goals as Americans in terms of producing energy? How much should we be conserving? Let's get serious about it.

This will not happen with a bunch of Government regs. This will happen when the marketplace of America is opened up to oil and gas production. I am even wondering whether the largest supply of natural gas is offshore in some parts of America. We have said: No more offshore drilling.

It isn't environmentally dangerous. In fact, I submit to the Senate, it is more dangerous to increase our reliance and thus bring more tankers into American ports than it would be to seriously consider doing more offshore drilling.

But, of course, for some people what I am speaking about is kind of radical. I think it is really kind of common sense about America's growing dependence. I am not ashamed or embarrassed about saying I would change it drastically. I would recommend that somebody change it dramatically. Tell the world we are going to try. We are not going to give in.

We currently think it is an American energy policy to send the Secretary of

Energy—one of New Mexico's sons; my friend—around to make a deal. That is America's energy policy? Have you ever heard of anything like that being the policy of America? What if they said no?

In this case, they started asking a few questions and said: Maybe we don't want to hurt your economy. Kuwait does not know what we want of them. We saved them from the invasion. They do not know whether we want to dance on a barrel of oil or what we want. They already said: Look, America, you send us so many signals, we don't know what to do. But we are on your side.

I think we ought to be very clear, it is not this 4.3-cent tax. What it is, we do not have a policy to produce more and tell the world we are growing more independent rather than dependent.

Whatever time I have, if I have any, I yield back.

Mr. BYRD. Mr. President, I thank the distinguished Senator for his very enlightening statement. I have listened to him on this floor many times over the years. I do not think I have enjoyed more any statement of his than I have this evening.

Mr. President, I ask unanimous consent that Senator BINGAMAN, Senator ROBB, and Senator LINCOLN be added as cosponsors of the amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BYRD. Mr. President, I see no other Senator asking for time on this side.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, under terms of the unanimous consent agreement on the amendment of the Senator from West Virginia, the agreement said we would use all time tonight on this amendment. Is Senator LAUTENBERG wishing to speak on the amendment of Senator BYRD dealing with gas tax repeal?

Mr. LAUTENBERG. While I wasn't present to hear Senator BYRD's presentation, there is no doubt in my mind that the Byrd proposal is one we have to support. The last thing we want to do now is to reduce that tax in order that we might give OPEC or the distributors, whomever, a chance to boost the price for the difference.

One of the toughest things we have to do is to try to meet our obligations with the resources we have available. The American people know very well that one of the most important things we do is to maintain our transportation infrastructure. I plan to do whatever I can to see that that is done.

My remarks are short, but they are very supportive. I congratulate Senator BYRD for his usual wisdom in presenting something that we have to think seriously about and, frankly, I support fully. I thank him for that.

Mr. BYRD. Mr. President, I thank the distinguished Senator for his kind and supportive statement. I thank all Senators who have spoken on this subject for their remarks. I thank them for their support, and I hope all of our colleagues tomorrow will vote in favor of the amendment I have offered on behalf of myself and the other Senators named thereon.

Mr. REID. It is my understanding that the next amendment in order will be offered by the Senator from Delaware.

Mr. DOMENICI. That is my understanding. Senator ROTH is on the floor, I believe.

The PRESIDING OFFICER. The Senator from Delaware.

AMENDMENT NO. 2955

(Purpose: To strike the revenue assumption for ANWR receipts in fiscal year 2005)

Mr. ROTH. Mr. President, I send an amendment to the desk on behalf of myself and Senators BOXER, BAUCUS, JEFFORDS, SCHUMER, DODD, FEINGOLD, LIEBERMAN, MURRAY, CHAFEE, ROBB, and TORRICELLI.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The clerk will report.

The bill clerk read as follows:

The Senator from Delaware [Mr. ROTH], for himself, Mrs. BOXER, Mr. BAUCUS, Mr. JEFFORDS, Mr. SCHUMER, Mr. DODD, Mr. FEINGOLD, Mr. LIEBERMAN, Mrs. MURRAY, Mr. L. CHAFEE, Mr. ROBB, and Mr. TORRICELLI, proposes an amendment numbered 2955.

Mr. ROTH. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 27, line 20, increase the amount by $1,200,000,000.

On page 27, line 21, increase the amount by $1,200,000,000.

On page 28, line 20, decrease the amount by $1,200,000,000.

On page 28, line 21, decrease the amount by $1,200,000,000.

Mr. REID. Mr. President, will the gentleman from Delaware consent to the Senator from New Jersey, Mr. LAUTENBERG, and the Senator from Nevada, Mr. REID, being added as cosponsors of the amendment?

Mr. ROTH. I am happy to have them join as cosponsors.

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

Mr. ROTH. Mr. President, I commend my colleague, the Senator from New Mexico, for what I consider to be an excellent budget resolution. Over the next 5 years, the Budget Committee chairman has protected Social Security, funded our priorities such as defense and education, and provided for a $150 billion tax cut—something I look forward to crafting in the Finance Committee.

However, there is one point at which I respectfully disagree with my distinguished colleague's work. It is in the assumptions of allowing leasing for oil exploration and production in the Arctic National Wildlife Refuge. This budget resolution assumes that $1.2 billion would become available in fiscal year 2005 from the bids for such leases.

My amendment would simply remove that assumed revenue from the budget resolution and thereby protect this wilderness area.

My reason for offering this amendment is based on beauty, not on budgets. I do not want to see us make an irreparable mistake in one of America's remaining natural treasures. We can afford to forgo this momentary revenue, but we can't afford not to protect this Arctic Eden.

Mr. President, in 1960 President Dwight Eisenhower had the wisdom to set aside a portion of America's Arctic for the benefit and enjoyment of future generations. His Arctic Range protected the highest peaks and glaciers of the Brooks Range, North America's two largest and most northerly alpine lakes, and nearly 200 different wildlife species, including polar bears, grizzlies, wolves, caribou and millions of migratory birds.

Eisenhower's Secretary of the Interior, Fred Seaton, called the new Arctic Range, ''one of the most magnificent wildlife and wilderness areas in North America . . . a wilderness experience not duplicated elsewhere.''

The Alaskan wilderness area is not only a critical part of our Earth's ecosystem—the last remaining region where the complete spectrum of arctic and subarctic ecosystems comes together—but it is a vital part of our national consciousness.

The Alaskan wilderness is a place of outstanding wildlife, wilderness and recreation, a land dotted by beautiful forests, dramatic peaks and glaciers, gentle foothills and undulating tundra. It is untamed—rich with caribou, polar bear, grizzly, wolves, musk oxen, Dall sheep, moose, and hundreds of thousands of birds—snow geese, tundra swans, black brant, and more. Birds from the Arctic Refuge fly to or through every state in the continental U.S. In all, Mr. President, about 200 species use the coastal plain.

Mr. President, there are parts of this Earth where it is good that man can come only as a visitor. The Arctic National Wildlife Refuge is one of those places. These are pristine lands that belong to all of us. And perhaps most importantly, these are the lands that belong to our future.

In essence what I am asking my colleagues to support is an environmental stewardship that protects our important wilderness areas and precious resources, while carefully and judiciously weighing the short-term desires or our country against its long-term needs.

Considering the many reasons why protecting this area is so important, I came across the words of the great Western writer, Wallace Stegner. Referring to the land we seek to protect, he wrote that it is ''the most splendid part of the American habitat; it is also the most fragile.'' We cannot enter this land ''carrying habits that [are] inappropriate and expectations that [are] surely excessive.''

An industrial zone and wilderness cannot occupy the same space. The

simple fact is that no matter how well done, oil exploration and development would have significant and lasting impacts on this environment.

In closing, I want to remind my colleagues that when the Arctic National Wildlife Refuge was formally created under the 1980 Alaska National Interest Lands Conservation Act, it was to conserve fish and wildlife populations in their natural diversity. Oil development on the coastal plain of the refuge is prohibited without the enactment of legislation authorizing development.

I urge my colleagues, to support my amendment and reject the budget resolution's assumptions on oil drilling in the Arctic National Wildlife Refuge. Let us reconfirm to protect today what can never be regained tomorrow if we make the wrong decision now.

I hope that we can forever protect the coastal plain from development. It is certainly premature at this time to assume revenue from oil development there.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. ROTH. Mr. President, I yield 5 minutes to the distinguished Senator from Montana.

Mr. BAUCUS. Mr. President, I rise to support the Roth amendment, which expresses the sense of the Senate that we should maintain the longstanding ban on oil drilling in the Arctic National Wildlife Refuge.

We have heard a lot of concern lately about the cost of gas at the pump.

I share that concern. I represent Montana. The Big Sky State. Vast open spaces. We often drive long distances just to get to the grocery store.

Prices at the pump in Billings have gone from $1.18 in April of 1999 to $1.59 today. We need to get the price down. The administration has made some progress, with the OPEC countries. We may need to do more. For example, we may need to use the Strategic Petroleum Reserve. But we should not respond to high gas prices by opening the Arctic National Wildlife Refuge. That would be shortsighted, ineffective, and environmentally harmful.

Proponents of oil drilling make three main arguments. They imply it will lower the price at the pump. They argue that it will enhance our energy security. And they argue that it won't really pose a significant environmental risk to the refuge.

I disagree. Let me take the arguments in turn.

First, the cost at the pump. Opening the Arctic National Wildlife Refuge will have absolutely no impact on gas prices, now or in the foreseeable future. Think about it. Assume that we pass a law authorizing drilling. Assume the President signs it. First, companies will need to conduct exploration to determine where to drill. Next they will have to build the infrastructure, the roads, drill pads, drill rigs, pipelines, gravel pits, waste pits, and living and working quarters. This could include hundreds of miles of roads and pipelines, production facilities, increased traffic at loading ports, and housing and services for thousands of people.

This work will take years and years. Senator MURKOWSKI himself said, in 1998, that ''a future decision on ANWR is one which will take about 10 years to produce any results in the way of any increased production contribution to our current flow of domestic oil.'' Ten years, before we see any impact on the price at the pump.

Let me turn to the longer term issue. Energy security. Let's look at what the potential oil of the Arctic National Wildlife Refuge means in the big picture. At best, the economically recoverable oil would represent 2 percent of our daily needs. As a result, oil drilling in the Arctic Wildlife Refuge has little, if anything, to do with long-term energy security.

Another point. It does not make good strategic sense to use our reserves, which account for only 12 percent of the crude oil available in the world, while we have access to other sources. After all, once our reserves are used up, we will be totally at the mercy of OPEC.

Instead of continuing our unhealthy dependence on OPEC, we should develop a comprehensive energy strategy. We should improve energy efficiency. We should diversify our energy sources.

What are we doing here in Congress? Virtually nothing.

We continue to prevent an increase in corporate average fuel economy. We routinely underfund the development of solar and renewable energy. And we fail to seriously consider tax legislation that rewards efficiency and increases our energy security.

In the absence of a comprehensive national energy strategy, drilling the refuge is just a band-aid. A quick fix. It's no substitute for a real, comprehensive, strategy.

Putting this all together, drilling in the Arctic Refuge will not reduce prices at the pump anytime soon, if at all. And it will not significantly enhance our energy security.

Now consider the environmental impact. The Arctic National Wildlife Refuge is truly unique. It is the only refuge of its type in the world. I've been there. It has been referred to, for good reason, as ''America's Serengeti.'' It's the nation's largest and most northerly wildlife refuge. It includes a full range of arctic and subarctic habitats. Vast herds of caribou migrate to the refuge, bearing their young on the coastal plain. Muskox use the area year-round. The refuge is the most important polar bear land denning area in Alaska. One hundred eighty bird species migrate there, from throughout the hemisphere. Eighteen major rivers contain 36 species of fish.

Let's look at what development might do. What happens when the construction of, say, a pipeline and road forces wildlife away? Take the caribou hers. Female caribou seek out the best foraging areas as calving areas. These areas change each year. If, in any given year, the best foraging and calving area is a site for development, the caribou won't use it and fewer calves will survive. Development can also force females into areas where there are more predators, or block them from climbing onto ridge tops to avoid swarms of insects. Again, fewer calves will survive.

The Fish and Wildlife Service has concluded that the cumulative impacts of these effects could significantly reduce the size of the caribou hers. The Service has expressed similar concerns about muskoxen.

What about disturbances from road building? There is not enough water to build only ice roads. You'd have to build gravel roads, even for exploration. Gravel roads will alter the natural flow of water during spring breakup, will melt permafrost, and will otherwise damage the environment. Taken together, this could harm the habitat for more than 100 species of birds. This, in turn, will have effects way beyond the refuge itself. All of these birds are migratory. They nest and rear their young in the Refuge in the summer, then migrate throughout the entire hemisphere, including virtually every state.

Now, the proponents of drilling say that the environmental impacts have been exaggerated. They say that the ''footprint'' of development is no larger than Dulles Airport. In fact, the development will *not* be concentrated in a small area.

This map, based on projections by the Fish and Wildlife Service, shows potential pipelines, drilling pads, roads, and other facilities. As you can see, the roads and pipelines stretch across the entire coastal plain, bisecting migration paths and stream channels. What's more, recent reports by the U.S. Geological Service show that the oil reserves in the Refuge are smaller and more widely dispersed than previously thought. As a result, oil development will require more, and more widely dispersed, roads, pipelines, and other infrastructure. Finally, accidents.

If the *Exxon Valdez* taught us anything, it is that humans working in a cold, harsh environment can make mistakes, and that the environmental costs in a fragile ecosystem can be extraordinarily high. Our experience elsewhere on the North Slope confirms this. There has been a general increase in the number of spills. At least two well-blowouts have occurred. At least 76 areas have been contaminated by oil development from the Prudhoe Field. Things usually don't go as smoothly as we plan.

That brings me to my final point. It may be that, someday, the need will be so great, and the technology so sophisticated, that we decide that the benefits of exploration and development of the Arctic National Wildlife Refuge are worth it. But we should only make that decision after careful deliberation,

after exhausting all reasonable alternatives, and after assuring that this fragile ecosystem will, in fact, be protected. Because there's no margin for error. If we make a mistake, and allow development that destroys the unique character of this special place, the mistake will be permanent and, perhaps, unforgivable.

Mr. President, pulling all of this together, the benefits of drilling simply are not worth it. They are not worth the environmental risks.

Therefore, I urge Members to vote to maintain the longstanding ban on drilling in the Arctic National Wildlife Refuge, by voting for the Roth amendment.

Mr. ROTH. Mr. President, I yield 3 minutes to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. L. CHAFEE. Mr. President, I rise today in support of Senator ROTH's amendment to the budget resolution, and I thank the Senator for his leadership on matters relating to the future of the Arctic National Wildlife Refuge, or ANWR. The purpose and rationale behind the Roth amendment is simple: We should not include revenue assumptions in the budget based on oil development that will not, and should not, occur. Such faulty assumptions make poor fiscal policy and poor environmental policy. The Arctic Refuge is a national treasure. I support Senator ROTH's efforts to designate the area as wilderness, and I am pleased to add my name as a cosponsor to the Roth wilderness bill.

The crux of this debate is on our values, our legacy, and what we want to pass on to future generations. Senator BAUCUS mentioned the Serengeti National Park in Africa, an area immortalized in the human imagination for its beauty and majesty. This amazing park exists because previous generations had the foresight to preserve and protect this area from development. As Senator BAUCUS said, the Coastal Plain of the Arctic National Wildlife Refuge is referred to as the ''American Serengeti.'' And like its counterpart in Africa, this area deserves to be protected for us, our children, and our grandchildren.

In 1980, in recognition of the area's immense environmental value, as Senator ROTH said, Congress formally established the Arctic National Wildlife Refuge. At that time, and after much debate and deliberation, Congress made the wise decision to prohibit drilling in the Coastal Plain pending further review.

Now, only a short 20 years later, efforts are underway to open this area to development.

I urge my colleagues to resist these efforts, to look past our short term needs, and designate the area as wilderness for future generations. The very definition of a ''refuge'' means an area of sanctuary, shelter and protection. In the case of our wildlife refuges, this means protecting nature from drilling, road construction, combustion engines and all of the other harmful effects of human beings and their machines. A large portion of the Alaskan North Slope is already open to oil exploration or drilling; we should not subject ANWR to the same fate.

Some have voiced concern at our increasing dependence on foreign oil, and our lack of a coherent national energy policy. I share these concerns, and agree completely that our country must take steps to improve our energy security. But the solution to our energy problems does not lie underneath the coastal plain of ANWR, and drilling there cannot become our energy policy. Remember, by definition, a refuge is a place providing protection or shelter—it is a haven, a sanctuary—we must make sure that ANWR remains a haven, a sanctuary.

I thank my colleagues for their consideration, and I respectfully urge them to support the Roth amendment.

Mr. ROTH. Mr. President, I yield 5 minutes to the distinguished Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Thank you, Mr. President. I thank the Senator for yielding. I stand in complete support of his amendment, an amendment very similar to the one offered by my colleague, the Senator from California, in the Budget Committee.

It should be kept in context that this budget resolution, without the Roth amendment, assumes $1.2 billion in royalties from the sale of oil from drilling in the Arctic Wildlife National Refuge.

I want to say to Members of the Senate that the reason we are debating this is because the price of gasoline is increasing in the United States. People are more sensitized to the cost of fuel and energy and the impact it has on businesses, families, and individuals.

Those who have been salivating for decades for an opportunity to drill in this wildlife refuge in Alaska have jumped at the chance to assume that we are so consumed by the increase in energy prices that we will cast aside any concern for the environment and the legacy which we should leave to future generations.

Senator ROTH is right. We should not be drilling in ANWR. We have to consider the fact that on the North Slope, 95 percent is already open to exploration. The 5 percent on the Coastal Plain that we have set aside is to protect what we have identified as a legitimate, important wildlife refuge.

Oil companies and their supporters can't wait to drill in that wildlife refuge. I think it is wrong. I think Senator ROTH is right, as Senator BOXER was in committee.

We should say unequivocally in a bipartisan fashion on the floor of the Senate that we need an energy policy, but we do not need to walk in and desecrate a wildlife refuge designed to be preserved for future generations.

This last Saturday in Belleville, IL, I paid $1.39 a gallon for regular gasoline. I then drove 100 miles to Springfield, IL, and paid $1.49. Yes, prices have increased. Yes, I am sure for families of limited means and some businesses there is sacrifice attached to it. But we shouldn't use this as a catalyst or a reason to run headlong into this effort to desecrate this important environmental refuge.

We need to face the reality that America needs an energy policy, and we shouldn't wait for a gasoline price crisis to drive us to the point to develop one. Such an energy policy is going to include a lot of things, such as looking for responsible areas for oil exploration and development; also, of course, energy efficiency not only in our automobiles but in virtually everything that we use involving energy. Of course, it will lessen our dependence on foreign oil sources. We need to look for alternative fuels.

This is an important, complicated but a necessary national debate.

This quick fix of drilling in ANWR in the belief that it is going to bring down gasoline prices is wrong on two counts.

First, it is not likely to bring them down, if at all, until years from now.

Second, it really avoids the obvious responsibility we have to preserve this important refuge.

Senator ROTH is offering an amendment which is consistent with a member of his party who served in the United States as President many years ago by the name of Theodore Roosevelt, who said in his efforts to preserve the environment:

> We must ask ourselves if we are leaving for future generations an environment that is as good or better than what we found.

Senator ROTH's amendment says this Senate will go on record leaving a legacy for future generations in the name and in the memory of Theodore Roosevelt, ''as good or better than what we found,'' that we will not allow this exploitation and exploration of this valuable and fragile natural resource.

I stand in complete support of this amendment.

I yield the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. ROTH. Mr. President, I yield 10 minutes to the Senator from California.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I thank Senator ROTH for offering this amendment. I offered almost an identical amendment in the Budget Committee, and it failed on a tie vote. I am very hopeful that we will do better on the floor of the Senate. We were able to pick up one Republican in the committee. We had all the Democrats. I think we have a good chance of picking up, with the help of Senator ROTH and Senator CHAFEE, some more on their side of the aisle.

This amendment would strike from the budget $1.2 billion in receipts that

the budget resolution assumed would be received from oil exploration or drilling operations in the Arctic National Wildlife Refuge.

I stand with those who have spoken very eloquently tonight, and say that we cannot allow that beautiful, pristine sanctuary—one of the most remarkable wildlife habitats in the world—to be spoiled.

We have a beautiful picture, with which I am sure Senator MURKOWSKI is familiar.

The wildlife refuge was established in 1960 by a Republican President, President Dwight D. Eisenhower. And it was for the benefit of his generation and future generations; that is, all of us. I think we have an obligation to keep that going, just as he kept it going for us.

From the very beginning, support for this refuge has been bipartisan. Thank goodness we see evidence of that on the Senate floor. Too few times, I am sad to say, do we see such bipartisanship. That is why I am delighted to work with Senator ROTH on this.

This land that President Eisenhower set aside in the Arctic wilderness is ecologically unique. It is the last remaining region where the complete spectrum of Arctic and sub-Arctic ecosystems can be found. It includes the highest peaks and glaciers of the Brooks Range.

President Eisenhower's Secretary of the Interior, Fred Seaton, called the new Arctic Refuge ''one of the most magnificent wildlife and wilderness areas in North America . . . a wilderness experience not duplicated anywhere else.''

Nothing has changed since then. It is still there. But we can destroy it here.

I am stunned that the Budget Committee let this go. I am stunned the majority on the Budget Committee put in $1.2 billion as if we were going to allow this to happen next year. We are not going to allow this to happen.

I would like to say tonight to my good friend from Alaska, whom I respect—we have some good arguments now and then, and we probably will have them again—that we are going to fight this out. To put $1.2 billion in as if we were going to start getting receipts from this next year makes no sense at all.

I can guarantee—I shouldn't say that because you never can guarantee anything around here, but I believe we will have more than 41 people who will stand on their feet as long as it takes to stop that from happening.

To put it in the budget resolution, No. 1, is wrong because it is presuming the Senate is going to approve this when I don't believe it will happen.

This area is tremendously rich with nearly 200 different wildlife species including polar bears, grizzlies, wolves, caribou, and a whole list of others, including millions of migratory birds. Amazingly, birds from the Arctic Refuge fly to or through every State in the continental United States of America. This is not only an Alaska issue. We all benefit from this refuge. I cannot reconcile the concept of drilling with a wildlife refuge. It seems to me they don't go together. If you are going to set aside a wildlife refuge, you should not allow drilling there at all. Drilling will raise disturbing questions about what our refuges are for. If wildlife are not guaranteed protection from oil drilling, where are they safe?

My colleague, Senator ROTH, has introduced legislation, of which I am a cosponsor, which would forever safeguard this great national treasure by designating it wilderness area. This permanently protects it from oil exploration and development. That protection is warranted and reasonable. As Senator DURBIN has pointed out, nearly 95 percent of the arctic slope is available to industry for oil and gas development. It makes sense to shield this last remaining piece. I hope Chairman ROTH's wilderness proposal will get full consideration.

Instead, what are we seeing? Instead of moving forward with that wonderful piece of legislation that has bipartisan support, we have a budget resolution that essentially slaps its hand at Senator ROTH's legislation and includes $1.2 billion, as if we will open it up without a fight.

It isn't going to happen. It is not realistic. It is funny numbers. It isn't going to happen. We are not going to let it happen. What we should be doing is passing Senator ROTH's legislation for our wilderness instead of plugging in a number.

It reminds me of the fight over the Presidio. Senator MURKOWSKI from Alaska helped me save the Presidio. One year, I say to Senator MURKOWSKI, there was a plug put in the budget of $1 billion for selling the Presidio. As I explained to my friends, that will never happen; the city and county of San Francisco would not allow this magnificent former military base to become anything other than a park; you are not going to get $1 billion there. Finally, I prevailed on my colleagues. They backed off and we never put the plug in.

And we are prevailing tonight. Don't put that $1.2 billion plug in because it is not real. It is wrong. It goes against what we ought to be doing.

I understand the rising gas price phenomenon because I am in a State that has some of the highest gas prices. Believe me, it hurts at the pump. We are looking at $2 a gallon where I come from.

My constituency wants me to do something about it, and I have come up with a plan. The plan is pretty straightforward. No. 1, why are we exporting gas from Alaska to other countries when we need to use it here? That is 68,000 barrels a day. Second, why don't we increase the energy efficiency of SUVs and light trucks? That will bring 1 million barrels a day. We can do that to get them up to 27 miles per gallon. That can be done.

Why don't we say there should be a moratorium on the oil company mergers? We know less competition brings higher prices. It is the rule of a capitalistic system. We need more competition. That is what we ought to be doing. We ought not be drilling in a wildlife refuge on the coast of California or any of our magnificent offshore areas.

The American people realize this. I have letters favoring Senator ROTH's bill. Tonight I ask unanimous consent to have printed in the RECORD letters from several environmental organizations, including the League of Conservation Voters, that will use this as a scored vote.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LEAGUE OF CONSERVATION VOTERS,
April 4, 2000.

Re Protect the Arctic National Wildlife Refuge—Vote ''YES'' on the Roth Arctic Wilderness Amendment to the 2001 Budget Resolution

U.S. SENATE,
Washington, DC.

DEAR SENATOR: The League of Conservation Voters (LCV) is the bipartisan political voice of the national environmental community. Each year, LCV publishes the National Environmental Scorecard, which details the voting records of members of Congress on environmental legislation. The Scorecard is distributed to LCV members, concerned voters nationwide, and the press.

The League of Conservation Voters urges you to protect the biological heart of the Arctic National Wildlife Refuge by supporting an amendment offered by Senator Roth (R–DE) to the 2001 Budget Resolution that opposes opening the Refuge to oil drilling. Currently the budget resolution assumes revenues from drilling in the Refuge.

Some members of Congress are using the current high price of gasoline as a pretext to open the Arctic National Wildlife Refuge to oil drilling. The current price of gasoline in no way justifies destroying this national treasure. Development of the Refuge's coastal plain will not impact oil supplies until far into the future, and the amount of oil that lies beneath it is minimal compared to our national energy needs.

The Arctic Refuge is home to wolves, polar bears, caribou and millions of migratory birds. It is also the last 5% of Alaska's vast north coastline that remains off-limits to the oil companies. And the Refuge plays an integral part in the lives of the Gwich'in people who depend on the seasonal migrations of the caribou for both survival and cultural identity.

Protecting the wilderness values of the Arctic National Wildlife Refuge is one of the top priorities of the national environmental community. LCV urges you to vote ''YES'' on Senator Roth's amendment to protect the Arctic Refuge.

LCV's Political Advisory Committee will consider including votes on this issue in compiling LCV's 2000 Scorecard. If you need more information, please call Betsy Loyless in my office at (202) 785–8683.

Sincerely,

DEB CALLAHAN,
President.

NATURAL RESOURCES DEFENSE COUNCIL,
April 4, 2000.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: I am writing on behalf of the more than 400,000 Natural Resources Defense Council (NRDC) members from across the country to respectfully urge you to oppose any legislative provisions that would open up the Arctic National Wildlife Refuge (ANWR) to oil exploration. As you know, the FY 2001 Budget Resolution that the Senate Budget Committee reported to floor includes damaging language that assumes revenues from oil drilling in the Arctic Refuge.

Under the guise of combating high gas prices, some legislators are pressing to open the Arctic Refuge's 1.5 million-acre coastal plain to oil exploitation. The coastal plain is often called. ''America's Serengeti'' because of its abundant caribou, polar bear, grizzly, wolf and other wildlife populations, and represents the last five-percent of Alaska's Arctic Slope not already open to development. It would be ill-advised to open up our nation's Arctic wilderness for a questionable, short-term supply of oil.

We respectfully encourage you to oppose any bill or resolution that would open up the last pristine wilderness in the Arctic to oil and gas development, and urge you to support Senator Roth's amendment to the 2001 Budget Resolution to strike Arctic Refuge drilling revenues from the federal budget.

Sincerely,

JOHN H. ADAMS,
President.

NATIONAL PARKS CONSERVATION ASSOCIATION,
April 4, 2000.

Re Oppose degradation of the Arctic Coastal Plain

DEAR SENATOR: On behalf of our 400,000, the National Parks Conservation Association strongly urges you to oppose efforts to include projected revenues from oil drilling in the Arctic National Wildlife Refuge's coastal plain in the pending Budget Reconciliation bill.

The Arctic coastal plain has long been recognized as a spectacular national gem because of its spectacular scenery and diverse and abundant wildlife. The coastal plain richly deserves its tag of ''America's Serengeti,'' as over 130,000 caribou of the Porcupine herd migrate there every spring to their calving grounds, and more than 300,000 snow geese are found there in the fall.

Attempts to open the coastal plain for drilling for oil have reared their head in Congress over the past three decades. Recent increases in gasoline prices have renewed the call to open the plain for oil production, resulting in an ''assumption'' of revenue from drilling in the Arctic Refuge in the Budget Reconciliation bill.

Opening up the coastal plain would not be a solution to the short-term increases in gasoline prices, nor would it address the nation's long-term energy strategy. In fact, the United States Geological Service estimates that even if oil were found in the coastal plain, production would never meet more than two percent of our nation's oil needs at any given time. This supply would hardly justify the production facilities and related infrastructure that would destroy the unique character of the coastal plain.

Your support in opposing efforts to promote oil development and drilling in the Arctic National Wildlife Refuge is critical. Thank you for your attention to these concerns.

Sincerely,

TOM KIERNAN,
President.

U.S. PUBLIC INTEREST RESEARCH GROUP, NATIONAL ASSOCIATION OF STATE PIRGS,
Washington, DC, April 4, 2000.

DEAR SENATOR: The United States Public Interest Research Group (U.S. PIRG) urges you to support an amendment to the Budget Bill to protect the Arctic National Wildlife Refuge. Senator Roth, the sponsor of the Arctic National Wildlife Refuge wilderness bill, will offer an amendment today to strip language from the Senate Budget bill that would allow leasing and drilling on the coastal plain of the Arctic Refuge.

The coastal plain is one of the last unspoiled areas left in the United States. Caribou, muskoxen, wolves, polar, black and brown bears, and thousands of migratory birds rely on the pristine habitat the Refuge provides. The annual migration of the 129,000 member Porcupine river caribou herd evokes images of the long-gone buffalo herds of the Great Plains. Most states, and a number of nations in South America, throughout the Pacific Rim and beyond are visited each year by birds from the Arctic coastal plain.

The Arctic Refuge is also home to the Gwich'in, the people of the caribou. The Gwich'in have lived in and around the Refuge for thousands of years. To them the coastal plain is sacred. Oil drilling will damage the coastal plain's environment and therefore jeopardize one of the last native subsistence cultures in North America.

Allowing oil drilling and development in the Arctic National Wildlife Refuge would destroy the wilderness, yet would do virtually nothing to ease our energy problems or lower gas prices. A national energy policy that emphasizes energy efficiency, increases auto fuel efficiency standards, and promotes renewable energy would save more oil than thought to be in the coastal plain, preserve sensitive areas like the Arctic Refuge, and reduce pollution.

U.S. PIRG urges you to support the Roth Arctic amendment to the Budget bill and to Save America's Arctic.

ATHAN MANUEL,
Director, Arctic Wilderness Campaign.

FRIENDS OF THE EARTH,
1025 VERMONT AVE., NW,
Washington, DC, April 4, 2000.

DEAR SENATOR: On behalf of the thousands of members of Friends of the Earth, we urge you to support efforts by Senator ROTH (R–DE) to protect the Arctic National Wildlife Refuge (ANWR) from being opened for oil exploration. Currently, the FY 2001 Budget Resolution (S. Con. Res. 101) includes language that assumes receipts from the sale of oil leases in ANWR. Seismic exploration and oil drilling in a national refuge is an unacceptable short-term approach to the problems associated with the current oil crisis, and one which would have long-term devastating consequences.

ANWR encompasses 19 million acres of pristine wilderness. Created by President Dwight Eisenhower in 1960, ANWR is sanctuary for nearly 200 species of wildlife including polar bears, grizzlies, wolves, caribou and millions of birds. The area under consideration for oil exploration—a 1.5 million-acre coastal plain—is referred to by many scientists as the ''biological heart'' of the Arctic Refuge and represents the last five percent of Alaska's Arctic slope not already open to drilling. Though some maintain that modern technology allows clean exploration, many scientists have noted that today's seismic oil exploration, consisting of large crews with bulldozers, ''thumper'' trucks, fuel supply vehicles and a variety of other tracked vehicles, is even more damaging to the landscape than it has been in the past.

Drilling in ANWR would do little to reduce U.S. dependency on foreign oil. In fact, the U.S. Geological Survey has found that ANWR would provide us with less than six months worth of oil. A more responsible solution to the problem is to develop and promote sustainable forms of clean energy.

We should not sell off this priceless wildlife refuge for a short-term energy fix. Support Senator ROTH in his efforts to defend the one of the few remaining natural treasures in the United States.

Sincerely,

COURTNEY CURF,
Legislative Director.

THE IZAAK WALTON LEAGUE OF AMERICA,
April 4, 2000.

DEAR SENATOR: At the IWLA convention in 19u8, IWLA members from all over the United States passed a resolution in favor of Wilderness protection for the Arctic National Wildlife Refuge. In June of 1978, I visited Anchorage, Valdez and Prudhoe Bay with seven IWLA board members, as guests of Arctic Power and the State of Alaska—who wanted us to change our policy.

After a grueling four-day schedule, during which our members interviewed hundreds of Alaskans, we sat together quietly together and unanimously agreed that our policy should remain unchanged. Our decision was reaffirmed by our 1998 convention. While we did not presume to know what the future might bring, and did not go so far as to say that the Refuge should never be opened to oil development, we were certain that it should not be developed today.

Any oil from the Refuge will have an imperceptible impact on our nation's dependence on foreign oil. Almost any adjustment in CAFE standards would do more. As time passes and technology improves, more oil can be recovered at significantly less impact to the environment if it is indeed needed for national security.

The 45,000 members of the Izaak Walton League of America support full Wilderness protection for the Arctic National Wildlife Refuge and oppose any oil development in the Refuge at this time.

Sincerely,

PAUL W. HANSEN,
Executive Director.

SIERRA CLUB,
Washington, DC, March 17, 2000.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: Oil prices are arising because OPEC—the cartel of oil exporting countries—is manipulating the market to drive up petroleum prices. Many in Congress are seeking legislative redress for Americans who face higher prices at the pump. But some in Congress are using the oil price hike to renew their call to open the coastal plain of the Arctic National Wildlife Refuge to oil and gas development. Consumers are seeking answers, but drilling the Arctic Refuge is not the solution.

America cannot drill its way to energy independence. We import more than half of our oil, 56% at present, and the United States contains less than 3% of the world's known oil reserves. Any way you look at it, increased domestic production does not add up to energy independence. Though some say the answer to our nation's energy needs lie below the surface of the coastal plain, the Sierra Club believes that this spectacular landscape should not be sacrificed.

No one knows how much, if any, oil lies beneath the coastal plain. In 1998, the United States Geological Service (USGS) published a determination of the mean estimate of economically recoverable oil as 3.2 billion barrels of oil. That's less than a six-month supply at current consumption rates and even at peak production, arctic oil would represent only 2% of total U.S. daily demand.

95% of Alaska's vast North Slope is already available for oil and gas exploration and leasing. The coastal plain of the Arctic Refuge represents the last 5% that remains off-limits to drilling.

The coastal plain of the Arctic National Wildlife Refuge is America's serengeti. Nestled between the towering mountains of the Brooks Range and the Beaufort Sea in northeast Alaska, the narrow 1.5 million acre coastal plain in the biological heart of this untamed wilderness. It is home to unique and abundant wildlife: wolves, polar bear, musk ox and wolverine. A myriad of bird species rely on the coastal plain for breeding, nesting and migratory stopovers on trips as far away as the Baja peninsula, the Chesapeake Bay, and even Antarctica. The coastal plain is also the calving grounds for the 129,000 member Porcupine River Caribou herd, which migrates over 400 miles each year to this same place to give birth to their young. It is a migration reminiscent of the buffalo that once roamed the great plains.

It doesn't matter how much or how little oil may lie underneath the coastal plain. Drilling the Arctic Refuge would be as short-sighted as damming the Grand Canyon or tapping Old Faithful. More drilling isn't the answer—reducing our dependency on oil is the solution. America needs a long-term energy strategy that is based on conservation and renewables, alternative energy sources, and raising the Corporate Average Fuel Economy standards for automobiles and light trucks. Such a long-term strategy will help America ultimately decrease its dependency on oil and allow us to protect our national treasures like the Arctic Refuge for future generations.

We urge you to oppose legislative attempts to open the coastal plain of the Arctic Refuge to oil and gas development. The Sierra Club opposes S. 2214, Senator Frank Murkowski's development bill, and will strenuously oppose attempts to insert arctic drilling revenue assumptions in the Budget Resolution.

Instead, we urge you to support a bill, S. 867, authored by Senator William Roth of Delaware and cosponsored by 24 other Senators, that would grant permanent protection to the coastal plain of the Arctic National Wildlife Refuge. OPEC's manipulation of oil prices is no excuse to drill in our last great wilderness. Thank you for your consideration of this very important issue.

Sincerely,

CARL POPE,
Executive Director.

Mrs. BOXER. I also have a letter written by the Ambassador from Canada saying that it is very important we support Senator ROTH'S legislation. I ask unanimous consent to have that printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CANADIAN EMBASSY,
AMBASSADOR DU CANADA,
Washington, DC, April 3, 2000.

Hon. BARBARA BOXER,
U.S. Senate,
Washington, DC.

DEAR SENATOR BOXER, I am writing to express Canada's concern with the proposal in the budget under consideration by the Senate to seek revenues from prospective lease sales in the Arctic National Wildlife Refuge. Any decision to proceed with oil and gas development in the Arctic Refuge will have serious implications for Canada.

Canada joins with many Americans in the belief that opening up the Arctic Refuge to hydrocarbon development will cause major disruptions in the sensitive calving grounds and will affect migratory patterns of the Porcupine Caribou Herd on which thousands of Canadian and American native peoples depend.

In signing the 1987 Canada-United States Agreement on the Conservation of the Porcupine Caribou Herd, both governments recognized the transboundary nature of these wildlife resources and our joint responsibility for protecting them.

In 1984, Canada gave permanent wilderness protection to its portion of the caribou calving grounds by creating the Ivvavik National Park. The critical calving grounds in the United States, however, do not have formal protection and remain vulnerable to development, as evidenced by the recent budgetary proposal.

Canada has consistently stated that the best way to ensure the future of the shared wildlife populations of the Arctic Coastal Plain is to designate the ''1002 Lands'' as wilderness, thereby providing permanent, equal protection on both sides of the border to these irreplaceable living resources.

I very much appreciate your support for wilderness protection for all of the Arctic National Wildlife Refuge. I hope that you find Canadian views helpful in your deliberations with your colleagues on this matter.

Yours sincerely,

RAYMOND CHRETIEN,
Ambassador.

Mrs. BOXER. They say we need to do this in order to uphold our agreement with Canada to protect the Porcupine caribou herd which depends upon the refuge for its survival.

In closing, I am very pleased to join with Senator ROTH. I thank my ranking member, Senator LAUTENBERG, for being so supportive of this amendment when I offered it in the committee. We delivered every single Democrat for the environment. I was proud of that. I was very pleased we had an additional vote in the committee from the Republican side, Senator SNOWE. I thank her from the bottom of my heart.

Again, this is a bipartisan issue. It dates back to the Eisenhower administration. Let us stand together across party lines. Let us get rid of this $1.2 billion revenue. It is wrong to put it in there because it is wrong to drill in this refuge. It is wrong to put it in there because it, frankly, isn't going to happen.

Mr. MURKOWSKI. Will the Senator from California yield?

Mrs. BOXER. I am happy to yield to the Senator.

The PRESIDING OFFICER (Mr. L. CHAFEE). The time of the Senator has expired.

Mrs. BOXER. I am happy to yield on your time.

Mr. MURKOWSKI. I note that the picture my friend from California identified—and that is an extraordinary picture of the Brooks Range, as she may not know—is nowhere near the Coastal Plain, the 1002 area about which we are talking. It is probably somewhere between 80 and 100 miles away. That is the wilderness we are committed to support and does not represent at all the Coastal Plain which is the issue before us.

Mrs. BOXER. We were given it from people in your State supporting it.

Mr. MURKOWSKI. It is a beautiful picture of Brooks Range, but it is not the 1002 area.

Mrs. BOXER. They sent it directly from your State.

Mr. MURKOWSKI. I wouldn't want the Senate to be misled.

Mrs. BOXER. It comes from your people from your State. If they were misleading, I am surprised about that.

Mr. ROTH. I yield 5 minutes to the distinguished Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, the budget resolution assumes revenues from leasing the lands in the Coastal Plain of the Arctic National Wildlife Refuge for oil drilling.

I, too, support the efforts of the senior Senator from Delaware to ensure that drilling in the Arctic Refuge is not used as a revenue assumption. I have also long been a cosponsor of his bill to designate the Coastal Plain of the Arctic Refuge as a wilderness area.

Not only do I support this amendment along with many Members of this body, but also I support this amendment along with Members of the other body who have worked so hard on this issue. I particularly recognize the efforts of my colleague in the other body, Mr. VENTO, who so long and so well has led the fight to designate the refuge as wilderness.

I am concerned this assumption obligates Congress to decide whether or not to drill on the Coastal Plain refuge before we decide whether or not it should be designated as wilderness. Drilling on the Coastal Plain allows an activity that is generally considered to be incompatible with designated wilderness areas.

In addition, I am concerned about the potential impact drilling would have upon the existing wilderness, the area that was just being discussed, existing wilderness in the Arctic Refuge. Eight million acres south of the Coastal Plain are already designated as wilderness. I want my colleagues to be aware the drilling question does not only impact our ability to make future wilderness designations in the refuge but also may impact areas that we have already protected in the public trust.

I suggest even if the previous portrayal by the Senator from California was of an area that is already protected, that is part of the point. Drilling in this area could have an impact on the already-protected area. I want to speak to my colleagues who may be considering allowing drilling in the refuge in light of current high oil prices. Supporters of drilling argue that the Arctic Refuge has the potential of yielding 16 billion barrels of oil. That figure, I am afraid, represents the outside limit of probabilities for an assessment area that includes the Arctic Refuge, Coastal Plain, plus adjacent areas where exploration has already taken place. When you look at just the Coastal Plain, the correct low-probability estimate of oil is 11.8 billion barrels of undiscovered oil; 25 percent less than the 16-billion-barrel figure. Moreover,

USGS assigns a probability of 5 percent, or 1 chance in 20, to the possibility that a field of that magnitude will be discovered. The mean estimate for technically recoverable oil is considerably lower, and the figure for oil that is economically recoverable is lower still. In fact, USGS concluded that the refuge is capable of producing, altogether, approximately 3.2 billion barrels of oil. That is only one-fifth the amount of oil we have heard might be available.

If including this assumption in the budget resolution may impair our ability to make a decision about the wilderness qualities of the refuge in the future, and if the refuge does not contain as much oil as we thought, why are we considering drilling? Consider this: Oil companies with an interest in drilling in the refuge poured millions of dollars of soft money into the coffers of the political parties in 1999; millions of dollars in just 1 year, and it was an off-year election at that. I would like to briefly call the bankroll on just a few of the oil companies that would profit from opening the refuge to drilling so my colleagues and the public can have a fuller picture of what is at stake.

Last year, giant political donor Atlantic Richfield, its executives and subsidiaries, gave more than $880,000 in soft money to the parties. The recently merged Exxon-Mobil, its executives and subsidiaries, gave more than $340,000 in soft money in 1999. And in 1999, BP Amoco, the result of another oil megamerger, gave over $361,000 in soft money, along with its executives and subsidiaries.

This is quite an influx of cash. In a day and age where wealthy interests drop $100,000 checks to the parties on a regular basis, the huge donations of the oil and gas industry are still remarkable. As we examine this issue closely, I think we have to keep the industry's donations and the resulting political clout in mind as we debate this legislation.

As I have said, the facts do not point toward drilling in the refuge. The refuge does not contain as much oil as we thought. What is more, including this in the budget resolution may cause problems down the road as we decide about the wilderness qualities of the refuge in the future.

For these reasons, I support the amendment proposed by the Senator from Delaware. I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I rise in strong support of the Roth amendment.

Mrs. BOXER. Will the Senator yield to me for 1 minute?

Mr. LAUTENBERG. I am happy to yield.

Mrs. BOXER. If the Senator will yield, I just got a call from the Alaska Wilderness League. I want to tell Senator MURKOWSKI what they said. They said that photograph was taken by a biologist from the Alaska Fish and Game Department, and it is from the 1002 area in the Coastal Plain. So that biologist was contacted. I just wanted to correct the RECORD. If Senator MURKOWSKI wants to call that biologist, I will get his name, but it is, in fact, a photo——

Mr. MURKOWSKI. I would appreciate it if the Senator will get his name so we can contact him.

Mrs. BOXER. Adam Kolton is the individual who just talked to the biologist. I will get the phone number.

Mr. MURKOWSKI. He is a photographer for the Alaska Wilderness——

Mrs. BOXER. No, he got the picture I showed from the area you disputed from a biologist from the Alaska Fish and Game, and he can provide you the name of that individual.

Mr. MURKOWSKI. The photograph was provided by whom?

Mrs. BOXER. A biologist from the Alaska Fish and Game Department.

Mr. MURKOWSKI. They gave it to you?

Mrs. BOXER. They gave it to your people in Alaska, the Alaska Wilderness League.

Mr. MURKOWSKI. Thank you.

Mr. ROTH. I yield 10 minutes to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. I thank the chairman of the Finance Committee. I congratulate Senator ROTH for this amendment because this is not an easy one for him to do. The fact of the matter is, there is an assumption that there would be $1.2 billion in revenues resulting from this. But the question is, What is the appropriate thing to do? Again, Senator ROTH, chairman of the Finance Committee, knows only too well how difficult it is to raise revenues, but I wanted to make sure we do the right thing.

So I am pleased to support Senator ROTH's amendment. It expresses very clearly the sense of the Senate that these provisions, those that allow drilling in the ANWR, are not to be included in this resolution.

The Arctic National Wildlife Refuge is the second largest wildlife refuge in the United States. It takes in a lot of territory, 19 million acres of mountains, forests, wetlands, wild rivers, tundra. It is home to a spectacular variety of plants and animals—caribou and polar bears, grizzly bears, wolves, quantities of migratory birds, the things that everyone of us would like our children and grandchildren to be able to see, to be able to believe that the animals that were here when their father or grandfathers or great grandfathers came on this Earth—that they will be able to see them as well; not just in picture books, but in real life—grizzly bears and polar bears, wonderful things.

A legacy is more important, frankly, than some of the money we are talking about to fund programs. The most important legacy we can leave our children and our grandchildren is a natural condition that enables them to see the animals, see the forests, go fishing in the streams, drink the water. That is the issue. The presence of these migratory birds, and grizzly bears, so many other species, in a nearly undisturbed state, have led some to call the area America's Serengeti.

I have been to the Serengeti and I have been to the ANWR. I flew up there right after the *Exxon Valdez* ran aground. I was up there within 2 days of the time the *Exxon* Valdez ran aground. I was chairman of the Subcommittee on Transportation, which had the Coast Guard as one of its responsibilities. The Coast Guard airplane picked me up and flew me up there immediately. I wanted to see what was happening.

I will never forget the sight of that oil sheen floating across Prince William Sound. By then, very good people in our Government, the Forest Service and others, were up there picking up birds, seals—oil covered, couldn't breathe—on these tiny little islands, put there by helicopters. It looked like a dangerous assignment. But you could see the reach of the oil just fingering out all across Prince William Sound. It was a devastating thing to see.

I was an environmentalist before I came here and I still am. By environmentalist I don't mean I just contribute to the environmental organizations or anything like that. I genuinely love the environment. It is the one thing that gives continuity through the ages that perhaps we can protect.

The nearby Continental Shelf provides the coastal waters with a rich nutrient base, allowing the region high productivity which in turn supports an unusually wide variety of marine mammal diversity—ANWR.

I flew across the ANWR in a single-engine airplane when I was up on my visit to Prince William Sound because I wanted to see what the area was like. What I saw were abandoned oil rigs in an area called Dead Horse, the Prudhoe Bay area.

I saw rusting derricks and abandoned junk lying there. It was a pitiful blight on that beautiful expanse of nature.

I then flew over the ANWR, this snow desert. I saw signs of some animals. It was a breathtaking sight. I then made a pledge to myself that I would do whatever I could to protect this pristine area. I owed it to my children who may never get up there to see it, but they have a relationship with that area that is inexplicable but nevertheless real.

I returned from the South Pole in January. I am not an adventurer, but I am interested in what happens in our world. I went down there to see what was happening with climate change and the National Science Foundation. I went there to see whether or not there were things we could discover about our climate change and our environment about which we could do something.

Scientists are still trying to search out what it is that is causing the ice melts in the South Pole that causes—I address myself to Senator ROTH—a piece of the ice continent to break up, as they described it, twice the size of the State of Delaware and before that a piece the size of the State of Rhode Island. The next thing we know, we are going to see a piece floating out there the size of Texas, and then we will hear a squawk in here because that ice is melting rapidly. Seventy percent of the world's fresh water is stored in the South Pole.

I relate the North and South Poles to our existence, and that environmental paradise called ANWR is part of that.

Arctic ecosystems are delicately balanced and are some of the most ecologically sensitive ecosystems in the world. The harsh climate and short growing season leave very little time for species that have been harmed to adequately recover. The system's short food chains make a loss of a portion of the chain even more significant. This delicate balance can easily be disrupted by human intrusion.

Oil exploration threatens the ecosystems that surround it through noise pollution, air pollution, on and offshore oil spills, and the destruction of the natural habitat. We all remember the horror of the *Exxon Valdez* spill—the images of the birds and seals and other animals covered in oil, their life literally being choked out of them. We remember the wide eyes on our children's faces as they watched the natural beauty of Alaska being destroyed. We saw it on television.

According to the *Exxon Valdez* Trustee Council, many of the natural resources injured in that spill still show little, if any, sign of recovery. The danger is real. The *Exxon Valdez* spill took place in 1989. There was a lawsuit against Exxon. It was resolved in a damage suit which awarded $5.3 billion. Of that, $300 million has been paid—$300 million in a $5.3 billion award. That was over 10 years ago.

What restitution was given to the fishermen and those who depend on the area for their livelihood? What restitution was made to those species that were endangered, whether it was eagles, seals, ducks, you name it? Some of them suffocated because of the film of oil that covered their natural structure.

Here we are. That is what happens when the environment is damaged.

We are all aware of the problems this country is facing from higher oil prices, and our people should not have to pay for profiteering by OPEC, especially those people in the modest income category who depend on oil to heat their homes.

Prices at the pump have risen dramatically in the last year. My own State of New Jersey was hit hard by extremely high prices for home heating oil during a surprisingly cold winter, as it was throughout the Northeast. The occupant of the Chair who is from the State of Rhode Island knows about what we are talking.

We should use this wake-up call to increase our efforts in conservation. I have not heard two words about conservation.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LAUTENBERG. Mr. President, I yield myself 10 minutes from the resolution.

We have to talk about energy conservation. We have to work at it, and we need the cooperation of everybody—citizens, automobile manufacturers, all of us. We need to be energy efficient and explore the use of alternative sources of energy, instead of just falling to: Well, let's drill in the ANWR.

We should also strongly encourage our friends in OPEC, as President Clinton has, to significantly increase production. I will tell my colleagues straight out, I believe they owe it to us. Although I think the increase that was just enacted should have been larger, I was slightly encouraged by OPEC's decision to increase production which will help to stabilize our prices.

It is essential we continue our efforts on this front, and I look forward to another OPEC production increase at their June meeting. We have to remind the oil-producing nations in the Middle East that when they dialed 911, we answered the phone with over 400,000 of our young people put on their soil to defend Saudi Arabia and Kuwait and the surrounding area. We placed our young people in harm's way to protect what was interpreted to be a global interest.

We sent our young people far from home, into danger, causing a lot of disruption in their lives. We are still not sure of the consequences of exposure to a polluted environment. Our citizens are suffering, and it is time for them to return the favor. Friendship is a two-way street. We have to ask for favors as easily as we dole them out.

I am pleased to tell the American people that some relief is in sight. I look forward to more positive news in June. What we cannot do is use this situation as an excuse to endanger even more of our dwindling natural resources.

I speak as the ranking member of the Budget Committee. While I disagreed with the outcome of the budget resolution, the fact of the matter is, we worked diligently to fashion a budget resolution on which we could agree.

One of the things that passed with a majority vote was to gain $1.2 billion in revenues from drilling in ANWR. Senator BOXER, so eloquent in her response, reminds us that even in the Budget Committee there was doubtful about whether or not this source of revenue ought to be allowed. It was an 11–11 tie. It took a bipartisan effort, even though there was only one Republican. It is significant that this Republican Senator was voting with the Democrats because that is almost a no-no, as we say, but it happened.

Senator ROTH is making an earnest appeal to save a wildlife preserve, nature's bounty, for all of us. It is not simply an Alaskan problem, it is a national problem. It is a global problem, and we must not allow that drilling to take place.

I commend the Senator from Delaware for his amendment. I hope my colleagues will support it. I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. I ask my colleague from Alaska to yield me up to 15 minutes.

Mr. MURKOWSKI. I am happy to yield my friend from Oklahoma 15 minutes.

Mr. NICKLES. Mr. President, first, I want, one, to compliment my colleague from Alaska for his statement on this amendment.

I would like to make a couple comments in general about our energy policies. There has been somewhat of an oil shortage, so there has been an increase in gasoline prices. A lot of Americans, a lot of our constituents, have said: Well, what are you going to do about it?

Gasoline prices are going up. OPEC is strengthening their hand. The administration has sent Secretary Richardson to go over and beg OPEC countries to please increase their production.

Some of us on this side have complained about the administration not having an energy policy. I have tried to correct them. I think the administration has an energy policy. I have looked at and reviewed the Clinton-Gore administration's energy policy for the last 7 years. It is fairly consistent.

In 1993, they came up with a Btu tax. They were going to have a tax surcharge on Btu's. In 1993 the Democrats controlled both the House and the Senate, but that did not pass anyway. We defeated it.

They did pass a gasoline tax increase. As a matter of fact, Vice President GORE broke the tie. They increased gasoline taxes. You might think that was for roads and highways and infrastructure. No. It was for general revenues. So they could spend more money and it passed by one vote, the Vice President's vote. In addition, the administration has done nothing to increase domestic oil production. So our reliance on imports has grown significantly. It has grown very dramatically.

They did sign the Kyoto accord. Though it is truly a treaty, they will not call it a treaty and they have not sent it to the Senate for ratification. One of the reasons is, in the Senate we had a vote of 95–5 that said we would not ratify a treaty that was particularly punitive to this country and did not apply to many countries, ''little'' countries like China, Mexico, and India. It is a very poorly thought out agreement that Vice President GORE is very proud of and that this administration wants us to comply with, but they will not send it to us for ratification. It

is the equivalent of increasing costs on all fuels, particularly oil-related fuels.

The administration, likewise, has had the policy of restricting access to public lands as far as drilling. They want to expand the moratorium on offshore drilling. That is the administration's position.

Vice President GORE, in a political speech in New Hampshire, said he wanted to ban offshore drilling. I guess that sells well in New Hampshire. But that would mean our reliance on imported oil would grow even more.

They have a policy, but their policy has been a disaster. As a result of that policy we are much more dependent on foreign sources.

What has happened? I mentioned the administration and the Secretary running around begging OPEC countries to produce more oil.

Frankly, one of the biggest increases in oil production of any country worldwide is Iraq. What has the administration done with Iraqi oil? We have had an embargo on Iraqi oil production since the war in 1991 where we lost about 147 American lives, where we spent billions of dollars, where we had 550,000 troops in Iraq. We fought a war to get Iraq out of Kuwait, to stop their aggression, and their efforts to take over not only Kuwait but probably to expand throughout the Persian Gulf region. We stopped that.

We also wanted to stop their aggression in building weapons of mass destruction. So we set up a compliance regime that said: We are going to have onsite inspectors to make sure Iraqis were not building nuclear weapons, chemical weapons, or biological weapons. We are going to enforce that. Those inspectors are going to make sure they are not building those weapons so they could not continue to threaten their neighbors.

Saddam Hussein threatened to burn Israel with the use of chemical and biological weapons.

We had arms control inspectors, and said: We are going to keep the strangle hold on their exports, including oil, unless they allow an arms control regime. We had arms control inspectors for years in Iraq.

What has this administration done? Year after year, the administration allowed the Iraqis to produce more with less access for inspectors.

Today, Iraq can produce all the oil it wants, thanks to support from the Clinton-Gore administration. And there are no arms control inspectors—none, zero—in Iraq today. None.

We have not had an arms control inspector in Iraq for over a year. Keep in mind that we have bombed them. This administration has bombed Iraq time and time again. Yet, we have no arms control inspectors there.

The real leverage, aside from bombing, was the fuel export valves. The administration just said: Open up. As a matter of fact, they just supported a resolution that said: We want to assist them in making their production facilities grow even more. So now they are producing 700,000 barrels of oil and we are going to help them produce a lot more, but we still do not have one arms control inspector in Iraq.

I think the administration's policy dealing with energy, dealing with Iraq, has been a disaster.

What can we do? One of the things the administration is supposed to be doing is opening up ANWR.

I saw this beautiful picture shown by my colleague from California of this pristine area of the Alaska National Wildlife Refuge. I do not doubt that it is absolutely gorgeous. I have been there where they are going to drill, hopefully, eventually, in the ANWR area, and it is not that picture, unless it has changed dramatically—and I do not see how it could in the area I saw. Don't get me wrong, I think Alaska is one of the most beautiful States anywhere in the country. It is one of the most beautiful places anywhere in the world. It is beautiful, gorgeous. But Alaska is a great, big State.

ANWR covers a lot of land. ANWR, is approximately 19 million acres, about the size of South Carolina, a little less than about half the size of my State of Oklahoma. That is ANWR, the Alaska National Wildlife Refuge. That is a big area: 19 million acres. That is a lot of land. That is a big refuge. I am sure it has some beautiful areas in it.

Where they are proposing to drill comprises about 2,000 acres; and that area is not at all like the picture just shown. While most of Alaska is gorgeous, this area is not the most prestine.

Drilling can be accommodated there without hurting the environment. There are people who say: Wait a minute. Drilling in Prudoe Bay, that has been disastrous for the environment. Drilling in Endicott Field, which is not too far away from there, has been disastrous for the environment.

I disagree. That is not the case.

They say: Drilling in that area would be bad for the caribou. That is not factually borne out. The caribou around the Alaska oil pipeline has been a very big plus. The only place we really have not seen a lot of caribou is in the Alaska National Wildlife Refuge; they are all over by the Alaska oil pipeline. There are a lot of caribou.

I am all for the caribou. I am strongly in favor of wildlife development. We have more visitors in the Oklahoma Wildlife Refuge than any other wildlife refuge in the country. We are proud of it. It is a beautiful area and a treasure in our state. I want to encourage that. I want to encourage it in Alaska. But you can do this in a sound, environmental way, and also reduce our dependence on foreign oil sources. We can do this and increase production domestically so we will not be so dependent, so our Energy Secretary will not have to have to hold a tin cup saying: Please give us more.

We can do so much more. We can do so much better. We can do it in an environmentally sensitive manner. We can do it in a way that is compatible with the caribou, compatible with wildlife, compatible with all the beautiful scenery that we have in Alaska, and not do any damage whatsoever to the environment.

We can have a more sensible, sane energy policy where we are not just spending billions and billions of dollars overseas. Our dependence on foreign sources has grown so dramatically that we are a lot more vulnerable than anyone realizes.

We had shortages in 1973 and 1979. We were importing something like 36 percent in 1973. Today we are importing 56 percent. That number is growing every year. We will be at two-thirds probably in another 10 or 15 years.

We had shortages in 1973 when we imported 36 percent. Today we are importing 56 percent.

In 1979, we had a shortage, and the shortage was significant. That meant we had brownouts. That meant factories had to close. That meant there were gas lines galore. People were lined up. Their biggest problem was getting through gas lines in their cars so they could get to work, if their factories were opened because there was an energy shortage.

We do not want to replay that. We do not want to become that dependent. Yet we are marching on a dependency line that is unbelievable. We can do things to prevent it.

One of things we could do is supplement Alaska production, which has been declining dramatically. I am sure every person who has been speaking about how bad it would be to drill in ANWR would also be opposed to Prudhoe Bay.

Prudhoe Bay was at one time producing 2 million barrels of oil at its peak. Today, it is declining. Now it is down to about 1.2 million barrels of oil a day and continues to decline. We need to supplement that or else we will have an even greater dependency. As Alaska pipeline Prudhoe Bay production continues to decline, our dependency will only rise.

We can open up ANWR to help prevent this. I urge my colleagues to think about the future. It is going to take years to get this on line, to alleviate some of the shortages and curtailments and dependency we will have 5 years from now, 10 years from now, 15 years from now. If we stay on this present course, we will be importing 60 percent or 70 percent of our oil needs and be very dependent, frankly, in some cases on unreliable, unstable sources such as Iraq, such as Iran, some of the other Middle East countries that may get mad at us for whatever reason.

Again, I compliment my colleague from Alaska. I urge our colleagues to vote no on the underlying amendment, the ROTH amendment, tomorrow.

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

The PRESIDING OFFICER (Mr. ENZI). The Senator from Nevada.

Mr. ROTH. I say to the majority whip, we have others waiting to offer amendments. Have you completed your time on this amendment? I ask the Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I ask how much time remains on the other side as controlled by Senator ROTH?

The PRESIDING OFFICER. Eleven minutes under the control of Senator ROTH.

Mr. MURKOWSKI. And I believe there is an unlimited time, for all practical purposes, on the underlying amendment.

The PRESIDING OFFICER. The time remaining on the resolution is 10 hours 58 minutes.

Mr. MURKOWSKI. The division of that time, Mr. President?

The PRESIDING OFFICER. Is all under the control of the minority.

Mr. MURKOWSKI. And the remaining time on this side relative to the ROTH amendment?

The PRESIDING OFFICER. Forty-five minutes.

Mr. MURKOWSKI. I think that may clarify the time. I am sorry, but I did not hear the question posed by the minority whip.

Mr. ROTH. I say to my friend from Alaska, the majority whip put in a quorum call. I was just saying that if you have completed your discussion on this amendment offered by Senator ROTH, then we would go ahead and offer another amendment. The majority leader has told us to stay around until we are down to about 8½ hours. So that is going to be another couple of hours.

Mr. MURKOWSKI. I don't intend to yield back. Mr. President, I have not addressed this matter yet. I yielded to my colleagues on the other side, so I am prepared to talk at some length. But out of courtesy, if they want to proceed, I will wait.

Mr. ROTH. We are anxious to hear the Senator from Alaska.

Mr. MURKOWSKI. Mr. President, it is always amusing to me to learn the facts about my State, things I didn't know. I was 6 or 7 years old when my family moved to Alaska, and I have lived extensively throughout the State and believe I have some knowledge of facts and some knowledge of fiction.

I again refer to the picture my good friend from California portrayed. Those mountains are the Brooks Range. As this will show you clearly, the Brooks Range is an area we are committed to protect. As a matter of fact, it is the wilderness. The wilderness is not in jeopardy, in spite of what we have been led to believe by most of the speakers who have never been to Alaska in spite of the invitations extended over the years.

There are 19 million acres, as my friend from Oklahoma accurately pointed out. What we have done with this, the vision of Congress, was to establish both a wilderness and a refuge. The wilderness is approximately 8 million acres. The refuge is 9.5 million acres, leaving this 1002 area, the Coastal Plain area, which has been referred to as the Serengeti of North America.

Let me tell you what is in it because no one has attempted to describe that. I find that extraordinary. It is treeless. It has no mountain. I think the hills are 1,100, 1,200 elevation. But those are found 20 to 30 miles from this coast. In this area, there are 92,000 acres of private native land. In the area of Kaktovik, Kaktovik is a native village. It has 223 residents and their attendant housing, their schools, their stores, their boats, their airstrips, their power lines, a variety of other modern-day facilities. The military's Barter Island DEW Line radar station is also nearby. It is hardly accurate to portray this unique area as the Serengeti of North America. It is unique, there is no question about it.

Now there have been many statements, and unfortunately there is just not enough time to respond to all of them. I think we should be sensitive to recognizing the reality that OPEC is watching this debate tonight. Saddam Hussein is watching this debate tonight. This debate addresses whether we are committed to reduce our dependence on imported oil or increase it.

The administration, when it made its profound announcement that they had been successful in convincing OPEC to increase its production by 1.7 million barrels, really left out a few interesting facts. It wasn't a net of 1.7 million barrels. It was actually a net of 500,000 barrels. We know that because OPEC had been committed to a production level of 23 million barrels a day in March 1999, but they had been cheating. They had been producing 24.2 million barrels a day. So the acknowledged difference between the announced 1.7 increase and the 1.2 cheating is only a 500,000 increase. To suggest that is all going to the United States is a fallacy. We get about 16 percent of it. As a matter of fact, the arithmetic suggests it is somewhere in the area of 121,000 barrels of oil, which is the amount, interestingly enough, that is consumed in the greater Washington metropolitan area every day. The percentage the United States would get out of that 500,000 barrels is somewhere in the area of 78,000 barrels per day. So we don't even stand still, if you consider our increasing demand. It is little or nothing in comparison to what our needs are.

Consider some of the facts associated with the lack of an energy policy in this administration. You can't help but be overcome by the reality that we have learned little from history. We were 37-percent dependent in 1973.

We are 56-percent dependent on foreign oil. The administration acknowledges that we are going to be about 64-percent dependent on foreign oil by the year 2015 to 2020. What does that mean to the coastline of California, New Jersey, or other areas where these tankers are going to come? The oil is going to come in, Mr. President. Well, it is estimated that that will mean about 30 giant—foreign, I might add—supertankers, each loaded with about 500,000 barrels of crude oil, will have to dock at U.S. ports every single day of the year. That is about 10,000 ships—as I have indicated, most are foreign flag—unloading in our harbors each year. I think this indeed creates a substantial environmental risk because you are not going to have many of these companies having the deep pockets of Exxon.

You speak of environmental issues. Isn't it better to promote development domestically when we know the global environment is going to be protected than to encourage development from Iraq or the Russian Arctic, where development is done without regard to the environment? Think about that, Mr. President. Think about the environmental community's attitude. They don't care where the oil comes from, as long as it doesn't come from up here in Alaska. If it comes from the Colombian rain forest, that is OK. If it comes from the dilapidated infrastructure of Russia, where there are leaks all over, no environmental enforcement, that is OK with them. It can come from Iraq, and that is OK.

I find that very ironic. We lost 147 American lives over in Iraq in 1991. We had nearly 300 wounded and 23 taken prisoner. The American taxpayers paid $10 billion to keep Saddam Hussein fenced in; that is enforcing the no-fly zone. We have military people stationed over there to ensure that he doesn't break out and invade Kuwait or threaten Israel. Yet our newest and fastest growing source of oil imports is Iraq. It was 300,000 barrels last year; it is 700,000 barrels this year.

I could go on and on, but clearly Saddam Hussein takes this revenue—and to suggest that he somehow uses it for the benefit of his people is obviously misleading. He uses it to keep the Republican Guard, which, in turn, keeps him in office—maybe keeps him alive, for all we know. Do you know what else he is doing, Mr. President? He is working with the North Koreans to build missile technology. What kind of a threat is that to Israel, or the United States, or the free world, for that matter? We are rebuilding Iraq's cash-flow, which sustains their economy.

I happen to believe charity begins at home when it comes to our energy security. We have the technology. We can do it right. Let's look a little bit at a map of Alaska. Before we do, I see I have a chart here that reflects Iraq's oil exports to the United States. The exports were virtually nothing in 1997, and now it is 700,000 barrels a day. What the administration did the other day regarding Iraq is, they had the Department of Commerce lift the export ban on technology, which will allow Saddam Hussein and Iraq to increase their production capacity. So the answer of this administration to address our energy needs is simply to import

more oil. Don't worry about any domestic development, we will get our oil from overseas.

There are a lot of politics in this issue, the issue of the 1002 Area of the Arctic Coastal Plain. The politics of America's extreme environmental community is evidence on this floor; it is evidence with the pictures and with the dialog and with the Members. I wish to God the environmental community would come to grips with reality and recognize the dependence we have on imports and what it is doing to our national energy security—come to grips with it and help us develop domestic energy sources with their recommendations, with attention to their environmental concerns, and help us to do it right.

So we attempted to do it right in Alaska. The Congress has attempted to do it right. We have 56 million acres of wilderness in my State. As I have said, the Arctic National Wildlife Refuge is an area the size of the State of South Carolina; it is 19 million acres. We have set aside, as I have indicated, 9 million acres in refuge, 8.5 million acres in a wilderness. But Congress, in its wisdom, left this area aside to determine its management status at a later time, with the belief that the national energy security of the country might necessitate its development.

Let's look at some factual pictures of what is going on in the real Alaska. Here is the real Alaska. Clearly, this is not in the 1002 area because there is no exploration activity allowed there. But I defy you, Mr. President, or any Member in this body, to look at this area and see any difference—you can see the ocean out here—but any difference with the general area of the Coastal Plain in the wintertime. This is a tough area, with winter 8 months of the year.

We have heard a lot about pipelines and a lot about gravel roads. This is the technology that is used in Alaska today. That is an ice road there. It is built up with ice and snow, and sometimes water is added. This is a drill pad. That is a factual picture of the technology used today. Let me show you what it looks like in the summertime on the tundra with that same well capped. That is it. That technology is utilized in Alaska today because it is the right thing to do. It is the environmentally compatible thing to do. You will not see that in any other oil field in the world. It is a long winter up there, Mr. President.

We have capabilities, obviously, to address some of the wildlife concerns we have heard so much about tonight. Well, you have seen this before. This is a picture in Prudhoe Bay, but you would never know the area from the Coastal Plain, with the exception of the pipelines in Prudhoe Bay. Here are three bears going for a walk, walking on the pipeline where it is warm. It sure beats walking on the snow. Nobody is shooting those bears; nobody is running them down.

We have a picture of some caribou. We have heard a lot about them from our experts who have never been to this area. This is in Prudhoe Bay. This is an oil field, and this is 35-year-old technology. These are some live caribou. I can assure you that those are not stuffed, like some of the conversation we have heard tonight. This is factual.

We have a herd of Caribou called the Porcupine herd and a legitimate concern about that herd because the Gwich'in people are dependent on it. It is kind of interesting to look at the history of this because as you look at Alaska, you also have to look at Canada because we abut. We have an interesting issue here. The Canadians, about 20 years ago, were very interested in drilling in the Mackenzie Delta, thought there was a great opportunity for oil and gas. So they drilled some 89 holes here in this area on the Mackenzie Delta, and they also built a highway called the Dempster Highway. The interesting thing is that this line on the map represents the path of the Porcupine caribou herd. Not only has it maintained its general stability during the time these areas were drilled extensively by the Canadians, but the caribou cross the highway. Now, it is not the beltway—I grant you that—but it is a highway that goes up into the Canadian Arctic. They wander into Alaska and go into the Yukon, where the Gwich'ins make a substantial take for subsistence purposes.

It is significant that these animals are adaptable; if you don't shoot them or run them down with a snowmachine, they can flourish. Now we have heard from the Senator from California, mentioning a letter from the Canadian Ambassador opposing development of the 1002 area. Yet they thought it was OK to drill their area. Maybe they are in a little competition between Canada and the United States for energy. We buy a lot of energy from them—a lot of electrical energy—particularly in the Northeast corridor. They are happy to do that; Alberta is happy to sell us gas. Maybe they don't want us to compete. I wonder if that could be the motivation of the Canadian Ambassador.

As we look at our concern over the Porcupine caribou herd, it is legitimate and the people associated in these areas are legitimately concerned. But we have been able to protect the caribou in Prudhoe Bay with 30-year-old technology. The herd has grown from 3,000 when development began to over 18,000 caribou. You can't take a gun in. You can't shoot them.

It is the technology that we have going for us now that offers us such a tremendous opportunity to develop this resource. If we were back before this body some 30 years earlier, we would have heard the debate on the appropriateness of opening up Prudhoe Bay. Prudhoe Bay was the largest oil discovery in North America, and it still is. There was a great deal of debate over how to develop it, and what the impact would be, because to get this oil out, we had to build an 800-mile pipeline across the length of Alaska.

We have a chart for those of you who wonder where that might be. It runs from the Arctic Ocean clear down through Fairbanks on to Valdez, where the oil is then shipped down to the west coast where it is primarily processed.

We had a terrible accident. The Senator from New Jersey was there. He knows that tanker ran aground in a 10½ mile wide channel with absolutely no excuse. But the accident happened. But that wasn't the fault of the pipeline. That wasn't the fault of the oil field. It was a human error involving a supertanker, and it was inexcusable.

But the reality is we have been able to build this pipeline. It has withstood earthquakes. It has been shot at. It has been dynamited. It is one of the wonders of the world.

But 35 years ago or so, when we were arguing about this issue, we had the same arguments we have today. The doomsayers were saying: You are going to build a pipeline, a hot pipeline. It is going to take hot oil and pump it through a permafrost area; because that is what the Arctic is—permafrost, frozen ice and ground. That hot pipeline is going to melt the ground. You are going to lose the foundation. Your pipeline is going to break.

It didn't happen.

They said this 800-mile pipeline is going to be a fence across your State, an 800-mile fence. Your moose, your caribou, your animals are not going to be able to cross. It is going to be a calamity. It didn't happen.

There is nearly 1,000 miles of Arctic coastline. It is all unique and very much all similar. You look for oil. You find it where you are most likely to find it. The geologists simply tell us that the 1002 Area of the Coastal Plain is the area where we are most likely to make a major discovery; The USGS says 16 billion barrels.

Let me tell you something to factor in because we have heard so much rhetoric around here tonight.

For Prudhoe Bay, the recovery estimates were 9 billion to 10 billion barrels. Prudhoe Bay has been producing some 23 years. We have produced over 12 billion barrels, and we are still producing. It is estimated that we will probably produce for another decade, or maybe two, because the technology is such that we can get greater recovery.

When you talk about estimates, you had better be realistic. If there is no oil up here, nothing is going to happen, except you might have a lease sale. You might get a substantial payment from the oil companies that are prepared to bid on it. That is the risk they take.

We don't know what is up there. But the geologists say it is the most likely area for a major discovery. That is why Congress, in its wisdom, set this area aside for Congress to address and resolve at a later time. That is why we are here.

The Budget Committee took action because we have a crisis in this country. If you do not believe it, ask the Secretary of Energy. He went over to the OPEC countries. He said: We have an emergency. You know what they said: We are having a meeting on March 27. He said: No. You don't understand, its an emergency. We sent 35,000 troops over here. We fought a war to keep Saddam Hussein out of Kuwait. We lost American lives. We need help now. We need more oil production in those countries. You know what they told him: We are having a meeting on March 27. They stiffed him.

He went to Mexico. He told the Mexicans: We need more production. Mexico said: Fine. But where were you when oil was $11, $12, and $13 a barrel, and our economy was in the sack?

We have an emergency. If we don't take steps now to recognize our increased dependence on imported oil, one wonders when we will. What is going to happen to the security of this Nation from the standpoint of energy as we become more dependent on imports, more dependent on Iraq, and more dependent on OPEC?

Those are the realities we face today.

Let's take a look at something that is very unpleasant. I hate to show you this. But this is a terrible picture that ran all over America when Saddam Hussein was defeated and when he set the oil fields of Kuwait on fire.

You talk about environmental degradation. That is it. Here you see Americans over there trying to put out the fires and stop the environmental damage. You can see the burning wells behind him. This is reality. This is the kind of individual and the type of country and leadership on which we are now depending for our energy security.

I find it outrageous and inexcusable. I am very critical of the environmental community that condones oil coming from a tyrant, one who left an environmental scar of the magnitude that Saddam Hussein left in Kuwait.

Let's look at a couple of others because they are all bad. The only problem is that they get worse. How we can continue to be misled, if you will, through complacency associated with our dependence on Iraq is beyond me. Here we see the burning wells and the terrible mess that was left. Look at the Americans working in those conditions.

This Senator is not going to stand by and support increased dependency on Iraq when we clearly have an administration whose only policy is more imports. Give us more; give us more. It is like an addiction. It is pathetic.

You almost forget. And you can very easily forget that we are dependent on oil for transportation. Our truckers came to Washington, DC, and expressed themselves. They can't pass on the price. Look at your airline tickets. You pay a surcharge now. The consumer—the mom taking the kids down to the soccer game—is facing nearly $1.85 or $2 a gallon. It shoots a pretty big hole in a hundred dollar bill if she has a sports utility vehicle, and many of those aren't paid for.

But go a little further. Our farmers are getting geared up for planting season. What is the cost of that going to be relative to their productivity? Can they pass it on?

It multiplies. What do the farmers use? They use fertilizer. What is fertilizer made of—urea. It comes from gas and oil. The multiplier is there.

Look at our balance of payments. One-third of the $300 billion is the cost of imported oil.

Every time oil goes up $10, inflation goes up half of 1 percent. There are a lot of uneasy people out there.

This single issue today is going to send a signal about whether we are serious about alleviating our dependence on imported oil and are going to do something about it.

I have heard statements that it will take a while. Yes, it will take a while. President Clinton vetoed ANWR the last time it went down to the White House. That was in 1995. We would know today if we had oil there. We would be on our way to production.

One of the things that bothers me about the environmental community is they sell American technology and ingenuity short. We can do it better. We can make a smaller footprint, given the opportunity. And we have that opportunity before the Senate today.

We have heard conversations about oil exports. There has been oil exported because there has been excess capacity on the west coast up until a short time ago. Those who don't recognize and understand oil, unfortunately, don't know that oil used to move through the Panama pipeline, and prior to that in smaller ships through Panama, and to the gulf coast to be refined there. That changed when Venezuela came on production. So we had an excess on the west coast, a modest excess.

Now with the takeover of Arco by BP Amoco and the divestiture of the Arco Alaska properties to Phillips, which has refineries, there will not be a surplus. There will not be a surplus because BP will now have refineries on the West Coast. I ask unanimous consent to have printed in the RECORD a letter from BP indicating they have no plans to export oil, once the contracts for the current month expire.

As I understand, Phillips has no intention of exporting oil. That is a bogus argument.

How much time remains on our side?

The PRESIDING OFFICER. There remains 17 minutes.

Mr. MURKOWSKI. If the Senator from New Mexico desires some time, I will yield.

Mr. DOMENICI. Mr. President, I thank the distinguished chairman of the Energy and Natural Resources Committee. From the first knowledge we had that the OPEC cartel plus their friends had dramatically decreased production, thus having this terrible impact on American energy costs, Senator MURKOWSKI has been trying every day, every time he could, to tell us we are doing things exactly the opposite of what we ought to be doing for America's future. I compliment him. He has a lot of people wondering about what we are up to. Frankly, I would like to add a little bit to that.

While the United States grows more dependent upon foreign crude oil, we have an administration that, from the first day they went in office until today, has been engaged in seeing to it that the United States produces less oil—not more—from our own lands by overt, conscious acts of withdrawing real estate that we own as a nation on which to explore for oil and gas, to a constant insistence that we cannot solve the little, tiny problem of what do we do with nuclear waste, which every country in the world except America has solved. They have solved it at least for 50 to 100 years.

We sit around acting as if we can continue to be dependent upon the very limited sources of energy for this great country's future. I will give a couple of facts about what has happened to the American energy economy, the production of oil in America, by Americans for Americans. In 1990, there were 405,000 jobs in America in the exploration and production of oil and gas. As of last year, there were 293,000, a 27-percent decline in people employed in the exploration and production of oil and gas in America. When you reduce the number of people involved in oil and gas exploration by 27 percent, there has been something consciously happening that says we will produce less in America.

Ten years ago, there were 657 rigs working on oil exploration in the United States. Everybody understands what that is. Now there are fewer than 175. We did something wrong. Somebody would stand up from the administration and say: The cartel had something to do with that; they lowered the price of oil. But we didn't have a policy that said to our companies, in spite of that, we will help you explore for more. As a matter of fact, we had the opposite policy.

New refineries in the United States: It used to be, if you could have an oil refinery and attach to it all the refined products that go with it, you would be delighted. It would employ your people. They are high-paying jobs. Guess what. In the United States, while we grow dependent, here we are with not a single new refinery built in the United States since 1976. That means we have decided other countries ought to produce the refined products we need and we ought to have such strict requirements that it is impossible for Americans to build them with American money and American workers to produce more refined products in our country—the opposite policy we ought to have.

If we had another time and another day, we could discuss why Americans will not invest in oil refineries in the United States. I can tell you one of

them, and I will use three initials for starters—the Environmental Protection Agency of the United States. Unreasonable restrictions, costing billions of dollars, that any neutral party would say are unreasonable, we impose them. When they can pay for them, they do; when they cannot pay any longer, they say: We will not refine anymore; we will do it somewhere else.

There are Federal lands available for exploration. I suggest we have done it exactly the wrong way since this President has been in office. We have taken lands out of production because we have this kind of whimsical idea, if they are public lands, we sure don't want to find an oil rig out there. In fact, it is an attitude. We have to put up with oil rigs, but we really don't want them, even though it is ''black'' money for American workers. It is oil for American cars. It is America's investment. But it is like public domain. Man, we ought to just save that and forget about this dirty business of producing oil. That is America's policy today.

I wish I could share with you, although I don't have the notes, how many thousands and thousands of acres we have taken out of production, out of development, because of what I have been explaining for the last 3 or 4 minutes.

That leads us to tonight. In the past, I have heard Senators on the floor of the Senate talking about their States with great enthusiasm, great concern about what is happening to their States. I will tell you why FRANK MURKOWSKI and Senator TED STEVENS are concerned. If we were to produce oil in ANWR on one one-hundredth of 1 percent of the land, 2,200 acres is what we would need to explore for oil in a modern way and produce it in ANWR.

That would produce 16 billion barrels of oil, produced by Americans, American workers, American oil for Americans. What does that mean in dollars? It means one-half trillion. Think of that, I say to the Senator from Wyoming. In the State of Wyoming, we have oil locked up. It is worth half a trillion for your workers, for your companies, for your businesses, and we are locking it up for the reasons Senator MURKOWSKI stated, that we wanted to lock up Prudhoe Bay.

We found none of the predictions about Prudhoe Bay were true, and none of them will be true about this one either. But it is as if we are kind of economically arrogant. We are so powerful and so strong that we do not have to worry about American oil for American people, produced by Americans, used for American cars. We just have to say this little tiny piece of property, just a strip of ANWR that you could go and explore to find out if it is there and then insist they advise the Congress if there is any environmental damage—they will not let us do that.

I submit we ought to vote on this. I also submit anyone who votes no on this ought to be asked: What do you think America's future is? More oil from the cartel or less?

With that, I yield to the distinguished Senator from Alaska. I thank him.

Mr. MURKOWSKI. Mr. President, I yield myself whatever time is remaining because I believe we will have some time tomorrow. Might I ask how much time remains on our side?

The PRESIDING OFFICER. The Senator has 8 minutes.

Mr. MURKOWSKI. I will yield to the other side at this time, if they care to continue the debate,

Mr. LAUTENBERG. Mr. President, if I might have a parliamentary review for just a moment, I heard the distinguished Senator from Alaska ask if this debate could not be continued tomorrow. It is my understanding that, once the time is used on both sides, the proponent's and opponent's, that time is exhausted and there will not be further opportunity to discuss this tomorrow.

The PRESIDING OFFICER. That was true for the amendment of the Senator from West Virginia. But there have been no subsequent agreements.

Mr. LAUTENBERG. We are talking now about the amendment of the Senator from Delaware.

Mr. REID. Will the Senator from New Jersey yield?

The PRESIDING OFFICER. There has been no agreement in regard to the amendment of the Senator from Delaware.

Mr. LAUTENBERG. So, as it presently stands, the time once used tonight, unless agreed to by unanimous consent for an extension, will not be available?

The PRESIDING OFFICER. There is no such agreement on this particular amendment.

Mr. LAUTENBERG. There is no agreement. May I be precise? We are talking about 2 hours that was available for the delivery of the amendment, and an hour—and time for opposition, equally divided; is that right? Two hours?

The PRESIDING OFFICER. There are 2 hours on this amendment.

Mr. LAUTENBERG. Right. And the time used by the proponents and opponents as described by the Parliamentarian—there is some 7 or 10 minutes for each side? What is the present situation?

The PRESIDING OFFICER. The Senator from Alaska has 8 minutes, the Senator from Delaware has 11 minutes.

Mr. LAUTENBERG. So once those 19 minutes are consumed, this discussion is over and cannot be brought tomorrow?

The PRESIDING OFFICER. If they are consumed tonight, that is correct.

Mr. LAUTENBERG. I just wanted to let the Senator know.

Mr. MURKOWSKI. I ask the President, if they are not consumed tonight, what is the disposition of the time?

The PRESIDING OFFICER. For them not to be consumed tonight would take unanimous consent.

Mr. MURKOWSKI. Unanimous consent to——

The PRESIDING OFFICER. Have them over until tomorrow.

Mr. LAUTENBERG. Is there any reason why it would not be consumed tonight?

Mr. MURKOWSKI. Mr. President, I indicated my interest in reserving the remainder of my time until tomorrow. I would propose that at this time.

Mr. REID. Objection.

The PRESIDING OFFICER. Objection is heard.

Mr. MURKOWSKI. Therefore, it is the ruling of the Chair, as I understand it, the time in opposition to the Roth amendment must be fully utilized tonight or given up?

The PRESIDING OFFICER. That is correct.

Mr. MURKOWSKI. We have a little more time, I believe. I defer to the other side prior to taking up more of my time.

Mr. LAUTENBERG. If I may, I ask the Senator from Delaware if I can have 5 minutes of the time?

Mr. ROTH. I yield 5 minutes to the Senator from New Jersey.

Mr. DOMENICI. Could I say to the distinguished Senator from Alaska, there are only two ways I can think of that he could save his time: We could close up shop right now, and we are not going to do that, so there is an hour on each side. You could get consent, and you tried and haven't gotten that. So anybody offering an amendment tonight has an hour on each side if they want to use it. If they want to yield it back, they can yield back. Any amendment to an amendment has a half-hour, and we go that way until we finish tonight.

I can tell you, I think you made as good an argument tonight as you can make. I don't think there are many votes going to be changed. I already complimented you immensely. I do it again.

There will be 2 minutes before the vote. They will be in your control.

Mr. MURKOWSKI. I yield. If the Senator from New Jersey has been recognized, I will keep my remaining time and use it tonight.

Mr. LAUTENBERG. I have asked for 5 minutes from the Senator from Delaware, which has been yielded.

The PRESIDING OFFICER. The Senator is recognized for 5 minutes.

Mr. LAUTENBERG. Mr. President, I have listened carefully to the debate presented by my distinguished colleagues on the other side who are for drilling in ANWR: Don't worry about it. After all, look at what happened in these other places. They are drilling foreign oil for consumption by Americans. We have lost so many jobs in the oil fields.

I will tell you about those jobs in the oil fields. You tell me where there is a shortage of jobs in this country, and I will tell you where they can get employed immediately. Tell me where there are people looking for work, I

will tell you where they can get employed immediately.

The fact is, yes, we are importing more oil. We ought not to be. I am no different than anybody else when we talk about those who owe us a responsibility to make sure we have the products that we helped save when we sent our young people to war in 1990 and 1991. We cannot disagree about that. One is not less patriotic than the other. This is not a question of loyalty. This is a question of how the world functions.

Right now, those of us in the environmental community say we ought to be cautious about the use of our precious, pristine wildlife areas. I heard the Senator from Oklahoma say—I do not want to mimic what he said, but he did say: Well, that area that is reserved for drilling, some 2,000 acres, is not so pretty anyway.

It was hard for me to believe my ears. What do you mean it is not so pretty anyway? We have some areas in our country that are not so pretty that attach to areas that are beautiful. It is the not-so-pretty areas that help keep the pretty areas, and those that are essential for our existence as a species, the human species, to function. So we cannot dismiss it like that.

With all of the best intentions of managing the way we transport our oil and we explore for it, it is all subject to human frailties. If we have had a pipeline that has worked well for lots of years, I salute it. But, remember this, in 1989 when the Exxon Valdez ran aground—and it was human error, there is no doubt about that but you cannot remove it. We lost a spaceship with our precious astronauts aboard because of some human error. These things do not happen without human intervention. We cannot dismiss this and say: Don't worry about it; everything will be all right. We will take care of it.

I say that is not so.

I wish we could get all our Senators to do a flyover of the ANWR. I guarantee there would be a majority voting the other way, saying do not drill there unless there is no other way in the world for us to survive.

We have other sources of oil, other sources of energy being considered and developed. There is work going on in Azerbaijan. You know, when it is said we should only consume American oil to the extent we need oil, I do not believe that is necessarily so.

I would rather save that reserve. Heaven forbid if we need it some day in the future. I would like to bring it in from other sources. There are minerals in this country which we do not mine anymore because it is cheaper and better on the environment to import some of those minerals. That is the way things go.

We have become a profligate society in our use of energy. We have SUVs popping up everywhere. The automobile companies do not mind making them. The workers of those automobile companies do not mind working there. The guys who work in the gas stations—whether the oil comes from Saudi Arabia or from Oklahoma or Texas—do not mind their jobs. They have businesses that are based on supplying that energy.

We are a society that is overblown with riches, and we are using whatever energy we want. We consume fresh air with congestion. There are more cars out there than we know what to do with, but that does not stop us from using our cars.

We are saying, as long as we are profligate, just wasting it, let's get it; let's go up to the ANWR and drill in that pristine area described in different fashions as beautiful or not so beautiful or the home for some of the animals; they will survive anyway.

I say do not take the risk. I would rather see us practice conservation, which we have not done in this society of ours. I have not heard anybody—I am talking about either from the administration presently in power or any of us—talk about conservation programs: Save it, don't just use it; save it if you are concerned about it. But no, look at the traffic lines. Nobody wants to save oil.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LAUTENBERG. I take 5 minutes off the resolution.

The PRESIDING OFFICER. The Senator is recognized for an additional 5 minutes.

Mr. LAUTENBERG. Mr. President, as to this debate about whether or not it is American jobs, Americans, thank goodness, are working at jobs that are productive and have given us the strongest economy ever seen in the history of mankind. We ought to reduce our dependence. I agree with my friends on the other side, but that does not mean we have to go to a source that raises questions about our ability to preserve the environment.

I said it before, when I think of my children, one of the most important assets I see in this country is a good environment, good natural resources. Even if they never get to visit Alaska, I have done it. I do not want to be a ''Johnny's been all over the place,'' but I was also in Kuwait. I saw the situation the Senator from Alaska described. I was in an airplane several thousand feet in the air. The windshield was covered with soot from the burning oil fields. It was a terrible waste of lives and energy, but it happened.

What we have to do is make sure our allies, the people whom we worked to save, understand what we mean when we call on them to help us through a crisis. I could not agree more with my friends on that score. I believe we should have gotten much tougher than we did.

I had an occasion to speak to a diplomat from one of the Mideast countries. I said: Do you know what you are doing? You may make a better profit right now, but you are alienating the American people, and you are not going to recover from that so easily. Do not depend on us when you issue an alarm—''help save our skins; help save us.'' Some of them went to other countries to enjoy themselves when we did the fighting. That is not going to happen easily again.

The Senator from Delaware, the chairman of the Finance Committee, and some of the friends on the Republican side, including Senator SNOWE, who voted with Senator BOXER on protecting the ANWR—there was a commentary in the Washington Post from someone who cannot be declared a cockeyed liberal or crazy environmentalist. I will read the quote before I identify who it is:

> I totally agree that the Arctic National Wildlife Refuge is a truly unique pristine ecosystem, and I believe we should not damage it. It should be set aside in wilderness designation in perpetuity, Smith wrote to the New Hampshire Citizens for Arctic Wilderness.

That is Senator BOB SMITH, someone we know well, who is chairman of the environment committee, and we are hearing from the chairman of the Finance Committee that we ought not do this. These are people who deserve to be heard, and we know there are other people in the Republican Party who agree with us. We are going to find out when we put this to a vote. The vote will come sometime tomorrow.

I hope we will close this debate at this point. While everything to be said has been said, not everybody has said everything. I yield back any time I requested from the resolution which I did not use.

The PRESIDING OFFICER. The Chair recognizes the Senator from Delaware.

Mr. ROTH. Mr. President, I yield myself such time as I may use.

I ask unanimous consent to print in the RECORD letters I have received from many organizations which are concerned about the environment and support my amendment. These include the Wilderness Society, Republicans for Environmental Protection, the National Parks Conservation Association, Friends of the Earth, the League of Conservation Voters, and the National Resources Defense Council.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FRIENDS OF THE EARTH,
Washington, DC, April 4, 2000.

DEAR SENATOR: On behalf of the thousands of members of Friends of the Earth, we urge you to support efforts by Senator Roth (R–DE) to protect the Arctic National Wildlife Refuge (ANWR) from being opened for oil exploration. Currently, the FY 2001 Budget Resolution (S. Con. Res. 101) includes language that assumes receipts from the sale of oil leases in ANWR. Seismic exploration and oil drilling in a national refuge is an unacceptable short-term approach to the problems associated with the current oil crisis, and one which would have long-term devastating consequences.

ANWR encompasses 19 million acres of pristine wilderness. Created by President

Dwight Eisenhower in 1960, ANWR is a sanctuary for nearly 200 species of wildlife, including polar bears, grizzlies, wolves, caribou and millions of birds. The area under consideration for oil exploration—a 1.5 million-acre coastal plain—is referred to by many scientists as the ''biological heart'' of the Arctic Refuge and represents the last five percent of Alaska's Arctic slope not already open to drilling. Though some maintain that modern technology allows clean exploration, many scientists have noted that today's seismic oil exploration, consisting of large crews with bulldozers, ''thumper'' trucks, fuel supply vehicles and a variety of other tracked vehicles, is even more damaging to the landscape than it has been in the past.

Drilling in ANWR would do little to reduce U.S. dependency on foreign oil. In fact, the U.S. Geological Survey has found that ANWR would provide us with less than six months worth of oil. A more responsible solution to the problem is to develop and promote sustainable forms of clean energy.

We should not sell off this priceless wildlife refuge for a short-term energy fix. Support Senator Roth in his efforts to defend the one of the few remaining natural treasures in the United States.

Sincerely,

COURTNEY CURF,
Legislative Director.

NATURAL RESOURCES DEFENSE COUNCIL,
New York, NY, April 4, 2000.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: I am writing on behalf of the more than 400,000 Natural Resources Defense Council (NRDC) members from across the country to respectfully urge you to oppose any legislative provisions that would open up the Arctic National Wildlife Refuge (ANWR) to oil exploration. As you know, the FY 2001 Budget Resolution that the Senate Budget Committee reported to floor includes damaging language that assumes revenues from oil drilling in the Arctic Refuge.

Under the guise of combating high gas prices, some legislators are pressing to open the Arctic Refuge's 1.5 million-acre coastal plain to oil exploitation. The coastal plain is often called ''America's Serengeti'' because of its abundant caribou, polar bear, grizzly, wolf and other wildlife populations, and represents the last five-percent of Alaska's Arctic Slope not already open to development. It would be ill-advised to open up our nation's Arctic wilderness for a questionable, short-term supply of oil.

We respectfully encourage you to oppose any bill or resolution that would open up the last pristine wilderness in the Arctic to oil and gas development, and urge you to support Senator Roth's amendment to the 2001 Budget Resolution to strike Arctic Refuge drilling revenues from the federal budget.

Sincerely,

JOHN H. ADAMS,
President.

REP AMERICA,
Deerfield, IL, April 4, 2000.

Hon. TRENT LOTT,
Majority Leader, U.S. Senate.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives.

DEAR SENATOR LOTT AND SPEAKER HASTERT: This week, Congress takes up the issue of whether potential oil revenue from the Arctic National Wildlife Refuge should be included in the congressional budget. REP America, the national grassroots organization of Republicans for Environmental Protection, opposes this kind of sleight-of-hand accounting as well as development in the Refuge.

A strong national bipartisan consensus exists for continued protection of the ANWR. The estimates of finding commercially valuable quantities of oil there are actually quite small. But even if such quantities were found, the oil would not appreciably increase our nation's known reserves or lower gasoline prices. At present, over 90% of America's portion of the Arctic is open to oil and gas exploration and development. Further development within the Refuge is not necessary for the security of our nation, and we should not count unearned and unanticipated revenues stemming from oil that might not exist.

Frankly, such budgetary maneuvers are very damaging to our party. We Republicans take pride in our history protecting public lands to Alaska and honor the legacy of past Republican leaders. In 1907, when President Theodore Roosevelt established the Tongass and Chugach National Forests, he faced tremendous pressure from special interests lined up to exploit public lands for short-term gain. Presidents Eisenhower and Nixon used executive authority to protect the Arctic Refuge, and as recently as 1990, many Republicans listened to mainstream America and cosponsored the Tongass Timber Reform Act. President George Bush did us all a great service when he signed this important piece of conservation legislation.

As Republicans, the members and directors of REP America urge you and your colleagues to halt these kinds of budgetary charades, if for no other reason than the fact that it is absolutely destroying our party's image with respect to the environment. Inclusion of funds supposedly derived from the Arctic National Wildlife Refuge will hasten the already shaky support our party has for maintaining control of the Congress.

Thank you for doing your part to keep the ''conservation'' in ''conservative.''

Sincerely,

MARTHA A. MARKS, Ph.D.,
President.

THE WILDERNESS SOCIETY,
Washington, DC, March 24, 2000.

DEAR SENATOR: The Arctic National Wildlife Refuge is a spectacular wilderness on the north coast of Alaska. The refuge protects lands of abundant wildlife and tremendous beauty. Millions of migratory birds nest or feed on the refuge each spring and summer between annual migrations that bring them through the backyards and nearby parks and refuges of Americans throughout the rest of the country. The refuge also contains the calving grounds of the 130,000 member Porcupine River Caribou herd on which the Gwich' in people of northeast Alaska and northwest Canada have relied for some 20,000 years.

With rising fuel prices, some would have you believe that oil drilling in the Arctic Refuge would somehow lower the price of gasoline. This is a terrible sham. This proposal is not about filling American's fuel talks; it's about lining the pockets of the oil companies in Alaska. We understand that the Budget Resolution that will soon come to a vote in the Senate may assume federal revenues from oil drilling in the Arctic Refuge. This proposal was rejected by the American public and vetoed by President Clinton in 1995. To assume revenues from this highly controversial and currently prohibited activity is a complete hoax.

Some have argued that drilling in the Arctic Refuge will somehow eliminate our dependence on oil imports. But just five years ago, Senator Murkowski pushed through a measure to allow oil from Alaska's North Slope to be exported to China and other Asian countries. In it's pending review of the proposed BP/Arco merger, the Federal Trade Commission found that ''BP ships Alaska North Slope crude to Asia to short the West Coast market and elevate prices.''

Ninety-five percent of the North Slope is already available to oil and gas exploration and development. Under the Reagan Administration, the Department of Interior determined that there is less than a one-in-five chance of finding recoverable oil there. More recently, the U.S. Geological Survey have said that oil companies could most likely only recover around 3.2 billion barrels—only enough oil to meet U.S. needs for a few months. At no time would oil from the refuge be expected to provide more than 2 percent of U.S. oil supply. Of course, no amount of oil would ever justify destroying this great national treasure.

We urge you to listen to the American public and the Gwich'in people and reject efforts to include oil revenues from the Arctic Refuge in the Budget Reconciliation bill.

Sincerely,

WILLIAM H. MEADOWS,
President.

NATIONAL PARKS CONSERVATION ASSOCIATION,
Washington, DC, April 4, 2000.

OPPOSE DEGRADATION OF THE ARCTIC COASTAL PLAIN

DEAR SENATOR: On behalf of our 400,000 members, the National Parks Conservation Association strongly urges you to oppose efforts to include projected revenues from oil drilling in the Arctic National Wildlife Refuge's coastal plain in the pending Budget Reconciliation bill.

The Arctic coastal plain has long been recognized as a spectacular national gem because of its spectacular scenery and diverse and abundant wildlife. The coastal plain richly deserves its tag of ''America's Serengeti,'' as over 130,000 caribou of the Porcupine herd migrate there every spring to their calving grounds, and more than 300,000 snow geese are found there in the fall.

Attempts to open the coastal plain for drilling for oil have reared their head in Congress over the past three decades. Recent increases in gasoline prices have renewed the call to open the plain for oil production, resulting in an ''assumption'' of revenue from drilling in the Arctic Refuge in the Budget Reconciliation bill.

Opening up the coastal plain would not be a solution to the short-term increases in gasoline prices, nor would it address the nation's long-term energy strategy. In fact, the United States Geological Service estimates that even if oil were found in the coastal plain, production would never meet more than two percent of our nation's oil needs at any given time. This supply would hardly justify the production facilities and related infrastructure that would destroy the unique character of the coastal plain.

Your support in opposing efforts to promote oil development and drilling in the Arctic National Wildlife Refuge is critical. Thank you for your attention to these concerns.

Sincerely,

TOM KIERNAN,
President.

LEAGUE OF CONSERVATION VOTERS,
Washington, DC, April 4, 2000.

Re Protect the Arctic National Wildlife Refuge—Vote ''yes'' on the Roth Arctic wilderness amendment to the 2001 Budget Resolution.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: The League of Conservation Voters (LCV) is the bipartisan political voice of the national environmental community. Each year, LCV publishes the National

Environmental Scorecard, which details the voting records of members of Congress on environmental legislation. The Scorecard is distributed to LCV members, concerned voters nationwide, and the press.

The League of Conservation Voters urges you to protect the biological heart of the Arctic National Wildlife Refuge by supporting an amendment offered by Senator Roth (R–DE) to the 2001 Budget Resolution that opposes opening the Refuge to oil drilling. Currently the budget resolution assumes revenues from drilling in the Refuge.

Some members of Congress are using the current high price of gasoline as a pretext to open the Arctic National Wildlife Refuge to oil drilling. The current price of gasoline in no way justifies destroying this national treasure. Development of the Refuge's coastal plain will not impact oil supplies until far into the future, and the amount of oil that lies beneath it is minimal compared to our national energy needs.

The Arctic Refuge is home to wolves, polar bears, caribou and millions of migratory birds. It is also the last 5% of Alaska's vast north coastline that remains off-limits to the oil companies. And the Refuge plays an integral part in the lives of the Gwich'in people who depend on the seasonal migrations of the caribou for both survival and cultural identity.

Protecting the wilderness values of the Arctic National Wildlife Refuge is one of the top priorities of the national environmental community. LCV urges you to vote ''yes'' on Senator Roth's amendment to protect the Arctic Refuge.

LCV's Political Advisory Committee will consider including votes on this issue in compiling LCV's 2000 Scorecard. If you need more information, please call Betsy Loyless in my office.

Sincerely,

DEB CALLAHAN,
President.

Mr. ROTH. Mr. President, I want to read from the letter of the League of Conservation Voters, which is the bipartisan political voice of the national environmental community. They write:

The League of Conservation Voters urges you to protect the biological heart of the Arctic National Wildlife Refuge by supporting an amendment offered by Senator Roth to the 2001 Budget Resolution that opposes opening the Refuge to oil drilling. Currently the budget resolution assumes revenues from drilling in the Refuge.

It goes on to say:

Protecting the wilderness values of the Arctic National Wildlife Refuge is one of the top priorities of the national environmental community.

How true that is. The Arctic National Wildlife Refuge contains our Nation's greatest wilderness. No conservation area in America contains as much vast wild land free of industrialization. It is the essence of our country's wilderness areas.

Consider three or four points. The Arctic National Wildlife Refuge is the only conservation area that protects a complete spectrum of arctic and subarctic ecosystems in North America. The Coastal Plain of the Arctic Refuge is the only wild stretch of coast on Alaska's North Slope that is off limits to oil and gas exploration and development.

President Dwight Eisenhower was the first to set aside the original Arctic National Wildlife Range in 1960 for the purpose of protecting the wilderness, the wildlife, and recreational values.

While many refuges in America have been set aside to protect wildlife populations and habitat, the Arctic Refuge is the only refuge in which wilderness was recognized as a purpose for establishment, the controversial 1002 area proposed for oil development as a part of the original Arctic range.

I could go on. It is critically important that we protect this valuable refuge for future generations. For that reason, I urge my colleagues to vote in support of the Roth amendment. I yield the floor.

Mr. MURKOWSKI. Mr. President, how much time remains on this side?

The PRESIDING OFFICER. The Senator has 8 minutes.

Mr. MURKOWSKI. I thank the Chair.

Mr. President, I certainly agree with my friend, the chairman of the Finance Committee, relative to the interest of America's environmental community.

This is a big issue for them because it generates membership and it generates dollars. They have a cause. We have heard from them, the eloquence expressed by my friend, the chairman of the Finance Committee.

But what we did not hear was any of the 500,000 American men and women who were sent to the Mideast to fight a war against Saddam Hussein. They left their loved ones. They risked their lives. What did America's environmental community say about that? They did not say a word.

What are they saying today about our increased dependence on Iraq? Seven hundred thousand barrels a day of oil; the fastest growing source of oil coming into this country. What is the environmental community saying? What we all believe in: More conservation, more alternative energies, as they drive in their automobile or pick up their plane to fly to the next point.

Come on, let's get real around here. We talk about ANWR potentially having a 200-day supply. Under that logic Prudhoe Bay should have been a 600-day supply. In reality, It has been supplying this Nation with 20 to 25 percent of our total crude oil for the last 23 years. That is a ridiculous comparison. It suggests that all other oil production is going to stop, all other domestic production is going to stop, and that is all you are going to have from one source.

Come on, get real. We can come up with better arguments than that. They say 95 percent of the Arctic Coastal Plain is open to oil and gas development. That is false. Try and get a lease up there. Only Fourteen percent is open.

This map shows the Naval Petroleum Reserve that was dedicated in the 1900s. You think you can get a lease in there? Try. Go over to the Secretary of Interior and see if you can get a lease. They put up a few leases, but you cannot go in and even lease where the high potential for oil is in the Naval Petroleum Reserve. If that isn't where you are supposed to find oil, I do not know where is.

Where are you going to find oil? The ANWR area isn't open. This other area of the State is partially open. But the reality is, the wilderness is closed. The Coastal Plain is closed. The Teshepuk Lake area is closed; Barrow is closed. The western portion of NPRA is closed to oil production. That is the reality. So do not buy their arguments that 95% of the Coastal Plain is available for development because it is ''pie in the sky.''

We are concerned about our Gwich'in people. However, what they propose to do is lease their open lands for oil development. They offered to lease more than land than the entire 1.5 million acre Coastal Plain of ANWR. They offered to lease 1.799 million acres. They signed a lease. Unfortunately, the oil company did not find any oil there. Maybe they should have taken the leases anyway.

So we have more myth around here than fiction. No reality. No credit for American ingenuity or technology or the realization that this area we are talking about is the size of the State of South Carolina.

Mostly the Members here cannot comprehend size. We had four time zones in Alaska during the time I grew up—most of the time I was here. We cut them down to one.

If you overlay Alaska on the United States—you know it and I know it—we extend from Canada to New Mexico; Florida to California. The Aleutian Islands go out forever. They almost go to Japan. It is a big hunk of real estate.

We have heard a lot of romantic and fanciful notions tonight about the Coastal Plain. But we have not discussed and resolved the obligation to oversee the national security interests of this Nation. This is the Senate. We make decisions on war and peace.

ANWR is a serious issue. It is so serious that I hope you will all remember that if this amendment is adopted, I can assure every single Member of this body, we will well be on our way to jeopardizing our national security by further increasing our dependence on imported oil.

I do not want that obligation on my shoulders. It is time to turn around the direction in this country, reduce our dependence on imported oil, move into the areas where we have potential oil and gas discoveries in the Rocky Mountains, the overthrust belt, and my State of Alaska.

We have a Vice President who says he is going to cancel all OCS leases. Where are we going to get oil from? Where are we going to get the energy? Where are you going to get the fuel for that 747 called Air Force One to fly back and forth to New York or wherever it goes? Are you going to do it with hot air?

The Vice President goes around town. Does he drive a battery-operated car with the back seat full of batteries?

Does he drive an electric car? No. We are not there yet.

It is serious. This is an issue of national security. We fought a war over oil in 1991. We lost 147 lives. We have $10 billion of the taxpayers' money invested in keeping Saddam Hussein fenced in.

It is an issue of the environment. We have the best environmental stipulations in the world in the United States. Most of the OPEC countries have the worst.

They are drilling in the rain forests of Colombia. We have proven what we can do it right in the Arctic. We have a record. We have produced between 20 percent to 25 percent of our domestic crude oil in the United States in Alaska for the last 23 years.

It is an issue with the economy, sending our dollars overseas, our jobs overseas. It is a third of our trade imbalance. It is an issue that you—when I say ''you,'' I apologize to my colleagues—but no Member has addressed the people of my State, the Eskimo people who support development of this area.

You know what they say? They say, ''please put my people, the Inupiat Eskimo people, into the picture of ANWR. Stop airbrushing us out.'' Try being airbrushed out of the picture or out of your State. That is kind of the position to which these people feel they have been relegated. What a tragedy.

This is serious. This is not something that should be taken for granted.

The Eskimo people support development. One of my Eskimo friends, Oliver Levitt, to a group of us in Barrow, said: I used to come to school to keep warm. My job every morning was to go out on the beach and pick up what little driftwood floated down from the McKenzie River to the shores near Barrow.

He came to school to keep warm. That isn't the case in Barrow anymore because not only do they have the revenue from oil, but they have jobs. They have an alternate way of life that used to depend totally on subsistence and following the game herds. That is the record and the reality.

It was 20 below in Kaktovik yesterday, if it makes those of you in this body who have been listening to a little of my hot air cool off.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MURKOWSKI. That is the real world we live in.

I thank the Chair. I thank my colleagues for the opportunity to express what I hope is recognized as a reasonable balance, to send a signal to Saddam Hussein, and to say that it is time to turn around America's energy policy and lessen our dependence on imported oil. This is the place to start. And the time is now.

The PRESIDING OFFICER. Who yields time?

Mr. MURKOWSKI. On behalf of the leader, I ask unanimous consent the votes relative to the Byrd-Warner amendment and the Roth amendment occur at 10:30 a.m. on Thursday, with no second-degree amendments in order, and there be 2 minutes for explanation prior to each vote.

Mr. REID. Reserving the right to object, we will tentatively accept this. I just need to say this first: I have spoken to the manager of the bill, Senator DOMENICI. We want to make sure there is an understanding, however, that the amendments that we finish tonight or that we work on tonight, that there will be a vote on those amendments some time prior to the votes in the vote-arama tomorrow.

Mr. MURKOWSKI. Assuming the intention of the majority to work toward that, they would pursue that tomorrow.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ROTH. Mr. President, is all time yielded back?

The PRESIDING OFFICER. The Senator has 2 minutes.

Mr. ROTH. Mr. President, I yield back those 2 minutes.

The PRESIDING OFFICER. All time has been yielded back.

Mr. REID. Mr. President, the Senator from Virginia has an amendment to offer.

The PRESIDING OFFICER. The Chair recognizes the Senator from Virginia.

AMENDMENT NO. 2965

(Purpose: To reduce revenue cuts by $5.9 billion over the next five years to help fund school modernization projects)

Mr. ROBB. Mr. President, on behalf of myself and Senators HARKIN, LAUTENBERG, DORGAN, KENNEDY, MIKULSKI, KERRY of Massachusetts, BINGAMAN, BAUCUS, and GRAHAM of Florida, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. ROBB], for himself, Mr. HARKIN, Mr. LAUTENBERG, Mr. DORGAN, Mr. KENNEDY, Ms. MIKULSKI, Mr. KERRY, Mr. BINGAMAN, Mr. BAUCUS, and Mr. GRAHAM, proposes an amendment numbered 2965.

Mr. ROBB. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 4, line 4, increase the amount by $78,000,000.

On page 4, line 5, increase the amount by $521,300,000.

On page 4, line 6, increase the amount by $1,011,200,000.

On page 4, line 7, increase the amount by $1,223,400,000.

On page 4, line 8, increase the amount by $1,361,200,000.

On page 4, line 13, increase the amount by $78,000,000.

On page 4, line 14, increase the amount by $521,300,,000.

On page 4, line 15, increase the amount by $1,011,200,000.

On page 4, line 16, increase the amount by $1,223,400,000.

On page 4, line 17, increase the amount by $1,361,200,000.

On page 4, line 22, increase the amount by $1,300,000,000.

On page 4, line 23, increase the amount by $1,322,100,000.

On page 4, line 24, increase the amount by $1,344,600,000.

On page 4, line 25, increase the amount by $1.,367,400,000.

On page 5, line 1, increase the amount by $1,390,700,000.

On page 5, line 7, increase the amount by $78,000,000.

On page 5, line 8, increase the amount by $521,300,000.

On page 5, line 9, increase the amount by $1,011,200,000.

On page 5, line 10, increase the amount by $1,223,400,000.

On page 5, line 11, increase the amount by $1,361,200,000.

On page 18, line 7, increase the amount by $1,300,000,000.

On page 18, line 8, increase the amount by $78,000,000.

On page 18, line 11, increase the amount by $1,322,100,000.

On page 18, line 12, increase the amount by $521,300,000.

On page 18, line 15, increase the amount by $1,344,600,000.

On page 18, line 16, increase the amount by $1,011,200,000.

On page 18, line 19, increase the amount by $1,367,400,000.

On page 18, line 20, increase the amount by $1,223,400,000.

On page 18, line 23, increase the amount by $1,390,700,000.

On page 18, line 24, increase the amount by $1,361,200,000.

On page 29, line 3, decrease the amount by $97,000,000.

On page 29, line 4, decrease the amount by $5,938,100,000.

On page 29, after line 5, insert the following:

''Not later than September 29, 2000, the Senate Committee on Finance shall report to the Senate a reconciliation bill proposing changes in laws within its jurisdiction necessary to reduce revenues by not more than $19,000,000 in fiscal year 2001 and $1,743,000,000 for the period of fiscal years 2001 through 2005.''

Mr. ROBB. Mr. President, this amendment is designed to help ensure that no child attends a school with a leaky roof, or crowded classrooms, or that lacks access to the latest technology and the Internet.

In the words of Yogi Berra, ''It's deja vu all over again.'' Last year's debate about our Budget Resolution is almost a carbon copy of this year's debate. There are few times in the legislative process that the contrasts between ideologies are more clear than in our debate on the Budget Resolution—and this year is no exception. While some

would have us focus on funding a massive tax cut which will likely be directed to those who need it least, others would focus on strengthening Social Security and Medicare, paying down the debt, and making critical investments in areas like education. While, understandably, there are bound to be philosophical differences about achieving these objectives, I am again disheartened that education is not higher on our list of fiscal priorities. While I compliment the Chairman for including $2.2 billion dedicated to IDEA funding, I'm back again to urge that more of my colleagues to support an amendment which reduces the size of this massive tax cut to help finance school modernization efforts. Mr. President, education should truly be a common priority—we certainly know that it's a national priority.

Mr. President, I'm sure that none of us could imagine holding Senate proceedings in a trailer, nor could we imagine having to place buckets around our desks to catch rainwater leaking in through the Capitol dome. We simply can't imagine what it would feel like to hold our summer debates in a chamber that wasn't air-conditioned. And Mr. President, if we couldn't stand the heat, we'd get out of the chamber and take a recess, but our nation's students simply don't have that luxury. A heat-related recess for them means fewer math lessons. It means less time with a qualified teacher. It means reduced learning. And Mr. President, I'm sure our dedicated clerks here in the Senate couldn't imagine doing their jobs today without being able to scan our amendments into a computer, making them accessible to staff and the nation at a moment's notice. We shouldn't then expect our nation's children to master core skills as well as information technology skills if we don't give them the keys to the information highway.

Mr. President, five years ago, the GAO estimated that our national school modernization needs totaled $185 billion. This year, that figure has risen to $307 billion, according to a recent report by the National Education Association. The report indicates that the State Departments of Education across the country are reporting a 65% increase in school modernization needs over the last five years. That translates into $66,849,315 a day. Much like our national debt clock, the tape is also running on our school modernization needs. With record enrollments, deteriorating facilities, and the immense need to modernize our schools with the latest technology, we simply can't afford to sit back and claim that the federal government can't or shouldn't help.

There is an often used argument that the federal government should have no role in building or renovating schools. And if you look at last year's federal outlays for capital expenses, school construction occupies the smallest slice of that pie. Of the $400 billion the federal government spent on national infrastructure, only one-tenth of one percent—this little piece right here—went to education, training, and employment capital expenses. Roughly 55 percent of our capital costs were spent on highways, 15 percent on housing, 13 percent on community and regional development, with the remaining portion allotted to mass transit, airports, and pollution control facilities.

With over $300 billion in unmet needs, Mr. President, I believe we need to expand this pie and invest more in our schools. Our capital costs over the years can vary from category to category, depending upon what our needs are. Today, the average age of our nation's schools is 42 years. The last time we made a major investment in our nation's educational infrastructure was under the leadership of a Republican President, Dwight Eisenhower. Over the course of his tenure, we spent roughly $1 billion specifically for school construction—due to the boom in our student population. Well, Mr. President, we're in the Baby Boom Echo now; those children now have their own children in our schools. We have a record 53.2 million children now enrolled in our schools today and by 2009, we'll add about one million more. We need to make a commitment similar to the one made by our parents and grandparents in the 1950's. A billion dollars in 1953 would be about $5.4 billion today, if you adjusted for inflation. This amendment merely seeks to set aside $5.9 billion over the next five years.

For every one million students, our nation must build about 1300 schools, and at an average cost of over $12 million per school, we're talking about $16 billion. That's on top of the costs to remedy safety code violations, retro-fit schools to accommodate technology, and relieve overcrowding.

Mr. President, in Virginia, there are over 3,000 trailers in use. This is a picture of Loudoun County High School in Leesburg, Virginia, just 33 miles from here. You see a crane hoisting just one of a whole line of trailers that sit in a parking lot of this Northern Virginia high school. Loudoun County alone needs to build 22 new schools over the next six years to accommodate their skyrocketing enrollments. At an average cost in Northern Virginia of about $18 million per school, that's almost $400 million for just one county!

Mr. REID. Will my friend yield time off the resolution?

Mr. ROBB. I am happy to yield to the distinguished Senator from Nevada.

Mr. REID. My friend talked about Loudoun County. Clark County, where Las Vegas is located, must build one school a month to keep up with its growth.

Mr. ROBB. I thank the distinguished Senator from Nevada. A similar statistic could be quoted by any one of our 99 colleagues in this Chamber. Many of those colleagues have similar stories to tell.

This amendment is not an attempt to dictate what kind of school modernization legislation we should pass; it merely reserves enough funding to pay for such an effort. Given the fact that the Chairman of the Senate Finance Committee, Sen. ROTH, has reported at least three tax bills within the last year or so which contain tax incentives for school modernization and the fact that Republican and Democratic members alike have various proposals to use discretionary spending as a vehicle to finance school modernization, there is clearly an interest on both sides of the aisle to find a way to do this.

Even more illustrative of the momentum to fund school modernization legislation was the introduction last Tuesday of a truly bipartisan school construction and renovation bill in the House. It's sponsored by Representatives NANCY JOHNSON and CHARLIE RANGEL and has 130 other co-sponsors. School modernization has been a top priority of the education community for the past three years. And this community is joined by engineers, architects, mayors across the country, civil rights groups, and even some religious groups.

Mr. President, Let's make it a priority this year. This amendment reflects a commitment similar to the one that our parents and grandparents made a generation ago. I hope we can summon similar courage in this generation.

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Mr. KENNEDY. Mr. President, I strongly support Senator ROBB's amendment which encourages the Senate to make school modernization a top priority by providing $1.3 billion in discretionary spending for grants and loans for the urgent repair and renovation of public elementary and secondary schools in high-need areas, and to leverage $25 billion in interest-free bonds in FY2001.

I also commend Senator ROBB and Senator HARKIN for their leadership on this issue, and I urge my colleagues to support this amendment that is necessary to help the nation meet the critical need to modernize and rebuild crumbling and overcrowded schools.

Nearly one third of all public schools are more than 50 years old. 14 million children in a third of the nation's schools are learning in substandard buildings. Half of all schools have at least one unsatisfactory environmental condition. The problems with ailing school buildings are not the problems of the inner city alone. They exist in almost every community—urban, rural, or suburban.

In Massachusetts, 41 percent of schools report that at least one building needs extensive repairs or should be replaced. 80 percent of schools report at least one unsatisfactory environmental factor. 48 percent have inadequate heating, ventilation, or air conditioning. And 36 percent report inadequate plumbing systems.

In addition to modernizing and renovating dilapidated schools, communities need to build new schools in order to keep pace with rising enrollments and to reduce class sizes. Elementary and secondary school enrollment has reached an all-time high this year of 53.4 million students, and will continue to grow. The number will rise by 324,000 in 2000, by 282,000 in 2001, and by 250,000 in 2002. It will continue on this upward trend in the following years.

For example, in Fitchburg, Massachusetts, enrollments are rising by 200 students a year. Educators there would like to reduce class size, extend special education and bilingual education programs, and hire new teachers, but the school system does not have the facilities or resources to accomplish these important goals. Instead, Fitchburg has been forced to construct four portable facilities—and a fifth is under construction—to deal with overcrowding.

According to a report this year, total unmet school modernization needs, including technology and infrastructure, totals $307 billion—almost three times the amount estimated in 1995. Massachusetts has $9.9 billion in unmet technology and infrastructure needs.

The time is now to do all we can to help rebuild and modernize public schools, so that all children can succeed in safe, technologically-equipped schools. I urge my colleagues to support Senator ROBB's amendment.

Mr. HARKIN. Mr. President, this is a unique moment in our history.

We are at the dawn of a new century. And the United States is in a period of unprecedented economic prosperity.

We have the lowest unemployment rate in decades, the number of families on welfare has declined and new jobs continue to be created at a record pace.

However, we know that despite the longest economic boom in history, some Americans have been left behind. As we look to the future, one of our challenges will be to make sure the rising tide lifts all boats. In addition, we also face the challenge of keeping the prosperity going.

The pending budget resolution jeopardizes our prosperity. It jeopardizes the economy, threatens the Social Security surplus, and shortchanges Medicare. The resolution does not provide an adequate prescription drug benefit, provide sufficient debt reduction or invest in education.

The budget resolution undermines the public's priorities and will impose deep cuts in domestic programs. Fewer children will be served by Head Start, there will be fewer new teachers to reduce class size and no additional officers for community policing.

Instead, the budget proposes a risky tax scheme that jeopardizes our nation's future prosperity and productivity.

The GOP's budget plan squanders the entire non-Social Security surplus on a reckless tax cut and provides no funding for national priorities such as school modernization. It rejects the President's proposal to provide $25 billion in bonds to underwrite construction of 6,000 new schools. It also rejects $1.3 billion in grants and loans for emergency repairs to public schools.

This budget sets the wrong national priorities. It chooses tax cuts for the wealthy over modernizing our children's schools. The Robb-Harkin amendment corrects this serious shortcoming by providing a comprehensive national strategy to repair, renovate and modernize our public schools.

States and local communities are struggling to renovate existing schools and build new ones to alleviate overcrowding. School construction and modernization are necessary to equip classrooms for the 21st Century, improve learning conditions, end overcrowding, and make smaller classes possible.

Our school buildings are simply wearing out. Nearly three-quarters of all U.S. public schools were built before 1970.

According to the National Center for Education Statistics, when a school is between 20 and 30 years, frequent replacement of equipment is necessary.

When a school is between 30 and 40 years old all of the original equipment should have been replaced, including the roof and electrical systems.

After 40 years of age, a school building begins to deteriorate rapidly and most schools are abandoned after 60 years.

The average school building is 42 years old and technology is placing new demands on schools. As a result of increased use of technology, many schools must install new wiring, telephone lines and electrical systems. The demand for the Internet is at an all-time high, but in the nation's poorest schools, only 39% of classrooms have Internet access.

In 1998, the American Society of Civil Engineers issued a report card on our nation's infrastructure. The report found many problems. However, the most startling finding is with respect to our nation's public schools.

ASCE reports that public schools are in worse condition than any other sector of our national infrastructure. This is an alarming fact and should be our call to action.

The need to modernize our nation's public schools is clear, yet the Federal Government lags in helping local school districts address this critical problem.

Because of increasing enrollments and aging buildings, local and State expenditures for school construction have increased dramatically—by 39% from 1990 to 1997. However, this increase has not been sufficient to address the need.

The National Education Association recently surveyed states about the need to modernize public schools and upgrade education technology. According to their preliminary report, $253.9 billion is needed to modernize the school facilities and $53.7 billion is needed to upgrade education technology. For Iowa—$3.4 billion for school facilities and $540 million for education technology.

It is a national disgrace that the nicest places that our children see are shopping malls, sports arenas and movie theaters and the most run down place they see is their public schools. What signal are we sending them about the value we place on them, their education and future?

How can we prepare our kids for the 21st century in schools that did not make the grade in the 20th century?

This amendment provides a comprehensive, two-prong response to this critical national problem.

First, we would provide $1.3 billion each year to make grants and no interest loans for emergency repairs to public schools. The Public School Repair and Renovation Program would help local school districts fix the roof that is leaking, repair fire code violations and put in new electrical wiring.

Mr. President, 25% of schools in New York City are still heated by coal and 46% of U.S. schools lack adequate electrical wiring to support the full-scale use of technology. Sixteen million children attend schools without proper heating, ventilation or air conditioning. Twelve million students attend classes in schools with defective plumbing. These grants and loans would make it possible to install the modern heating systems, plumbing, and new electrical wiring that are desperately needed in schools across America.

In addition, these grants and loans could be used to remedy violations of state or local fire codes. The Iowa Fire Marshal reported a five-fold increase in the number of fires in schools over the past decade. During the 1990's there were 100 fires in Iowa schools. During the previous decade there were 20.

It is clear that public schools have an urgent need to make repairs now and these grants and no-interest loans will finance up to 8,300 repair projects in 5,000 schools. We will install modern heating systems, upgrade the electrical wiring, and repair the fire code violations.

These grants and loans will address problems that literally endanger the lives and safety of our children.

However, some buildings have simply outlived their usefulness and need to be replaced. In addition, enrollment in elementary and secondary schools is at an all time high of 53.2 million and will continue to grow over the next 10 years. Therefore, it will be necessary for the United States to build an additional 6,000 schools to educate the growing number of students.

The second part of our comprehensive strategy is to underwrite the cost of building nearly $25 billion of new school facilities. Our amendment provides tax credits to subsidize the interest on new construction projects to modernize public schools. School districts would be able to replaced outdated buildings or add more class rooms so they can reduce class size. The school modernization bonds would finance modernization projects for 6,000 schools.

Our amendment provides a modest national investment to modernize our nation's schools and will make a big difference for millions of children. Further, the amendment is fully offset by reducing the ill-conceived tax scheme in the Budget Resolution.

I know this kind of approach will work because it is working in Iowa. Iowa is in the second year of a school modernization and repair demonstration project.

Like the Robb-Harkin Amendment, the Iowa demonstration also takes a two-prong approach toward solving this critical problem. First, the Iowa project provides grants for the repair of fire code violations. Secondly, the Iowa project provides grants to subsidize the cost of constructing new school facilities.

In a relatively short period of time, we have already begun to see a difference in Iowa. Over the past two years, 138 grants have been awarded for projects to repair fire code violations. The federal government provided $6.5 million to install fire alarms, upgrade electrical systems and other repairs to make Iowa schools safer.

Last year, six Iowa school districts received grants to underwrite the cost of building new school facilities. Over and over, school officials said the availability of the federal grant was responsible for convincing local citizens to support the school bond issue that finance the bulk of the project.

Several school districts passed school bond issues after several tries. One superintendent said, ''In the past, our school district ran three bond issues unsuccessfully and it is a credit to the Department of Education . . . for providing this Iowa Demonstration Grant funding as an incentive to help voters pass bond issues.''

Another Superintendent said, ''It is our opinion that both of these grants played a very important role regarding the successful passing of the bond issue.''

The most recent competition was just closed and applications for the second year of funding are being reviewed.

The Iowa School Construction Grant is beginning to show the kind of major impact a modest federal investment can have on improving the safety of schools and spurring construction of new school facilities. The school modernization provisions mirror the Iowa Demonstration and will spur the same kind of activity across the nation that we are witnessing in Iowa.

The Iowa School Construction Grant is beginning to show the kind of major impact a modest federal investment can have on improving the safety of schools and spurring construction of new school facilities. Our amendment mirrors the Iowa Demonstration and will spur the same kind of activity across the nation that we are witnessing in Iowa.

Modern, up-to-date school buildings are essential for student achievement. Studies show that students in overcrowded schools or schools in poor physical condition scored significantly lower on both math and reading than their peers in less crowded conditions.

The General Accounting Office reports that 14 million American children attend classes in schools that are unsafe or inadequate. This is a serious national problem. And, it demands a comprehensive national response. The Robb-Harkin Amendment provides that effective national response. I commend Senator ROBB for his leadership on this issue and urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Chair recognizes the Senator from Alaska.

Mr. MURKOWSKI. I thank the Chair. I appreciate the Senator allowing me, on behalf of the leader——

Mr. REID. I could not hear the Senator. Would he start over?

Mr. MURKOWSKI. Mr. President, I am going to speak on behalf of the leader for the wrap-up that has been prepared.

I ask unanimous consent that immediately following my remarks, the Senate resume consideration of the budget resolution for Senator DURBIN to offer his amendment and the appropriate debate. I further ask unanimous consent that following his remarks, the Senate stand in adjournment under the previous order.

Mr. REID. Reserving the right to object. Somebody was talking to me. Please repeat that last request.

Mr. MURKOWSKI. I ask unanimous consent that following the remarks of Senator DURBIN, the Senate stand in adjournment under the previous order.

Mr. REID. Reserving the right to object, we don't have a previous order. Before we agree to this, why don't we do the rest of the unanimous consent agreement.

Mr. MURKOWSKI. I will proceed and omit any reference to the previous order. I will go to Thursday's consent.

I ask unanimous consent that when the Senate reconvenes at 9:30 on Thursday, there be 8 hours and 30 minutes remaining on the concurrent resolution, and the pending resolution be the Durbin amendment relative to tax cuts. I further ask consent that prior to the vote, relative to the Robb education amendment, there be 10 minutes remaining, to be equally divided between Senator ROBB and Senator DOMENICI for the closing debate.

Mr. REID. The minority has no objection to these last two paragraphs the Senator just read.

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

Mr. JEFFORDS. Mr. President, there is strong bipartisan support for the Low Income Home Energy Assistance Program (LIHEAP). To date, 45 Senators have signed a letter in support of $1.4 billion in regular funding, and $300 million in emergency funding, for LIHEAP during Fiscal Year 2001.

I, along with my colleagues from the Northeast-Midwest Senate Coalition, will offer this Sense of the Senate to demonstrate the broad support for increased LIHEAP funding. The amendment expresses the sense of the Senate with respect to increasing LIHEAP regular funding from the current level of $1.1 billion to $1.4 billion.

In my home State of Vermont, this past winter brought temperatures of fifteen below zero; and home heating oil prices soared to $2 a gallon. Approximately 11,400 Vermont families received benefits, which averaged $310 in regular funding for the entire season. Emergency funding contributed an additional $50–$135 depending on the fuel source. These numbers reveal the frugalness with which this program now has to operate.

I am concerned that emergency LIHEAP funding is being used to make up for regular appropriations funding shortfalls. During the first four and half months of FY2000, all available emergency LIHEAP funding ($300 million) was released. There are requests for additional emergency funding. This situation demonstrates the need to increase regular funding to at least the sum of last year's regular and emergency funding amounts.

There is no doubt that emergency funding was critical during this past winter's severe weather conditions and volatile fuel prices. However, LIHEAP funding is most effective when states have it in the form of regular funding, allowing proper advance budgeting and providing funding assistance to low income households before a crisis situation.

In addition, it is critical that we maintain the integrity of the LIHEAP program through the regular funding cycle. The decision was made last year to consider the program an additional non-routine expense. I am concerned that this designation threatens the foundation of the program. This amendment seeks to return LIHEAP to its regular funding structure.

LIHEAP is an effective tool for maintaining the basic needs of low-income households. Nevertheless, stagnant funding has resulted in a growing eligible population not receiving benefits

due to lack of funding. The safety net for our low-income households is getting ever smaller and ever thinner.

The statistics demonstrate the need for LIHEAP best. More than two-thirds of LIHEAP-eligible households have annual incomes of less than $8,000, approximately one-half have annual incomes below $6,000. It has been estimated that low-income households typically spend four times what middle-income households spend on utility services. Middle-income households spend about four percent of their income for energy purposes, whereas low-income households spend between 14% and 16%, and in many instances up to 25% for utility costs.

Thank you, Mr. President, for the opportunity to address the funding needs of this important program. I urge my colleagues to support this amendment.

Ms. MIKULSKI. Mr. President, I rise as a proud cosponsor of this important amendment for women who are diagnosed with breast and cervical cancer through the National Breast and Cervical Cancer Early Detection Program (NBCCEDP) at the Centers for Disease Control and Prevention (CDC). I am pleased to join Senators CHAFEE, SNOWE, GRASSLEY, HARKIN, and others in support of this amendment. This amendment says that we Senators believe that we should pass legislation to provide Medicaid coverage for certain women screened and found to have breast or cervical cancer under the CDC screening program.

Through March 31, 1999, the CDC screening program has provided more than one million mammograms and almost 1.2 million Pap tests. Among the women screened, over 6,200 cases of breast cancer and over 550 cases of cervical cancer have been diagnosed. Right now, the CDC screening program does not pay for breast and cervical cancer treatment services, but it does require participating states to provide treatment services.

The late Senator John Chafee, Senator SNOWE, Senator MOYNIHAN, and I along with others introduced the Breast and Cervical Cancer Treatment Act of 1999 (S. 662) which currently has 57 cosponsors. This bill gives states the option to provide Medicaid coverage for breast and cervical cancer treatment to eligible women who were screened and diagnosed with these cancers through the CDC screening program. It is not a mandate for states. It is the Federal Government saying to the States ''we will help you provide treatment services to these women, if you decide to do so.'' I am pleased to be working with the bipartisan team of Senators LINCOLN CHAFEE, SNOWE, GRASSLEY, and MOYNIHAN to pass this important legislation.

Women screened and diagnosed through the CDC screening program depend on staff and volunteer time to find free or more affordable treatment; they depend on the generosity of doctors, nurses, hospitals, and clinics who provide them with free or reduced-cost treatment. The demands of managed care can also make it more difficult for physicians to provide free or reduced-fee services. In the end, thousands of people who run local screening programs are spending countless hours finding treatment services for women diagnosed with breast and cervical cancer. I salute the individuals who spend their time and resources to help these women. But we must not force these women to rely on the goodwill of others. Right now, the CDC is only screening 12–15 percent of the women who are eligible. As more women are screened, treatment efforts will become even more difficult. The lack of coverage for treatment services has hurt the program's ability to recruit providers, further restricting the number of women screened.

In short, it is clear that the short-term, ad-hoc strategies of providing treatment have broken down. Because there is no coverage for treatment, state programs are having a hard time recruiting providers; volunteers are spending a disproportionate amount of time finding treatment for women; and fewer women are receiving treatment. We can't expand the program to serve the other 85 percent of eligible women if we can't promise treatment to those we already screen.

The CDC screening program is celebrating its 10th anniversary in 2000. I am proud to be the Senate architect of the legislation that created the breast and cervical cancer screening program at the CDC. Over ten years ago we saw a need—low-income women were not receiving basic well-woman care—they were not getting their mammograms and Pap smears to detect breast and cervical cancer. At that time, I and others wanted to ensure that we not only diagnosed these low-income women with breast and cervical cancer, but that we also provided treatment for those cancers. But 10 years ago, we had great deficits and we simply did not have the money for a treatment component of the CDC screening program. So we made a down payment. We took the first step with the belief that it would not be the only step. Well, now the time has come to take the next step and include Federal resources for treatment for women who are diagnosed with breast and cervical cancer through the CDC screening program.

There are three reasons why we should act now to pass this important legislation. First, times have changed since the creation of the CDC screening program ten years ago. We are now running annual surpluses, instead of annual deficits. We have the resources to provide treatment to these women. I think we ought to put our money into ensuring that we save lives. Second, prevention, screening, and early detection are very important, but alone they do not stop deaths. Screening must be coupled with treatment to reduce cancer mortality. Finally, it is only right to provide Federal resources to treat breast and cervical cancer for those screened and diagnosed with these cancers through a Federal screening program.

I am proud that my own state of Maryland realized the importance of providing treatment services to women who were screened through the CDC screening program. Maryland appropriates over $6 million in state funds annually for the Breast and Cervical Cancer Diagnostic and Treatment Program for eligible low income Maryland women. The program has provided services to over 15,650 women in Maryland, including eligible women screened through the CDC screening program and eligible women screened outside the CDC program. The breast cancer mortality rate in Maryland has started to decline, in part because of programs like the CDC's. But not all states have the resources to do what Maryland has done. That's why this bill is needed.

This bill is the best long-term solution. It is strongly supported by the National Breast Cancer Coalition; the American Cancer Society; the National Association of Public Hospitals and Health Systems; the National Partnership for Women and Families; YWCA; National Women's Health Network; the American Medical Women's Association, and many more.

I urge the Senate Finance Committee to take up this legislation before Mother's Day and I urge the Senate leadership to promptly bring it to the full Senate for consideration. The Breast and Cervical Cancer Treatment Act (S. 662) has 57 bipartisan cosponsors. President Clinton has included funding in his 2001 budget to give states the option of providing Medicaid coverage to women who have been diagnosed with breast or cervical cancer through the CDC screening program. The Commerce Committee of the House of Representatives has already unanimously approved this legislation (H. R. 1070).

We must act now to provide a treatment opportunity to all women who are diagnosed with breast or cervical cancer through the CDC screening program. Breast and cervical cancer treatment is not a partisan issue. It's a family issue. It affects mothers, sisters, and daughters, and their fathers, husbands, and children. I can't think of any better way to celebrate the 10th anniversary of the National Breast and Cervical Cancer Early Detection Program than by passing the Breast and Cervical Cancer Treatment Act. I urge my colleagues to join me in support of this important amendment.

Mr. VOINOVICH. Mr. President, the amendment that I have submitted is a simple one. In fact, it's the same one that I offered last year, and it takes the tax cuts proposed in this fiscal year 2001 budget resolution and uses that money, instead, to pay down the debt.

Let me say again: under my amendment, we would take $150 billion that is projected to accumulate as a result of our on-budget surpluses over the next five years, and use those funds, not for

tax cuts, but for debt reduction instead.

Why should we do this rather than use this money to reduce taxes?

First of all, if we pay down the debt, we are going to decrease our interest payments on the national debt—a debt which stands at $5.7 trillion today. This fiscal year, it will cost us more than $224 billion to service our national debt—more than $600 million a day in interest costs alone!

Out of every federal dollar that is spent this year, 13 cents goes to pay the interest on the national debt.

In comparison: 16 cents goes for national defense; 18 cents goes for non-defense discretionary spending; and 53 cents goes for entitlement spending.

We'll spend more on interest this year than we'll spend on Medicare.

When I consider these numbers, it makes me determined to do all that I can to decrease our debt even further.

That's why I believe that every fiscal decision we make in this Congress should be measured against the backdrop of how it will decrease our $5.7 trillion national debt. And I'm not the only one who believes that.

In fact, in testimony before the Senate Budget Committee this past January, CBO Director Crippen stated that ''most economists agree that saving the surpluses, paying down the debt held by the public, is probably the best thing that we can do relative to the economy.''

And on the very same day, Federal Reserve Chairman Greenspan said, ''my first priority would be to allow as much of the surplus to flow through into a reduction in debt to the public. From an economic point of view, that would be, by far, the best means of employing it.''

Lowering the debt sends a positive signal to Wall Street and to Main Street. It encourages more savings and investment which, in turn, fuels productivity and continued economic growth. It also lowers interest rates, which in my view, is a real tax reduction for the American people.

Furthermore, devoting on-budget surpluses to debt reduction is the only way we can ensure that our nation will not return to the days of deficit spending should the economy take a sharp turn for the worse or a national emergency arise.

As Alan Greenspan has testified before Congress, ''a substantial part of the surplus . . . should be allowed to reduce the debt, because you can always increase debt later if you wish to, but it's effectively putting away the surplus for use at a later time if you so choose.''

Some of my colleagues on the other side of the aisle oppose the tax cuts, preferring instead to use the money to increase spending. I believe that spending the surplus is an even worse use of the money.

Now, many have argued that putting the Social Security surplus in a ''lockbox'' will be enough to pay down our debt. However, I should remind my colleagues that in the near future, we might not have Social Security surpluses available for debt reduction, because we may need them for Social Security reform, especially if we go to a system of private accounts.

We cannot keep putting off our responsibilities. If we have the ability—like we do now—we have a moral obligation to pay back our debts.

We must face the fact that because of 30 years of irresponsible fiscal policies our national debt has increased 1,300%. During that time Congress and our Presidents weren't willing to pay for the things they wanted, or, in the alternative, do without those items they could not afford.

I agree with General Accounting Office (GAO) Comptroller General David Walker, who, in testimony before the House Ways and Means Committee last year, said:

> . . . this generation has a stewardship responsibility to future generations to reduce the debt burden they inherit, to provide a strong foundation for future economic growth, and to ensure that future commitments are both adequate and affordable. Prudence requires making the tough choices today while the economy is healthy and the workforce is relatively large—before we are hit by the baby boom's demographic tidal wave.

As most of my colleagues know, Congressional Budget Office (CBO) figures show that the United States will achieve a $26 billion on-budget surplus this current fiscal year, FY 2000.

However, it is of utmost importance that we oppose the temptation to squander this surplus.

In that regard, I have to commend Majority Leader TRENT LOTT for sticking to his guns on not moving forward on a fiscal year 2000 supplemental appropriations bill. He has stated his opposition to a separate bill, preferring instead, to include funding in the regular appropriations bills.

And we need to get moving on those bills quickly, especially because of the need for money to ensure our nation's defense readiness, our Kosovo peacekeeping mission and Colombia's drug eradication efforts.

All we need to do is look at the version of the supplemental that passed in the House of Representatives to see why we should not move forward with a supplemental bill. Indeed, the House started with the President's request of $5.1 billion, reported a bill out of the Appropriations Committee that was some $9 billion and passed a final bill that was $12.7 billion.

Imagine the size of the supplemental once the Senate got through with it?

The worst thing that Congress could do now is throw away any portion of that $26 billion on-budget surplus that was achieved in FY 2000 on non-emergency spending.

And another reason that we should not pass the supplemental is that it can be argued that $22 billion of the $26 billion on-budget surplus that Congress would be tapping into comes from the Medicare Part A trust fund.

Instead of squandering this surplus, let's use it to pay down the debt. It will be our first sizable on-budget surplus that we've been able to use for debt reduction in 40 years, and a truly historical accomplishment.

And let's continue to make history by using future on-budget surpluses to pay down our national debt.

Mr. President, I believe that if we can pass this amendment, and add it to the fine work that the Budget Committee Chairman has accomplished in this resolution—and with the promise from the Majority Leader on the supplemental—I believe we will have made a real difference.

We will have provided a decent budget that should address some of our most pressing problems, and, we will take whatever on-budget surplus dollars that come in and use them to reduce the national debt. Not spending increases, not tax breaks, but simply paying down the debt.

Mr. President, again, my amendment is simple: it takes the $150 billion in tax cuts assumed by this budget resolution and instead says to spend it on debt reduction. I urge my colleagues who believe that we should do all that we can to bring down our national debt to support this amendment.

Thank you Mr. President. I yield the floor.

MORNING BUSINESS

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that there be a period for the transaction of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

LEADERSHIP OF SOUTH DAKOTA BASKETBALL GREAT MIKE MILLER

Mr. DASCHLE. Mr. President, it is a great honor for me to represent the people of South Dakota in the United States Senate. They are the best resource in a state with an infinite number of tremendous attributes, and the best part of my job is getting to know and work with them on a daily basis.

I have often stood before my colleagues here in the Senate to recognize the accomplishments of South Dakotans. Many times, the names sound unfamiliar to those in this chamber. Today, however, I want to congratulate a young man who made the country stand up and take notice—and who showed the country how we play basketball in South Dakota. His name is Mike Miller, and, as every college basketball fan knows, he recently led the Florida Gators to the NCAA Division I National Championship basketball game. Although the Gators fell in a hard fought battle to the Michigan State Spartans, anyone who saw that game knows that Mike Miller is a very special basketball player.

Mike was named Most Outstanding Player in his region for the tournament. That is a tremendous feat for any college player and was made possible only because Mike's last-second shot against Butler advanced Florida and kept his team's hopes of reaching the championship game alive. His clutch play continued in every game of the tournament, making it easy to see why Mike was named the best player in his region. Remarkably, Mike did all of this as just a sophomore.

Mike Miller is from Mitchell—a leader in South Dakota high school basketball—and as a Kernel he played under the legendary Gary Munsen. Mike started learning about the game of basketball long before he got to high school, however. His uncle, Dakota Wesleyan great Alan Miller, is the all-time leading college scorer in South Dakota. And Mike's older brother Ryan, who played for Northern State, currently plays professionally in Australia. The Millers are a big part of the reason that growing up in Mitchell means growing up around basketball.

In a time when too many athletes seem to be more concerned with individual statistics than playing as a team, when the bottom line seems to matter more to some professionals than the love of the game, it's refreshing to see someone like Mike Miller on the court. Through the course of the tournament and the championship game in Indianapolis, Mike showed his opponents and the country how basketball is played in South Dakota—and how it should be played everywhere else. His unselfish play makes the players around him better; he has an uncanny ability to step up his game during crunch time; and he never stops working to improve. That's what he learned in Mitchell—that's what he learned in South Dakota—and that's what he's showing the college basketball world.

Although the Gators fell a few points shy the other night in Indiana, Mike Miller made us proud in South Dakota. He proved to the country what those at the Corn Palace and at Mitchell High already know—that Mike Miller is a champion. We are very proud to call him one of our own.

Let me, of course, congratulate the Michigan State Spartans and the University of Connecticut Huskies women's team for their championship seasons. But, on behalf of everyone who cheered for him, I would also like to take this opportunity to congratulate Mike, his team and his parents—Tom and Sheryl Miller of Mitchell—for the incredible run the Florida Gators had this season. It was fun to watch, and I know we all look forward to seeing more of Mike Miller in the years to come.

HEALTH CARE FOR MILITARY RETIREES

Mr. GORTON. Over the past few weeks, I have had the opportunity to sit down and listen to military retirees during their veterans service organizations' annual visit to Washington, DC. Without exception, access to health care was a priority for each and every group. As a retired officer in the Air Force Reserve, I understand the interest in and importance of this issue to those who dedicated a career to serving and defending our Nation—I speak not only of the service members themselves, but their spouses and dependent family members as well.

After listening to retirees' personal stories and policy presentations, as well as reading the numerous letters on health care legislation I receive each week from military retirees across Washington State, I am convinced that Congress, the President and the Department of Defense must address the issue of retirees' access to health care. In response to the requests of my military retiree constituents, I am cosponsoring Senate bills 915 and 2003, the ''Keep Our Promise to America's Military Retirees Act.''

In the past several years, I cosponsored and supported efforts to establish the Medicare subvention demonstration program, now known as Tricare Senior Prime, and the FEHBP demonstration program. The Tricare Senior Prime demonstration program allows Medicare-eligible retirees to receive care at military facilities with Medicare paying the Department of Defense for the costs of that care. Some retirees in my State of Washington have been able to participate in the Tricare Senior Prime demonstration program as Madigan Army Medical Center was one of the designated test sites. I have spoken with the Commanding Officer at Madigan, my staff has met at length with those overseeing the test at Madigan, as well as the participating retirees, and it appears the test is a significant success.

Two concerns I have heard about the Tricare Senior Prime program are that this is a demonstration and is scheduled to end in December of this year, and that Medicare's current reimbursement scheme to the Defense Department will not fiscally support a permanent program. Senate bill 915 will make the Tricare Senior Prime test program permanent and expand it nationwide to facilities not in the test. It is important for the Defense Department and Congress to act to ensure Tricare Senior Prime demonstration program does not expire at the end of this year and I will be working hard to ensure Tricare Senior Prime is maintained. I also intend to work to see that Medicare fairly reimburses the Defense Department so that the costs of the Tricare Senior Prime program do not impact the services' ability to care for active duty service members and their families.

Senate bill 2003, sponsored by Senators TIM JOHNSON, PAUL COVERDELL, and 24 other Senators, would entitle all retirees, and their widow or widower, access to the Federal Employee Health Benefit Plan (FEHBP), to which all federal non-military retirees have access. As I stated previously, I supported establishing the current FEHBP demonstration program. My support for the demonstration and my decision to cosponsor this bill is driven, to a great degree, by the fact that there are many retirees who do not live in close proximity to a military treatment facility, some due to base closures that shut down facilities in their area of the country. This legislation would provide retirees access to health care regardless of where they choose to live. S. 2003 will also expand access to Tricare to allow Medicare-eligible retirees.

One other issue that I know is of considerable concern to military retirees is the cost of prescription drugs. This concern is heightened, in a border State like Washington, by the disparity in drug prices between the United States and Canada—an issue on which I am working for a commonsense, straight-forward solution. Of interest to Medicare-eligible retirees is access to prescription drugs from DoD facilities or a mail-order program. I believe that it is only fair and appropriate for Congress to consider military retirees when debating the creation of a Medicare prescription drug benefit, which I support.

My cosponsorship of Senate bill 2003 and 915 is driven by the firm belief that Congress must address the current health care situation of military retirees. The President and Defense Department must be active participants in this matter. Military retirees dedicated their lives to defending our Nation and protecting our interests around the world—they are due a serious legislative response.

NATIONAL ORGAN TRANSPLANTATION ACT

Mr. DURBIN. Mr. President, I ask unanimous consent that a letter dated April 5, 2000, addressed to Senators LOTT and DASCHLE, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

We are writing to lodge our strong objection to consideration of H.R. 2418 by the Senate. This bill would reauthorize the National Organ Transplantation Act (NOTA) in a manner that would adversely affect patients in many states including our own, who are desperately in need of organ transplants.

Every year, over 4,000 people die waiting for an organ transplant. The organ allocation policy established by the Organ Procurement and Transplantation Network (OPTN) has been inequitable. Patients with similar severities of illness are treated differently, depending on where they live or at which transplant center they are listed. Patients in some parts of the country wait much longer than patients in other regions, who have the same level of illness. So for some, the chance of dying before they actually receive a transplant is much higher than for others. Over the last 3 years, 97 people died while waiting for an organ transplant at the University of Chicago, 187 died while

waiting at the University of Pittsburgh, 99 died while waiting at Mt. Sinai, NY, and 46 children died while waiting for an organ at the Children's Hospital in Pittsburgh.

Additional problems occur when hospitals provide large numbers of life-saving transplants to out-of-state patients. Maryland hospitals, for instance, are required to pay back United Network for Organ Sharing (UNOS) with the total number of kidneys used in transplant operations, even though 40 percent of those transplant are performed on patients from other states. This means that states with small populations and centers of excellence in transplantation more easily build up a so-called ''kidney debt.'' A ''payback'' requirement also applies to livers between some Organ Procurement Organizations (OPOs) or within certain OPOs. Without greater regional sharing of organs, such policies result in longer than the national average wait times and possible sanctions by UNOS, merely because a state provides life-savings services to non-residents.

To eliminate these inequities, the Department of Health and Human Services (HHS) issued regulations, which became effective March 16th, that establish a framework for organ allocation policies to be developed by the network. The policies will be based on sound medical judgment and will be fairer for all patients, irrespective of where they live.

Regrettably, H.R. 2418 would take us backward and undermine current efforts make the system more equitable. The bill delegates current government authority to a private entity without appropriate standards of Federal review. The bill denies HHS any role in overseeing organ allocation and promoting practices that are in the best interest of the entire public health. The congressionally mandated study by the Institute of Medicine clearly stated that such a role for HHS was both necessary and appropriate. Instead, the bill grants extraordinary powers to a private sector entity to select and approve the Federal controller that manages the OPTN. The manner of such selection does not appear to be consistent with existing principles of the Federal acquisition process, which promote full and open competition in awarding Federal contracts. Furthermore, the bill would not incorporate the Institute of Medicine's recommendation of standardization of patient listing practices and broader sharing of organs.

It is our hope that we can work with the committee of jurisdiction here in the Senate, the Health, Education, Labor and Pension Committee, to forge in an alternative reauthorization bill. It is our understanding that Senators Frist and Kennedy are currently working on a bill that would be more in keeping with the IOM's recommendations. We ask that this bill not disrupt the new HHS regulations.

Because of our strong objections to H.R. 2418, we request that we be notified and consulted before any unanimous consent agreement is sought for any legislation that seeks to reauthorize the National Organ Transplant Act, to ensure our ability to exercise our rights in the shaping of this important legislation.

Thank you for your consideration in this matter.

Sincerely,

RICHARD J. DURBIN,
BOB KERREY,
RICK SANTORUM,
BARBARA A. MIKULSKI,
PETER G. FITZGERALD,
CHUCK HAGEL,
ARLEN SPECTER,
PAUL S. SARBANES,
CHARLES E. SCHUMER.

TRADE ADVISORY COMMITTEE SYSTEM

Mr. BAUCUS. Mr. President, I rise today to address a concern I have about the way we run our trade policy.

Over a quarter century ago, Congress passed the Trade Act of 1974. It was a monumental piece of legislation which laid the foundation for America's current trade policy operations. One of its features was a formal system of nonpartisan advisory committees. These committees were designed to give the Executive Branch advice from the private sector on trade agreements.

The Trade Act created two tiers of advisory committees. At the top is the Advisory Committee on Trade Policy and Negotiations (ACTPN), composed of 45 people serving for a 2-year term. The members are officers of corporations, trade associations and labor unions. A parallel committee known as TEPAC provides advice on trade and the environment. The next tier contains the Industry Sector Advisory Committees and the Industry Functional Advisory Committees, known as ISAC's and IFAC's. The Trade Act gives the Executive Branch substantial leeway in creating them, chartering them, and choosing their members. Today there are more than two dozen ISAC's and IFAC's.

Mr. President, the Clinton Administration announced last month that it was taking a hard look at the advisory committee process. I support that. In the past year, we've witnessed some unwelcome developments in the advisory committee system that call into question whether its operating in the way Congress intended.

In May 1999, the head of a prominent environmental group resigned from the TEPAC. He resigned after his committee was asked to comment on regulations only after, rather than before, they were proposed by the State Department.

In November 1999, the U.S. District Court in Seattle ruled in favor of environmentalists who were seeking representation on two of the ISAC's for paper and wood products. They believed that the trade issues under discussion could have environmental consequences, and they wanted the ISAC's to consider those consequences when providing advice to the government. The Court agreed, and the Commerce Department took steps to comply.

For reasons I don't understand, the Justice Department appealed the decision after the Commerce Department had taken these steps. I have already said that I will introduce legislation mandating environmental participation if the District Court decision is overturned.

In January 2000, all three labor representatives resigned from the ACTPN, the top-tier committee. Their complaint was that they had no say in shaping the discussion agenda. So now nobody speaks on behalf of American workers on the ACTPN.

Clearly, Mr. President, this process isn't working the way Congress intended. It is time for a fresh look. Let me focus on what I believe are the two main issues we should consider: trade agreement compliance and open participation.

In the 1974 Trade Act, Congress gave the advisory committees two main tasks. The first task was to give advice on upcoming and ongoing trade negotiations. The advice they give helps set negotiating objectives and bargaining positions. The second task related to existing trade agreement. The ACTPN, the ISAC's and the IFAC's were to give advice and information on compliance with these existing trade agreements.

We need more work on the second task.

Over the past 20 years, the United States has entered into more than 400 trade agreements. Last month the GAO issued a report on how well we monitor and enforce them. The answer: not very well.

The American Chamber of Commerce in Japan has just released an analysis of our bilateral trade agreements there. They examined over 50 separate agreements, testing them for effective implementation. Of the ones given a numerical grade, over half flunked the implementation test. That's miserable.

What's the problem? The problem is two-fold. First, everyone wants to negotiate agreements, but nobody wants to implement them. That leads to the second problem: too few monitors.

With respect to the first problem, Mr. President, it is worth remembering that trade policy is carried out by human beings. Like people everywhere, they find that negotiating deals is exciting. Negotiating is high-profile work. What about implementation? Implementing deals is not nearly as exciting as negotiating them. Everyone signs up to negotiate. No one signs up to implement.

With respect to the second problem, the GAO cited a widespread lack of personnel to monitor and enforce trade agreements. They pointed to staffing gaps at in the U.S. Trade Representative's office, the Commerce Department and other agencies. I don't doubt it. President Clinton and Vice President GORE have worked hard and successfully to slim down the federal bureaucracy. So there aren't many extra hands.

I don't think this problem can be solved by hiring more people. In fact, given the number and complexity of modern trade agreements, I doubt that we even could hire enough government workers to do the job right. We've moved far beyond the old-style trade pacts that just covered tariffs, where it is easy to see whether everybody's charging the right rate. Nowadays these agreements cover highly specialized non-tariff issues. We have agreements on technical standards for high-tech electronic products. Agreements covering regulatory procedures, such as approving new drugs. Understanding these agreements takes very specific expertise.

Even though these trade agreements differ widely in scope and in content, they have one feature in common. Their aim is opening markets for American exports. Who is in the best position to monitor whether or not they achieve that purpose? I submit, Mr. President, that the companies who are supposed to benefit from the agreements are in the best position, along with their trade associations.

We have about 1,000 people from the private sector in the advisory committee system. They are all volunteers, working free of charge. They do an excellent job on their first task, advising the government on the negotiating end of trade policy. We should get them working on their second task, monitoring existing trade agreements. And they should do their monitoring out in the open.

Every new trade agreement should be assigned to at least one advisory committee. That committee should be responsible for monitoring compliance with the agreement. That committee should report regularly on implementation. It should recommend specific action when it finds examples of noncompliance. Complicated agreements, such as NAFTA and the Uruguay Round, should be parceled out among several committees.

Prospective members of trade advisory committees should all meet the following test: do they represent an organization willing and able to help monitor compliance with trade agreements? Only those who answer yes should be put on a committee.

Mr. President, let me turn now to the second issue we should examine: public participation.

I come from a state with a strong tradition of open government. A Montanan has the right to attend any meeting that a State official holds. No exceptions. The federal government has a tradition of openness too, especially with respect to advisory committees. Congress made openness a statutory requirement with the Federal Advisory Committee Act (FACA) of 1972. When we passed the Trade Act, we specified openness by requiring that all of these trade advisory committees follow FACA procedures.

We left one exception. Meetings could be closed to the public if they covered matters which would seriously compromise U.S. Government trade negotiations. That's a quote from the law. ''Seriously compromise.'' And only with respect to ongoing active negotiations.

Today there aren't many active trade negotiations underway. So there is not much to be seriously compromised. Nevertheless, too many advisory committees are still closed to interested observers. That's unacceptable. It's illogical. It's illegal.

What are the advisory committees talking about in these meetings? I've heard from people who attend them that almost all of the information discussed is pretty straightforward. Nothing very secret.

People who are barred from the meetings don't know that. They begin to suspect that something's going on in those rooms. Maybe somebody is trying to hide something from them. Closing off these meetings just feeds that feeling of mistrust. It's bad government.

In the past, the Administration used to close all ISAC and IFAC meetings, until they lost a 1996 court challenge. It was a blanket closure policy. In arguing this case before the court, the Trade Representative's office said that Congress agreed with the blanket closure policy, because we never did anything about it.

Let's do something about it. The Constitution gives Congress, not the Executive Branch, authority over international trade. I intend to introduce legislation designed to clear up any confusion about what Congress expects with regard to public participation in ISAC's and IFAC's.

Finally, Mr. President, I have found one other feature of advisory committee that we should change. There is a ''consensus'' mentality. Some committees feel that they can only give advice if they reach a consensus. They say that this is why committees can't have members who come at issues in different ways. They'll never get consensus. I see nothing wrong with committees sending forward recommendations along with minority viewpoints. We're a democracy. We do this all the time.

I look forward to working with my Senate colleagues and with the trade agencies of the Executive Branch to get the advisory committee system back on track.

Mr. President, I have written to Secretary Daley and Ambassador Barshefsky outlining my thoughts on this issue. I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
Washington, DC, April 4, 2000.

Hon. WILLIAM M. DALEY,
Secretary of Commerce, Washington, DC.
Hon. CHARLENE BARSHEFSKY,
U.S. Trade Representative, Washington, DC.

DEAR SECRETARY DALEY AND AMBASSADOR BARSHEFSKY: Your recent initiative to take a close look at the trade advisory process is right on target. As you know, I am concerned by the resignations by prominent labor leaders and environmentalists from TEPAC and ACTPN, and by the Administration's appeal of the court ruling on NGO participation in ISAC's. It is time to re-examine the process, balancing sometimes conflicting goals.

For example, we seek influential leaders on ACTPN and TEPAC who understand trade policy. It is not always easy to find both qualities in one person. As a result, the ability of ACTPN and TEPAC members to contribute to trade policy formulation varies widely.

The desire for the ISAC's and IFAC's to foster consensus recommendations leads to excluding certain interested parties. I have heard from business groups and NGO's on this point. Morever, because the advisory process can be rigid and slow, it is tempting to circumvent the ISAC's or IFAC's, and instead use informal groups of trade advisors.

Let me offer a few ideas for improving the process.

We should give the advisory committees a more active role in monitoring implementation of existing agreements. Their charters include this function, but we don't emphasize compliance monitoring. We should strengthen this function. The private sector can help fill the information gaps which the GAO identified in its recent report on trade agreement compliance.

In addition, we should reexamine committee operating rules, such as procedures for choosing members and the role of the designated federal official. This may entail streamlining the system by reducing the number of standing committees. Finally, we have to clarify the relationship between the 1974 Trade Act and the Federal Advisory Committee Act.

This 26 year-old system is ready for some fresh eyes and for a legislative remedy. I look forward to working with you to improve the process.

Sincerely,

MAX BAUCUS.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, April 4, 2000, the Federal debt stood at $5,758,854,640,223.41 (Five trillion, seven hundred fifty-eight billion, eight hundred fifty-four million, six hundred forty thousand, two hundred twenty-three dollars and forty-one cents).

Five years ago, April 4, 1995, the Federal debt stood at $4,876,207,000,000 (Four trillion, eight hundred seventy-six billion, two hundred seven million).

Ten years ago, April 4, 1990, the Federal debt stood at $3,092,193,000,000 (Three trillion, ninety-two billion, one hundred ninety-three million).

Fifteen years ago, April 4, 1985, the Federal debt stood at $1,738,045,000,000 (One trillion, seven hundred thirty-eight billion, forty-five million).

Twenty-five years ago, April 4, 1975, the Federal debt stood at $505,481,000,000 (Five hundred five billion, four hundred eighty-one million) which reflects a debt increase of more than $5 trillion—$5,253,373,640,223.41 (Five trillion, two hundred fifty-three billion, three hundred seventy-three million, six hundred forty thousand, two hundred twenty-three dollars and forty-one cents) during the past 25 years.

ADDITIONAL STATEMENTS

TRIBUTE TO GIL HODGES

• Mr. SCHUMER. Mr. President, I rise today to honor Gil Hodges on his 25 year career in Major League Baseball. Gil Hodges served 18 years as a major league player and 7 years as a manager, during which he distinguished himself through exceptional performance, success, professionalism and personal achievement.

At the conclusion of his playing career in 1962, Gil Hodges was the leading

right handed home run hitter in National League history; hitting 20 or more home runs in 11 seasons, surpassing the 30 home run mark four times and the 40 mark twice. For the 11-year period between 1949 and 1959, he averaged more than 30 home runs and 100 RBIs per season. Those are some impressive statistics. A vital part of both the Brooklyn Dodgers and New York Mets franchises, Gil appeared in 8 World Series, winning 1 as a player and 1 as a manager. During his tenure, Gil Hodges led the 1969 Miracle Mets to one of the most memorable and remarkable World Championships in the history of baseball, bringing pride to Mets fans all across the city.

Beyond being a great major leaguer, Gil Hodges was a great humanitarian. He played a major role in the success and acceptance of his teammate, Jackie Robinson. Jackie's eventual success was facilitated by the leadership and courage of Gil Hodges. A life long New Yorker, his memory lives on in the minds of the many Dodgers and Mets fans that got to witness his greatness. His number 14 has been retired by the Mets assuring that his legacy will be preserved for generations. In closing, I would like to say that Gil Hodges was a great baseball player, a great manager, and more importantly a great man. He was a hero to many and I am taking this time to pay tribute to his legacy. Thank you, Gil.●

TRIBUTE TO MR. FILIPPO MILONE

● Mr. SHELBY. Mr. President, I rise today to recognize Mr. Filippo Milone, a well-known community leader who was recently given the Republican Congressional Committee's Businessman of the Year Award. Filippo runs the highly successful and well regarded Pillars restaurant in Mobile, Alabama which serves some of the best cuisine not only in the state, but in the entire country. This award is truly a testament to Filippo's reputation in the Mobile business community and to the high esteem in which he is held by his peers. I want to congratulate Filippo and his wife of 27 years, Geltrude, and offer my thanks for their dedication to the city of Mobile.

Born in Italy in 1938, Filippo came to the United States after fulfilling his duties in the Italian military. After traveling to various parts of the country, Filippo chose to settle in the Mobile area to establish a business and raise a family. Calling upon his extensive culinary training, Filippo opened the Pillars restaurant in 1975 with the idea of creating a unique dining experience for customers. Today, the Pillars restaurant continues to thrive. Filippo has 40 employees and enjoys the satisfaction that comes with creating opportunities for others. He is active in the community as a member of many local organizations, including the Restaurant Association, the Chef's Association, and Lion's Club. Indeed, Filippo's many activities truly entitle him to the recognition that comes with being named a Businessman of the Year.

Again, I would like to congratulate Filippo and his entire family on this award. I have had the pleasure of eating at the Pillars Restaurant on numerous occasions and can honestly say I have never been disappointed. Both the service and food are always first class, and being in the company of someone with such a deep sense of community is always a pleasure. His commitment to the Mobile area and to Alabama should be commended.●

IN MEMORY OF JOHN ROBERT STARR

● Mrs. LINCOLN. Mr. President, just a few days ago Arkansas lost one of its boldest opinion leaders and most respected modern journalists, John Robert Starr. I rise today to pay tribute to his career and to offer my sympathies to his family, friends and colleagues.

A journalist of the ''old-school,'' John Robert Starr was dedicated to the tradition of his craft even in this day and age of on-line papers and 24-hour news channels. He loved his work and once said of journalism: ''This is the place to be—reporting, covering the day-to-day business. This is where I would like to be. This is where everybody ought to be.''

Ultimately, Mr. Starr would have a dramatic impact on journalism in Arkansas. But he got his start on the college newspaper at Southwestern, now Rhodes College in Memphis. After college, Starr combined two of his loves, sports and journalism, to join the sports staff at the Memphis Commercial Appeal. He later moved to the Associated Press in Little Rock as the sports editor but soon shifted into the arena of political coverage.

Throughout his 19-year career at the AP, including as Little Rock bureau chief, Starr covered such infamous political characters as Governor Orval Faubus, as well as various political candidates. After a lengthy and successful stint, he then left the AP to teach journalism at the University of Arkansas at Little Rock. Starr didn't last long on the academic side of things after being recruited to run an afternoon paper, the Arkansas Democrat. The Democrat was headed into battle with a more widely-read morning paper, the Arkansas Gazette, which was the oldest newspaper west of the Mississippi.

As they say, the rest is history. John Robert Starr led the Democrat through a raucous, public battle against the Gazette for readership and power. He became known through a must-read daily column for his sharp wit and engaging writing. Ultimately, the Democrat took the Gazette head on with hard news coverage and even harder-hitting opinions. It won, taking over the Gazette in 1991 under the masthead of one combined daily paper, the Arkansas Democrat-Gazette. It has been said that, despite his hand in shutting the Gazette down, Starr mourned the loss of the competition and lamented the passing of a major journalistic institution.

After the takeover, Starr stayed at the helm of the Democrat-Gazette as managing editor for just under a year, but stayed on to write his much-beloved daily column until the late 1990's when he cut back to three columns per week. During these years, Starr took on every topic from politics to travel, from professional basketball to Razorback football's recent stadium controversy. He always had an opinion and expressed it like no one else could. While his career was not without controversy, his opinions were always received with respect.

John Robert Starr also devoted much time to his wife of 51 years, the former Norma Jeanette Wilson of Pine Bluff, Arkansas, and their family. They traveled extensively over the years and their adventures provided material for many touching columns. Starr is survived by two sons, a daughter, and nine grandchildren, whom he loved dearly.

Journalism in my home state is forever influenced by the life and career of John Robert Starr. He was a dedicated Arkansan, with a passionate commitment to our state and its communities. With his passing, thousands of Arkansans will find something missing as they pick up their morning papers for years to come.●

THE KOSCIUSZKO FOUNDATION

● Mr. MURKOWSKI. Mr. President, I would like to extend my congratulations to the Kosciuszko Foundation—the American Center for Polish Culture—in honor of the Foundation celebrating its 75th Anniversary.

As the oldest not-for-profit institution in the United States which maintains cultural and educational exchanges between the U.S. and Poland, the Kosciuszko Foundation organizes academic, scholarly and scientific exchanges, and fellowships and grants for Polish scholars.

The Foundation also supports efforts to further business and economic education in Poland, and it also funds valuable programs to prepare Poland's political and social leaders for the country's new democratic system.

I commend the Kosciuszko Foundation for promoting Polish education and culture, and for its years of dedicated service to the Polish and Polish-American community. Many thanks also must go to the dedicated folks at the foundation for maintaining the vital Polish culture.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on the Judiciary.

(The nomination received today is printed at the end of the Senate proceedings.)

THE DEPARTMENT OF TRANSPORTATION'S BIENNIAL REPORT ON HAZARDOUS MATERIALS TRANSPORTATION—MESSAGE FROM THE PRESIDENT—PM99

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee Commerce, Science, and Transportation.

To the Congress of the United States:

I herewith transmit the Department of Transportation's Biennial Report on Hazardous Materials Transportation for Calendar Years 1996–1997. The report has been prepared in accordance with the Federal hazardous materials transportation law, 49 U.S.C. 5121(e).

WILLIAM J. CLINTON.

THE WHITE HOUSE, *April 5, 2000.*

MESSAGE FROM THE HOUSE

At 11:23 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 758. An act for the relief of Nancy B. Wilson.

H.R. 3903. An act to deem the vessel M/V *Mist Cove* to be less than 100 gross tons, as measured under chapter 145 of title 46, United States Code.

H.R. 2418. An act to amend the Public Health Service Act to revise and extend programs relating to organ procurement and transplantation.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 758. An act for the relief of Nancy B. Wilson; to the Committee on Finance.

H.R. 3903. An act to deem the vessel M/V *Mist Cove* to be less than 100 gross tons, as measured under chapter 145 of title 46, United States Code; to the Committee on Commerce, Science, and Transportation.

H.R. 2418. An act to amend the Public Health Service Act to revise and extend programs relating to organ procurement and transplantation; to the Committee on Health, Education, Labor, and Pensions.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–8336. A communication from the Assistant General Counsel for Regulations, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Projects with Industry (Evaluation Standards and Compliance Indicators)'' (RIN1820–AB45), received April 3, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–8337. A communication from the Assistant General Counsel for Regulations, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Final Regulations-Federal Perkins Loan Program'', received April 3, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–8338. A communication from the Board of Trustees, Federal Old-Age and Survivors Insurance and Disability Insurance Trust Funds transmitting, pursuant to law, the 2000 annual report; to the Committee on Finance.

EC–8339. A communication from the Board of Trustees, Federal Supplementary Medical Insurance Trust Fund transmitting, pursuant to law, the 2000 annual report; to the Committee on Finance.

EC–8340. A communication from the Board of Trustees, Federal Hospital Insurance Trust Fund transmitting, pursuant to law, the 2000 annual report; to the Committee on Finance.

EC–8341. A communication from the Secretary of the Commission, Federal Trade Commission transmitting, pursuant to law, the report of a rule entitled ''Formal Interpretation 17, Pursuant to Section 803.30 of the Premerger Notification Rules, 16 CFR Section 803.30, Regarding Filing Obligations for Certain Acquisitions Involving Banking and Non-Banking Businesses under the (c)(7) and (c)(8) Exemptions of the Hart-Scott-Rodino Act as Amended by the Gram-Leach-Bliley Act'', received April 3, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8342. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Spiny Dogfish Fishery Management Plan; Delay of Effectiveness'', received March 30, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8343. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Implement Amendment 9 to the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic'', received March 30, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8344. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska-Closes B Season Pollock Fishery within the Shelikof Strait Conservation Area in the Gulf of Alaska'', received March 30, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8345. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Fort Lauderdale, FL (COTP Miami 00–030)'' (RIN2115–AA97) (2000–0006), received March 30, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8346. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Norwalk River, CT (CGD01–00–014)'' (RIN2115–AE$7) (2000–0017), received March 30, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8347. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Elaine, AR; Ringgold, LA; Hays, KS'' (MM Docket No. 99–280; RM–9672; MM Docket No. 99–281, RM–9684; MM Docket No. 99–283, RM–9711), received March 30, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8348. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Easton, Merced and North Fork, CA'' (MM Docket No. 99–181; RM–9584; RM–9700), received March 30, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8349. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Littlefield, Wolfforth and Tahoka, TX'' (MM Docket No. 95–83; RM–8634), received March 30, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8350. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Newell, SD; Moville, IA; Rockford, IA; Watseka, IL; Keosauqua, IA; and Box Elder, SD'' (MM Docket Nos. 99–96; 00–193; 99–194; 99–308; 99–309; and 99–310), received March 30, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8351. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Johnson City and Owego, NY'' (MM Docket No. 99–245; RM–9680), received March 30, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8352. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Ankeny and West Des Moines, IA'' (MM Docket No. 95–108; RM–8631), received March 30, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8353. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; CFM International CFM56–2, –2A, –2B, –3, –3B, and –3C Series Turbofan Engines; Docket No. 99–NE–57 (3–28/3–30)'' (RIN2120–AA64) (2000–0183), received March 30, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8354. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule

entitled ''Airworthiness Directives; Learjet Model 35, 35A, 36, 36A, 55, 55B, and 55C Airplanes; Rescission; Docket No. 99–NM–311 (3–27/3–30)'' (RIN2120–AA64) (2000–0182), received March 30, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8355. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada Model 407 Helicopters; Request for Comments; Docket No. 99–SW–75 (3–30/3–30)'' (RIN2120–AA64) (2000–0180), received March 30, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8356. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes; Docket No. 99–NM–185 (3–30/3–30)'' (RIN2120–AA64) (2000–0181), received March 30, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8357. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Israel Aircraft Industries, Ltd., Model Astra SPX Series Airplanes; Docket No. 99–NM–256 (3–28/3–30)'' (RIN2120–AA64) (2000–0184), received March 30, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8358. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of the Airspace for Grand Canyon National Park; Docket No. FAA–99–5926 (4–4/4–3)'' (RIN2120–AG74), received April 3, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8359. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Commercial Air Tour Limitation in the Grand Canyon National Park Special Flight Rules Area; Docket No. FAA–99–5927 (4–4/4–3)'' (RIN2120–AG73), received April 3, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8360. A communication from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants: Determination of Threatened Status for the Northern Idaho Ground Squirrel'' (RIN1018–AE84), received March 31, 2000; to the Committee on Environment and Public Works.

EC–8361. A communication from the Secretary of Transportation, transmitting a draft of proposed legislation relative to creation of a highway emergency relief reserve; to the Committee on Environment and Public Works.

EC–8362. A communication from the Vice President, Communications, Tennessee Valley Authority transmitting the Statistical Summary for fiscal year 1999; to the Committee on Environment and Public Works.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–451. A resolution adopted by the Board of County Commissioners, Spokane County, Washington relative to the United Nations Convention on the Elimination of All Forms of Discrimination Against Women; to the Committee on Foreign Relations.

POM–452. A resolution adopted by the Board of Commissioners, Ferry County, Washington relative to the Endangered Species Act; to the Committee on Environment and Public Works.

POM–453. A resolution adopted by the Southern Governors' Association relative to the Master Water Control Manual for the Missouri River; to the Committee on Environment and Public Works.

REPORT OF COMMITTEE

The following report of committee was submitted:

By Mr. MACK, from the Joint Economic Committee: Special Report entitled ''The 2000 Joint Economic Report'' (Rept. No. 106–225).

EXECUTIVE REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. MURKOWSKI for the Committee on Energy and Natural Resources.

Thomas A. Fry, III, of Texas, to be Director of the Bureau of Land Management.

(The above nomination was reported with the recommendation that he be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REID (for himself and Mr. INOUYE):

S. 2357. A bill to amend title 38, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive military retired pay concurrently with veterans' disability compensation; to the Committee on Veterans' Affairs.

By Mr. INHOFE (for himself and Ms. LANDRIEU):

S. 2358. A bill to amend the Public Health Service Act with respect to the operation by the National Institutes of Health of an experimental program to stimulate competitive research; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROBB (for himself and Mr. WARNER):

S. 2359. A bill to make technical corrections in United States Customs Service regulations regarding the importation of goods bearing foreign owned trademarks or trade names, and for other purposes; to the Committee on Finance.

By Mr. SHELBY:

S. 2360. A bill to amend the Gramm-Leach-Bliley Act to provide for a limitation on sharing of behavioral profiling information, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER:

S. 2361. A bill to amend Public Law 85–159 to strike the provision relating to transmission of power generated by the Niagara Power Project, New York, to neighboring States; to the Committee on Energy and Natural Resources.

By Mr. VOINOVICH (for himself, Mr. BREAUX, Mr. INHOFE, and Ms. LANDRIEU):

S. 2362. A bill to amend the Clean Air Act to direct the Administrator of the Environmental Protection Agency to consider risk assessments and cost-benefit analyses as part of the process of establishing a new or revised air quality standard; to the Committee on Environment and Public Works.

By Mr. CRAPO:

S. 2363. A bill to subject the United States to imposition of fees and costs in proceedings relating to State water rights adjudications; to the Committee on Energy and Natural Resources.

By Mr. SANTORUM (for himself and Mr. GREGG):

S. 2364. A bill to amend the Social Security Act to require Social Security Administration publications to highlight critical information relating to the future financing shortfalls of the social security program; to the Committee on Finance.

By Ms. COLLINS (for herself, Mr. BOND, Mr. BAUCUS, Mr. JEFFORDS, Mr. REED, Mr. SANTORUM, Mr. ABRAHAM, Mrs. MURRAY, Mr. COCHRAN, Mrs. FEINSTEIN, Mr. HOLLINGS, Ms. MIKULSKI, Mr. BINGAMAN, Mr. MURKOWSKI, Mrs. HUTCHISON, Mr. SCHUMER, Mr. TORRICELLI, Mr. EDWARDS, Mr. LEAHY, Mr. ENZI, Mr. LUGAR, Mr. CLELAND, Mr. HAGEL, Ms. SNOWE, Mr. BENNETT, Mr. GORTON, Mr. HUTCHINSON, Mr. HELMS, Mr. ALLARD, Mrs. LINCOLN, Mr. L. CHAFEE, Mr. DEWINE, Mr. ASHCROFT, Mr. SPECTER, Mr. ROBERTS, Mr. BROWNBACK, and Mr. VOINOVICH):

S. 2365. A bill to amend title XVIII of the Social Security Act to eliminate the 15 percent reduction in payment rates under the prospective payment system for home health services; to the Committee on Finance.

By Mr. FRIST (for himself, Mr. JEFFORDS, Mr. GREGG, Mr. ENZI, Mr. HUTCHINSON, Ms. COLLINS, Mr. BROWNBACK, Mr. HAGEL, and Mr. SESSIONS):

S. 2366. A bill to amend the Public Health Service Act to revise and extend provisions relating to the Organ Procurement Transplantation Network; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ABRAHAM (for himself, Mr. KENNEDY, Mr. LEAHY, Mr. DEWINE, Mr. JEFFORDS, Mr. AKAKA, Mr. GRAHAM, and Mr. INOUYE):

S. 2367. A bill to amend the Immigration and Nationality Act to make improvements to, and permanently authorize, the visa waiver pilot program under the Act; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ABRAHAM (for himself and Mr. LEVIN):

S. Res. 281. A resolution to congratulate the Michigan State University Men's Basketball Team on winning the 2000 National Collegiate Athletic Association Men's Basketball Championship; considered and agreed to.

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. Res. 282. A resolution congratulating the Huskies of the University of Connecticut for winning the 2000 Women's Basketball Championship; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for himself and Mr. INOUYE):

S. 2357. A bill to amend title 38, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive military retired pay concurrently with veterans' disability compensation; to the Committee on Veterans' Affairs.

ARMED FORCES CONCURRENT RETIREMENT AND DISABILITY PAYMENT ACT OF 2000

Mr. REID. Mr. President, I am pleased today to introduce legislation along with my esteemed colleague Senator INOUYE that will correct an inequity for veterans who have retired from our Armed Forces with a service-connected disability.

Our legislation will permit retired members of the Armed Forces who have a service connected disability to receive military retired pay concurrently with veterans' disability compensation.

Mr. President, disabled military retirees are only entitled to receive disability compensation if they agree to wave a portion of their retired pay equal to the amount of compensation. This requirement discriminates unfairly against disabled career soldiers by requiring them to essentially pay their own disability compensation.

Military retirement pay and disability compensation were earned and awarded for entirely different purposes. Current law ignores the distinction between these two entitlements. Members of our Armed Forces have dedicated 20 or more years to our country's defense earning their retirement for service. Whereas disability compensation is awarded to a veteran for injury incurred in the line of duty.

It is inequitable and unfair for our veterans not to receive both of these payments concurrently. We have an opportunity to show our gratitude to these remarkable men and women who have sacrificed so much for this great country of ours. I hope the Senate will seriously consider passing this legislation, to end at last, this disservice to our retired military men and women.

Mr. President, this legislation represents an honest attempt to correct an injustice that has existed for far too long. Allowing disabled veterans to receive military retired pay and veterans disability compensation concurrently will restore fairness to Federal retirement policy.

This legislation is supported by veterans service organizations, including the Disabled American Veterans, the American Legion, and Paralyzed Veterans of America. This is simply the right thing to do. Our veterans have earned this and now it is our chance to honor their service to our nation.

I ask unanimous consent that the text of the Armed Forces Concurrent Retirement Disability Payment Act of 2000 and attached documents be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2357

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Armed Forces Concurrent Retirement and Disability Payment Act of 2000''.

SEC. 2. CONCURRENT PAYMENT OF RETIRED PAY AND COMPENSATION FOR RETIRED MEMBERS WITH SERVICE-CONNECTED DISABILITIES.

(a) CONCURRENT PAYMENT.—Section 5304(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(3) Notwithstanding the provisions of paragraph (1) and section 5305 of this title, compensation under chapter 11 of this title may be paid to a person entitled to receive retired or retirement pay described in such section 5305 concurrently with such person's receipt of such retired or retirement pay.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act, and apply with respect to payments of compensation for months beginning on or after that date.

(c) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits shall be paid to any person by virtue of the amendment made by subsection (a) for any period before the effective date of this Act as specified in subsection (b).

NEVADA PARALYZED VETERANS OF AMERICA,
Las Vegas, NV, April 4, 2000.

Senator HARRY REID,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR REID: Nevada Paralyzed Veterans of America is dedicated to all efforts that will support and enhance the quality of life of our members. We consider ourselves an important voice of reason and logic when issues of substance arise regarding legislation and health care. In the tradition of excellence that we acquired during our active military training we continue to strive to maintain the same in promoting quality of life post disability.

As President of Nevada Paralyzed Veterans of America (Nevada PVA), I would like to offer my support of your legislation to permit the concurrent receipt of service-connected disability compensation and retirement pay, without deductions. Nevada PVA has consistently supported legislation that would attempt to remedy the unjust disparity in benefits for the men and women who have served in our Armed Services.

While Nevada PVA supports these measures, as we have in the past, we must be assured that the other benefits currently being received by veterans are in no way compromised or reduced. VA has just recently begun getting the funding it needs to avoid the devastating effects of past flat-lined budgets. We hope that Congress will see the wisdom of providing concurrent receipts.

Thank you again for your continued support of our veterans and for your legislation. We look forward to the passage of your bill and the benefits it will bring to our deserving service-connected disabled veterans.

Sincerely,

LUPO A. QUITORIANO, Ph.D.,
President.

DISABLED AMERICAN VETERANS,
DEPARTMENT OF NEVADA,
Las Vegas, NV, April 4, 2000.

Senator HARRY REID.

DEAR SIR: It is our understanding that you are about to introduce legislation that would establish ''Concurrent Payments of Department of Veterans Affairs Disability Compensation and Military Retirement''.

The Department of Nevada DAV goes on record, with the National DAV, in supporting such legislation.

I submit, for your perusal, Resolution #30 from the DAV Legislative Program, approved at convention in 1999.

''Whereas, ex-service members who are retired from the military on length of service must waive a portion of their retired pay in order to receive disability compensation from the Department of Veterans Affairs (VA) and

''Whereas, it would be more equitable if the laws and regulations were changed to provide that in such cases the veteran would be entitled to receive both benefits concurrently since eligibility was established and earned under two entirely different sets of enabling laws and regulations: NOW

''Therefore be it resolved that the Disabled American Veterans in National Convention assembled in Orlando, Florida, August 21–25, 1999, supports legislation and changes in applicable regulations which would provide that a veteran who is retired for length of service and is later adjudicated as having service-connected disabilities, may receive concurrent benefits from the military department and from VA without deduction from either.''

Senator Reid, we thank you for introducing such legislation. As usual, where Veterans are concerned, you are right out front.

Sincerely yours,

WILLIAM D. BRZEZINSKI,
Adjutant.

AMERICAN LEGION,
DEPARTMENT OF NEVADA,
Carson City, NV, April 4, 2000.

Hon. HARRY REID,
Washington, DC.

DEAR SENATOR REID: It has come to my attention that you are in the process of drafting a bill (Armed Forces Concurrent Retirement and Disability Payment Act of 2000) that will eliminate the present practice of deducting disability compensation from the retired pay of military retired veterans. I have always felt this practice was not fair to our retired veterans. They are in fact funding their own disability compensation.

Commander Joe McDonnell and I, First Vice Commander of the American Legion Department of Nevada, support this bill. If I can be of assistance to you to get this bill passed feel free to call on me.

Sincerely,

RON GUTZMAN,
First Vice Commander.

By Mr. INHOFE (for himself and Ms. LANDRIEU):

S. 2358. A bill to amend the Public Health Service Act with respect to the operation by the National Institutes of Health of an experimental program to stimulate competitive research; to the Committee on Health, Education, Labor, and Pensions.

NATIONAL INSTITUTES OF HEALTH EPSCOR PROGRAM ACT OF 2000

Mr. INHOFE. Mr. President, I am pleased to introduce the National Institutes of Health EPSCoR Program Act of 2000 with my colleague, Senator LANDRIEU of Louisiana. This legislation we are introducing today, when passed, stands to make a major impact on the scope of biomedical research done in America today.

Small and medium sized states, like ours, have been unfairly discriminated

against in their competition for federal research dollars. In 1978, Congress created the EPSCoR program (Experimental Program to Stimulate Competitive Research), to make sure that all states would have the opportunity to compete for scientific research funds. Despite this intention, the EPSCoR program only served to exacerbate the exiting funding disparity. You may ask, how can this be so? The answer is really quite simple.

The EPSCoR program does not extend to one of the biggest sources of scientific research—the National Institutes of Health (NIH). We are all aware, the NIH budget is growing rapidly; NIH's FY 2000 budget is $17.9 billion—up 8.43 percent in the past 5 years. Yet, despite this tremendous boom, 24 states receive 93 percent of NIH research grants, while the other 26 states split the remaining 7 percent.

Although the NIH budget has resulted in great scientific gains, the research divide continues. One-half of the states have seen little benefit in the recent NIH increase. The time has come to correct this allocation program, but in a way that insures we have the best biomedical research in the world, and that those benefits are extended to the entire country. Research institutes provide a great opportunity to improve the health care delivery and quality in their home state, but only limited opportunity exists in half the states, because of the existing funding divide.

The legislation we are introducing will provide $200 million to NIH–EPSCoR states will enable states that currently receive historically low amounts of NIH grants to participate in two special funds.

The first fund is to finance new infrastructure needs in these states. Because of their continued lack of equitable funding, many EPSCoR states have fallen behind in their infrastructure needs and are unable to compete against non-EPSCoR states. Our legislation will allocate $3.5 million each year to every NIH–EPSCoR state, to be used for projects the state EPSCoR committee targets as meeting the state biomedical research committees' goals. Because the state is responsible for choosing its infrastructure needs, we may finally be able to get away from the yearly requests for special projects in our states and allow federal funds to be spent in the most efficient manner possible.

The second fund is dedicated toward research in the new NIH–EPSCoR. This research is for meritorious projects, cofunded by the NIH–EPSCoR fund and the NIH Institute or Center. These projects must meet existing NIH standards or merit and quality, but will not have to compete against proposals from the non-EPSCoR states, which already dominate the grant process.

Finally, this process will be self sustaining. Because research is typically less expensive to perform in NIH–EPSCoR states, the savings in administrative costs are recaptured to fund additional research. In FY 1999 we estimate these savings would have added up to $49 million, which would have flowed back to NIH–EPSCoR states for additional research projects.

In recent years, we have made great strides in biomedical research, however, that research has been limited to only a select few. I ask you to join us in resolving this discrepancy and restore equity to the NIH process and would invite my colleagues to join us in this effort.

By Mr. SHELBY:

S. 2360. A bill to amend the Gramm-Leach-Bliley Act to provide for a limitation on sharing of behavioral profiling information, and for other purposes; to the Committee on Banking, Housing and Urban Affairs.

FREEDOM FROM BEHAVIORAL PROFILING ACT OF 2000

Mr. SHELBY. Mr. President, I rise today to introduce the ''Freedom from Behavioral Profiling Act of 2000.'' This legislation would disallow financial institutions from buying and selling an individual's most personal and detailed buying habits without proper notification and without his or her permission. Put another way, financial institutions would only be allowed to buy, sell or otherwise share an individual's behavioral profile if the institution has disclosed to the consumer that such information may be shared and the institution has received the consumer's affirmative consent to do so.

Technology exists today that allows financial institutions to monitor and collect your personal buying and spending habits. According to the April 3 issue of Business Week magazine, Visa International is ''using neural networks to build up elaborate behavioral profiles. Over months, these systems . . . track a person's behavior online and off, then match it against models of similar personality and behavior types . . .''

What this means is that financial institutions have the ability to follow you to the grocery store to track your purchases—whether you are abiding by your doctors recommended diet—and then to the drug store to see what kind of drugs you are purchasing. The institution can also track where you go throughout the day and into the evening, and exactly what time you were there.

Business Week also reported that such ''far-flung threads'' as your ''taste in paperbacks, political discussion groups'' and clothing are being ''sewn into online profiles where they are increasingly intertwined with your data on health, your education loans and your credit history.'' What does this information have to do with getting a mortgage? More importantly, are these institutions sharing these behavioral profiles? Given the track record of some of the blue chip firms like Chase Manhattan Bank and U.S. Bancorp, I believe the risk is too great to assume otherwise.

Even more important, what happens when these behavioral profiles get into the wrong hands? That rarely happens you say. Guess again. A Russian teenager using the name ''Maxus'' stole 350,000 credit card numbers from CD Universe's Web site last December. He then told CD Universe that he would post the numbers on the Internet unless they paid him $100,000. When they refused to pay him he posted the credit cards numbers and thousands of visitors downloaded more than 25,000 account numbers between December 25 and January 7.

A similar case happened on March 24 of this year when two teens in a small Welsh village hacked into computers of several online merchants making off with more than 26,000 credit card numbers. The FBI says losses connected to the thefts could exceed $3 million.

Mr. President, if teenagers from around the world are gaining access to account numbers, there is no question they can steal data banks of behavioral profiles. In fact, they are. A front page article in the New York Times dated April 3, 2000, reports that ''Law enforcement authorities are becoming increasingly worried about a sudden, sharp rise in the incidence of identity theft, the outright pilfering of people's personal information and, with that information in hand, thieves can acquire credit, make purchases and even secure residences in someone else's name.''

Mr. President, an important point here is that potential criminals do not even have to steal the information. Due to the significant loopholes in the Gramm-Leach-Bliley Act passed last year, an individual's behavioral profile could legally be passed along without the affirmative consent of that individual. The unchecked growth of data banks and the business of profiling unquestionably facilitates identity theft.

Some may suggest that there is no harm in behavioral profiling. I disagree. Despite the fact that consumers are ''shielded'' in fraudulent cases, subject to only $50 maximum liability, the burden is on credit card owners to prove the fraudulent charges are not their own. If the fraudulent charge is not found immediately, continued purchases or applications for more cards by the criminal can wreak havoc on an individual's credit rating. In fact, one witness recently testified before the Senate Subcommittee on Terrorism, Technology and Government Information that she spent over 400 hours trying to clear her name and restore her good credit.

In ''card-not-present'' transactions, that is orders by mail, telephone or Internet where no signature is required, merchants are forced to cover the loss. Thus, identity theft and fraudulent purchases also take a toll on the small business man. Reports suggest that one out of every ten online purchases is fraudulent. My colleagues know that small businesses do not have the margins to eat the charge on one out of every 10 purchases.

Mr. President, the American people are only now becoming aware of the behavioral profiling practices of the industry. The more they find out, the more they do not like it. That is why I am offering this legislation . . . to give the consumer the ability to control his or her most personal behavioral profile. Where they go, who they see, what they buy and when they do it—all of these are personal decisions that the majority of Americans do not want monitored and recorded under the watchful eye of corporate America.

Mr. President, colleagues in the Senate, I hope you will join me in an effort to give the people what they want—the ability to control the indiscriminate sharing of their own personal, and private, consumption habits.

By Mr. VOINOVICH (for himself, Mr. BREAUX, Mr. INHOFE, and Ms. LANDRIEU):

S. 2362. A bill to amend the Clean Air Act to direct the Administrator of the Environmental Protection Agency to consider risk assessments and cost-benefit analyses as part of the process of establishing a new or revised air quality standard; to the Committee on Environment and Public Works.

AIR QUALITY STANDARD IMPROVEMENT ACT OF 2000

• Mr. VOINOVICH. Mr. President, I rise today with my distinguished colleague from Louisiana, Senator BREAUX, to introduce a bill that will provide a commonsense approach to promulgating regulations under the Clean Air Act. We are pleased that Senators INHOFE and LANDRIEU have joined us as original cosponsors. We introduce this bill today in a bipartisan manner to increase public health, safety and environmental protection.

As a father and grandfather, I understand the importance of ensuring a clean environment for our future generations. Throughout my 33 years of public service, I have demonstrated a commitment to preserving our environment and the health and well-being of all Ohioans. I sponsored legislation to create the Ohio Environmental Protection Agency when I served in the state legislature, and I fought to end oil and gas drilling in the Lake Erie bed. As Governor, I increased funding for environmental protection by over 60 percent. While in the Ohio House of Representatives, I was responsible for creating the Environment and Natural Resources Committee and was honored to serve as the first vice chairman of that committee.

In addition, the state of Ohio has made significant improvements in air quality in recent years. When I first entered office as Governor in 1991, most of Ohio's urban areas were not attaining the 1-hour ozone standard. By the time I left, all but one city was in attainment. However, the Cincinnati community has worked together, through a variety of programs, to attain the 1-hour standard and is now awaiting final action by the EPA to redesignate it as in attainment.

Overall, the ozone pollution level in Ohio has gone down by 25%, and in many urban areas, it has gone down by more than 50% in the past 20 years. Ohio is doing its part to provide cleaner air. Nevertheless, over the years, I have become more and more concerned that just in order to comply with federal laws and regulations, our citizens, businesses and state and local governments must pay costs that can be inordinately burdensome or totally unnecessary.

In the 104th Congress, I worked closely with a coalition of state and local government officials and members of the House and Senate to pass effective safe drinking water reforms. The results of our efforts culminated in the Safe Drinking Water Act Amendments, legislation which was enacted with broad bipartisan support in 1996. In addition, the bill had the support of environmental organizations, and I was pleased to attend the President's bill-signing ceremony when these reforms were signed into law. In fact, at that time the President praised the bipartisan work and said, ''Today we helped ensure that every family in America will have safe, clean drinking water to drink every time they turn on a faucet or stop at a public water fountain. From now on our water will be safer and our country will be healthier for it.''

This cooperative effort is notable because it showed that a law could include commonsense reforms that make the government more accountable based on public awareness of risks, costs and benefits. I believe it set a key precedent for reform of other environmental regulations.

I specifically mention the drinking water program because it is the model for the bill we are introducing today. This bill includes the very same risk assessment and cost-benefit analysis provisions that govern our drinking water. This bill clarifies EPA's obligation to identify risks, consider costs and benefits of a proposed rule and consider incremental costs and benefits of alternative air quality standards. However, EPA would retain flexibility in making final regulatory decisions.

If we can agree these tools improve rulemakings for something as important as the water we drink, where a regulatory mistake could endanger millions of lives, they certainly must be good enough to protect the air that we breathe.

When I was Governor of Ohio, I became more and more concerned that the EPA was not taking into consideration sound science, costs and benefits during the rulemaking process. I was particularly concerned about the standards for ozone and particulate matter. In fact, I was very concerned that the costs to this country to implement the new National Ambient Air Quality Standards (NAAQS) for ozone and particulate matter far outweighed the benefits to public health and the environment.

In fact, according to EPA's own estimates, the costs for implementing the NAAQS standard for ozone exceeded the benefits. The President's own Council of Economic Advisors predicted that the benefits would be small, while the costs of reaching full attainment could total $60 billion.

Just last spring, a U.S. appeals court remanded EPA's ozone and $PM_{2.5}$ standards, ruling that EPA did not justify its decision with sound scientific evidence. Ohio was a party to this lawsuit, which began when I was Governor. The court didn't say that EPA couldn't regulate at these levels, but that EPA didn't give sufficient justification for doing so.

That has been my point all along. I have argued that the NAAQS standards were going to be costly and that we didn't even know if making those investments was going to make a difference. I believe this bill would help us avoid some of the legal and legislative wrangling that has occurred in the past few years with respect to how we achieve clean air.

Federal agencies should not force businesses and consumers to throw billions of dollars at a problem without knowing if they're hitting the right target. Yet, the EPA is asking all of America to pay for these new regulations simply because the EPA said it is the right thing to do and that it has the authority to do so. However, they have failed to adequately determine the effects of changing the ozone and particulate matter standards.

The challenge facing public officials today is determining how best to protect the health of our citizens and our environment with limited resources. We need to do a much better job of ensuring that regulations' costs bear a reasonable relationship with their benefits, and we need to do a better job of setting priorities and spending our resources wisely.

I believe the bill we introduce today will help achieve these goals in air regulations. First, I believe this bill will increase the public's knowledge of how and why the EPA makes air regulations. In essence, this bill asks EPA to answer several simple, but vital questions:

What science is needed to help us make good decisions?

What is the nature of the risk being considered?

What are the benefits of the proposed regulation?

How much will it cost?

And, are there better, less burdensome ways to achieve the same goals?

It will also improve the quality of government decision-making by allowing the EPA to set priorities and focus on the worst risks first. Careful thought, reasonable assumptions, peer review and sound science will help target problems and find better solutions.

Mr. President, Executive Order 12866 already requires agencies to conduct risk assessment and cost benefit analysis. What this bill will do is clarify

that EPA must conduct risk assessment and cost benefit analysis. This bill does not mandate outcomes. In fact, it does nothing to circumscribe the EPA Administrator's ability to propose and implement regulations to protect public health. Quite simply, it imposes commonsense discipline and accountability in the rulemaking process by confirming that EPA has the flexibility to take risks and costs into consideration when setting standards that are going to affect public health or the environment.

I want to make very clear that this bill does not mandate how EPA sets standards. The Administrator will have discretion to set appropriate standards to protect human health. EPA would be required to conduct an analysis of incremental costs and benefits of alternative standards, but would have the flexibility to choose between a standard where the benefits justify its cost or, when health considerations dictate, the maximum feasible standard.

In addition, this bill does not keep information about air quality from the public. To the contrary, this bill is a public right-to-know bill that requires EPA to tell the public what information it considered before making a final decision.

Nor does the bill ''gut'' the Clean Air Act, as some contend. In fact, it strengthens it by asking EPA to tell the public what the risks are that warrant regulation and what options are available to most efficiently and effectively reduce those risks. This bill will ensure that the Agency sets priorities and it makes sure that our limited resources are being spent to address the real risks to public health and the environment. While many air regulations set by EPA are well intended, we want to ensure that these regulations are going to achieve their purpose and not unnecessarily pass significant burdens onto our citizens and state and local governments.

I strongly believe our challenge is to determine how best to meet our obligation of protecting the environment and health of our citizens with the limited financial resources we have available and with the scientific evidence to back up our actions. It should not be the government's policy to initiate or enact regulations simply because it sounds like a good idea. It should be because the evidence shows that it is the right thing to do.

I have spoken to my colleague and chairman of the Environment and Public Works Committee's Clean Air Subcommittee, Senator INHOFE, and he has agreed to include this bill in a package of bills that will be introduced in the near future to advance discussions on Clean Air Act reauthorization.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2362

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Air Quality Standard Improvement Act of 2000''.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to establish more effective environmental standards to continue to safeguard public health and the environment;

(2) to promote better resource allocation to ensure that serious risks to air quality are addressed first;

(3) to improve the ability of the Administrator of the Environmental Protection Agency to use scientific and economic analysis in developing air quality standards;

(4) to yield increased public health and environmental benefits and more effective protections while minimizing costs;

(5) to require that relevant qualitative and quantitative information be considered in the process of evaluating the costs and benefits of air quality standards;

(6) to promote the right of the public to know about the costs and benefits of air standards, the risks addressed, the risks reduced, and the quality of scientific and economic analysis used to support decisions; and

(7) to require the Administrator of the Environmental Protection Agency to conduct risk assessments and cost-benefit analyses as part of the process of establishing a new or revised air quality standard.

SEC. 3. RISK ASSESSMENT AND COST-BENEFIT ANALYSIS.

The Clean Air Act (42 U.S.C. 7401 et seq.) is amended by adding at the end the following:

"TITLE VII—RISK ASSESSMENT AND COST-BENEFIT ANALYSIS

"SEC. 701. DEFINITION OF AIR QUALITY STANDARD.

''In this title, the term 'air quality standard' means—

''(1) a national ambient air quality standard established under section 109 (including the setting of any emissions budget for purposes of attaining or maintaining any national ambient air quality standard);

''(2) an increment or ceiling for the prevention of significant deterioration established under section 163;

''(3) regulations established under section 169A to address the regional haze or other impairment of visibility by manmade air pollution in a mandatory class I Federal area;

''(4) any finding or emission limitation determined under section 126;

''(5) any emission standard or requirement that applies to on-road and nonroad mobile sources (including aircraft engine standards) established under title II;

''(6) any requirement that imposes a limitation on the quality of fuel used in mobile sources;

''(7) any emission limitation or emission budget for sulfur dioxide or nitrogen oxides established under title IV;

''(8) any preconstruction review requirement that regulates new sources or major modifications of existing sources in attainment or nonattainment areas;

''(9) the setting of any emissions budget or other requirement for purposes of attaining or maintaining any national ambient air quality standard under section 110;

''(10) any new source performance standard, existing source performance standard, or design, equipment, work practice, or operational standard established or revised under section 111;

''(11) any standard to protect public health and the environment described in section 112(f);

''(12) any new regulation applicable to an electric utility steam generating unit under section 112(n);

''(13) the designation of a pollutant under section 115 as causing or contributing to air pollution that may reasonably be anticipated to endanger public health or welfare in a foreign country;

''(14) any air pollution control technique information, transportation planning guidelines, information on procedures and methods to reduce mobile source air pollution, or control technique guidelines issued under sections 108 and 183;

''(15) any identification of attainment dates for national ambient air quality standards under part D;

''(16) any identification of control measures for the reduction of interstate ozone air pollution under section 184; and

''(17) any identification of reasonably available control measures and best available control measures for particulate matter under section 190.

"SEC. 702. RISK ASSESSMENT, MANAGEMENT, AND COMMUNICATION.

''(a) USE OF SCIENCE IN DECISIONMAKING.—In carrying out this Act, (including establishing a new or revised air quality standard under this Act), the Administrator shall base any scientific or technical conclusions on—

''(1) the best available, peer-reviewed science and supporting studies conducted in accordance with sound and objective scientific practices;

''(2) data collected by accepted methods or the best available methods (if the reliability of the method and the nature of the decision justifies use of the data);

''(3) data (including the underlying research data) that have been made available to the public, subject to the exemptions under section 552 of title 5, United States Code.

''(b) PUBLIC INFORMATION.—

''(1) IN GENERAL.—In carrying out this section, the Administrator shall ensure, to the maximum extent practicable, that the presentation of information on public health effects concerning any new or revised air quality standard is comprehensive, informative, understandable, and conveniently available for public comment prior to the promulgation of any regulation under this Act.

''(2) SPECIFICATIONS.—The Administrator shall, in a document made available to the public in support of a regulation proposed or promulgated under this Act concerning an air quality standard, specify, to the maximum extent practicable—

''(A) each population addressed by any estimate of public health effects;

''(B) the expected risk or central estimate of risk for the specific populations or resources, where applicable, and each appropriate upper-bound or lower-bound estimate of risk;

''(C) each significant uncertainty identified in the process of the assessment of public health effects, and studies that would assist in resolving the uncertainty; and

''(D) peer-reviewed studies known to the Administrator that support, are directly relevant to, or fail to support any estimate of public health effects, and the methodologies used to reconcile inconsistencies in the scientific data.

''(3) HEALTH RISK REDUCTION AND COST ANALYSIS.—

''(A) IN GENERAL.—As part of the process of proposing a new or revised air quality standard, the Administrator shall publish in the Federal Register and seek public comment on an analysis of each of the following:

''(i) Quantifiable and nonquantifiable benefits for which there are factual bases in the rulemaking record to conclude that the benefits are likely to occur as the result of actions taken to comply with the new or revised air quality standard.

''(ii) Quantifiable and nonquantifiable health benefits for which there are factual bases in the rulemaking record to conclude that the benefits are likely to occur from reductions in other related pollutants that may be attributed to compliance with the new or revised air quality standard, excluding benefits resulting from compliance with other proposed or promulgated regulations.

''(iii) Quantifiable and nonquantifiable costs for which there is a factual basis in the rulemaking record to conclude that the costs are likely to occur as the result of actions taken to comply with or attain the new or revised air quality standard, which costs shall include monitoring, actions taken to comply with or attain the new or revised air quality standard, and other costs, and excluding costs resulting from compliance with other proposed or promulgated regulations.

''(iv) The incremental costs and benefits associated with each alternative new or revised air quality standard considered.

''(v) The effects of the air pollutant or pollutants for which a new or revised air quality standard is being considered on the general population, including, to the extent relevant and appropriate and where data are reasonably available, the effects on groups within the general population such as infants, children, pregnant women, the elderly, individuals with a history of serious illness, or other subpopulations that are identified as likely to be at greater risk of adverse health effects due to exposure to an air pollutant than the general population.

''(vi) Any risk that may occur as the result of compliance with or attainment of the new or revised air quality standard, including risks associated with other related pollutants.

''(vii) Other relevant factors, including the quality and extent of the information available concerning the new or revised air quality standard, the uncertainties in the analysis supporting clauses (i) through (vi), and factors with respect to the degree, and quantitative and qualitative descriptions of the nature, of any risk.

''(B) APPROACHES TO MEASURE AND VALUE BENEFITS.—The Administrator may identify valid approaches for the measurement and valuation of benefits under this paragraph, including approaches to identify consumer willingness to pay for reductions in health risks from air pollutants.

''(C) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to conduct studies, assessments, and analyses described in this section $35,000,000 for each of fiscal years 2000 through 2003.

''SEC. 703. COST-BENEFIT ANALYSIS.

''(a) DEFINITIONS.—In this section:

''(1) BENEFIT.—The term 'benefit' means the reasonably identifiable significant favorable effects, quantifiable and nonquantifiable, including social, health, safety, environmental, and economic effects, that are expected to result from implementation of, or compliance with, a new or revised air quality standard.

''(2) COST.—The term 'cost' means the reasonably identifiable significant adverse effects, quantifiable and nonquantifiable, including social, health, safety, environmental, and economic effects, that are expected to result from implementation of, or compliance with, a new or revised air quality standard.

''(3) COST-BENEFIT ANALYSIS.—The term 'cost-benefit analysis' means an evaluation of the costs and benefits of a new or revised air quality standard, quantified to the extent feasible and appropriate and otherwise qualitatively described, that is prepared in accordance with the requirements of this section at the level of detail appropriate and practicable for reasoned decisionmaking on the matter involved, taking into consideration uncertainties, the significance and complexity of the decision, and the need to adequately inform the public.

''(b) ANALYSIS.—For each new or revised air quality standard proposed, the Administrator—

''(1) shall conduct and publish, for public comment, a cost-benefit analysis to determine whether the benefits of the new or revised air quality standard justify, or do not justify, the costs; and

''(2) may analyze the potential distributional effects of the new or revised air quality standard.

''(c) DETERMINATION OF HEALTH RISK REDUCTION AND COST CONSIDERATIONS.—

''(1) DETERMINATION OF NO JUSTIFICATION FOR COST.—

''(A) IN GENERAL.—Notwithstanding any other provision of this Act, if the Administrator determines, based on an analysis conducted under subsection (b), that the benefits of a new or revised air quality standard proposed or promulgated in accordance with this Act do not justify the costs, the Administrator may, after notice and opportunity for public comment, promulgate an alternative new or revised air quality standard at a cost that is justified by the benefits.

''(B) SCOPE OF CONSIDERATION.—In making a determination under subparagraph (A), the Administrator shall consider—

''(i) only public health benefits, with respect to a determination concerning a primary national ambient air quality standard; and

''(ii) public health and environmental benefits, with respect to a determination concerning any air quality standard other than a national ambient air quality standard.

''(2) JUDICIAL REVIEW.—A determination by the Administrator under paragraph (1)—

''(A) shall be reviewed by a court only as part of a review of a final regulation that has been promulgated based on the determination; and

''(B) shall be set aside by a court if the court finds that the determination is arbitrary and capricious.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.''.●

By Mr. CRAPO:

S. 2363. A bill to subject the United States to imposition of fees and costs in proceedings relating to State water rights adjudications; to the Committee on Energy and Natural Resources.

WATER ADJUDICATION FEE FAIRNESS ACT OF 2000

● Mr. CRAPO. Mr. President, I rise to introduce the Water Adjudication Fee Fairness Act of 2000. This bill would require the federal government to pay the same filing fees and costs associated with state water rights' adjudications as is currently required of states and private parties.

To establish relative rights to water—water that is the lifeblood of many states, particularly in the west—states must conduct lengthy, complicated, and expensive proceedings in water rights' adjudications. In 1952, Congress recognized the necessity and benefit of requiring federal claims to be adjudicated in these state proceedings by adopting the McCarran Amendment. The McCarran Amendment waives the sovereign immunity of the United States and requires the federal government to submit to state court jurisdiction and to file water rights' claims in state general adjudication proceedings.

These federal claims are typically among the most complicated and largest of claims in state adjudications, and federal agencies are often the primary beneficiary of adjudication proceedings where states officially quantify and record their water rights. However, in 1992, the United States' Supreme Court held that, under existing law, the U.S. need not pay fees for processing federal claims.

When the United States does not pay a proportionate share of the costs associated with adjudications, the burden of funding the proceedings unfairly shifts to other water users and often delays completion of the adjudications by diminishing the resources necessary to complete them. Delays in completing adjudications result in the inability to protect private and public property interests or determine how much unappropriated water may remain to satisfy important environmental and economic development priorities.

Additionally, because they are not subject to fees and costs like other water users in the adjudication, federal agencies can file questionable claims without facing court costs, inflating the number of their claims for future negotiation purposes. This creates an unlevel playing field favoring the federal agencies and places a further financial and resources burden on the system.

For example, in the Snake River Basin Adjudication, which is in Idaho and is probably the largest water adjudication proceeding in the country, the United States Forest Service filed more than 3,700 federal claims. The Idaho Department of Water Resources expended thousands of dollars giving notice to all other claimants. Additionally the State of Idaho and private claimants spent over $800,000 preparing objections to the Forest Service's claims. On the eve of the objective deadline, the U.S. withdrew all but 71 of the claims—the Department of Justices' explanation: litigation strategy.

This example is not an isolated incident. At best, the taxpayers and states should not be forced to incur these costs simply because the agency does not take the time to seriously evaluate its claims. At worst, the taxpayers should not bear the brunt of the federal government's Machiavellian tactics.

I recognize that the federal government has a legitimate right to some reserved water rights; however, the federal government should play by the same rules as the states and other private users. The Water Adjudication Fee Fairness Act is legislation that remedies this situation by subjecting the

United States, when party to a general adjudication, to the same fees and costs as state and private users in water rights adjudications.

This measure has the full support of the Western States Water Council and the Western Governor's Association. I ask my colleagues to join me in supporting water users, taxpayers, the states, and welcome their co-sponsorship.

I ask unanimous consent that a copy of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2363

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Water Adjudication Fee Fairness Act of 2000''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Generally, water allocation in the western United States is based upon the doctrine of prior appropriation, under which water users' rights are quantified under State law. Appropriative rights carry designated priority dates that establish the relative right of priority to use water from a source. Most States in the West have developed judicial and administrative proceedings, often called general adjudications, to quantify and document these relative rights, including the rights to water claimed by the United States Government under either State or Federal law.

(2) State general adjudications are typically complicated, expensive civil court and administrative actions that can involve hundreds or even thousands of claimants. Such adjudications give certainty to water rights, provide direction for water administration, and reduce conflict over water allocation and water usage. Those claiming and establishing rights to water are the primary beneficiaries of State general adjudication proceedings.

(3) The Congress has recognized the benefits of the State general adjudication system, and by enactment of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666; popularly known as the ''McCarran Amendment''), required the United States to submit to State court jurisdiction and to file claims in State general adjudication proceedings.

(4) Water rights claims by Federal agencies under either State or Federal law are often the largest or most complex claims in State general adjudications. However, the United States Supreme Court, in the case United States v. Idaho, 508 U.S. 1 (1992), determined that the McCarran Amendment does not require the United States to pay some filing fees simply because they were misconstrued or perceived to be the same as costs taxed against all parties.

(5) Since Federal agency water rights claims are among the most difficult to adjudicate, and since the United States is not required to pay some fees and costs paid by non-Federal claimants, the burden of funding adjudication proceedings unfairly shifts to private water users and State taxpayers.

(6) The lack of Federal Government funding to support State water rights adjudications in relation to the complexity of the claims involved has produced significant delays in completion of many State general adjudications. These delays inhibit the ability of both the States and Federal agencies to protect private and public property interests. Also, failure to complete the final adjudication of claims to water restricts the ability of resource managers to determine how much unappropriated water is available to satisfy environmental and economic development demands.

SEC. 3. LIABILITY OF UNITED STATES FOR FEES AND COSTS IN WATER USE RIGHTS PROCEEDINGS.

(a) IN GENERAL.—In any State administrative or judicial proceeding for the adjudication or administration of rights to the use of water in which the United States is a party, the United States shall be subject to the imposition of fees and costs on its claims to water rights under either State or Federal law to the same extent as a private party to the proceeding.

(b) APPLICATION.—Subsection (a) shall apply to proceedings pending on or initiated after the date of enactment of this Act, including with respect to fees and costs imposed in such a proceeding before the date of the enactment of this Act.

(c) REPORT TO CONGRESS.—The head of any Federal agency that files or has pending any water rights claim shall prepare and submit to the Congress, within 90 days after the end of each fiscal year, a report that identifies—

(1) each such claim filed by the agency that has not yet been decreed;

(2) all fees and costs imposed on the United States for each claim identified under paragraph (1);

(3) any portion of such fees and costs that has not been paid; and

(4) the source of funds used to pay such fees and costs.

(d) FEES AND COSTS DEFINED.—In this section, the term ''fees and costs'' means any administrative fee, administrative cost, claim fee, judicial fee, or judicial cost imposed by a State on a party claiming a right to the use of water under either State or Federal law in a State proceeding referred to in subsection (a).●

By Mr. SANTORUM (for himself and Mr. GREGG):

S. 2364. A bill to amend the Social Security Act to require Social Security Administration publications to highlight critical information relating to the future financing shortfalls of the social security program; to the Committee on Finance.

SOCIAL SECURITY RIGHT TO KNOW ACT

Mr. SANTORUM. Mr. President, today, I am pleased to join with my colleague, Senator JUDD GREGG of New Hampshire, in introducing the Social Security Right to Know Act of 2000.

This legislation is aimed at providing the American people with accurate and up-to-date information about the current and future financial operations of the Social Security program, so that they may be in a better position to understand the choices involved in putting our most vital social program on sound financial footing for the long term.

I would like to commend the Senator from New Hampshire for his instrumental role in promoting a similar proposal in the form of an amendment to the Social Security earnings test repeal legislation that this body recently considered and passed. Unfortunately, we did not take advantage of Senator GREGG's tireless efforts to reach across party lines to incorporate improved reporting to the public about the Social Security program as part of the earnings test repeal. This legislation is a complement to Senator GREGG's prior efforts, and I am pleased to be offering this legislation here today with his support.

As Congress continues to consider options to preserve and strengthen our Social Security system, it is increasingly important that Americans have access to certain salient information with respect to Social Security's current and future financial picture.

Why is this so important? As all of my colleagues will recall, in his State of the Union Address to Congress on January 27, 1998, President Clinton declared that it was time for the nation to begin a dialogue on the ''necessary measures to strengthen the Social Security system for the twenty-first century.'' He went on to say that the American people should be invited to join in this discussion, facing these issues squarely, and forming a true consensus on how we should proceed. In his address, the president announced a series of public policy forums to be held around the country, and also called for a White House Conference on Social Security to be held in December, 1998. The president indicated that early in 1999 he would convene the leaders of Congress to craft historic legislation that would re-create ''a Social Security system that is strong in the twenty-first century.''

I know that there was bipartisan support here in the Senate and in the House of Representatives for President Clinton's calling to make long-term Social Security reform our most important domestic policy priority. And two years ago I was optimistic about the prospects for enacting such historical legislation, particularly about the opportunity to engage the nation in an honest national discussion about the need to reform Social Security, and exchange ideas as to how we might best achieve this. But, as we all know, we held a national dialogue on Social Security, and the American people did participate in the policy forums which came to pass, and yet here we are today with little progress toward a bipartisan consensus on sustainable Social Security reform.

I believe that this is so partly because of the fact that there is a tremendous amount of misinformation and lack of understanding among the American public about Social Security's financing challenges, and this lack of understanding continues to harden popular resistance to long-term Social Security solutions.

Case in point: last week, we saw the release of the 2000 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and Disability Insurance Trust Funds, popularly referred to as the Social Security Trustees' Report. The Social Security Administration relayed that this Report revealed that the Social Security program's long-range financial picture has improved since last year. Specifically, the Board of Trustees announced

that the Social Security Trust Fund assets will not be depleted until 2037—three years later than reported in last year's report.

At first glance, this statistic might convey an air of reassurance to the public, such to the point in some minds that if we can just continue to grow our economy at its current rate, we will obviate the need for enacting fundamental reforms to Social Security. Or at least, such reporting of Social Security's finances might lead to the common conclusion that the program is perfectly fine for nearly 40 years.

This reliance on the paradigm of trust fund accounting is one of the main reasons that we have not been able to achieve bipartisan consensus on long-term Social Security reform. There is scarce mention in the Trustees' Report that the Social Security Trust Fund balances ''are available to finance future benefit payments . . . only in a bookkeeping sense. They do not consist of real economic assets that can be drawn down in the future to fund benefits. Instead, they are claims on the Treasury that, when redeemed, will have to be financed by raising taxes, borrowing from the public, or reducing benefits, or other expenditures. The existence of a large trust fund balance, therefore, does not have any impact on the Government's ability to pay benefits.''

Mr. President, if this description of the Trust Funds sounds familiar, it is because this is the exact wording contained in the Administration's budget up until its most recent submission for Fiscal Year 2001. What this means, in other words, is that the trust funds are merely claims on future government revenues, IOUs to be redeemed through higher taxation, lower spending on Social Security or other government obligations, or a return to deficit financing.

I think that this is a rather important piece of information for the American people to understand in assessing Social Security's future. But it should not be buried in some multi-hundred page budget document or 223-page Social Security Trustees' Report. Maybe if we made this information more accessible and apparent, then we would have more concern for the fact that Social Security's financing problems begin as soon as 2015—when Social Security dedicated payroll tax receipts are no longer sufficient to pay benefits—and not in 2037. The Social Security Trustees last week revealed it will cost $11.3 trillion in new money between 2015 and 2037 to convert into cash benefits the IOUs held by the Social Security Trust Fund. But we have no actual resources necessary to meet these benefit promises between 2015 to 2037.

Also not mentioned in the most recent Trustees' Report, Mr. President, is the fact that the system's unfunded obligations actually grew from the 1999 Report's release by about $1 trillion in constant 2000 dollars, according to analysis by the House Budget Committee. This is because the change in valuation period adds a new, expensive, underfunded 75th year and drops a year when benefit costs are relatively cheaper. This is a paradox of pay-as-you-go financing that is not known or understood by most of the public, and is rarely if ever referenced in the media. To be sure, the unfunded obligations of the United States government are measured and accounted for in some obscure Department of Treasury publications, but this data should be at the front and center of the Social Security reform discussion, in plain view for every American to access.

Another information gap which the Social Security Right to Know Act seeks to close relates to individual Social Security statements, formerly known as Personal and Earnings and Benefits Statements (PEBES). This document was conceived by our friend and venerable colleague, Senator DANIEL PATRICK MOYNIHAN of New York. In 1989, Senator MOYNIHAN persuaded Congress to adopt the requirement for the Social Security Administration to provide this document as a way ''to reassure Americans that Social Security will be there for them,'' and to help them adequately plan for retirement by indicating that Social Security doesn't fully replace wages or salaries.

Though well intentioned, the current Social Security statement falls short of its desired goal by glaringly omitting certain information critical to understanding the system's serious future funding problems, and the related implications for individual and family retirement planning. To be fair, the statements do make reference to such bland phrases as ''changed in the past,'' ''must do so again'' and ''we are working to resolve.'' But the truth is that by 2037, the program will collect sufficient revenues to pay only $0.72 for every dollar of promised benefits. Overall, Social Security's deficit that year will come to more than $1 trillion in today's dollars. Again, this is important information that should be made abundantly clear in order for the American public to assess Social Security's and their own financial futures.

This is why this legislation is so important. For too long, the nature and scope of Social Security's financing problems have been shrouded by inconsistent and incomplete information, which has yielded public confusion and has polarized the Social Security reform debate.

The Social Security Right to Know Act would improve the information contained in current Social Security Administration publications, and thereby enable Americans to better plan for their own retirement and to understand the benefits and costs that the current Social Security system will produce.

This legislation will do several things to shed more light on what lies ahead for Social Security. First, it will expand the Personal and Earnings and Benefits Statements (PEBES), now called ''Social Security Statements,'' to include information about the projected date of the program's first financing deficits as estimated by the Social Security Trustees, and also the percentage of promised benefits that can be funded under current law.

Second, it will require the Trustees' Report to include an estimate of Social Security's aggregate unfunded obligations—i.e., the difference between the program's promised benefit outlays and its cash income over the long-range 75-year evaluation period—and the change in such amount from the previous year's estimates.

Third, it calls on the Trustees to submit to Congress a separate summary publication that highlights salient data pertaining to Social Security's financing, identifying the first year that Social Security is projected to run a cash deficit, as well as the size of projected deficits.

Fourth, it will expand the PEBES or Social Security Statements and the annual Social Security Trustees' Report to include an explanation of the role of the Social Security Trust Funds as debt owed by the federal government, as opposed to an asset of the federal government.

Fifth, it will broaden the public accessibility of the economic modeling employed by the Office of the Chief Actuary.

Our bill would introduce no new information that is not already acknowledged somewhere in past publications of the Social Security Trustees or in previous Presidential budget submissions. However, it is our view that the importance of this information is so great that it should be displayed before every wage-earner and beneficiary of the Social Security system, and not buried in documentation that is now available only to policymakers.

Americans deserve ''straight talk''—clear and accessible information—about Social Security's long-term financing challenges in order that they might better understand the consequences of a rapidly growing aging population, and the reality of the choices before us. This is just what the Social Security Right to Know Act is designed to provide. And with these objectives in mind, this legislation is long overdue.

I presume that we are all in agreement that the federal government should be telling Americans the full truth about Social Security. It is my sincere hope that our colleagues will look at this legislation and join us in building on Senator GREGG's prior efforts and other bipartisan ideas to make sure that Americans have as much information as possible in our national discussion on how best to save and strengthen Social Security. The Social Security Right to Know Act is an effort to continue a process, based on the principle that ''knowledge is power,'' and I truly believe that the information that this legislation is seeking to provide Americans in a clear and

concise manner is essential for our moving forward toward sustainable solutions to Social Security's funding problems. Though some of our colleagues may have ideas and input as to how best to provide the American public with a better understanding of Social Security's future—and I am open to working with my colleagues to improve this bill's specific provisions as we continue this process toward Social Security reform—it is my firm belief that with the intent and principles contained in this legislation, we as a nation will be in a better position to cease assessing Social Security's future in terms of preconceived, fixed notions, and take heed of the demographic and economic realities which lie ahead.

Mr. President, I again thank Senator GREGG for working with me in this effort, and ask unanimous consent that the text of the bill be printed in the RECORD.

Mr. President, in closing, I would like to pay tribute to two of this Chamber's leaders on this issue: The Honorable DANIEL PATRICK MOYNIHAN of New York and The Honorable BOB KERREY of Nebraska. Both Senators MOYNIHAN and KERREY have been truly instrumental in advancing the cause of sustainable Social Security reform, and their presence and valued input on this issue will be sorely missed in the next session of Congress. I applaud both of them for their leadership in seeking to balance the interests and needs of younger and older Americans, and for their courage in working toward saving and strengthening Social Security in a manner that is fiscally responsible, actuarially sound and fair to all generations.

Mr. GREGG. Mr. President, I am pleased to be an original cosponsor of this legislation, and I thank Senator SANTORUM for his leadership in drafting it.

My colleagues in the Senate may recall that last week, I prepared an amendment to the earnings limit legislation that would have achieved many of the same objectives that are outlined by the Senator from Pennsylvania with respect to this bill. I believe that we have begun a process, an important dialogue involving many interested parties in both the executive and legislative branches, and that the result of this process will ultimately be improved information for the public and for Congress regarding the state of the Social Security program, and the benefits that it can finance.

I am pleased by the number of important individuals who have expressed interest in this effort. I am especially gratified by the interest of Senator ROTH and of Congressman ARCHER, the two members of Congress with principal jurisdiction over the Social Security program. They have each indicated that they are willing to explore these informational issues via various means, and to lend their considerable influence to the effort.

I am further pleased that various individuals within the administration have sought to work with us on our concerns, and to lay a groundwork for improved reporting to the public regarding the Social Security program.

In that context, I would stress that we are not at the end of this process, and that we do not have universal agreement on the best way to proceed. I do not believe that either Senator SANTORUM or I would say that the language in either this bill, or the one that I offered last week, is perfect, and cannot be improved upon. Senator SANTORUM's draft, like my original draft, would seek to include additional information in the annual Trustees' Reports. I do not know whether the Trustees' reports are necessarily the optimal place to report such information, and to the extent that individuals within the administration may have views as to how and where this information is best presented, I know that Senator SANTORUM and I would both be flexible as to how this is done. The important thing is that this information is routinely presented to Congress and to the public in a clear, understandable, helpful way, and the best time and format for this is certainly a matter where reasonable people can disagree.

I do, however, want to review the elements of Senator SANTORUM's legislation, and to express why I believe that they are so important.

First, it would add important new information to the Personal Earnings and Benefit Statements that individuals are now receiving from the Social Security Administration. Those statements currently tell individuals how much they are promised in terms of benefits, and about their earnings history. Taken literally, however, they could provide a misleading picture as to what current law can actually finance. It is a misnomer to say that ''current law'' would provide a certain amount of benefits, when legally, the Social Security Administration does not have the authority to send out checks without financing. What ''current law'' would literally mandate, according to GAO, according to CRS, and according to everyone else who has studied this closely, is that benefits would be effectively cut sharply beginning in 2037 because benefit checks would have to wait until the available funds came in to finance them.

Mr. President, it is unlikely that Congress would permit such a sharp and sudden set of benefit cuts to occur. Of course, neither we nor a future Congress would permit that. But it is also untrue to tell Americans that ''current law'' would provide them with all promised benefits. That is manifestly untrue by any definition. It is neither a true statement of current law, nor it is a true statement of how tax levels and benefit levels would look after necessary adjustments are made to the program to bring it into balance. Social Security beneficiaries certainly have a right to be told the truth about their benefits—the date through which they can currently be funded, the extent to which benefits could be provided under current estimates, as well as the additional revenues that must be collected through tax dollars, when the program first begins to experience cash flow deficits.

Currently, there is a great misperception regarding Social Security financing that too many individuals are willing to tacitly encourage—the idea that the existence of a positive Social Security Trust Fund balance enhances the ability of the federal government to pay Social Security benefits. It does not. The Social Security Trust Fund balance is actually a debt owed by the federal government, and it does not in any way finance benefits without requiring that the federal government turn to taxpayers to pay off that debt. Americans deserve to be told the truth about that, and Senator SANTORUM's language includes a statement that would explain the meaning of the Trust Fund, and the options before Congress when the program enters a phase of cash-flow deficits.

Many of the paragraphs in the Santorum language, regarding increased clarity in the annual Trustees' report, are somewhat similar to language that I sought to pursue last week. Again, I would simply reiterate that reasonable people can disagree as to the proper venue for the reporting of this information. I personally am of the view that the annual Trustees' Reports should provide to Congress the relevant information that Congress, as the body that must budget for the Social Security program, needs to budget for it in the appropriate way. Congress has a right to insist, in my view, not on how these evaluations should be made, but that all relevant information be presented clearly to the Congress when they are made. However, the most important thing is that we reach an agreement among interested parties with common goals as to how best to do this.

Currently, we receive 75-year actuarial estimates from the Trustees regarding the health of the Social Security Trust Fund. We only look at its impact on the overall federal budget over 10 years, through measurements by CBO and other bodies. We don't look out over the long term to judge the larger fiscal problems facing this long-term program and the unified federal budget. That is a problem. It tempts Congress and the Executive Branch to pursue ''solutions'' to Social Security's insolvency that improve the part of the picture that we see—the Trust Fund balance—heedless of the consequences for the part of the picture that we do not see—the impact on the unified federal budget. This is not an adequate method of approaching the problem of financing benefits over the long term. I believe that Congress should insist that portraits of the program's finances evaluate all scenarios on an absolutely level playing field, one that shows all costs borne by the system,

and one that judges all possible solutions in terms of what they would actually cost and what they could actually pay. I commend Senator SANTORUM for his effort here, even as my mind is open on the best way to achieve this objective.

Mr. President, I would simply close by saying that the Social Security program is too important to allow to operate in a fog of incomprehension and misunderstanding. There ought not to be resistance to efforts to bring additional ''sunshine'' upon the operations of the Social Security system as a whole. We currently operate, too often, in an atmosphere of selective information—one that measures only benefit promises, and current tax levels, without acknowledging the mismatch between the two, and what they mean for one another. A view that looks only at the Trust Fund balance, and not at the realities of the system's cost to future payers of both income and payroll taxes. This selective presentation of information encourages Congress to remain inactive, because it allows us to pretend that the consequences of current law are not actually worse than the choices that would be made in the course of reforming the program.

We can do better than this, and we must, if we are to meet our responsibilities of stewardship for the Social Security program. I commend Senator SANTORUM for his effort.

By Ms. COLLINS (for herself, Mr. BOND, Mr. BAUCUS, Mr. JEFFORDS, Mr. REED, Mr. SANTORUM, Mr. ABRAHAM, Mrs. MURRAY, Mr. COCHRAN, Mrs. FEINSTEIN, Mr. HOLLINGS, Ms. MIKULSKI, Mr. BINGAMAN, Mr. MURKOWSKI, Mrs. HUTCHISON, Mr. SCHUMER, Mr. TORRICELLI, Mr. EDWARDS, Mr. LEAHY, Mr. ENZI, Mr. LUGAR, Mr. CLELAND, Mr. HAGEL, Ms. SNOWE, Mr. BENNETT, Mr. GORTON, Mr. HUTCHINSON, Mr. HELMS, Mr. ALLARD, Mrs. LINCOLN, Mr. L. CHAFEE, Mr. DEWINE, Mr. ASHCROFT, Mr. SPECTER, Mr. ROBERTS, Mr. BROWNBACK, and Mr. VOINOVICH):

S. 2365. A bill to amend title XVIII of the Social Security Act to eliminate the 15 percent reduction in payment rates under the prospective payment system for home health services; to the Committee on Finance.

HOME HEALTH PAYMENT FAIRNESS ACT

Ms. COLLINS. Mr. President, I am pleased to join with 35 of my colleagues tonight to introduce the Home Health Payment Fairness Act to eliminate the automatic 15-percent reduction in Medicare payments to home health agencies that is currently scheduled to go into effect on October 1 of next year. The legislation we are introducing will provide a measure of financial relief for home health agencies across the country that are experiencing acute financial problems that are inhibiting their ability to deliver much needed care to some of the most vulnerable senior citizens in our country.

America's home health agencies provide invaluable services that have enabled a growing number of our most frail and vulnerable Medicare beneficiaries to avoid hospitals and nursing homes and stay where they want to be—in the comfort and security of their own home.

Unfortunately, due to cutbacks in the Medicare program, home health agencies in my State and others are having a very difficult time providing services, particularly to elderly people with complex health needs. One has only to look at the statistics from my home State of Maine to see the impact of these very onerous budget cuts, as well as burdensome regulations imposed by the Clinton administration.

In Maine, in just over 2 years' time, there has been a 30-percent reduction in home health visits, which has resulted in more than 7,470 senior citizens losing their home health services in my State. There has been a 26-percent reduction in the reimbursements that have been provided to home health agencies in Maine. Mr. President, this situation cannot continue. The home health industry has already made an important contribution to reducing the rate of growth in Medicare spending. In fact, the spending cuts have been far beyond what Congress intended and what the CBO estimated.

In 1996, home health was the fastest growing component of Medicare spending. The program grew at an average annual rate of more than 25 percent from 1990 to 1997. As a consequence, the number of home health beneficiaries more than doubled and Medicare home health increased soared from $2.5 billion in 1989 to $17.8 billion in 1997.

This rapid growth in home health spending understandably prompted Congress and the Administration, as part of the Balanced Budget Act of 1997, to initiate changes that were intended to slow this growth in spending and make the program more cost-effective and efficient. These measures, however, have produced cuts in home health spending far beyond what Congress intended. Home health spending dropped to $9.7 billion in FY 1999—just about half the 1997 amount. To cut payments by an additional 15 percent would put our already struggling home agencies at risk and would seriously jeopardize access to critical home health services for millions of our nation's seniors.

It is now clear that the savings goals set for home health in the Balanced Budget Act of 1997 have not only been met, but far surpassed. According to the March 2000 Congressional Budget Office (CBO) baseline, Medicare home health payments fell by almost 35 percent in FY 1999, and this was on top of a 15 percent drop in FY 1998. In fact, the CBO cites this ''larger than anticipated reduction in the use of home health services'' as the primary reason that total Medicare spending dropped by one percent last year. The CBO now projects that the post-Balanced Budget Act reductions in home health will be about $69 billion between fiscal years 1998 and 2002. This is over four times the $16 billion that the CBO originally estimated for that time period and is a clear indication that the Medicare home health cutbacks have been far deeper and wide-reaching than Congress ever intended.

Moreover, the financial problems that home health agencies have experienced have been exacerbated by a number of burdensome new regulatory requirements imposed by the Health Care Financing Administration, including the implementation of OASIS, the new outcome and assessment information data set; new requirements for surety bonds; IPS overpayment recoupment; and a new 15-minute increment reporting requirement.

As a consequence of these payment cuts coupled with overly burdensome new regulatory requirements, cost-efficient home health agencies across the country have experienced acute financial difficulties and cash-flow problems, which have inhibited their ability to deliver much-needed care, particularly to the very Medicare beneficiaries who need it the most—individuals with diabetes, wound care patients, stroke patients, and other chronically ill individuals with complex care needs. Over 2,500 agencies—about one quarter of all home health agencies nationwide—have either closed or stopped serving Medicare patients. Others have laid off staff or declined to accept new patients with more serious health problems. In addition, according to a study by the Lewin Group for the American Hospital Association, these cutbacks have resulted in a 30.5 percent reduction in hospital-based home health services.

The effect of these home health cuts has been particularly devastating in my state. The number of Medicare home health patients in Maine dropped from 48,740 in June of 1998 to 41,269 in June of 1999, a decline of 15 percent. This means that 7,471 fewer Maine seniors are receiving home health services. Moreover, there was a 30 percent drop in the number of visits, and a 26 percent cut in Medicare payments to home health agencies in Maine.

Keep in mind that Maine's home health agencies have historically been prudent in their use of resources and were low-cost to begin with. Ultimately, cuts of this magnitude degrade patient care. The real losers in this situation are our nation's seniors—particularly those sicker Medicare patients with complex, chronic care needs who are already experiencing difficulty in getting the home care services they need.

The Balanced Budget Refinement Act did provide a small measure of financial and regulatory relief for home health agencies. It did, for example, delay the automatic 15 percent reduction in Medicare home health payments for one year. I do not think that

this legislation went far enough, however: this automatic reduction should be eliminated entirely.

An additional 15 percent cut in Medicare home health payments would ring the death knell for the low-cost, efficient agencies which are currently struggling to hang on and would further reduce our seniors' access to critical home care services. Moreover, we have already far surpassed the savings targets set by the Balanced Budget Act. Further cuts are unnecessary. I therefore urge all of my colleagues to join with myself and Senators BOND, BAUCUS, JEFFORDS, REED, SANTORUM, ABRAHAM, MURRAY, COCHRAN, FEINSTEIN, HOLLINGS, MIKULSKI, BINGAMAN, MURKOWSKI, HUTCHISON, SCHUMER, TORRICELLI, EDWARDS, LEAHY, ENZI, LUGAR, CLELAND, HAGEL, SNOWE, BENNETT, GORTON, HUTCHINSON, HELMS, ALLARD, LINCOLN, DEWINE, CHAFEE, ASHCROFT, SPECTER, ROBERTS, BROWNBACK, and VOINOVICH in cosponsoring the Home Health Payment Fairness Act to eliminate this additional 15 percent cut in Medicare home health payments.

Mr. President, I hope my colleagues will join with me in providing much needed relief to America's home health agencies. Ultimately, if we don't act, the losers will be our senior citizens who depend so much on this important health care service.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. ABRAHAM. Mr. President, I rise to compliment the Senator from Maine for this proposal. I am happy to join as a cosponsor of the legislation, as I have on previous efforts on her part to address the home health care issues.

I add my support to the legislation and compliment the Senator from Maine. I sincerely hope that as it moves forward with a variety of proposals before us, in the budget and elsewhere, to address Medicare issues we make sure we don't address those reform proposals without making sure our home health care programs are strong and of high quality.

I yield the floor.

Mr. BOND. Mr. President, I rise to join Senator COLLINS to offer a bill—the Medicare Home Health Payment Act—that will address the crisis in home health care.

The crisis is that far too many seniors and individuals with disabilities can't get the home health care they need. They either go without needed care, or are forced into a medical facility such as a nursing home. This is a travesty, because home health can serve an extremely valuable role—it helps seniors get needed medical care while retaining the comfort and dignity of living in their own home.

We have plenty of data that demonstrates the problem.

Over 2,000 agencies driven out of business or out of the Medicare program. In Missouri alone, over 100 of the 300 agencies that were around in 1997 are gone.

Independent studies that show that seniors and people with disabilities just can't get access to the home care they need—perhaps forcing them into nursing homes or other medical facilities.

Reports that home health agencies feel forced to refuse to care for seniors because they fear the Medicare reimbursements won't cover their costs.

Recent news from CBO that total Medicare home health spending has actually fallen by 45 percent in just two years—perhaps the largest reduction for a specific type of provider that we have ever seen in Medicare.

Of course, last year I was also talking about the home health crisis—and Senator COLLINS and I had a bill to address the issue then as well.

But I'm here to share bad news with my colleagues—Medicare home health is still in crisis.

While we did address home health in the Balanced Budget Refinement Act late last year—which helped—it didn't solve everything.

That's because all we did last year to the biggest threat that's out there for home health care providers—the 15-percent across-the-board cuts that are in addition to all of the other cuts made thus far—was postpone things.

What we did not do—except for one minor provision—is increase home health reimbursement rates. Keep in mind that we did provide relief in the form of increased payments for most other Medicare providers, like hospitals and nursing facilities.

So what we did is simply postpone further cuts in an already-devastated industry. That cannot be the end of the story.

So what should we do? Senator COLLINS and I—in the bill we are introducing today with 34 of our colleagues—propose to eliminate permanently the planned 15-percent home health cuts forever.

I think this initial show of support form my colleagues is tremendous—and I look forward to working with my colleagues to make sure this bill becomes law. The millions of Americans on Medicare—for whom the home health benefit is so important—deserve no less.

Mr. BAUCUS. Mr. President, I rise today to introduce the Home Health Payment Fairness Act. This bill will prevent a 15% cut to home health care agencies and allow them to continue their critical mission of caring for the chronically ill and the elderly.

During the first 15 years of the Medicare program, home health spending accounted for one to two percent of all Part A expenditures. In 1997, home health expenditures reached 14 percent of Part A payments. Congress needed to respond to this growth. And we did so in the Balanced Budget Act of 1997.

Congress decided to pay home health agencies under a Prospective Payment System. In the meantime, we established an interim payment system, or IPS, that would move agencies away from the old system.

Since then, home care agencies have undergone deep budget cuts. Recent CBO projections show that reductions in home health care will be about $69 billion between 1998 and 2002—over four times the original estimate for the same time period. Clearly, home health care agencies have had their budgets cut much more severely than Congress ever intended.

Congress has recognized the severity of the cuts and has twice postponed implementing the planned across-the-board 15% cut. Currently, the 15% cut is scheduled to take effect October 1, 2001.

So what does the legislation I am introducing do? Simply put, this bill takes the necessary step of not postponing the cut, but eliminating it altogether. The planned cut must be eliminated because we have achieved—in fact, far surpassed—the savings targets set by the Balanced Budget Act. Efficient home health agencies in Montana and across the country have experienced acute financial difficulties and cash flow problems, inhibiting their ability to deliver much needed care.

Over 2,500 home health agencies nationwide have closed or stopped serving Medicare patients, and, according to a study done by the Lewin Group for the American Hospital Association, these cutbacks have resulted in a 30.5 percent reduction in hospital-based home health services. Moreover, the Health Care Financing Administration estimates that 500,000 fewer home health patient received services in 1998 than in 1997 (the last year for which figures are available), which points to the most central and critical issue. The real losers in this situation are our seniors. Cuts of this magnitude simply cannot be sustained without ultimately affecting patient care.

While patient care across the nation will be impacted if the planned cuts are implemented, rural areas will be especially had hit. If the planned cuts are implemented, rural health care providers will be forced to find ways to further cut costs. Such cost-cutting measures could include closing branches or limiting services. This means that rural patients could face difficulties accessing quality health care. This is especially significant because a high percentage of seniors over the age of 65 live in rural areas; in Montana, that figure is 77%. Thus, any reduction in home health care will directly impact our nation's seniors.

Eliminating the 15% cut makes financial sense. If home health care budgets are cut further, costs will increase in other areas. If patients—especially in rural areas—are not receiving the care they need, they will turn to other resources, such as hospital emergency rooms, inpatient cares, and nursing homes. In the long run, this will be more expensive and less efficient. Above all, we must ensure that our nation's elderly and ill receive the care they need. We must not create a situation in which cash-strapped home

health agencies have strong incentives to limit- or even deny-care to the sickest.

This bill prevents such a scenario, while respecting Congress' original intention of reducing home health care spending, I think that most of us agree that our seniors and the ill deserve quality home health care. This is a common sense measure that will allow us to realize our original intention of reducing home health care spending, while at the same time protecting the right of our elderly and ill to quality care.

● Mr. JEFFORDS. Mr. President, I am here today to join in introducing the Home Health Payment Fairness Act of 2000. This important bill has been crafted to protect the Medicare home health services that our seniors depend upon. I want to recognize the leadership of Senators COLLINS, BOND, BAUCUS, REED, and the many others who are original cosponsors of this effort to protect access to home health services.

My own state of Vermont is a model for providing high-quality, comprehensive care with a low price tag. For most of the 1990's, the average Medicare expenditure for home health care in Vermont has been the lowest in the nation. Vermont's home care system was designed to efficiently meet the needs of frail and elderly citizens in our largely rural state, but it, like home care across the country, has been put under tremendous pressure.

Since the enactment of the Balanced Budget Act of 1997 (BBA) and imposition of the interim payment system (IPS), the Medicare home health benefit has been seriously eroded. The BBA failed to recognize how the new home health reimbursement would affect small, rural home health care providers. The IPS has caused such significant cash flow problems, that many agencies are struggling to make meet their payroll needs. Now, because of the BBA, agencies are facing the prospect of 15 % cut in Medicare funding in October of 2001. With providers already struggling to survive, any further cuts could spell disaster for low-cost, efficient providers, non-profit agencies, and patients.

That is why we are introducing the Home Health Payment Fairness Act to eliminate the 15% reduction. The original budget target for home health expenditures from the BBA has already been far exceeded. The Congressional Budget Office now estimates that the total home health cuts from BBA will total $69 billion in five years. That's more than four times what was originally estimated when BBA was passed.

The Balanced Budget Refinement Act of 1999 contained a provision requiring the Secretary of Health and Human Services to report to Congress in 2001 on whether the 15% reduction is still considered necessary. I think the answer is becoming more and more clear. We don't need it, and the Home Health Payment Fairness Act is designed to stop it.

Adequate home health care services cannot survive any further reductions. Seniors depend on the home health benefit offered by the Medicare program, and we must make sure it will be there for them. Once again, I want to thank all the cosponsors for giving this legislation such broad, bipartisan support. Our seniors are depending on that kind of support more than ever before.●

Mr. REED. Mr. President, I rise today to join Senator COLLINS, Senator BOND, Senator JEFFORDS and 32 others in introducing the Home Health Payment Fairness Act. The intent of this important legislation is quite simple—to eliminate the 15 percent reduction in home health payments that is scheduled to go into effect in October 2001. Last year, Senator JEFFORDS and I introduced a more broad home health bill, called the Preserve Access to Care in the Home, or PATCH Act, which among other things, would have eliminated this potentially devastating payment reduction. Although we were not able to get this provision included in the 1999 Balanced Budget Refinement Act (BBRA), we were successful in getting a delay in the implementation of this reduction. However, we must see to it that the 15 percent cut is eliminated—and I hope we can achieve that goal this year.

Over the past thirty years, there has been a tremendous shift in the location where health care is actually provided. Increasingly, older and sicker patients are able to receive care in the comfort of their own home, instead of a hospital or nursing home. This incredible change can be attributed to four primary causes: greater reliance on alternative care settings because of the growing cost of inpatient care; technological improvements that have enhanced the capacity to provide sophisticated medical treatments in the home setting; the growing aging population; and the increasing popularity of home- and community-based care as an alternative to the institutional care of a nursing home. Indeed, home health care is an integral part of the spectrum of long term care.

As a result, by the mid-1990's the average annual growth rate for Medicare home health spending was 5.3%. The 1997 Balanced Budget Act (BBA) sought to restrain the unbounded growth in outlays for this benefit. Originally, the Congressional Budget Office (CBO) anticipated that savings through changes in the benefit would total $16.1 billion over five years. In reality, we have saved a total of $19.7 billion in just two years, and are expected to reduce outlays by $69 billion over the five year period—four times what was originally projected. Not surprisingly, since the BBA's enactment, there has been a remarkable 48 percent decline in Medicare home health expenditures.

These dramatic reductions have all too often been borne on the backs of small, nonprofit home health agencies and the elderly and disabled beneficiaries they serve. Home health care agencies in my home state of Rhode Island have been especially hard hit by these changes. We have seen a significant decline in the number of beneficiaries served and access to care for more medically complex patients threatened by these cuts. These reductions have clearly had negative impact on patients who heavily rely on home health services. In one instance, a woman from Pawtucket, Rhode Island had to wait 112 days after being discharged from the hospital before getting home health services. In the wealthiest nation in the world, this kind of situation is simply unacceptable.

Mr. President, nationally, between 1997 and 1998, the number of Medicare beneficiaries receiving home health services has fallen 14 percent, while the total number of home health visits has fallen by 40 percent. We have seen a similar trend in Rhode Island, where over 3,000 fewer beneficiaries are receiving home health care—representing a decline of 16 percent—and the total number of visits has fallen 38 percent. These individuals are either being forced to turn to more expensive alternatives, such as institutional-based nursing homes and skilled nursing facilities for their care, or these individuals are simply going without care, which places an immeasurable burden on the family and friends of vulnerable beneficiaries.

I truly do not believe this is the path we want to remain on when it comes to home health care. In light of the impending ''senior boom'' that will be hitting our entitlement programs in a few short years, we should be doing what we can to preserve and strengthen the Medicare home health benefit. We can begin to do this by eliminating the 15 percent reduction in home health payments. By taking this step, we will alleviate an enormous burden that has been looming over financially strapped home health agencies and the frail and vulnerable Medicare beneficiaries who rely on these critical services.

I urge my colleagues to join us in enacting legislation that will repeal this unnecessary and inappropriate reduction. I look forward to working with Senator COLLINS, Senator JEFFORDS and my other colleagues on this critical issue.

By Mr. FRIST (for himself, Mr. JEFFORDS, Mr. GREGG, Mr. ENZI, Mr. HUTCHINSON, Ms. COLLINS, Mr. BROWNBACK, Mr. HAGEL, and Mr. SESSIONS):

S. 2366. A bill to amend the Public Health Service Act to revise and extend provisions relating to the Organ Procurement Transplantation Network; to the Committee on Health, Education, Labor, and Pensions.

THE ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK AMENDMENTS ACT OF 2000

● Mr. FRIST. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2366

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Organ Procurement and Transplantation Network Amendments Act of 2000''.

SEC. 2. ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK.

(a) IN GENERAL.—Section 372 of the Public Health Service Act (42 U.S.C. 274) is amended to read as follows:

''SEC. 372. ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK.

''(a) ESTABLISHMENT OF NETWORK.—

''(1) IN GENERAL.—An Organ Procurement and Transplantation Network (in this section referred to as the 'Network' or the 'OPTN') is established as a private network and shall operate under this section.

''(2) REQUIREMENTS.—The Network shall—

''(A) in accordance with criteria developed under subsection (c)(1)(B), include as members of the Network qualified organ procurement organizations (as described in section 371(b)), transplant centers, and other entities that have a demonstrated interest in the fields of organ donation or transplantation (such members shall be referred to in this section as 'Network participants'); and

''(B) have a policy board (referred to in this section as the 'OPTN Board') that meets the requirements of subsection (b).

''(b) OPTN POLICY BOARD.—

''(1) COMPOSITION.—The OPTN Board shall be composed of not more than 36 voting members to be elected under paragraph (2) and 5 nonvoting, ex officio members appointed under paragraph (3).

''(2) ELECTED MEMBERS.—

''(A) IN GENERAL.—The voting members of the OPTN Board shall be elected by the members of the Network described in subsection (a)(2)(A), from among the nominees submitted under subparagraph (B), through a fair and open process.

''(B) NOMINATING COMMITTEE.—The nominating committee established under paragraph (5) shall, prior to each election of OPTN Board members under this paragraph, develop a list of nominees for such election. Such list shall reflect the diversity of Network members described in subsection (a)(2)(A), including factors such as program type and size and geographic location. Recommendations may be submitted to the nominating committee by the Secretary, the members of the Network described in subsection (a)(2)(A), or the general public.

''(C) QUALIFICATIONS.—The OPTN Board shall be composed of—

''(i) transplant surgeons and transplant physicians;

''(ii) representatives of qualified organ procurement organizations, transplant centers, voluntary health associations, or the general public, including patients awaiting a transplant or transplant recipients or individuals who have donated an organ, or the family members of such patients, recipients or donors; and

''(iii) individuals distinguished in the fields of ethics, basic, clinical and health services research, biostatistics, health care policy, or health care economics or financing.

''(D) REPRESENTATION REQUIREMENT.—The OPTN Board shall be structured to ensure that—

''(i) at least 50 but not more than 55 percent of the members elected under this paragraph are transplant surgeons and transplant physicians; and

''(ii) at least 20 but not more than 25 percent of the members elected under this paragraph are transplant candidates, transplant recipients, organ donors and family members of such individuals.

Nothing in this subparagraph shall be construed to preclude an individual voting member of the OPTN Board from being a representative described in each of clauses (i) and (iii) or (ii) and (iii) of subparagraph (C) so long as the limitation described in clause (i) of this subparagraph is complied with.

''(3) APPOINTED MEMBERS.—

''(A) IN GENERAL.—The Secretary shall appoint as ex officio, nonvoting members of the OPTN Board, 1 representative from each of the following:

''(i) The Health Resources and Services Administration.

''(ii) The National Institutes of Health.

''(iii) The Health Care Financing Administration.

''(iv) The Agency for Healthcare Research and Quality.

''(B) NETWORK ADMINISTRATOR.—The Network Administrator shall appoint an ex officio nonvoting member of the OPTN Board.

''(4) TERMS OF ELECTED MEMBERS.—

''(A) IN GENERAL.—Except as provided for in this paragraph, members of the OPTN Board elected under paragraph (2) shall serve for a term of 3 years and may be re-elected.

''(B) NEW MEMBERS.—To ensure the staggered rotation of ⅓ of the elected members of the OPTN Board each year, the initial members of the OPTN Board elected under paragraph (2) shall serve for terms of 1, 2, or 3 years respectively as designated by the nominating committee.

''(C) TRANSITION.—Consistent with subsection (c)(3), the voting members of the OPTN Board who are serving on the date of enactment of the Organ Procurement and Transplantation Network Amendments Act of 2000 may continue to serve until the expiration of their terms. Upon such termination, the nominating committee, in submitting nominations to fill such vacancies, shall ensure the staggered rotation of ⅓ of the members elected under paragraph (2) every 3 years.

''(D) CONTRACT STATUS.—A change in the status of a contract under subsection (f), or a change in the contractor, shall not affect the terms of the members of the OPTN Board.

''(5) CHAIRPERSON AND COMMITTEES.—The OPTN Board shall have a chairperson, an executive committee, a nominating committee, a membership committee, and such other committees as the OPTN Board determines to be appropriate.

''(c) GENERAL FUNCTIONS OF THE OPTN BOARD.—

''(1) ESTABLISHMENT OF NETWORK POLICIES AND CRITERIA.—The OPTN Board shall—

''(A) after consultation with Network participants and the Network Administrator, establish and carry out the policies and functions described in this section for the Network;

''(B) establish membership criteria for participating in the Network;

''(C) establish medical criteria for allocating organs and for listing and de-listing patients on the national lists maintained under paragraph (2); and

''(D) establish performance criteria for transplant programs.

''(2) NATIONAL SYSTEM.—The OPTN Board shall maintain a national system to match organs and individuals who need organ transplants. The national system shall—

''(A) have 1 or more lists of individuals who are in need of organ transplants; and

''(B) be operated in accordance with Network policies and criteria established under paragraph (1).

''(3) NO FIDUCIARY RESPONSIBILITY.—The OPTN Board shall have no voting member who has any fiduciary responsibility to the entity that holds the contract provided for under this section.

''(4) OPTN BOARD REQUIREMENTS.—The OPTN Board shall cooperate with the Network Administrator to ensure compliance with the requirements of this section including the contract entered into under subsection (f).

''(d) ORGAN TRANSPLANT POLICY.—The OPTN Board shall establish organ transplant policies, including organ allocation policies for potential organ recipients and policies that affect patient outcomes. Such policies shall—

''(1) be based on sound medical principles;

''(2) be based on valid scientific data;

''(3) be equitable;

''(4) seek to achieve the best use of donated organs;

''(5) be designed to avoid wasting organs, to avoid futile transplants and reduce the risk of retransplantation, to promote patient access to transplantation, and to promote the efficient management of organ placement;

''(6) be specific for each organ type or combination of organ types;

''(7) be based on standardized medical criteria for listing and de-listing candidates from organ transplant waiting lists;

''(8) determine priority rankings (within categories as appropriate) for candidates who are medically suitable for transplantation, such rankings shall be based on standardized medical criteria and ordered according to medical urgency and medical appropriateness;

''(9) seek distribution of organs as appropriate based on paragraphs (1) through (8);

''(10) develop and apply appropriate performance indicators, including patient-focused indicators, to assess transplant program performance and reduce inter-transplant program variance to improve program performance; and

''(11) seek to reduce disparities in transplantation resulting from socioeconomic status, race, ethnicity, or being medically underserved.

''(e) ENFORCEMENT OF ORGAN TRANSPLANT POLICY.—

''(1) IN GENERAL.—

''(A) PROPOSED POLICY.—This paragraph shall apply to any proposed transplant policy that is developed by the OPTN Board that the Board or the Secretary determines should be enforced under this section or under section 1138 of the Social Security Act.

''(B) SUBMISSION OF POLICY.—Not later than 60 days prior to the implementation of a proposed policy described in subparagraph (A), the OPTN Board shall submit such proposed policy to the Secretary.

''(C) PUBLICATION.—Upon receipt of a proposed policy under subparagraph (B), the Secretary shall publish the policy in the Federal Register for a 60-day public comment period.

''(D) ACTION BY SECRETARY.—Not later than 90 days after receipt of a proposed policy under subparagraph (B), the Secretary shall consider public comments received under subparagraph (C) and shall—

''(i) notify the OPTN Board that the policy is consistent with this section and therefore enforceable; or

''(ii) notify the OPTN Board that the policy is inconsistent with this section and direct the Board to reconsider and revise the policy consistent with the recommendations of the Secretary.

''(E) RECONSIDERATION.—

''(i) IN GENERAL.—Not later than 30 days after receiving a notice from the Secretary under subparagraph (D)(ii), the OPTN Board

shall reaffirm the proposed policy or revise and submit such revised policy to the Secretary.

''(ii) ACTION BY SECRETARY.—Not later than 30 days after receiving a revised policy under clause (i), the Secretary shall—

''(I) notify the OPTN Board that the revised policy is consistent with this section and therefore enforceable; or

''(II) notify the OPTN Board that the revised policy is inconsistent with this section and submit the revised policy, with the comments and proposed revisions of the Secretary, to the Scientific Advisory Committee on Organ Transplantation (referred to in this subsection as the 'Committee') established under paragraph (2).

''(iii) ACTION BY COMMITTEE.—Not later than 30 days after the submission of a revised policy to the Committee under clause (ii), the Committee may, by a majority vote, disapprove the comments or revision of the Secretary. If the Committee disapproves such comments or revisions, the revised policy shall not take effect until a majority of the Committee approves the policy or the revisions to such policy.

''(2) SCIENTIFIC ADVISORY COMMITTEE ON ORGAN TRANSPLANTATION.—

''(A) ESTABLISHMENT.—The Secretary shall establish an advisory committee to be known as the Scientific Advisory Committee on Organ Transplantation. Consistent with the requirements of sections 5 and 10 of the Federal Advisory Committee Act—

''(i) the deliberations of the Committee shall not be inappropriately influenced by the Secretary or by any special interest and shall only be the result of the independent judgment of the Committee; and

''(ii) the meetings of the Committee shall be open to the public, advance notice of meetings shall be published in the Federal Register, and records or minutes of meetings shall be made available to the public.

''(B) DUTIES.—The Committee shall make recommendations with respect to policy matters related to reviews conducted under paragraph (1)(E)(ii)(II).

''(C) MEMBERSHIP.—The Committee shall be composed of 15 members, of which—

''(i) five members shall be appointed by the Secretary from nominations submitted by the OPTN Board under subparagraph (D);

''(ii) five members shall be appointed by the Secretary from nominations submitted by the Institute of Medicine under subparagraph (D); and

''(iii) five members shall be appointed by the Secretary.

''(D) NOMINATIONS.—The OPTN Board and the Institute of Medicine shall each nominate, in an independent manner, 5 qualified individuals to serve on the Committee.

''(E) QUALIFICATIONS.—In appointing individuals to serve on the Committee under subparagraph (C), the Secretary shall ensure that—

''(i) nine members are transplant physicians or transplant surgeons of whom—

''(I) 3 shall be selected from the nominations submitted by the OPTN Board; and

''(II) 3 shall be selected from the nominations submitted by the Institute of Medicine; and

''(ii) the remaining members are individuals who are—

''(I) distinguished in the fields of ethics, basic, clinical or health services research, biostatistics, or health care policy, economics or financing; or

''(II) transplant candidates, transplant recipients, organ donors or family members of such individuals.

''(F) EXPERTS.—The Committee shall seek advice from appropriate experts, as needed, to evaluate the proposed policy and revisions under review.

''(G) CHAIRPERSON.—The members of the Committee shall elect a member to serve as the chairperson of the Committee.

''(H) TERMS.—Members of the Committee shall serve for a term of 5 years. Vacancies shall be filled in the same manner as the original appointment was made.

''(f) NETWORK ADMINISTRATION AND OPERATION.—The Secretary shall contract with a nonprofit private entity (referred to in this section as the 'Network Administrator') for the administration and operation of the Network. The Network Administrator shall administer and operate the OPTN Board in accordance with subsection (b). The Network Administrator shall, pursuant to the policies and criteria established by the OPTN Board—

''(1) maintain and operate a national system as established by the OPTN Board to match organs and individuals who need organ transplants;

''(2) operate in accordance with medical criteria established by the OPTN Board, and administer the national system established under subsection (c)(2);

''(3) maintain 1 or more lists of individuals who need organ transplants as provided for under subsection (c)(2)(A);

''(4) maintain a 24-hour communication service to facilitate matching organs with individuals included on the list or lists;

''(5) assist organ procurement organizations in obtaining and distributing organs in accordance with the policies established by the OPTN Board;

''(6) adopt and use standards of quality for the acquisition and transportation of donated organs, including standards regarding the transmission of infectious diseases;

''(7) prepare and distribute, on a regionalized basis (and, to the extent practicable, among regions or on a national basis), samples of blood sera from individuals who are included on the list in order to facilitate matching the compatibility of such individuals with organ donors;

''(8) coordinate, as appropriate, the transportation of organs from organ procurement organizations to transplant centers;

''(9) provide information to physicians, health care professionals, and the general public regarding organ donation;

''(10) carry out studies and demonstration projects for the purpose of improving procedures for organ procurement and allocation; and

''(11) work actively with organ procurement organizations, transplant centers, health care providers, and the public to increase the supply of donated organs.

''(g) DATA COLLECTION, ANALYSIS AND DISTRIBUTION.—

''(1) IN GENERAL.—The Network Administrator shall analyze, maintain, verify, make available and publish timely data to the extent necessary to—

''(A) enable the OPTN Board to fulfill its responsibilities under this section;

''(B) assess the compliance of members of the Network with performance and other criteria developed pursuant to subsection (c)(1);

''(C) evaluate the quality of care provided to transplant candidates and patients generally and in an individual program;

''(D) provide data needed by the Scientific Registry maintained pursuant to section 373;

''(E) provide transplant candidates and patients, physicians and others with information needed to evaluate or select a transplant program;

''(F) provide a member of the Network with data about the member, including results of analysis or other processing of data originally supplied by the member;

''(G) enable the OPTN Board, the Network Administrator and the Secretary to fulfill respective enforcement and oversight responsibilities under subsections (j) and (k); and

''(H) comply with the requirements under subsection (l).

''(2) TYPES OF DATA.—Data provided under paragraph (1) shall include—

''(A) data on transplant candidates, transplant recipients, organ donors, donated organs, and transplant programs; and

''(B) as appropriate, data, graft- and patient-survival rates (actual and adjusted to reflect program-specific population disease severity), program specific data, and aggregate data.

''(h) CONTRACT.—The contract under subsection (f) shall—

''(1) be awarded through a process of competitive bidding as determined by the Secretary; and

''(2) be awarded for a period of no longer than 5 years.

''(i) NETWORK MEMBERSHIP AND PATIENT REGISTRATION FEE.—

''(1) IN GENERAL.—The Network Administrator may assess a fee, to be collected by the Network Administrator, for membership in the Network (to be known as the 'Network membership fee'), and for the listing of each potential transplant recipient on the national organ matching system maintained by the Network Administrator (to be known as the 'patient registration fee'), in an amount determined under paragraph (2).

''(2) AMOUNT.—The amounts of the fees to be assessed under paragraph (1) shall be calculated so as to be—

''(A) reasonable and customary; and

''(B) sufficient to cover the Network's reasonable costs of operation in accordance with this section.

''(3) ANNUAL RECALCULATION.—

''(A) IN GENERAL.—The fees calculated under paragraph (2) shall be annually recalculated, based on—

''(i) changes in the level or cost of contract tasks and other activities related to organ procurement and transplantation; and

''(ii) changes in expected revenues from contract funds, Network membership fees and patient registration fees available to the Network Administrator.

''(B) PROCEDURE.—

''(i) PROPOSAL.—The Network Administrator shall submit to the Secretary a written proposal for, and justification of, a recalculated fee under subparagraph (A).

''(ii) DETERMINATION.—The proposal of the Network Administrator for a recalculated fee under clause (i) shall take effect unless the Secretary, within 60 days of receiving the proposal, provides the Network Administrator with a written determination, with justification, that the proposed fee level does not meet the requirement of subparagraph (A).

''(4) USE OF FEES.—

''(A) IN GENERAL.—All fees collected by the Network Administrator under this subsection shall be available to the Network, without fiscal year limitation, for use in carrying out the functions described in subsection (f).

''(B) RESTRICTION.—Fees collected under this subsection may not be used for any activity for which contract funds may not be used under this section.

''(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as prohibiting the Network Administrator from collecting or accepting other fees, donations or gifts or for using such other fees, donations or gifts to carry out activities other than those authorized under the contract under this section.

''(j) OVERSIGHT OF NETWORK PARTICIPANTS.—

''(1) MONITORING.—

''(A) IN GENERAL.—The OPTN Board and the Network Administrator shall, on an ongoing and periodic basis, or as requested by the Secretary, monitor the operations of Network participants to determine whether the participants are maintaining compliance with the criteria and policies established by the OPTN Board.

''(B) PROCEDURES.—

''(i) NOTICE.—In monitoring a Network participant under subparagraph (A), the OPTN Board or the Administrator—

''(I) shall inform the participant and the Secretary upon initiating a compliance review of a Network participant; and

''(II) shall inform the participant and the Secretary of any findings indicating noncompliance by the participant with such criteria and policies.

''(ii) APPEALS.—The Network Administrator shall establish procedures for appealing noncompliance determinations. Such procedures shall ensure due process and shall allow for corrective action.

''(2) PEER REVIEW PROCEEDINGS.—

''(A) IN GENERAL.—The OPTN Board shall establish a peer review system and conditions for the application of peer review requirements to ensure that members of the Network comply with policies and criteria established by the OPTN Board under this section. Such peer review system may include prospective reviews and shall be administered by the Network Administrator and overseen by the OPTN Board.

''(B) POLICIES, REVIEW AND EVALUATION.—As part of the peer review system established under subparagraph (A), the OPTN Board shall establish such policies, and the Network Administrator shall conduct such ongoing and periodic reviews and evaluations of members of the Network, as necessary to ensure compliance with the policies and criteria established by the OPTN Board under this section.

''(C) EMERGING ISSUES.—As part of such peer review system established under subparagraph (A), the OPTN Board shall establish policies to work with and direct the Network Administrator to respond to emerging issues and problems.

''(k) ENFORCEMENT.—

''(1) RECOMMENDATIONS.—The OPTN Board or the Network Administrator shall provide advice, and make recommendations for appropriate action, to the Secretary concerning the results of any reviews or evaluations that, in the opinion of the OPTN Board or the Network Administrator, indicate—

''(A) noncompliance by Network participants with—

''(i) the policies or criteria established by the OPTN Board; or

''(ii) the operating procedures of the Network Administrator; or

''(B) a risk to the health of organ transplant patients or to public safety.

''(2) ENFORCEMENT BY NETWORK.—

''(A) IN GENERAL.—If the OPTN Board determines that one of the members of the network has violated a requirement established by this section or by the Network, the OPTN Board may impose on the member 1 or more of the sanctions described in subparagraph (B), or may recommend that the Secretary take enforcement action under paragraph (3).

''(B) TYPES OF SANCTIONS.—The sanctions described in this subparagraph may include—

''(i) the loss of any or all privileges of membership in good standing in the Network;

''(ii) the imposition upon the member of additional or more frequent reviews or evaluations under subsection (j)(1)(A), and assessments of the reasonable costs of such additional or more frequent reviews or evaluations; and

''(iii) such other sanctions as the Secretary may permit the OPTN Board to impose.

''(3) ENFORCEMENT BY THE SECRETARY.—

''(A) IN GENERAL.—If the Secretary, after consultation with the OPTN Board or Network Administrator, determines that a member of the Network has violated a requirement established by this section or a requirement of a policy that is enforceable under subsection (f), the Secretary may impose on the member 1 or more of the sanctions described in subparagraph (B).

''(B) TYPES OF SANCTIONS.—The sanctions described in this subparagraph shall include—

''(i) requiring the member to follow a directed plan of correction;

''(ii) imposing upon the member a monetary assessment (to be paid to the General Fund of the Treasury) in an amount not to exceed $10,000 for each violation or for each day of violation;

''(iii) requiring the member to pay to the Network Administrator the costs of onsite monitoring of the member;

''(iv) the loss of any or all privileges of membership in the Network; and

''(v) in cases where the violation creates a risk to patient health or to public health, such other action as the Secretary determines to be necessary.

''(C) PROCEDURES.—The Secretary shall develop and implement procedures for the imposition of sanctions under clauses (i) through (v) of subparagraph (B). Such procedures shall include—

''(i) the provision of reasonable notice to the Network member and the OPTN Board that the Secretary is considering imposing a sanction;

''(ii) affording the member a reasonable opportunity to be heard in response to the notice;

''(iii) the provision of notice to the member that the Secretary has decided to impose a sanction; and

''(iv) the opportunity for the Network member to appeal such sanction.

''(l) ANNUAL REPORT.—

''(1) IN GENERAL.—Not later than September 30 of each year, the Network Administrator shall prepare and submit to the Secretary an annual report on the performance and policies of the Network. The report shall include additional items as specified in the contract under this section or requested in a timely manner by the Secretary.

''(2) REQUIREMENT OF OPTN BOARD APPROVAL.—The OPTN Board shall review and approve the report required under paragraph (1) prior to the submission of such report to the Secretary.

''(3) SUBMISSION TO CONGRESS.—

''(A) IN GENERAL.—Not later than December 31 of each year, the Secretary shall transmit the report submitted under paragraph (1) and the comments of the Secretary concerning such report, to the appropriate committees of Congress.

''(B) CLARIFYING INFORMATION.—The Secretary may, upon the receipt of the report under paragraph (1), but prior to transmission of the report to Congress under subparagraph (A), request that the Network Administrator submit clarifying information or an addenda as needed to fulfill the requirements of this subsection.

''(m) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, such sums as may be necessary for each of fiscal years 2001 through 2005.''.

SEC. 3. SCIENTIFIC REGISTRY

Section 373 of the Public Health Service Act (42 U.S.C. 274a) is amended to read as follows:

''SEC. 373. SCIENTIFIC REGISTRY.

''The Secretary shall by contract, develop and maintain a scientific registry of the recipients of organ transplants. The registry shall include information, with respect to organ transplant patients and transplant procedures, as the Secretary determines to be necessary to an ongoing evaluation of the scientific and clinical status of organ transplantation.''.

SEC. 4. ORGAN DONATION.

Part H of title III of the Public Health Service Act (42 U.S.C. 273 et seq.) is amended—

(1) by redesignating section 378 (42 U.S.C. 274g) as section 379; and

(2) by inserting after section 377 (42 U.S.C. 274f) the following:

''SEC. 378. ORGAN DONATION AND RESEARCH.

''(a) INTER-AGENCY TASK FORCE ON ORGAN DONATION AND RESEARCH.—

''(1) IN GENERAL.—The Secretary shall establish an inter-agency task force on organ donation and research (referred to in this section as the 'task force') to improve the coordination and evaluation of—

''(A) federally supported or conducted organ donation efforts and policies; and

''(B) federally supported or conducted basic, clinical and health services research (including research on preservation techniques and organ rejection and compatibility).

''(2) COMPOSITION.—The task force shall be composed of—

''(A) the Surgeon General, who shall serve as the chairperson;

''(B) representatives to be appointed by the Secretary from relevant agencies within the Department of Health and Human Services (including the Health Resources and Services Administration, Health Care Financing Administration, National Institutes of Health, and Agency for Healthcare Research and Quality);

''(C) a representative from the Department of Transportation;

''(D) a representative from the Department of Defense;

''(E) a representative from the Department of Veterans Affairs;

''(F) a representative from the Office of Personnel Management; and

''(G) representatives of other Federal agencies or departments as determined to be appropriate by the Secretary.

''(3) ANNUAL REPORT.—In addition to activities carried out under paragraph (1), the task force shall support the development of the annual report under subsection (d)(2).

''(4) TERMINATION.—The task force may be terminated at the discretion of the Secretary following the completion of at least 2 annual reports under subsection (d). Upon such termination, the Secretary shall provide for the on-going coordination of federally supported or conducted organ donation and research activities.

''(b) EDUCATION.—

''(1) PUBLIC EDUCATION AND AWARENESS.—The Secretary shall, directly or through grants or contracts, carry out a comprehensive and effective national public education program to increase organ donation, including living donation.

''(2) DEVELOPMENT OF CURRICULA AND OTHER EDUCATION ACTIVITIES.—

''(A) IN GENERAL.—The Secretary shall support the development and dissemination of model curricula to train health care professionals and other appropriate professionals (including religious leaders in the community and law enforcement officials) in issues surrounding organ donation, including methods to approach patients and their families, cultural sensitivities, and other relevant issues.

''(B) HEALTH CARE PROFESSIONALS.—For purposes of subparagraph (A), the term 'health care professionals' includes—

''(i) medical students, residents and fellows, attending physicians (through continuing medical education courses and other methods), nurses, social workers, and other allied health professionals; and

''(ii) hospital- or other health care-facility based chaplains; and

''(iii) emergency medical personnel.

''(c) GRANTS.—The Secretary shall award peer-reviewed grants to public and non-profit private entities, including States, to carry out studies and demonstration projects to increase organ donation rates, including living donation. The Secretary shall ensure that activities carried out by grantees under this subsection are evaluated for effectiveness and that such findings are disseminated.

''(d) REPORTS.—

''(1) IOM REPORT ON BEST PRACTICES.—

''(A) IN GENERAL.—The Secretary shall enter into a contract with the Institute of Medicine to conduct an evaluation of the organ donation practices of organ procurement organizations, States, other countries, and other appropriate organizations that have achieved a higher than average organ donation rate.

''(B) BARRIERS.—In conducting the evaluation under subparagraph (A), the Institute of Medicine shall examine existing barriers to organ donation.

''(C) REPORT.—Not later than 18 months after the date of enactment of this section, the Institute of Medicine shall submit to the Secretary a report concerning the evaluation conducted under this paragraph. Such report shall include recommendations for administrative actions and, if necessary, legislation in order to replicate the best practices identified in the evaluation and to otherwise increase organ donation and procurement rates.

''(2) ANNUAL REPORT ON DONATION.—

''(A) IN GENERAL.—Not later than 1 year after the date on which the report is submitted under paragraph (1)(C), and annually thereafter, the Secretary shall prepare and submit to Congress a report concerning federally supported or conducted organ donation and procurement activities, including donation and procurement activities evaluated or conducted under subsection (a) to increase organ donation.

''(B) REQUIREMENTS.—To the extent practicable, each annual report under subparagraph (A) shall—

''(i) evaluate the effectiveness of activities, identify best practices, and make recommendations regarding broader adoption of best practices with respect to organ donation and procurement;

''(ii) assess organ donation and procurement activities that are recently completed, current or planned.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $15,000,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 through 2005.''.●

By Mr. ABRAHAM (for himself, Mr. KENNEDY, Mr. LEAHY, Mr. DEWINE, Mr. JEFFORDS, Mr. AKAKA, Mr. GRAHAM, and Mr. INOUYE):

S. 2367. A bill to amend the Immigration and Nationality Act to make improvements to, and permanently authorize, the visa waiver pilot program under the Act; to the Committee on the Judiciary.

TRAVEL, TOURISM, AND JOBS PRESERVATION ACT

Mr. ABRAHAM. Mr. President, I rise today to introduce the Travel, Tourism, and Jobs Preservation Act. This bill makes the Visa Waiver Pilot Program permanent and strengthens the documentation and reporting requirements established under the pilot program.

This legislation is important not only because it facilitates travel and tourism in the United States, thereby creating many American jobs, but also because it benefits American tourists who wish to travel abroad, since visa requirements are generally waived on a reciprocal basis.

The Visa Waiver Pilot Program authorizes the Attorney General to waive visa requirements for foreign nationals traveling from certain designated countries as temporary visitors for business or pleasure. Aliens from the participating countries complete an admission form prior to arrival and are admitted to stay for up to 90 days.

The criteria for being designated as a Visa Waiver country are as follows: First, the country must extend reciprocal visa-free travel for U.S. citizens. Second, they must have a non-immigrant refusal rate for B–1/B–2 visitor visas at U.S. consulates that is low, averaging less than 2 percent the previous two full fiscal years, with the refusal rate less than 2.5 percent in either year, or less than 3 percent the previous full fiscal year. Third, the countries must have or be in the process of developing a machine-readable passport program. Finally, the Attorney General must conclude that entry into the Visa Waiver Pilot Program will not compromise U.S. law enforcement interests.

Countries are designated by the Attorney General in consultation with the Secretary of State. Nations currently designated as Visa Waiver participants are Andorra, Argentina, Australia, Austria, Belgium, Brunei, Denmark, Finland, France, Germany, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Portugal, San Marino, Singapore, Slovenia, Spain, Sweden, Switzerland, United Kingdom, and Uruguay. Greece has been proposed for participation in the program.

The Visa Waiver Pilot Program was established by law in 1986 and became effective in 1988, with 8 countries participating for a period of three years. The program has been considered successful and as such has been expanded to include 29 participating countries. Since 1986, Visa Waiver has been reauthorized on 6 different occasions for periods of one, two, or three years at a time.

The time has come to make the Visa Waiver Pilot Program permanent, and, in the process, to strengthen further current requirements. Its status is no longer truly experimental. No serious disagreement exists that the program should continue in place for the foreseeable future, and no significant problems have been raised with the fundamentals of how it has been operating for the past 14 years. To the contrary, failure to continue the program would cause enormous staffing problems at U.S. consulates, which would have to be suddenly increased substantially to resume issuance of visitor visas. It would also be extremely detrimental to American travelers, who would most certainly find that, given reciprocity, they now would be compelled to obtain visas to travel to Europe and elsewhere. Finally, there are costs to continuing to reauthorize the program on a short-term rather than a permanent basis, as it periodically creates considerable uncertainty in the United States and around the world about what documents travelers planning their foreign travel have to obtain.

Accordingly, I am today introducing the Travel, Tourism, and Jobs Preservation Act. This legislation eliminates the need for frequent extensions of Visa Waiver by making the program permanent. I am pleased to see that the House bill on Visa Waiver also makes the program permanent. Second, the current requirement that countries be in the process of developing a program for issuing machine-readable passports will be replaced with a stricter requirement that all countries in the program as of May 1, 2000 certify by October 1, 2001 that they will have an operational machine-readable passport program by 2003 and that new countries have a machine-readable passport program in place before becoming eligible for designation as a Visa Waiver country. The bill also establishes a deadline of October 1, 2008 by which time all travelers must have machine-readable passports to come to the United States under Visa Waiver. The judgment of everyone involved in these issues is that the technology is now sufficient that it is time for everyone to move from the concept and planning to the prompt implementation of these requirements.

Finally, under the Travel, Tourism, and Jobs Preservation Act, the Attorney General must submit a written report at least once every five years evaluating ''the effect of each program country's continued designation on the law enforcement and national security interests of the United States.'' This will ensure that the operation of the program is periodically reviewed. I should note that under current law the Attorney General, in consultation with the Secretary of State, may for any reason (including national security) refrain from waiving the visa requirement in respect to nationals of any country which may otherwise qualify for designation or may, at any time, rescind any waiver or designation previously granted'' under Visa Waiver.

I think the additions in the bill strengthen the program while preserving the significant job creation benefits Americans gain from the Visa

Waiver program. International travel generates $95 billion in expenditures and created one million U.S. jobs last year, according to the Travel Industry Association of America. An estimated half of all visitors to the United States enter the country under Visa Waiver.

I would like to thank my cosponsors Senators KENNEDY, LEAHY, DEWINE, JEFFORDS, AKAKA, GRAHAM, and INOUYE for supporting this important legislation.

ADDITIONAL COSPONSORS

S. 510

At the request of Mr. CAMPBELL, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 510, a bill to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands.

S. 577

At the request of Mr. HATCH, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 577, a bill to provide for injunctive relief in Federal district court to enforce State laws relating to the interstate transportation of intoxicating liquor.

S. 670

At the request of Mr. JEFFORDS, the names of the Senator from Colorado (Mr. ALLARD) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 670, a bill to amend the Internal Revenue Code of 1986 to provide that the exclusion from gross income for foster care payments shall also apply to payments by qualifying placement agencies, and for other purposes.

S. 867

At the request of Mr. ROTH, the name of the Senator from Rhode Island (Mr. L. CHAFEE) was added as a cosponsor of S. 867, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 1419

At the request of Mr. MCCAIN, the names of the Senator from New Hampshire (Mr. SMITH), the Senator from Indiana (Mr. LUGAR), and the Senator from Georgia (Mr. COVERDELL) were added as cosponsors of S. 1419, a bill to amend title 36, United States Code, to designate May as ''National Military Appreciation Month.''

S. 1810

At the request of Mrs. MURRAY, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1810, a bill to amend title 38, United States Code, to clarify and improve veterans' claims and appellate procedures.

S. 1898

At the request of Mr. DORGAN, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1898, a bill to provide protection against the risks to the public that are inherent in the interstate transportation of violent prisoners.

S. 1921

At the request of Mr. CAMPBELL, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Louisiana (Mr. BREAUX) were added as cosponsors of S. 1921, a bill to authorize the placement within the site of the Vietnam Veterans Memorial of a plaque to honor Vietnam veterans who died after their service in the Vietnam war, but as a direct result of that service.

S. 1957

At the request of Mr. SCHUMER, the names of the Senator from Connecticut (Mr. DODD), the Senator from New York (Mr. MOYNIHAN), and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of S. 1957, a bill to provide for the payment of compensation to the families of the Federal employees who were killed in the crash of a United States Air Force CT–43A aircraft on April 3, 1996, near Dubrovnik, Croatia, carrying Secretary of Commerce Ronald H. Brown and 34 others.

S. 1988

At the request of Mr. DASCHLE, the names of the Senator from Illinois (Mr. FITZGERALD) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1988, a bill to reform the State inspection of meat and poultry in the United States, and for other purposes.

S. 2004

At the request of Mrs. MURRAY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2004, a bill to amend title 49 of the United States Code to expand State authority with respect to pipeline safety, to establish new Federal requirements to improve pipeline safety, to authorize appropriations under chapter 601 of that title for fiscal years 2001 through 2005, and for other purposes.

S. 2021

At the request of Mr. BROWNBACK, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 2021, a bill to prohibit high school and college sports gambling in all States including States where such gambling was permitted prior to 1991.

S. 2078

At the request of Mr. BUNNING, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. 2078, a bill to authorize the President to award a gold medal on behalf of Congress to Muhammad Ali in recognition of his outstanding athletic accomplishments and enduring contributions to humanity, and for other purposes.

S. 2107

At the request of Mr. GRAMM, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 2107, a bill to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to reduce securities fees in excess of those required to fund the operations of the Securities and Exchange Commission, to adjust compensation provisions for employees of the Commission, and for other purposes.

S. 2183

At the request of Mr. CRAPO, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 2183, a bill to ensure the availability of spectrum to amateur radio operators.

S. 2277

At the request of Mr. ROTH, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Florida (Mr. GRAHAM) were added as cosponsors of S. 2277, a bill to terminate the application of title IV of the Trade Act of 1974 with respect to the People's Republic of China.

S. 2308

At the request of Mr. MOYNIHAN, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 2308, a bill to amend title XIX of the Social Security Act to assure preservation of safety net hospitals through maintenance of the Medicaid disproportionate share hospital program.

S. 2314

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2314, a bill for the relief of Elian Gonzalez and other family members.

S. 2323

At the request of Mr. MCCONNELL, the names of the Senator from Ohio (Mr. DEWINE), the Senator from Texas (Mrs. HUTCHISON), and the Senator from Tennessee (Mr. FRIST) were added as cosponsors of S. 2323, a bill to amend the Fair Labor Standards Act of 1938 to clarify the treatment of stock options under the Act.

S. 2344

At the request of Mr. BROWNBACK, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 2344, a bill to amend the Internal Revenue Code of 1986 to treat payments under the Conservation Reserve Program as rentals from real estate.

S. CON. RES. 32

At the request of Mr. CONRAD, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. Con. Res. 32, a concurrent resolution expressing the sense of Congress regarding the guaranteed coverage of chiropractic services under the Medicare+Choice program.

S. CON. RES. 54

At the request of Mrs. BOXER, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. Con. Res. 54, a concurrent resolution expressing the sense of Congress that the Auschwitz-Birkenau state museum in Poland should release seven paintings by Auschwitz survivor Dina Babbitt made while she was imprisoned

there, and that the governments of the United States and Poland should facilitate the return of Dina Babbit's artwork to her.

S. CON. RES. 60

At the request of Mr. FEINGOLD, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. Con. Res. 60, a concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of the U.S.S. *Wisconsin* and all those who served aboard her.

S. CON. RES. 98

At the request of Mr. DEWINE, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. Con. Res. 98, a concurrent resolution urging compliance with the Hague Convention on the Civil Aspects of International Child Abduction.

AMENDMENT NO. 2915

At the request of Mr. WELLSTONE, his name was added as a cosponsor of amendment No. 2915 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Mr. HARKIN, his name was added as a cosponsor of amendment No. 2915 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Mr. DODD, his name was added as a cosponsor of amendment No. 2915 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

At the request of Ms. MIKULSKI, her name was added as a cosponsor of amendment No. 2915 proposed to S. Con. Res. 101, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000.

SENATE RESOLUTION 281—TO CONGRATULATE THE MICHIGAN STATE UNIVERSITY MEN'S BASKETBALL TEAM ON WINNING THE 2000 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION MEN'S BASKETBALL CHAMPIONSHIP

Mr. ABRAHAM (for himself and Mr. LEVIN) submitted the following resolution; which was considered and agreed to:

S. RES. 281

Whereas the Michigan State Spartans were Big Ten Conference regular season co-champions, and were winners of the Big Ten Conference Tournament, and, with a 26–7 record, earned a number one seed in the Midwest region of the 1999–2000 N.C.A.A. Tournament;

Whereas the Michigan State Spartans proved their dominance over the Midwest Region in reaching the Final Four, defeating Valparaiso 65–38, Utah 73–61, Syracuse 75–58, and Iowa State 75–64;

Whereas in winning the Midwest Region the Michigan State Spartans reached the Men's Final Four for the second year in a row, last year losing to the Duke University Blue Devils in the semifinals;

Whereas the Michigan State Spartans vowed after that loss to return to the Final Four in 1999–2000, and to settle for nothing less than the ultimate prize;

Whereas the Michigan State Spartans moved one step closer to their goal when they defeated the University of Wisconsin Badgers 53–41 for the fourth time of the 1999–2000 season to reach the championship game;

Whereas in that game, the Michigan State Spartans, with an entire team effort that demonstrated why college athletics are so special, defeated the University of Florida Gators 89–76 on April 3, 2000, and won the N.C.A.A. Men's Basketball Championship for the second time in the history of the program;

Whereas Coach Tom Izzo, who hails from Iron Mountain, Michigan, in only his fifth year coaching the team, has proven himself to be one of the finest coaches in Men's College Basketball, and he and his staff instilled into the Spartans a will to win second to none, exemplified by their cutthroat defense, which suffocated many potent offenses throughout the season, and particularly in the second half of N.C.A.A. Tournament games;

Whereas Mateen Cleaves, Morris Peterson, and A.J. Granger, three seniors who have been playing together for four years and who ended their collegiate careers with a win, spurred this team to victory throughout the year, Mr. Cleaves with his incredible leadership, Mr. Peterson with his clutch shooting, and Mr. Granger with his consistent long marksmanship;

Whereas Mateen Cleaves, Morris Peterson, and Charlie Bell, three individuals who hail from Flint, Michigan, and have thus been given the nickname ''The Flintstones,'' have been playing together since elementary school, and whose comradeship and loyalty to one another carried out onto the floor, and made the Spartans team a family off the floor as well;

Whereas Mateen Cleaves, the fearless captain of the team and the all-time assist leader in the Big Ten's history, who led not only with words but also with the example he set, who returned to the championship game after sustaining a high ankle sprain to his right leg, led his team to the title and, like a true champion, made good on his word;

Whereas Morris Peterson, named the Big Ten Conference Player of the Year, saved the Michigan State Spartans from the clutches of defeat many times this season, and particularly in the tournament, with his laser-like shooting and stingy defense;

Whereas Charlie Bell, perhaps the best rebounding guard in the nation, also led the team with his quickness, tireless defense effort, and athleticism, and who will be counted upon for his leadership next year;

Whereas A.J. Granger, displayed his awesome variety of offensive skills in both assisting on, and hitting, several big shots when the Spartans needed them most;

Whereas Andre Hutson, the man in the middle, who was often called on to shut down the opposing team's top player, particularly in the 1999–2000 tournament, handled his job with a workmanlike skill that defined professionalism, and in doing so provided the Spartans with the whole package the entire year;

Whereas Mike Chappell, Jason Richardson, and Aloysius Anagonye, provided the Spartans with quality minutes off the bench all year, and particularly in the championship game, where they held their own against the vaunted Florida bench;

Whereas David Thomas and Adam Ballinger, provided valuable contributions throughout the season and the tournament, both on and off the court, often providing the Spartans with the lift they needed; and

Whereas the contributions of Steve Cherry, Mat Ishbia and Brandon Smith, both on the court and in practice, demonstrated the total devotion of the Spartans players to the team concept that made the Spartans into the most dominating college basketball team of the new millennium: Now, therefore, be it

Resolved, That the United States Senate congratulates the Michigan State University Men's Basketball Team on winning the 1999–2000 National Collegiate Athletic Association Men's Basketball Championship.

SENATE RESOLUTION 282—CONGRATULATING THE HUSKIES OF THE UNIVERSITY OF CONNECTICUT FOR WINNING THE 2000 WOMEN'S BASKETBALL CHAMPIONSHIP

By Mr. DODD (for himself and Mr. LIEBERMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 282

Whereas the University of Connecticut women's basketball team won its second national championship in 5 years by defeating the University of Tennessee by the score of 71–52;

Whereas the University of Connecticut Huskies entered the 2000 NCAA Tournament with a perfect 15–0 record in the Big East Conference and with just one loss during the regular season;

Whereas National Coach of the Year Geno Auriemma's team began the season ranked number one in the Nation and will finish the season ranked number one in the Nation;

Whereas the University of Connecticut Women Huskies brought the State of Connecticut its second straight NCAA Basketball Title, following the 1999 championship of the University of Connecticut Men's team;

Whereas both Shea Ralph and Svetlana Abrosimova were chosen consensus All-Americans; Ralph was selected the NCAA tournament's Most Outstanding Player; Kelly Schumacher set a championship-game record for blocked shots with 9; and Ralph, Abrosimova, Sue Bird, and Asjha Jones were named to the All-Tournament team;

Whereas the Huskies dominated March Madness, averaging 91.3 points and a 19-point margin of victory in the tournament;

Whereas University of Connecticut's 19-point win over Tennessee, the other powerhouse of women's collegiate basketball, was the second largest margin of victory ever in a championship game;

Whereas the high caliber of the University of Connecticut Women Huskies in both athletics and academics has again advanced the sport of women's basketball and provided inspiration for future generations of young female athletes; and

Whereas the Huskies' season of accomplishment rallied Connecticut residents of all ages, from Stamford to Storrs, from Norwalk to Norwich, behind a common purpose and inspired a wave of euphoria across the State: Now, therefore, be it

Resolved, That the Senate commends the Huskies of the University of Connecticut for

completing the 1999–2000 season with a 36–1 record and winning the 2000 NCAA Women's Basketball Championship.

AMENDMENTS SUBMITTED

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2001

L. CHAFEE (AND FEINSTEIN) AMENDMENT NO. 2923

(Ordered to lie on the table.)

Mr. L. CHAFEE (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by them to the concurrent resolution (S. Con. Res. 101) setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE ON RESTORING FUNDS TO HOSPITALS CUT BY THE BALANCED BUDGET ACT OF 1997.

(a) FINDINGS.—The Senate finds that—

(1) the Balanced Budget Reform Act of 1999 provided insufficient relief to hospitals;

(2) in addition to reductions to expenditures under the medicare program, reductions made in the Balanced Budget Act of 1997 over 5 years to Federal medicaid disproportionate share hospital (DSH) expenditures threaten the ability of hospitals to provide care for the most vulnerable populations;

(3) Federal medicaid DSH expenditures help reimburse the costs incurred by hospitals in treating medicaid patients and the uninsured and are needed to help our Nation's safety net hospitals.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution on the budget assume that the Senate should enact legislation that would reverse the unintended consequences of the Balanced Budget Act of 1997 by freezing the reductions in medicaid disproportionate share hospital (DSH) expenditures at fiscal year 2000 levels and then allowing those expenditure levels to increase by the percentage change in the consumer price index for all urban consumers (all items; U.S. city average) for the following 5 years.

JEFFORDS (AND OTHERS) AMENDMENT NO. 2924

(Ordered to lie on the table.)

Mr. JEFFORDS (for himself, Ms. SNOWE, Mr. DODD, Mr. BAYH, Mr. LIEBERMAN, Mr. REED, Mr. SCHUMER, Mr. KERRY, Ms. COLLINS, Mr. LEAHY, Mr. KOHL, Mr. L. CHAFEE, and Mr. WELLSTONE) submitted the following amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the appropriate place, insert the following new section:

SEC. . SENSE OF THE SENATE ON THE LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM.

(a) FINDINGS.—The Senate finds the following:

(1) Home energy assistance for working poor and low-income families with children, elderly individuals on fixed incomes, individuals with disabilities, and others who need such assistance is a critical part of the social safety net in cold weather areas during the winter, and a source of necessary cooling aid during the summer.

(2) The Low-Income Home Energy Assistance Program is a highly targeted, cost-effective way to help millions of low-income Americans pay their home energy bills. More than ⅔ of households eligible for assistance through the Program have annual incomes of less than $8,000, and approximately ½ of the households have annual incomes below $6,000.

(3) Funding for the Low-Income Home Energy Assistance Program has declined 48 percent since fiscal year 1985, and as a result many elderly individuals on fixed incomes and working poor families have lost critical assistance.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this resolution assume that—

(1) an amount of not less than $1,400,000,000 (an amount currently available to carry out the Low-Income Home Energy Assistance Act of 1981 for fiscal year 2000) will be made available to carry out such Act for fiscal year 2001; and

(2) $1,400,000,000 of the amount described in paragraph (1) will not be funds designated by Congress to be emergency requirements pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)), regardless of whether any additional funds (in excess of the $1,400,000,000) made available as described in paragraph (1) are funds that are so designated.

LINCOLN AMENDMENT NO. 2925

(Ordered to lie on the table.)

Mrs. LINCOLN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 101, supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE CONCERNING AGING FLOOD CONTROL STRUCTURES.

(a) FINDINGS.—The Senate finds that—

(1) since 1948, communities and the Natural Resources Conservation Service of the Department of Agriculture have constructed over 10,400 flood control structures in 47 States, at an estimated infrastructure investment of $14,000,000,000;

(2) many of those structures are now reaching the end of their design life; and

(3) unless those aging structures are rehabilitated, the structures may—

(A) pose significant threats to human health, public safety, property, and the environment; and

(B) pose risks of potential hardship to the communities in the vicinities of the structures, including through potential loss of flood control, community water supplies, ability to conserve natural resources, and economic benefits, that were brought about as a result of those flood control structures.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution, and any legislation enacted pursuant to this resolution, assume that the Federal Government will offer technical assistance and cost-shared financial assistance to communities to ensure that the flood control structures constructed by the communities and the Natural Resources Conservation Service of the Department of Agriculture are rehabilitated and continue to serve the protective purposes for which they were constructed.

BINGAMAN (AND OTHERS) AMENDMENT NO. 2926

Mr. BINGAMAN (for himself, Mr. KENNEDY, Mrs. MURRAY, Mr. DASCHLE, Mr. DODD, Mr. KERRY, Mr. WELLSTONE, Mr. BYRD, Mr. HARKIN, Mr. REED, Mr. ROBB, Mr. DORGAN, Mr. SCHUMER, and Mrs. BOXER) proposed an amendment to the concurrent resolution, S. Con. Res. 101, supra; as follows:

On page 4, line 4, increase the amount by $1,930,000,000.

On page 4, line 5, increase the amount by $6,230,000,000.

On page 4, line 6, increase the amount by $5,480,000,000.

On page 4, line 7, increase the amount by $5,810,000,000.

On page 4, line 8, increase the amount by $6,940,000,000.

On page 4, line 13, increase the amount by $1,930,000,000.

On page 4, line 14, increase the amount by $6,230,000,000.

On page 4, line 15, increase the amount by $5,480,000,000.

On page 4, line 16, increase the amount by $5,810,000,000.

On page 4, line 17, increase the amount by $6,940,000,000.

On page 4, line 22, increase the amount by $5,640,000,000.

On page 4, line 23, increase the amount by $7,120,000,000.

On page 4, line 24, increase the amount by $6,470,000,000.

On page 4, line 25, increase the amount by $7,080,000,000.

On page 5, line 1, increase the amount by $8,420,000,000.

On page 5, line 7, increase the amount by $1,930,000,000.

On page 5, line 8, increase the amount by $6,230,000,000.

On page 5, line 9, increase the amount by $5,480,000,000.

On page 5, line 10, increase the amount by $5,810,000,000.

On page 5, line 11, increase the amount by $6,940,000,000.

On page 18, line 7, increase the amount by $5,640,000,000.

On page 18, line 8, increase the amount by $1,930,000,000.

On page 18, line 11, increase the amount by $7,120,000,000.

On page 18, line 12, increase the amount by $6,230,000,000.

On page 18, line 15, increase the amount by $6,470,000,000.

On page 18, line 16, increase the amount by $5,480,000,000.

On page 18, line 19, increase the amount by $7,080,000,000.

On page 18, line 20, increase the amount by $5,810,000,000.

On page 18, line 23, increase the amount by $8,420,000,000.

On page 18, line 24, increase the amount by $6,940,000,000.

On page 29, line 3, decrease the amount by $1,949,000,000.

On page 29, line 4, decrease the amount by $28,133,000,000.

Add new Section 105, as follows:

SEC. 105. RECONCILIATION OF REVENUE REDUCTIONS IN THE SENATE.

Not later than September 29, 2000, the Senate Committee on Finance shall report to the Senate a reconciliation bill proposing changes in laws within its jurisdiction necessary to reduce revenues by not more than $19,000,000 in fiscal year 2001 and $1,743,000,000 for the period of fiscal years 2001 through 2005.

SHELBY AMENDMENT NO. 2927

(Ordered to lie on the table.)

Mr. SHELBY submitted an amendment intended to be proposed by him to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the end of title III, insert the following:

SEC. . SENSE OF THE SENATE.

(a) FINDINGS.—The Senate makes the following findings:

(1) Our Nation's children have become the ever increasing targets of marketing activity.

(2) Such marketing activity, which includes Internet sales pitches, commercials broadcast via in-classroom television programming, product placements, contests, and giveaways, is taking place every day during class time in our Nation's public schools.

(3) Many State and local entities enter into arrangements allowing marketing activity in schools in an effort to make up budgetary shortfalls or to gain access to expensive technology or equipment.

(4) These marketing efforts take advantage of the time and captive audiences provided by taxpayer-funded schools.

(5) These marketing efforts involve activities that compromise the privacy of our Nation's children.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that—

(1) in-school marketing and information-gathering activities—

(A) are a waste of student class time and taxpayer money;

(B) exploit captive student audiences for commercial gain; and

(C) compromise the privacy rights of our Nation's school children and are a violation of the public trust Americans place in the public education system;

(2) State and local educators should remove commercial distractions from our Nation's public schools and should protect the privacy of school-aged children in our Nation's classrooms;

(3) Federal funds should not be used in any way to support the commercialization of our Nation's classrooms or the exploitation of student privacy, nor to purchase advertisements from entities that market to school children or violate student privacy during the school day; and

(4) Federal funds should be made available, in the form of block grants, to State and local entities in order to provide the entities with the financial flexibility to avoid the necessity of having to enter into relationships with third parties that involve violations of student privacy or the introduction of commercialization into our Nation's classrooms.

JOHNSON (AND OTHERS) AMENDMENT NO. 2928

Mr. DOMENICI (for Mr. JOHNSON (for himself, Mr. ABRAHAM, Mrs. MURRAY, Mr. FEINGOLD, Mr. SPECTER, and Mr. DASCHLE)) proposed an amendment to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the appropriate place, insert the following:

SEC. . RESERVE FUND FOR MILITARY RETIREE HEALTH CARE.

(a) IN GENERAL.—In the Senate, aggregates, allocations, functional totals and other budgetary levels and limits may be revised for legislation to fund improvements to health care programs for military retirees and their dependents in order to fulfill the promises made to them, provided that the enactment of that legislation will not cause an on-budget deficit for—

(1) fiscal year 2001; or

(2) the period of fiscal years 2001 through 2005.

(b) REVISED LEVELS.—Upon the consideration of legislation pursuant to subsection (a), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

DOMENICI AMENDMENT NO. 2929

Mr. DOMENICI proposed an amendment to amendment No. 2928 proposed by Mr. JOHNSON to the concurrent resolution, S. Con. Res. 101, supra; as follows:

In subsection (a), after the words ''may be revised for'' insert the words ''Department of Defense authorization'', and after the word ''legislation'' insert the words ''reported by the Committee on Armed Services of the Senate''.

SHELBY (AND BOND) AMENDMENT NO. 2930

(Ordered to lie on the table.)

Mr. SHELBY (for himself and Mr. BOND) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the end of title III, add the following:

SEC. . SENSE OF CONGRESS REGARDING ADEQUATE FUNDING OF THE DEFENSE BUDGET.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States remains exposed to ballistic missile attack.

(2) The morale and readiness levels of the Armed Forces of the United States are declining to a point not seen since the ''hollow force'' of the 1970s.

(3) The investment in spending for the Armed Forces has not kept pace with the worldwide operational tempo of the Armed Forces.

(4) The investment in science and technology by the United States has decreased to a point that threatens the ability of the United States to maintain technological superiority on the battlefield of the future.

(5) The health care delivery system for United States military personnel, including regular, reserve, and retired personnel, is wholly inadequate.

(b) SENSE OF CONGRESS.—It is the sense of Congress that it should enact legislation that funds the defense budget at levels commensurate with the threat to the national security interests of the United States.

STEVENS (AND OTHERS) AMENDMENT NO. 2931

Mr. STEVENS (for himself, Mr. BYRD, Mr. INOUYE, Mr. LEAHY, Mr. SHELBY, Mr. CAMPBELL, and Mr. COCHRAN) proposed an amendment to the concurrent resolution, S. Con. Res. 101, supra; as follows:

Strike Section 208.

STEVENS (AND OTHERS) AMENDMENT NO. 2932

Mr. STEVENS (for himself, Mr. BYRD, Mr. INOUYE, Mr. LEAHY, Mr. COCHRAN, Mr. SHELBY, Mr. CAMPBELL, and Mr. HARKIN) proposed an amendment to the concurrent resolution, S. Con. Res. 101, supra; as follows:

Strike Section 210.

BAYH AMENDMENT NO. 2933

Mr. BAYH submitted an amendment intended to be proposed by him to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE RELATING TO THE HUMAN GENOME PROJECT.

(a) FINDINGS.—The Senate makes the following findings:

(1) The human genome project is an international effort lead by the United States and the United Kingdom that will revolutionize the delivery of health care.

(2) The National Institutes of Health's National Human Genome Research Institute and the Department of Energy's Human Genome Program together make up the U.S. component of the Human Genome Project, the world's largest centrally coordinated biology research project.

(3) The Human Genome Project is determined to complete the nucleotide sequence of human DNA, to localize the estimated 50,000 to 100,000 genes within the human genome.

(4) In addition, another major component of the human genome research effort is to analyze the ethical, legal, and social implications of genetic knowledge.

(5) There are an estimated 3,000,000,000 letters to map and sequence and up to 100,000 genes to identify that makeup the human genetic code. Of the 3,000,000,000 letters, 2,000,000,000 have already been mapped and sequenced in working draft form.

(6) As a result of the Human Genome Project's efforts, a working draft that covers at least 90 percent of the genome is expected to be released this year.

(7) The availability of genetic information requires humans to use the information wisely and appropriately, free of discrimination.

(8) The President's fiscal year 2001 budget requests a $1,000,000,000 increase in the biomedical research activities at the National Institutes of Health to support research in areas such as diabetes, brain disorders, cancer, genetic medicine, disease prevention strategies, and development of an AIDS vaccine.

(9) The Senate has previously passed a sense of the Senate that expresses support for the doubling of funding for the National Institutes of Health over 5 years.

(10) The completion of the Human Genome Project will have profound impacts on the way health care is delivered. It will provide information that constitutes a basic set of inherited instructions for the development and functioning of a human being.

(11) This data will be primarily used to create medications that can prevent genetic disorders from surfacing and allow treatment to begin at earlier stages.

(12) Genomics should allow us to live not only longer but healthier lives. By identifying the genetic causes of terminal illnesses, genomics may make it possible for a child born today to have a long and healthier life.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels underlying this resolution assume that the efforts of the National Institutes of Health and the Department of Energy in the Human Genome Project will be recognized and strongly supported to advance the world's understanding

of the genetic make-up of humans and develop one of the most profound scientific discoveries of our time, and to support swift advancement in this area.

JOHNSON (AND OTHERS) AMENDMENT NO 2934

(Ordered to lie on the table.)

Mr. JOHNSON (for himself, Mr. WELLSTONE, Mr. BINGAMAN, Mr. DORGAN, Mrs. MURRAY, Mr. ROBB, Mr. JEFFORDS, Ms. MIKULSKI, Mr. KENNEDY, Mr. BRYAN, Mr. KERRY, Mr. CONRAD, Mr. HARKIN, and Mr. DASCHLE) submitted an amendment intended to be proposed by them to the bill Senate Concurrent Resolution 101, supra, as follows:

On page 4, line 4, increase the amount by $500,000,000.

On page 4, line 5, increase the amount by $500,000,000.

On page 4, line 6, increase the amount by $500,000,000.

On page 4, line 7, increase the amount by $500,000,000.

On page 4, line 8, increase the amount by $500,000,000.

On page 4, line 13, increase the amount by $500,000,000.

On page 4, line 14, increase the amount by $500,000,000.

On page 4, line 15, increase the amount by $500,000,000.

On page 4, line 16, increase the amount by $500,000,000.

On page 4, line 17, increase the amount by $500,000,000.

On page 4, line 22, increase the amount by $500,000,000.

On page 4, line 23, increase the amount by $500,000,000.

On page 4, line 24, increase the amount by $500,000,000.

On page 4, line 25, increase the amount by $500,000,000.

On page 5, line 1, increase the amount by $500,000,000.

On page 5, line 7, increase the amount by $500,000,000.

On page 5, line 8, increase the amount by $500,000,000.

On page 5, line 9, increase the amount by $500,000,000.

On page 5, line 10, increase the amount by $500,000,000.

On page 5, line 11, increase the amount by $500,000,000.

On page 23, line 7, increase the amount by $500,000,000.

On page 23, line 8, increase the amount by $500,000,000.

On page 23, line 11, increase the amount by $500,000,000.

On page 23, line 12, increase the amount by $500,000,000.

On page 23, line 15, increase the amount by $500,000,000.

On page 23, line 16, increase the amount by $500,000,000.

On page 23, line 19, increase the amount by $500,000,000.

On page 23, line 20, increase the amount by $500,000,000.

On page 23, line 23, increase the amount by $500,000,000.

On page 23, line 24, increase the amount by $500,000,000.

On page 29, line 3, decrease the amount by $500,000,000.

On page 29, line 4, decrease the amount by $2,500,000,000.

CONRAD (AND OTHERS) AMENDMENT NO. 2935

Mr. CONRAD (for himself, Mr. KOHL, Mr. DORGAN, Mr. FEINGOLD, Mr. HARKIN, Mr. ROBB, Mr. REID, and Mr. GRAHAM) proposed an amendment to amendment No. 2906 proposed by Mr. ALLARD to the concurrent resolution, S. Con. Res. 101, supra; as follows:

In the amendment strike all after the first word and add the following:

Notwithstanding any other provisions of this resolution, the following numbers shall apply:

On page 4, line 4, increase the amount by $6,579,000,000.

On page 4, line 5, increase the amount by $12,427,000,000.

On page 4, line 6, increase the amount by $15,376,000,000.

On page 4, line 7, increase the amount by $18,775,000,000.

On page 4, line 8, increase the amount by $21,724,000,000.

On page 4, line 13, increase the amount by $6,579,000,000.

On page 4, line 14, increase the amount by $12,427,000,000.

On page 4, line 15, increase the amount by $15,376,000,000.

On page 4, line 16, increase the amount by $18,775,000,000.

On page 4, line 17, increase the amount by $21,724,000,000.

On page 5, line 15, increase the amount by $6,579,000,000.

On page 5, line 16, increase the amount by $12,427,000,000.

On page 5, line 17, increase the amount by $15,376,000,000.

On page 5, line 18, increase the amount by $18,775,000,000.

On page 5, line 19, increase the amount by $21,724,000,000.

On page 5, line 23, decrease the amount by $6,579,000,000.

On page 5, line 24, decrease the amount by $12,427,000,000.

On page 5, line 25, decrease the amount by $15,376,000,000.

On page 6, line 1, decrease the amount by $18,775,000,000.

On page 6, line 2, decrease the amount by $21,724,000,000.

On page 6, line 6, decrease the amount by $6,579,000,000.

On page 6, line 7, decrease the amount by $12,427,000,000.

On page 6, line 8, decrease the amount by $15,376,000,000.

On page 6, line 9, decrease the amount by $18,775,000,000.

On page 6, line 10, decrease the amount by $21,724,000,000.

On page 29, line 3, decrease the amount by $6,579,000,000.

On page 29, line 4, decrease the amount by $74,881,000,000.

WARNER AMENDMENTS NOS. 2936–2938

(Ordered to lie on the table.)

Mr WARNER submitted three amendments intended to be proposed by him to the concurrent resolution S. Con. Res. 101 supra; as follows:

AMENDMENT NO. 2936

On page 4, line 22, strike ''$1,471,817,000,000'' and insert ''$1,475,817,000,000''.

On page 5, line 7, strike ''$1,447,795,000,000'' and insert ''$1,499,395,000,000''.

On page 5, line 15, strike ''$53,863,000,000'' and insert ''$52,263,000,000''.

On page 43, line 10, strike ''$306,819,000,000'' and insert ''$310,819,000,000''.

AMENDMENT NO. 2937

At the end of title II, add the following:

SEC. 204. PARTICIPATION OF MEMBERS OF THE UNIFORMED SERVICES IN THE THRIFT SAVINGS PLAN.

(a) ADJUSTMENT.—If a bill is reported by a committee of the Senate, or an amendment to a bill reported by a committee of the Senate is offered, or a conference report on a bill reported by a committee of the Senate is submitted that provides for the amendments made by subtitle F of title VI of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 670) to take effect, the chairman of the Committee on the Budget shall increase the allocation of budget authority and outlays to that committee by the amount of budget authority (and the outlays resulting therefrom) provided by that legislation for such purpose in accordance with subsection (b).

(b) CONDITIONS.—Legislation complies with this subsection if it does not cause a net increase in budget authority and outlays of greater than $10,000,000 for fiscal year 2001.

(c) LIMITATIONS.—Adjustments to allocations under subsection (a) shall not result in reduced revenue for fiscal year 2001 exceeding $10,000,000, or reduced revenue for the period of fiscal years 2001 through 2005 exceeding $321,000,000.

AMENDMENT NO. 2938

At the end of section 208, add the following:

(g) EXCEPTION FOR DEFENSE SPENDING.—This section does not apply to a provision of law making discretionary appropriations in the defense category.

KENNEDY (AND OTHERS) AMENDMENT NO. 2939

(Ordered to lie on the table.)

Mr. KENNEDY (for himself, Mr. FEINGOLD, Mr. DODD, Mr. REED, Mr. BINGAMAN, Mr. JOHNSON, Mr. WELLSTONE, Mrs. MURRAY, Mr. HARKIN, and Mr. SCHUMER) submitted an amendment intended to be proposed by them the Concurrent Resolution, S. Con. Res. 101, supra; as follows:

On page 4, line 4, increase the amount by $124,000,000.

On page 4, line 5, increase the amount by $612,000,000.

On page 4, line 6, increase the amount by $635,000,000.

On page 4, line 7, increase the amount by $646,000,000.

On page 4, line 8, increase the amount by $657,000,000.

On page 4, line 13, increase the amount by $124,000,000.

On page 4, line 14, increase the amount by $612,000,000.

On page 4, line 15, increase the amount by $635,000,000.

On page 4, line 16, increase the amount by $646,000,000.

On page 4, line 17, increase the amount by $657,000,000.

On page 4, line 22, increase the amount by $623,000,000.

On page 4, line 23, increase the amount by $633,000,000.

On page 4, line 24, increase the amount by $644,000,000.

On page 4, line 25, increase the amount by $655,000,000.

On page 5, line 1, increase the amount by $666,000,000.

On page 5, line 7, increase the amount by $124,000,000.

On page 5, line 8, increase the amount by $612,000,000.

On page 5, line 9, increase the amount by $635,000,000.

On page 5, line 10, increase the amount by $646,000,000.

On page 5, line 11, increase the amount by $657,000,000.

On page 18, line 7, increase the amount by $623,000,000.

On page 18, line 8, increase the amount by $124,000,000.

On page 18, line 11, increase the amount by $633,000,000.

On page 18, line 12, increase the amount by $612,000,000.

On page 18, line 15, increase the amount by $644,000,000.

On page 18, line 16, increase the amount by $635,000,000.

On page 18, line 19, increase the amount by $655,000,000.

On page 18, line 20, increase the amount by $646,000,000.

On page 18, line 23, increase the amount by $666,000,000.

On page 18, line 24, increase the amount by $657,000,000.

On page 29, line 3, decrease the amount by $124,000,000.

On page 29, line 4, decrease the amount by $2,674,000,000.

ASHCROFT AMENDMENT NO. 2940

(Ordered to lie on the table.)

Mr. ASHCROFT submitted an amendment intended to be proposed by him to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE ON GUARANTEEING ADEQUATE FUNDING FOR PROGRAMS TO FIGHT METHAMPHETAMINE.

(a) FINDINGS.—The Senate finds that—

(1) drug use in America, especially among our youth, is unacceptably high;

(2) keeping drugs out of the hands of our children and off our streets can dramatically reduce violent crime in America;

(3) one of the most dangerous drug epidemics facing America today, is the meteoric rise in the use of methamphetamine;

(4) methamphetamine, or ''meth'' as it is commonly called, is highly addictive, highly destructive, cheap, and easy to manufacture.

(5) federal, state, and local law enforcement officials often do not have the necessary resources to combat this growing meth epidemic;

(6) despite the appropriation of over $35 million dollars in the past two appropriations cycles for the Drug Enforcement Administration to train local law enforcement in the meth problem continues to grow;

(7) given that meth use continues to grow at an alarming rate, more funding is necessary to assist law enforcement officials in the fight against this explosive problem and in the clean-up of meth labs.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the functional totals in this resolution and legislation enacted pursuant to this resolution assume that adequate funds will be provided in fiscal year 2001 to—

(1) establish programs for state and local law enforcement personnel regarding the clean-up and handling of methamphetamine lab waste, including basic clandestine laboratory certification training and clandestine laboratory recertification and awareness training;

(2) combat the trafficking of methamphetamine and amphetamine in areas designated by the Director of National Drug Control Policy as high intensity drug trafficking areas;

(3) combat the illegal manufacturing and trafficking in methamphetamine and amphetamine, including assisting State and local law enforcement in small and mid-sized communities in all phase of investigations related to such manufacturing and trafficking; and

(4) expand activities in connection with the treatment of methamphetamine or amphetamine abuse or addiction; and for planning, establishing, or administering community-based and school-based prevention programs relating to methamphetamine and other illicit drugs.

KOHL (AND OTHERS) AMENDMENT NO. 2941

(Ordered to lie on the table.)

Mr. KOHL (for himself, Mr. LEAHY, Mr. LIEBERMAN, Mr. LEVIN, Mr. ROBB, Mr. BRYAN, Mr. FEINGOLD, and Mr. KERREY) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

On page 36, strike beginning with line 1 and all that follows through page 37, line 5.

KOHL (AND OTHERS) AMENDMENT NO. 2942

(Ordered to lie on the table.)

Mr. KOHL (for himself, Mr. REID, and Mr. GRASSLEY) submitted the following amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE REGARDING THE ESTABLISHMENT OF A NATIONAL BACKGROUND CHECK SYSTEM FOR LONG-TERM CARE WORKERS.

(a) FINDINGS.—The Senate makes the following findings:

(1) The impending retirement of the baby boom generation will greatly increase the demand and need for quality long-term care and it is incumbent on Congress and the President to ensure that medicare and medicaid patients are protected from abuse, neglect, and mistreatment.

(2) Although the majority of long-term care facilities do an excellent job in caring for elderly and disabled patients, incidents of abuse and neglect and mistreatment do occur at an unacceptable rate and are not limited to nursing homes alone.

(3) Current Federal and State safeguards are inadequate because there is little or no information sharing between States about known abusers and no common State procedures for tracking abusers from State to State and facility to facility.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the functional totals in this concurrent resolution on the budget assume that a national registry of abusive long-term care workers should be established by building upon existing infrastructures at the Federal and State levels that would enable long-term care providers who participate in the medicare and medicaid programs to conduct background checks on prospective employees.

BYRD (AND OTHERS) AMENDMENT NO. 2943

Mr. BYRD (for himself, Mr. WARNER, Mr. BAUCUS, Mr. VOINOVICH, Mr. LAUTENBERG, Mr. BOND, Mr. DOMENICI, Mrs. LINCOLN, Mr. ROBB, and Mr. BINGAMAN) proposed an amendment to the concurrent resolution, S. Con. Res. 101, supra; as follows:

''SEC. . SENSE OF THE SENATE ON THE CONTINUED USE OF FEDERAL FUEL TAXES FOR THE CONSTRUCTION AND REHABILITATION OF OUR NATION'S HIGHWAYS, BRIDGES, AND TRANSIT SYSTEMS.

(a) FINDINGS.—The Senate finds that—

(1) current law, as stipulated in the Transportation Equity Act for the 21st Century (TEA–21), requires all federal gasoline taxes be deposited into the Highway Trust Fund;

(2) current law, as stipulated in TEA–21, guarantees that all such deposits to the Highway Trust Fund are spent in full on the construction and rehabilitation of our nation's highways, bridges, and transit systems;

(3) the funding guarantees contained in TEA–21 are essential to the ability of the nation's governors, highway commissioners, and transit providers to address the growing backlog of critical transportation investments in order to stem the deterioration of our road and transit systems, improve the safety of our highways, and reduce the growth of congestion that is choking off economic growth in communities across the nation;

(4) any effort to reduce the federal gasoline tax or de-link the relationship between highway user fees and highway spending pose a great danger to the integrity of the Highway Trust Fund and the ability of the states to invest adequately in our transportation infrastructure; and

(5) proposals to reduce the federal gasoline tax threaten to endanger the spending levels guaranteed in TEA–21 while providing no guarantee that consumers will experience any reduction in price at the gas pump.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the functional totals in this budget resolution do not assume the reduction of any federal gasoline taxes on either a temporary or permanent basis.''

L. CHAFEE (AND OTHERS) AMENDMENT NO. 2944

(Ordered to lie on the table.)

Mr. L. CHAFEE (for himself, Ms. MIKULSKI, Ms. SNOWE, Mr. GRASSLEY, Mr. HARKIN, Ms. COLLINS, Mr. ROBB, Mr. ASHCROFT, Mr. KENNEDY, Mr. SPECTER, Mr. BIDEN, Mr. SARBANES, Mr. DODD, Mr. ROCKEFELLER, Mr. BREAUX, Mrs. MURRAY, Mr. WYDEN, Mr. BINGAMAN, Mr. REED, Mr. LEAHY, Mr. EDWARDS, Mr. JOHNSON, Mr. MOYNIHAN, Mr. WELLSTONE, Mr. AKAKA, Mr. LEVIN, Mr. CLELAND, and Mr. INOUYE) submitted the following amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE CONCERNING BREAST AND CERVICAL CANCER.

(a) FINDINGS.—The Senate makes the following findings:

(1) The National Breast and Cervical Cancer Early Detection Program under title XV of the Public Health Service Act (42 U.S.C. 300k et seq.) (referred to in this section as the ''NBCCEDP'') provides funding only for screening and not treatment of these breast and cervical cancers.

(2) From its inception in 1990 through March 1999, the NBCCEDP has provided over 1,000,000 mammograms to women 40 years of age and older. Of these, over 77,000 were found to be abnormal and 5,830 cases of breast cancer were diagnosed.

(3) Of all women screened by the NBCCEDP, over 6,200 cases of breast cancer have been diagnosed.

(4) The NBCCEDP has diagnosed over 34,000 precancerous cervical lesions and over 550 cases of cervical cancer.

(5) Screening must be coupled with treatment to reduce cancer mortality.

(6) The current system for treatment for low-income, uninsured women diagnosed with breast or cervical cancer in the NBCCEDP is an ad hoc patchwork of providers, volunteers, and local programs scrambling to find treatment dollars.

(7) Time and effort required to arrange for treatment for women diagnosed through the NBCCEDP have begun to divert resources away from screening services, allowing the program to screen only 12 to 15 percent of eligible women.

(8) There is a precedent for covering participants in the NBCCEDP under the medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(9) The Breast and Cervical Cancer Treatment Act of 1999 (Senate bill 662 106th Congress) has 57 bipartisan cosponsors, and would establish an optional State medicaid benefit for coverage of women screened and diagnosed with breast or cervical cancer under the NBCCEDP.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution, and legislation enacted pursuant to this resolution, assume that there should be passage of legislation to provide medical assistance for certain women screened and found to have breast or cervical cancer under the National Breast and Cervical Cancer Early Detection Program under title XV of the Public Health Service Act (42 U.S.C. 300k et seq.).

ASHCROFT (AND OTHERS) AMENDMENT NO. 2945

(Ordered to lie on the table.)

Mr. ASHCROFT (for himself, Mr. BROWNBACK, Mr. VOINOVICH, and Mr. GRAMS) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

On page 30, line 21, insert the following:

''(3) TREATMENT OF MEDICARE, PART A SURPLUS.—For purposes of this section, the net surplus in any trust fund for part A of Medicare shall not be counted as a net surplus for purposes of the congressional budget.''

ASHCROFT (AND OTHERS) AMENDMENT NO. 2946

(Ordered to lie on the table.)

Mr. ASHCROFT (for himself, Mr. INHOFE, Mr. BROWNBACK, Mr. GREGG, Mr. ALLARD, and Mr. SANTORUM) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the appropriate place, insert:

SEC. . SENSE OF THE SENATE CONCERNING INVESTMENT OF SOCIAL SECURITY TRUST FUNDS.

(a) FINDINGS.—The Senate finds that—

(1) Government investment of the social security trust funds in the stock market is a gamble Congress should be unwilling to make on behalf of the millions who receive and depend on social security to meet their retirement needs;

(2) in 1999, the Senate voted 99–0 to oppose Government investment of the social security trust funds in private financial markets;

(3) in addition to the unanimous opposition of the United States Senate, Federal Reserve Chairman Alan Greenspan and Securities and Exchange Commissioner Arthur Levitt also oppose the idea; and

(4) despite this opposition, and despite the dangers inherent in having the Government invest social security trust funds in private financial markets, President Clinton has once again suggested, on page 37 of the Administration's proposed fiscal year 2001 Federal budget, that the Government invest part of the social security trust funds in corporate equities.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that the Federal Government should not directly invest contributions made to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401), or any interest derived from those contributions, in private financial markets.

SANTORUM (AND GRAMS) AMENDMENT NO. 2947

(Ordered to lie on the table.)

Mr. SANTORUM (for himself and Mr. GRAMS) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the end of title III, add the following:

SEC. . SENSE OF THE SENATE REGARDING INCREASING ACCESS TO HEALTH INSURANCE.

(a) FINDINGS.—The Senate finds that—

(1) 44,400,000 Americans are currently without health insurance—an increase of more than 5,000,000 since 1993—and this number is expected to increase to nearly 60,000,000 people in the next 10 years;

(2) the cost of health insurance continues to rise, a key factor in the increasing number of uninsured;

(3) more than half of these uninsured Americans are the working poor or near poor;

(4) the uninsured are much more likely not to receive needed medical care and much more likely to need hospitalization for avoidable conditions and to rely on emergency room care, trends which significantly contribute to the rising costs of uncompensated care by health care providers and the costs of health care delivery in general; and

(5) there is a consensus that working Americans and their families will suffer from reduced access to health insurance.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that increasing access to affordable health care coverage for all Americans, in a manner which maximizes individual choice and control of health care dollars, should be a legislative priority of Congress.

REID AMENDMENTS NOS. 2948–2950

(Ordered to lie on the table.)

Mr. REID submitted three amendments intended to be proposed by him to the concurrent resolution, S. Con. Res. 101, supra; as follows:

AMENDMENT NO. 2948

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE CONCERNING AN INCREASE IN FUNDING FOR WOMEN'S HEALTH RESEARCH.

(a) FINDINGS.—The Senate finds that—

(1) less than 15 percent of the funding at the National Institutes of Health is for women's health research, yet women make up approximately 55 percent of the population;

(2) National Institutes of Health funding for women's health has not increased to meet the growth in the number of women, especially older women;

(3) between fiscal years 1997 and 2000, the percentage of National Institutes of Health funding dedicated to women's health has actually decreased; and

(4) according to the Census Bureau, by 2010 the growth rate of the older population will be 3½ times that of the total population, with older women one of the fastest growing cohorts, creating an urgent need for research into the diagnosis, treatment, and prevention of age-related diseases.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels of this resolution assume that a portion of any increase in funding for the National Institutes of Health should be used to increase the amount of funding for women's health research so that progress is made in achieving equity in women's health research funding at the National Institutes of Health.

AMENDMENT NO. 2949

At the end of title III, insert the following:

SEC. . SENSE OF THE SENATE REGARDING SOCIAL SECURITY NOTCH BABIES.

(a) FINDINGS.—The Senate finds that—

(1) the Social Security Amendments of 1977 (Pub. Law 95–216) substantially altered the way social security benefits are computed;

(2) those amendments resulted in disparate benefits depending upon the year in which a worker becomes eligible for benefits; and

(3) those individuals born between the years 1917 and 1926, and who are commonly referred to as ''notch babies'' receive benefits that are lower than those retirees who were born before or after those years.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that Congress should reevaluate the social security benefits of workers who attained age 65 after 1981 and before 1992.

AMENDMENT NO. 2950

At the end of title III, insert the following:

SEC. . REVIEW OF EXPORT OF CERTAIN HIGH-PERFORMANCE COMPUTERS.

It is the sense of the Senate that the levels in this resolution assume that any new composite theoretical performance level recommended by the President pursuant to section 1211 of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. App. 2404 note) should take effect 30 days after the President submits a report under such section 1211.

KENNEDY AMENDMENT NO. 2951

(Ordered to lie on the table.)

Mr. KENNEDY submitted an amendment intended to be proposed by him to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE CONCERNING THE MINIMUM WAGE.

It is the sense of the Senate that the levels in this resolution assume that Congress should enact legislation to amend the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) to increase the Federal minimum wage by $1.00 over 1 year with a $0.50 increase effective May 1, 2000 and another $0.50 increase effective on May 1, 2001.

KENNEDY (AND OTHERS) AMENDMENT NO. 2952

(Ordered to lie on the table.)

Mr. KENNEDY (for himself, Mr. FEINGOLD, Mr. DODD, Mr. REED, Mr. BINGAMAN, Mr. JOHNSON, Mr.

WELLSTONE, Mrs. MURRAY, Mr. HARKIN, and Mr. SCHUMER) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

On page 4, line 4, increase the amount by $124,000,000.
On page 4, line 5, increase the amount by $612,000,000.
On page 4, line 6, increase the amount by $635,000,000.
On page 4, line 7, increase the amount by $646,000,000.
On page 4, line 8, increase the amount by $657,000,000.
On page 4, line 13, increase the amount by $124,000,000.
On page 4, line 14, increase the amount by $612,000,000.
On page 4, line 15, increase the amount by $635,000,000.
On page 4, line 16, increase the amount by $646,000,000.
On page 4, line 17, increase the amount by $657,000,000.
On page 4, line 22, increase the amount by $623,000,000.
On page 4, line 23, increase the amount by $633,000,000.
On page 4, line 24, increase the amount by $644,000,000.
On page 4, line 25, increase the amount by $655,000,000.
On page 5, line 1, increase the amount by $666,000,000.
On page 5, line 7, increase the amount by $124,000,000.
On page 5, line 8, increase the amount by $612,000,000.
On page 5, line 9, increase the amount by $635,000,000.
On page 5, line 10, increase the amount by $646,000,000.
On page 5, line 11, increase the amount by $657,000,000.
On page 18, line 7, increase the amount by $623,000,000.
On page 18, line 8, increase the amount by $124,000,000.
On page 18, line 11, increase the amount by $633,000,000.
On page 18, line 12, increase the amount by $612,000,000.
On page 18, line 15, increase the amount by $644,000,000.
On page 18, line 16, increase the amount by $635,000,000.
On page 18, line 19, increase the amount by $655,000,000.
On page 18, line 20, increase the amount by $646,000,000.
On page 18, line 23, increase the amount by $666,000,000.
On page 18, line 24, increase the amount by $657,000,000.
On page 29, line 3, decrease the amount by $124,000,000.
On page 29, line 4, decrease the amount by $2,674,000,000.

DURBIN AMENDMENT NO. 2953

Mr. DURBIN proposed an amendment to the concurrent resolution, S. Con. Res. 101, supra; as follows:

FEDERAL REVENUE TOTALS

On page 4, line 3, decrease the amount by $0.
On page 4, line 4, decrease the amount by $4,843,000.
On page 4, line 5, decrease the amount by $35,146,000,000.
On page 4, line 6, decrease the amount by $65,248,000,000.
On page 4, line 7, decrease the amount by $99,450,000,000.
On page 4, line 8, decrease the amount by $128,552,000,000.

FEDERAL REVENUE CHANGES

On page 4, line 12, increase the amount by $0.
On page 4, line 13, increase the amount by $4,843,000,000.
On page 4, line 14, increase the amount by $35,146,000,000.
On page 4, line 15, increase the amount by $65,248,000,000.
On page 4, line 16, increase the amount by $99,450,000,000.
On page 4, line 17, increase the amount by $128,552,000,000.

NEW BUDGET AUTHORITY

On page 4, line 21, increase the amount by $0.
On page 4, line 22, increase the amount by $136,000,000.
On page 4, line 23, increase the amount by $1,280,000,000.
On page 4, line 24, increase the amount by $4,186,000,000.
On page 4, line 25, increase the amount by $8,785,000,000.
On page 5, line 1, increase the amount by $15,334,000,000.

BUDGET OUTLAYS

On page 5, line 6, increase the amount by $0.
On page 5, line 7, increase the amount by $136,000,000.
On page 5, line 8, increase the amount by $1,280,000,000.
On page 5, line 9, increase the amount by $4,186,000,000.
On page 5, line 10, increase the amount by $8,785,000,000.
On page 5, line 11, increase the amount by $15,334,000,000.

NET INTEREST BUDGET AUTHORITY

On page 26, line 3, increase the amount by $0.
On page 26, line 7, increase the amount by $136,000,000.
On page 26, line 11, increase the amount by $1,280,000,000.
On page 26, line 15, increase the amount by $4,186,000,000.
On page 26, line 19, increase the amount by $8,785.
On page 26, line 23, increase the amount by $15,334,000,000.

NET INTEREST OUTLAYS

On page 26, line 4, increase the amount by $0.
On page 26, line 8, increase the amount by $136,000,000.
On page 26, line 12, increase the amount by $1,280,000,000.
On page 26, line 16, increase the amount by $4,186,000,000.
On page 26, line 20, increase the amount by $8,785,000,000.
On page 26, line 24, increase the amount by $15,334,000,000.

PUBLIC DEBT

On page 5, line 22, increase the amount by $0.
On page 5, line 23, increase the amount by $4,979,000,000.
On page 5, line 24, increase the amount by $36,426,000,000.
On page 5, line 25, increase the amount by $69,434,000,000.
On page 6, line 1, increase the amount by $108,235,000,000.
On page 6, line 2, increase the amount by $143,886,000,000.

DEBT HELD BY THE PUBLIC

On page 6, line 5, increase the amount by $0.
On page 6, line 6, increase the amount by $4,979,000,000.
On page 6, line 7, increase the amount by $36,426,000,000.
On page 6, line 8, increase the amount by $69,434,000,000.
On page 6, line 9, increase the amount by $108,235,000,000.
On page 6, line 10, increase the amount by $143,886,000,000.

TAX CUT

On page 29, line 3, increase the amount by $4,843,000,000.
On page 29, line 4, increase the amount by $333,239,000,000.

DEFICIT INCREASE

On page 5, line 14, increase the amount by $0.
On page 5, line 15, increase the amount by $4,979,000,000.
On page 5, line 16, increase the amount by $36,426,000,000.
On page 5, line 17, increase the amount by $89,434,000,000.
On page 5, line 18, increase the amount by $108,235,000,000.
On page 5, line 19, increase the amount by $143,886,000,000.

DURBIN (AND OTHERS) AMENDMENT NO. 2954

(Ordered to lie on the table.)

Mr. DURBIN (for himself, Mr. SCHUMER, Mrs. BOXER, Mr. LAUTENBERG, Mrs. FEINSTEIN, Mr. LEAHY, Mr. KENNEDY, and Mr. REED) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

On page 4, line 4, increase the amount by $121,341,000.
On page 4, line 5, increase the amount by $84,399,000.
On page 4, line 6, increase the amount by $68,925,000.
On page 4, line 7, increase the amount by $9,225,000.
On page 4, line 13, increase the amount by $121,341,000.
On page 4, line 14, increase the amount by $84,399,000.
On page 4, line 15, increase the amount by $68,925,000.
On page 4, line 16, increase the amount by $9,225,000.
On page 4, line 22, increase the amount by $283,890,000.
On page 5, line 7, increase the amount by $121,341,000.
On page 5, line 8, increase the amount by $84,399,000.
On page 5, line 9, increase the amount by $68,925,000.
On page 5, line 10, increase the amount by $9,225,000.
On page 24, line 7, increase the amount by $283,890,000.
On page 24, line 8, increase the amount by $121,341,000.
On page 24, line 12, increase the amount by $84,399,000.
On page 24, line 16, increase the amount by $68,925,000.
On page 24, line 20, increase the amount by $9,225,000.
On page 29, line 4, decrease the amount by $121,341,000.
On page 29, line 4, decrease the amount of $283,890,000.

ROTH (AND OTHERS) AMENDMENT NO. 2955

Mr. ROTH (for himself, Mrs. BOXER, Mr. BAUCUS, Mr. JEFFORDS, Mr. SCHUMER, Mr. DODD, Mr. FEINGOLD, Mr. LIEBERMAN, Mrs. MURRAY, Mr. L. CHAFEE, Mr. ROBB, Mr. TORRICELLI, Mr. LAUTENBERG, and Mr. REID) proposed

an amendment to the concurrent resolution, S. Con. Res. 101, supra; as follows:

On page 27, line 20, increase the amount by $1,200,000,000.

On page 27, line 21, increase the amount by $1,200,000,000.

On page 28, line 20, decrease the amount by $1,200,000,000.

On page 28, line 21, decrease the amount by $1,200,000,000.

MIKULSKI (AND OTHERS) AMENDMENT NO. 2956

(Ordered to lie on the table.)

Ms. MIKULSKI (for herself, Mrs. BOXER, Mr. BINGAMAN, Mr. SARBANES, Mr. KERRY, and Mr. KENNEDY) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE CONCERNING DIGITAL OPPORTUNITY.

(a) FINDINGS.—The Senate makes the following findings:

(1) A digital divide exist in America. Low-income, urban and rural families are less likely to have access to the Internet and computers. African American and Hispanic families are only ⅖ as likely to have Internet access as white families. Access by Native Americans to the Internet and to computers is statistically negligible.

(2) Regardless of income level, Americans living in rural areas lag behind in Internet access. Individuals with lower incomes who live in rural areas are half as likely to have Internet access as individuals who live in urban areas.

(3) The digital divide for the poorest Americans has grown by 29 percent since 1997.

(4) Access to computers and the Internet and the ability to use this technology effectively is becoming increasingly important for full participation in America's economic, political and social life.

(5) Unequal access to technology and high-tech skills by income, educational level, race and geography could deepen and reinforce the divisions that exist within American society.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the functional totals underlying this resolution on the budget assume that—

(1) to ensure that all children are computer literate by the time they finish the eighth grade, regardless of race, ethnicity, gender, income, geography or disability, to broaden access to information technologies, to provide workers, teachers and students with information technology training, and to promote innovative online content and software applications that will improve commerce, education and quality of life, initiatives that increase digital opportunity should be provided for as follows:

(A) $200,000,000 in tax incentives should be provided to encourage private sector donation of high quality computers, sponsorship of community technology centers, training, technical services and computer repair;

(B) $450,000,000 should be provided for teacher training;

(C) $150,000,000 for new teacher training;

(D) $400,000,000 should be provided for school technology and school libraries;

(E) $20,000,000 should be provided to place computers and trained personnel in Boys & Girls Clubs;

(F) $25,000,000 should be provided to create an E-Corps within Americorps;

(G) $100,000,000 should be provided to create 1,000 Community Technology Centers in low-income urban and rural communities;

(H) $50,000,000 should be provided for public/private partnerships to expand home access to computers and the Internet for low-income families;

(I) $45,000,000 should be provided to promote innovative applications of information and communications technology for underserved communities;

(J) $10,000,000 should be provided to prepare Native Americans for careers in Information Technology and other technical fields; and

(2) all Americans should have access to broadband telecommunications capability as soon as possible and as such, initiatives that increase broadband deployment should be funded, including $25,000,000 to accelerate private sector deployment of broadband and networks in underserved urban and rural communities.

LAUTENBERG AMENDMENT NO. 2957

(Ordered to lie on the table.)

Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the concurrent resolution, S. Con. Res. 101, supra; as follows:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2001.

Congress determines and declares that this resolution is the concurrent resolution on the budget for fiscal year 2001 including the appropriate budgetary levels for fiscal years 2002 through 2010 as authorized by section 301 of the Congressional Budget Act of 1974.

SEC. 2. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for the fiscal years 2001 through 2010:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2001: $1,509,900,000,000.
Fiscal year 2002: $1,563,700,000,000.
Fiscal year 2003: $1,617,100,000,000.
Fiscal year 2004: $1,677,600,000,000.
Fiscal year 2005: $1,745,100,000,000.
Fiscal year 2006: $1,814,100,000,000.
Fiscal year 2007: $1,885,000,000,000.
Fiscal year 2008: $1,970,000,000,000.
Fiscal year 2009: $2,058,200,000,000.
Fiscal year 2010: $2,156,500,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2001: −$4,900,000,000.
Fiscal year 2002: −$7,700,000,000.
Fiscal year 2003: −$12,400,000,000.
Fiscal year 2004: −$15,000,000,000.
Fiscal year 2005: −$19,000,000,000.
Fiscal year 2006: −$28,500,000,000.
Fiscal year 2007: −$37,600,000,000.
Fiscal year 2008: −$39,900,000,000.
Fiscal year 2009: −$48,200,000,000.
Fiscal year 2010: −$51,800,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2001: $1,544,500,000,000.
Fiscal year 2002: $1,583,200,000,000.
Fiscal year 2003: $1,634,700,000,000.
Fiscal year 2004: $1,691,200,000,000.
Fiscal year 2005: $1,758,100,000,000.
Fiscal year 2006: $1,802,000,000,000.
Fiscal year 2007: $1,864,900,000,000.
Fiscal year 2008: $1,939,300,000,000.
Fiscal year 2009: $2,014,200,000,000.
Fiscal year 2010: $2,095,700,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2001: $1,498,200,000,000.
Fiscal year 2002: $1,558,400,000,000.
Fiscal year 2003: $1,610,000,000,000.
Fiscal year 2004: $1,669,300,000,000.
Fiscal year 2005: $1,738,000,000,000.
Fiscal year 2006: $1,777,200,000,000.
Fiscal year 2007: $1,836,200,000,000.
Fiscal year 2008: $1,915,200,000,000.
Fiscal year 2009: $1,990,600,000,000.
Fiscal year 2010: $2,073,000,000,000.

(4) SURPLUSES.—For purposes of the enforcement of this resolution, the amounts of the surpluses are as follows:

Fiscal year 2001: $11,700,000,000.
Fiscal year 2002: $5,400,000,000.
Fiscal year 2003: $7,100,000,000.
Fiscal year 2004: $8,300,000,000.
Fiscal year 2005: $7,100,000,000.
Fiscal year 2006: $36,900,000,000.
Fiscal year 2007: $48,800,000,000.
Fiscal year 2008: $54,900,000,000.
Fiscal year 2009: $67,600,000,000.
Fiscal year 2010: $83,500,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 2001: $5,724,300,000,000.
Fiscal year 2002: $5,810,200,000,000.
Fiscal year 2003: $5,899,000,000,000.
Fiscal year 2004: $5,982,400,000,000.
Fiscal year 2005: $6,064,500,000,000.
Fiscal year 2006: $6,124,800,000,000.
Fiscal year 2007: $6,171,800,000,000.
Fiscal year 2008: $6,209,100,000,000.
Fiscal year 2009: $6,233,800,000,000.
Fiscal year 2010: $6,241,900,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of the debt held by the public are as follows:

Fiscal year 2001: $3,305,800,000,000.
Fiscal year 2002: $3,123,900,000,000.
Fiscal year 2003: $2,933,200,000,000.
Fiscal year 2004: $2,727,200,000,000.
Fiscal year 2005: $2,505,000,000,000.
Fiscal year 2006: $2,238,400,000,000.
Fiscal year 2007: $1,944,100,000,000.
Fiscal year 2008: $1,629,100,000,000.
Fiscal year 2009: $1,287,900,000,000.
Fiscal year 2010: $917,500,000,000.

SEC. 3. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under section 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2001: $501,500,000,000.
Fiscal year 2002: $524,900,000,000.
Fiscal year 2003: $547,200,000,000.
Fiscal year 2004: $569,900,000,000.
Fiscal year 2005: $597,300,000,000.
Fiscal year 2006: $622,700,000,000.
Fiscal year 2007: $649,500,000,000.
Fiscal year 2008: $676,500,000,000.
Fiscal year 2009: $706,500,000,000.
Fiscal year 2010: $737,800,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under section 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2001: $413,000,000,000.
Fiscal year 2002: $431,400,000,000.
Fiscal year 2003: $451,500,000,000.
Fiscal year 2004: $473,000,000,000.
Fiscal year 2005: $496,400,000,000.
Fiscal year 2006: $520,900,000,000.
Fiscal year 2007: $546,900,000,000.
Fiscal year 2008: $575,100,000,000.
Fiscal year 2009: $607,300,000,000.
Fiscal year 2010: $642,400,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—For purposes of Senate enforcement under section 311 of the Congressional

Budget Act of 1974, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2001:
(A) New budget authority, $3,300,000,000.
(B) Outlays, $3,300,000,000.
Fiscal year 2002:
(A) New budget authority, $3,400,000,000.
(B) Outlays, $3,300,000,000.
Fiscal year 2003:
(A) New budget authority, $3,500,000,000.
(B) Outlays, $3,400,000,000.
Fiscal year 2004:
(A) New budget authority, $3,600,000,000.
(B) Outlays, $3,500,000,000.
Fiscal year 2005:
(A) New budget authority, $3,700,000,000.
(B) Outlays, $3,700,000,000.
Fiscal year 2006:
(A) New budget authority, $3,800,000,000.
(B) Outlays, $3,800,000,000.
Fiscal year 2007:
(A) New budget authority, $3,900,000,000.
(B) Outlays, $3,900,000,000.
Fiscal year 2008:
(A) New budget authority, $4,100,000,000.
(B) Outlays, $4,000,000,000.
Fiscal year 2009:
(A) New budget authority, $4,200,000,000.
(B) Outlays, $4,100,000,000.
Fiscal year 2010:
(A) New budget authority, $4,300,000,000.
(B) Outlays, $4,200,000,000.

SEC. 4. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority, budget outlays, new direct loan obligations, and new primary loan guarantee commitments for fiscal years 2001 through 2010 for each major functional category are:

(1) National Defense (050):
Fiscal year 2001:
(A) New budget authority, $305,300,000,000.
(B) Outlays, $293,600,000,000.
Fiscal year 2002:
(A) New budget authority, $309,000,000,000.
(B) Outlays, $302,100,000,000.
Fiscal year 2003:
(A) New budget authority, $315,400,000,000.
(B) Outlays, $309,300,000,000.
Fiscal year 2004:
(A) New budget authority, $323,100,000,000.
(B) Outlays, $317,400,000,000.
Fiscal year 2005:
(A) New budget authority, $331,400,000,000.
(B) Outlays, $327,800,000,000.
Fiscal year 2006:
(A) New budget authority, $340,100,000,000.
(B) Outlays, $332,400,000,000.
Fiscal year 2007:
(A) New budget authority, $349,000,000,000.
(B) Outlays, $338,200,000,000.
Fiscal year 2008:
(A) New budget authority, $358,200,000,000.
(B) Outlays, $351,700,000,000.
Fiscal year 2009:
(A) New budget authority, $367,600,000,000.
(B) Outlays, $361,400,000,000.
Fiscal year 2010:
(A) New budget authority, $377,300,000,000.
(B) Outlays, $371,000,000,000.

(2) International Affairs (150):
Fiscal year 2001:
(A) New budget authority, $21,800,000,000.
(B) Outlays, $18,800,000,000.
Fiscal year 2002:
(A) New budget authority, $22,000,000,000.
(B) Outlays, $18,100,000,000.
Fiscal year 2003:
(A) New budget authority, $22,500,000,000.
(B) Outlays, $18,300,000,000.
Fiscal year 2004:
(A) New budget authority, $23,100,000,000.
(B) Outlays, $18,900,000,000.
Fiscal year 2005:
(A) New budget authority, $23,300,000,000.
(B) Outlays, $19,400,000,000.
Fiscal year 2006:
(A) New budget authority, $23,600,000,000.
(B) Outlays, $19,800,000,000.
Fiscal year 2007:
(A) New budget authority, $24,200,000,000.
(B) Outlays, $20,400,000,000.
Fiscal year 2008:
(A) New budget authority, $24,500,000,000.
(B) Outlays, $20,800,000,000.
Fiscal year 2009:
(A) New budget authority, $24,900,000,000.
(B) Outlays, $21,100,000,000.
Fiscal year 2010:
(A) New budget authority, $25,400,000,000.
(B) Outlays, $21,600,000,000.

(3) General Science, Space, and Technology (250):
Fiscal year 2001:
(A) New budget authority, $19,600,000,000.
(B) Outlays, $19,300,000,000.
Fiscal year 2002:
(A) New budget authority, $20,000,000,000.
(B) Outlays, $19,700,000,000.
Fiscal year 2003:
(A) New budget authority, $20,300,000,000.
(B) Outlays, $20,000,000,000.
Fiscal year 2004:
(A) New budget authority, $20,700,000,000.
(B) Outlays, $20,300,000,000.
Fiscal year 2005:
(A) New budget authority, $21,100,000,000.
(B) Outlays, $20,700,000,000.
Fiscal year 2006:
(A) New budget authority, $21,500,000,000.
(B) Outlays, $21,100,000,000.
Fiscal year 2007:
(A) New budget authority, $21,900,000,000.
(B) Outlays, $21,500,000,000.
Fiscal year 2008:
(A) New budget authority, $22,300,000,000.
(B) Outlays, $21,900,000,000.
Fiscal year 2009:
(A) New budget authority, $22,800,000,000.
(B) Outlays, $22,300,000,000.
Fiscal year 2010:
(A) New budget authority, $23,200,000,000.
(B) Outlays, $22,800,000,000.

(4) Energy (270):
Fiscal year 2001:
(A) New budget authority, $1,400,000,000.
(B) Outlays, $100,000,000.
Fiscal year 2002:
(A) New budget authority, $1,000,000,000.
(B) Outlays, −$100,000,000.
Fiscal year 2003:
(A) New budget authority, $1,200,000,000.
(B) Outlays, −$100,000,000.
Fiscal year 2004:
(A) New budget authority, $1,200,000,000.
(B) Outlays, −$200,000,000.
Fiscal year 2005:
(A) New budget authority, $1,200,000,000.
(B) Outlays, −$100,000,000.
Fiscal year 2006:
(A) New budget authority, $1,300,000,000.
(B) Outlays, $0.
Fiscal year 2007:
(A) New budget authority, $1,100,000,000.
(B) Outlays, −$200,000,000.
Fiscal year 2008:
(A) New budget authority, $1,500,000,000.
(B) Outlays, $100,000,000.
Fiscal year 2009:
(A) New budget authority, $1,700,000,000.
(B) Outlays, $300,000,000.
Fiscal year 2010:
(A) New budget authority, $1,700,000,000.
(B) Outlays, $400,000,000.

(5) Natural Resources and Environment (300):
Fiscal year 2001:
(A) New budget authority, $25,700,000,000.
(B) Outlays, $25,400,000,000.
Fiscal year 2002:
(A) New budget authority, $25,800,000,000.
(B) Outlays, $26,200,000,000.
Fiscal year 2003:
(A) New budget authority, $26,000,000,000.
(B) Outlays, $26,400,000,000.
Fiscal year 2004:
(A) New budget authority, $26,600,000,000.
(B) Outlays, $26,400,000,000.
Fiscal year 2005:
(A) New budget authority, $27,100,000,000.
(B) Outlays, $26,500,000,000.
Fiscal year 2006:
(A) New budget authority, $27,800,000,000.
(B) Outlays, $27,100,000,000.
Fiscal year 2007:
(A) New budget authority, $28,500,000,000.
(B) Outlays, $27,700,000,000.
Fiscal year 2008:
(A) New budget authority, $29,200,000,000.
(B) Outlays, $28,400,000,000.
Fiscal year 2009:
(A) New budget authority, $30,400,000,000.
(B) Outlays, $29,500,000,000.
Fiscal year 2010:
(A) New budget authority, $31,300,000,000.
(B) Outlays, $30,300,000,000.

(6) Agriculture (350):
Fiscal year 2001:
(A) New budget authority, $23,600,000,000.
(B) Outlays, $22,300,000,000.
Fiscal year 2002:
(A) New budget authority, $18,600,000,000.
(B) Outlays, $17,000,000,000.
Fiscal year 2003:
(A) New budget authority, $17,600,000,000.
(B) Outlays, $16,100,000,000.
Fiscal year 2004:
(A) New budget authority, $17,300,000,000.
(B) Outlays, $15,700,000,000.
Fiscal year 2005:
(A) New budget authority, $16,100,000,000.
(B) Outlays, $14,500,000,000.
Fiscal year 2006:
(A) New budget authority, $14,200,000,000.
(B) Outlays, $12,600,000,000.
Fiscal year 2007:
(A) New budget authority, $12,800,000,000.
(B) Outlays, $11,200,000,000.
Fiscal year 2008:
(A) New budget authority, $12,600,000,000.
(B) Outlays, $11,000,000,000.
Fiscal year 2009:
(A) New budget authority, $12,900,000,000.
(B) Outlays, $11,400,000,000.
Fiscal year 2010:
(A) New budget authority, $13,000,000,000.
(B) Outlays, $11,600,000,000.

(7) Commerce and Housing Credit (370):
Fiscal year 2001:
(A) New budget authority, $6,800,000,000.
(B) Outlays, $2,600,000,000.
Fiscal year 2002:
(A) New budget authority, $9,000,000,000.
(B) Outlays, $5,100,000,000.
Fiscal year 2003:
(A) New budget authority, $9,700,000,000.
(B) Outlays, $5,000,000,000.
Fiscal year 2004:
(A) New budget authority, $13,900,000,000.
(B) Outlays, $8,800,000,000.
Fiscal year 2005:
(A) New budget authority, $13,900,000,000.
(B) Outlays, $9,900,000,000.
Fiscal year 2006:
(A) New budget authority, $13,900,000,000.
(B) Outlays, $9,400,000,000.
Fiscal year 2007:
(A) New budget authority, $12,400,000,000.
(B) Outlays, $8,100,000,000.
Fiscal year 2008:
(A) New budget authority, $12,500,000,000.
(B) Outlays, $8,100,000,000.
Fiscal year 2009:
(A) New budget authority, $12,900,000,000.
(B) Outlays, $8,400,000,000.
Fiscal year 2010:
(A) New budget authority, $17,300,000,000.
(B) Outlays, $12,000,000,000.

(8) Transportation (400):

Fiscal year 2001:
(A) New budget authority, $59,500,000,000.
(B) Outlays, $51,100,000,000.
Fiscal year 2002:
(A) New budget authority, $57,800,000,000.
(B) Outlays, $52,900,000,000.
Fiscal year 2003:
(A) New budget authority, $59,500,000,000.
(B) Outlays, $54,600,000,000.
Fiscal year 2004:
(A) New budget authority, $56,300,000,000.
(B) Outlays, $54,900,000,000.
Fiscal year 2005:
(A) New budget authority, $56,500,000,000.
(B) Outlays, $55,400,000,000.
Fiscal year 2006:
(A) New budget authority, $57,400,000,000.
(B) Outlays, $56,800,000,000.
Fiscal year 2007:
(A) New budget authority, $57,900,000,000.
(B) Outlays, $57,600,000,000.
Fiscal year 2008:
(A) New budget authority, $58,400,000,000.
(B) Outlays, $58,600,000,000.
Fiscal year 2009:
(A) New budget authority, $58,900,000,000.
(B) Outlays, $60,000,000,000.
Fiscal year 2010:
(A) New budget authority, $59,400,000,000.
(B) Outlays, $61,400,000,000.
(9) Community and Regional Development (450):
Fiscal year 2001:
(A) New budget authority, $11,500,000,000.
(B) Outlays, $11,000,000,000.
Fiscal year 2002:
(A) New budget authority, $11,500,000,000.
(B) Outlays, $11,000,000,000.
Fiscal year 2003:
(A) New budget authority, $11,600,000,000.
(B) Outlays, $10,900,000,000.
Fiscal year 2004:
(A) New budget authority, $11,600,000,000.
(B) Outlays, $10,900,000,000.
Fiscal year 2005:
(A) New budget authority, $11,800,000,000.
(B) Outlays, $11,000,000,000.
Fiscal year 2006:
(A) New budget authority, $11,900,000,000.
(B) Outlays, $11,100,000,000.
Fiscal year 2007:
(A) New budget authority, $12,000,000,000.
(B) Outlays, $11,200,000,000.
Fiscal year 2008:
(A) New budget authority, $12,000,000,000.
(B) Outlays, $11,300,000,000.
Fiscal year 2009:
(A) New budget authority, $12,100,000,000.
(B) Outlays, $11,400,000,000.
Fiscal year 2010:
(A) New budget authority, $12,200,000,000.
(B) Outlays, $11,400,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2001:
(A) New budget authority, $77,300,000,000.
(B) Outlays, $69,700,000,000.
Fiscal year 2002:
(A) New budget authority, $77,800,000,000.
(B) Outlays, $75,200,000,000.
Fiscal year 2003:
(A) New budget authority, $78,600,000,000.
(B) Outlays, $77,200,000,000.
Fiscal year 2004:
(A) New budget authority, $79,800,000,000.
(B) Outlays, $78,400,000,000.
Fiscal year 2005:
(A) New budget authority, $81,700,000,000.
(B) Outlays, $80,100,000,000.
Fiscal year 2006:
(A) New budget authority, $84,100,000,000.
(B) Outlays, $82,300,000,000.
Fiscal year 2007:
(A) New budget authority, $86,500,000,000.
(B) Outlays, $84,500,000,000.
Fiscal year 2008:
(A) New budget authority, $89,000,000,000.
(B) Outlays, $87,000,000,000.
Fiscal year 2009:
(A) New budget authority, $91,600,000,000.
(B) Outlays, $89,500,000,000.
Fiscal year 2010:
(A) New budget authority, $94,300,000,000.
(B) Outlays, $92,100,000,000.
(11) Health (550):
Fiscal year 2001:
(A) New budget authority, $170,000,000,000.
(B) Outlays, $165,800,000,000.
Fiscal year 2002:
(A) New budget authority, $178,700,000,000.
(B) Outlays, $177,700,000,000.
Fiscal year 2003:
(A) New budget authority, $190,600,000,000.
(B) Outlays, $190,100,000,000.
Fiscal year 2004:
(A) New budget authority, $204,900,000,000.
(B) Outlays, $204,600,000,000.
Fiscal year 2005:
(A) New budget authority, $221,300,000,000.
(B) Outlays, $220,200,000,000.
Fiscal year 2006:
(A) New budget authority, $238,000,000,000.
(B) Outlays, $236,800,000,000.
Fiscal year 2007:
(A) New budget authority, $257,100,000,000.
(B) Outlays, $254,900,000,000.
Fiscal year 2008:
(A) New budget authority, $276,900,000,000.
(B) Outlays, $274,800,000,000.
Fiscal year 2009:
(A) New budget authority, $298,400,000,000.
(B) Outlays, $296,400,000,000.
Fiscal year 2010:
(A) New budget authority, $321,800,000,000.
(B) Outlays, $320,300,000,000.
(12) Medicare (570):
Fiscal year 2001:
(A) New budget authority, $217,100,000,000.
(B) Outlays, $217,400,000,000.
Fiscal year 2002:
(A) New budget authority, $224,100,000,000.
(B) Outlays, $224,000,000,000.
Fiscal year 2003:
(A) New budget authority, $249,000,000,000.
(B) Outlays, $248,800,000,000.
Fiscal year 2004:
(A) New budget authority, $267,600,000,000.
(B) Outlays, $267,800,000,000.
Fiscal year 2005:
(A) New budget authority, $294,800,000,000.
(B) Outlays, $294,700,000,000.
Fiscal year 2006:
(A) New budget authority, $304,600,000,000.
(B) Outlays, $304,300,000,000.
Fiscal year 2007:
(A) New budget authority, $333,100,000,000.
(B) Outlays, $333,300,000,000.
Fiscal year 2008:
(A) New budget authority, $358,000,000,000.
(B) Outlays, $357,900,000,000.
Fiscal year 2009:
(A) New budget authority, $386,200,000,000.
(B) Outlays, $385,900,000,000.
Fiscal year 2010:
(A) New budget authority, $415,700,000,000.
(B) Outlays, $415,900,000,000.
(13) Income Security (600):
Fiscal year 2001:
(A) New budget authority, $255,000,000,000.
(B) Outlays, $255,600,000,000.
Fiscal year 2002:
(A) New budget authority, $265,400,000,000.
(B) Outlays, $266,900,000,000.
Fiscal year 2003:
(A) New budget authority, $275,700,000,000.
(B) Outlays, $277,000,000,000.
Fiscal year 2004:
(A) New budget authority, $286,500,000,000.
(B) Outlays, $287,300,000,000.
Fiscal year 2005:
(A) New budget authority, $299,800,000,000.
(B) Outlays, $300,700,000,000.
Fiscal year 2006:
(A) New budget authority, $307,300,000,000.
(B) Outlays, $308,100,000,000.
Fiscal year 2007:
(A) New budget authority, $314,400,000,000.
(B) Outlays, $315,200,000,000.
Fiscal year 2008:
(A) New budget authority, $328,900,000,000.
(B) Outlays, $329,600,000,000.
Fiscal year 2009:
(A) New budget authority, $339,300,000,000.
(B) Outlays, $339,700,000,000.
Fiscal year 2010:
(A) New budget authority, $350,600,000,000.
(B) Outlays, $350,800,000,000.
(14) Social Security (650):
Fiscal year 2001:
(A) New budget authority, $9,700,000,000.
(B) Outlays, $9,700,000,000.
Fiscal year 2002:
(A) New budget authority, $11,600,000,000.
(B) Outlays, $11,600,000,000.
Fiscal year 2003:
(A) New budget authority, $12,300,000,000.
(B) Outlays, $12,300,000,000.
Fiscal year 2004:
(A) New budget authority, $13,000,000,000.
(B) Outlays, $13,000,000,000.
Fiscal year 2005:
(A) New budget authority, $13,800,000,000.
(B) Outlays, $13,800,000,000.
Fiscal year 2006:
(A) New budget authority, $14,700,000,000.
(B) Outlays, $14,700,000,000.
Fiscal year 2007:
(A) New budget authority, $15,700,000,000.
(B) Outlays, $15,700,000,000.
Fiscal year 2008:
(A) New budget authority, $16,800,000,000.
(B) Outlays, $16,800,000,000.
Fiscal year 2009:
(A) New budget authority, $18,000,000,000.
(B) Outlays, $18,000,000,000.
Fiscal year 2010:
(A) New budget authority, $19,200,000,000.
(B) Outlays, $19,200,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2001:
(A) New budget authority, $41,700,000,000.
(B) Outlays, $47,300,000,000.
Fiscal year 2002:
(A) New budget authority, $48,400,000,000.
(B) Outlays, $48,400,000,000.
Fiscal year 2003:
(A) New budget authority, $50,100,000,000.
(B) Outlays, $50,000,000,000.
Fiscal year 2004:
(A) New budget authority, $51,500,000,000.
(B) Outlays, $51,200,000,000.
Fiscal year 2005:
(A) New budget authority, $54,800,000,000.
(B) Outlays, $54,500,000,000.
Fiscal year 2006:
(A) New budget authority, $54,100,000,000.
(B) Outlays, $53,700,000,000.
Fiscal year 2007:
(A) New budget authority, $53,500,000,000.
(B) Outlays, $52,900,000,000.
Fiscal year 2008:
(A) New budget authority, $56,700,000,000.
(B) Outlays, $56,300,000,000.
Fiscal year 2009:
(A) New budget authority, $58,000,000,000.
(B) Outlays, $57,600,000,000.
Fiscal year 2010:
(A) New budget authority, $59,400,000,000.
(B) Outlays, $59,000,000,000.
(16) Administration of Justice (750):
Fiscal year 2001:
(A) New budget authority, $29,100,000,000.
(B) Outlays, $28,700,000,000.
Fiscal year 2002:
(A) New budget authority, $29,400,000,000.
(B) Outlays, $29,500,000,000.
Fiscal year 2003:
(A) New budget authority, $30,200,000,000.
(B) Outlays, $30,000,000,000.
Fiscal year 2004:
(A) New budget authority, $31,000,000,000.
(B) Outlays, $30,600,000,000.
Fiscal year 2005:
(A) New budget authority, $31,700,000,000.

(B) Outlays, $31,400,000,000.
Fiscal year 2006:
(A) New budget authority, $32,500,000,000.
(B) Outlays, $32,200,000,000.
Fiscal year 2007:
(A) New budget authority, $33,300,000,000.
(B) Outlays, $33,000,000,000.
Fiscal year 2008:
(A) New budget authority, $34,200,000,000.
(B) Outlays, $33,800,000,000.
Fiscal year 2009:
(A) New budget authority, $35,100,000,000.
(B) Outlays, $34,700,000,000.
Fiscal year 2010:
(A) New budget authority, $35,900,000,000.
(B) Outlays, $35,500,000,000.
(17) General Government (800):
Fiscal year 2001:
(A) New budget authority, $13,800,000,000.
(B) Outlays, $14,300,000,000.
Fiscal year 2002:
(A) New budget authority, $13,800,000,000.
(B) Outlays, $14,000,000,000.
Fiscal year 2003:
(A) New budget authority, $13,900,000,000.
(B) Outlays, $13,900,000,000.
Fiscal year 2004:
(A) New budget authority, $13,900,000,000.
(B) Outlays, $14,000,000,000.
Fiscal year 2005:
(A) New budget authority, $14,000,000,000.
(B) Outlays, $13,800,000,000.
Fiscal year 2006:
(A) New budget authority, $14,500,000,000.
(B) Outlays, $14,000,000,000.
Fiscal year 2007:
(A) New budget authority, $15,000,000,000.
(B) Outlays, $14,500,000,000.
Fiscal year 2008:
(A) New budget authority, $15,500,000,000.
(B) Outlays, $15,200,000,000.
Fiscal year 2009:
(A) New budget authority, $16,000,000,000.
(B) Outlays, $15,500,000,000.
Fiscal year 2010:
(A) New budget authority, $16,500,000,000.
(B) Outlays, $16,000,000,000.
(18) Net Interest (900):
Fiscal year 2001:
(A) New budget authority, $289,000,000,000.
(B) Outlays, $289,000,000,000.
Fiscal year 2002:
(A) New budget authority, $290,700,000,000.
(B) Outlays, $290,700,000,000.
Fiscal year 2003:
(A) New budget authority, $287,000,000,000.
(B) Outlays, $287,000,000,000.
Fiscal year 2004:
(A) New budget authority, $282,900,000,000.
(B) Outlays, $282,900,000,000.
Fiscal year 2005:
(A) New budget authority, $278,500,000,000.
(B) Outlays, $278,500,000,000.
Fiscal year 2006:
(A) New budget authority, $274,700,000,000.
(B) Outlays, $274,700,000,000.
Fiscal year 2007:
(A) New budget authority, $270,400,000,000.
(B) Outlays, $270,400,000,000.
Fiscal year 2008:
(A) New budget authority, $266,600,000,000.
(B) Outlays, $266,600,000,000.
Fiscal year 2009:
(A) New budget authority, $262,100,000,000.
(B) Outlays, $262,100,000,000.
Fiscal year 2010:
(A) New budget authority, $257,500,000,000.
(B) Outlays, $257,500,000,000.
(19) Allowances (920):
Fiscal year 2001:
(A) New budget authority, −$500,000,000.
(B) Outlays, −$4,300,000,000.
Fiscal year 2002:
(A) New budget authority, $10,000,000,000.
(B) Outlays, $10,000,000,000.
Fiscal year 2003:
(A) New budget authority, $4,200,000,000.
(B) Outlays, $4,200,000,000.
Fiscal year 2004:
(A) New budget authority, $4,400,000,000.
(B) Outlays, $4,400,000,000.
Fiscal year 2005:
(A) New budget authority, $4,500,000,000.
(B) Outlays, $4,500,000,000.
Fiscal year 2006:
(A) New budget authority, $6,200,000,000.
(B) Outlays, $6,200,000,000.
Fiscal year 2007:
(A) New budget authority, $7,900,000,000.
(B) Outlays, $7,900,000,000.
Fiscal year 2008:
(A) New budget authority, $8,000,000,000.
(B) Outlays, $8,000,000,000.
Fiscal year 2009:
(A) New budget authority, $9,000,000,000.
(B) Outlays, $9,000,000,000.
Fiscal year 2010:
(A) New budget authority, $9,000,000,000.
(B) Outlays, $9,000,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2001:
(A) New budget authority, −$39,000,000.
(B) Outlays, −$39,000,000,000.
Fiscal year 2002:
(A) New budget authority, −$41,500,000,000.
(B) Outlays, −$41,500,000,000.
Fiscal year 2003:
(A) New budget authority, −$40,900,000,000.
(B) Outlays, −$40,900,000,000.
Fiscal year 2004:
(A) New budget authority, −$38,300,000,000.
(B) Outlays, −$38,300,000,000.
Fiscal year 2005:
(A) New budget authority, −$39,400,000,000.
(B) Outlays, −$39,400,000,000.
Fiscal year 2006:
(A) New budget authority, −$40,400,000,000.
(B) Outlays, −$40,400,000,000.
Fiscal year 2007:
(A) New budget authority, −$41,700,000,000.
(B) Outlays, −$41,700,000,000.
Fiscal year 2008:
(A) New budget authority, −$42,600,000,000.
(B) Outlays, −$42,600,000,000.
Fiscal year 2009:
(A) New budget authority, −$43,500,000,000.
(B) Outlays, −$43,500,000,000.
Fiscal year 2010:
(A) New budget authority, −$44,800,000,000.
(B) Outlays, −$44,800,000,000.

SEC. 5. RECONCILIATION IN THE SENATE.

Not later than May 26, 2000, the Committee on Finance shall report to the Senate a reconciliation bill proposing changes in laws within its jurisdiction—

(1) to reduce revenues by not more than $4,900,000,000 in fiscal year 2001, $58,900,000,000 for the period of fiscal years 2001 through 2005, and $265,000,000,000 for the period of fiscal years 2001 through 2010; and

(2) that provide direct spending to increase outlays by not more than $1,300,000,000 in fiscal year 2001, $40,000,000,000 for the period of fiscal years 2001 through 2005, and $154,800,000,000 for the period of fiscal years 2001 through 2010.

SEC. 6. RESERVE FUND FOR PRESCRIPTION DRUG COVERAGE.

(a) ADJUSTMENT.—

(1) IN GENERAL.—Whenever the Committee on Finance of the Senate reports a bill pursuant to section 5(b), or an amendment thereto is offered, or a conference report thereon is submitted, that includes legislation amending title XVII of the Social Security Act that provides a prescription drug benefit for Medicare beneficiaries that complies with paragraph (2), the chairman of the Committee on the Budget shall increase the allocation of budget authority and outlays to that committee by the amount of budget authority (and the outlays resulting therefrom) provided by that legislation for such purpose in accordance with subsection (b).

(2) CONDITION.—Legislation complies with this paragraph if it provides a prescription drug benefit under title XVII of the Social Security Act that is—

(A) voluntary;

(B) accessible to all beneficiaries;

(C) designed to assist seniors with the high cost of prescription drugs, protect them from excessive out-of-pocket costs, and give them bargaining power in the marketplace;

(D) affordable to all beneficiaries and the programs;

(E) administered using private sector entities and competitive purchasing techniques; and

(F) consistent with broader Medicare reform.

(b) LIMITATIONS.—The adjustments to the allocations required by subsection (a) shall not exceed $1,300,000,000 in budget authority (and outlays therefrom) for fiscal year 2001; $40,000,000,000 in budget authority (and the outlays resulting therefrom) for the period of fiscal years 2001 through 2005, and $154,800,000,000 for the period of fiscal years 2001 through 2010.

SEC. 7. LOCKBOX FOR DEBT REDUCTION, MEDICARE, AND SOCIAL SECURITY.

(a) DEFINITION.—The term ''Debt Reduction and Medicare Surplus Reserve'' means—

(1) for fiscal year 2001, $13,000,000,000;
(2) for fiscal year 2002, $7,600,000,000;
(3) for fiscal year 2003, $16,100,000,000;
(4) for fiscal year 2004, $20,200,000,000;
(5) for fiscal year 2005, $22,600,000,000;
(6) for fiscal year 2006, $54,500,000,000;
(7) for fiscal year 2007, $69,200,000,000;
(8) for fiscal year 2008, $77,500,000,000;
(9) for fiscal year 2009, $99,300,000,000; and
(10) for fiscal year 2010, $112,000,000,000.

(b) BUDGET RESOLUTION POINT OF ORDER.—It shall not be in order in the Senate to consider any concurrent resolution on the budget (or amendment, motion, or conference report on the resolution) that would decrease the on-budget surplus in any year covered by this resolution below the level of the Debt Reduction and Medicare Surplus Reserve for that year.

(c) SUBSEQUENT LEGISLATION POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that together with associated interest costs would decrease the on-budget surplus in any year covered by this resolution below the level of the Debt Reduction and Medicare Surplus Reserve for that year.

(d) SOCIAL SECURITY OFF-BUDGET POINT OF ORDER.—It shall not be in order in the Senate to consider a concurrent resolution on the budget (or any amendment thereto or conference report thereon) or any bill, joint resolution, amendment, motion, or conference report that would violate section 13301 of the Omnibus Budget Reconciliation Act of 1990.

(e) REINFORCEMENT OF SOCIAL SECURITY POINTS OF ORDER.—It shall not be in order in the Senate to consider a concurrent resolution on the budget (or any amendment thereto or conference report thereon) or any bill, joint resolution, amendment, motion, or conference report that would—

(1) decrease Social Security surpluses in any year covered by this resolution below the levels established in this resolution; or

(2) amend section 301(i) or 311(a)(3) of the Congressional Budget Act of 1974 to allow Social Security surpluses to be decreased below the levels established in this resolution.

(f) SUPERMAJORITY WAIVER AND APPEAL.—The points of order established in this section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and

sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(g) SENATE PAY-AS-YOU-GO RULE EXTENDED THROUGH 2010.—Section 207(g) of H. Con. Res. 68 (the Concurrent Resolution on the Budget for fiscal year 2000) is amended by striking ''2002'' and inserting ''2010''.

SEC. 8. RESERVE FUND FOR PRIORITY INVESTMENTS.

(a) IN GENERAL.—In the Senate, aggregates, functional totals, allocations, and other appropriate budgetary levels and limits may be revised in an amount up to $9,000,000,000 for fiscal year 2001, $39,500,000,000 for the period of fiscal years 2001 through 2005, and $80,400,000,000 for the period of fiscal years 2001 through 2010 for legislation to—

(1) expand access to health care for the uninsured;

(2) provide nutritional assistance and other benefits to legal immigrants;

(3) strengthen the farm safety net and sufficiently support farm families when agricultural commodity prices fall, through emergency income assistance, reformed farm policies, targeted assistance to segments of farm and rural communities, and other available options; and

(4) increase funding for social service block grants.

(b) LIMITATION.—The allocation of budget authority and outlays may be revised pursuant to subsection (a) only provided that the enactment of the legislation described in subsection (a) will not decrease the on-budget surplus below the levels specified in the Debt Reduction and Medicare Surplus Reserve. Such revised allocations, functional totals, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

SEC. 9. POINT OF ORDER TO ENFORCE 10-YEAR BUDGETING REQUIREMENT.

It shall not be in order in the Senate to consider any concurrent resolution on the budget (or any amendment thereto or conference report thereon) for any fiscal year unless it sets forth all appropriate budgetary levels pursuant to section 301 of the Congressional Budget Act of 1974 for the fiscal year beginning on October 1 of such year and for each of the ensuing 9 fiscal years.

SEC. 10. RESERVE FUND FOR MILITARY RETIREE HEALTH CARE.

(a) IN GENERAL.—In the Senate, aggregates, allocations, functional totals, and other budgetary levels and limits may be revised for legislation to fund improvements to health care programs for military retirees and their dependents in order to fulfill the promises made to them, provided that the enactment of that legislation will not decrease the on-budget surplus in this resolution for—

(1) fiscal year 2001;

(2) the period of fiscal years 2001 through 2005; or

(3) the period of fiscal years 2006 through 2010.

(b) BUDGETARY ENFORCEMENT.—Allocations, functional totals, aggregates, and other budgetary levels and limits revised pursuant to subsection (a) shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional totals, aggregates, and budgetary levels contained in this resolution.

SEC. 11. LANDS LEGACY RESERVE FUND.

(a) IN GENERAL.—In the Senate, aggregates, allocations, functional totals, and other budgetary levels and limits may be revised for legislation to expand environmental protection of critical lands across America, help States and communities preserve local lands and habitat, and strengthen protections for our oceans and coasts, provided that the enactment of that legislation will not decrease the on-budget surplus in this resolution for —

(1) fiscal year 2001;

(2) the period of fiscal years 2001 through 2005; or

(3) the period of fiscal years 2006 through 2010.

(b) REVISED LEVELS.—Allocations, functional totals, aggregates, and other budgetary levels and limits revised pursuant to subsection (a) shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional totals, aggregates, and budgetary levels contained in this resolution.

SEC. 12. RESERVE FUND FOR COUNTY PAYMENTS.

(a) ADJUSTMENT.—In the Senate, if legislation is reported by the Committee on Energy and Natural Resources that provides payments from National Forest System lands managed by the Forest Service or the Bureau of Land Management for use by counties, the Chairman of the Committee on the Budget may revise committee allocations, aggregates, functional totals, and other budgetary levels and limits in this resolution, if such legislation will not decrease the on-budget surplus in this resolution for—

(1) fiscal year 2001;

(2) the period of fiscal years 2001 through 2005; or

(3) the period of fiscal years 2006 through 2010.

(b) BUDGETARY ENFORCEMENT.—The revised allocations, aggregates, functional totals, and other budgetary levels and limits made under this section shall be considered for the purposes of the Congressional Budget Act of 1974 as the levels contained in this resolution.

SEC. 13. RESERVE FUND FOR AGRICULTURE FOR FISCAL YEAR 2000.

(a) ADJUSTMENT.—If the Committee on Agriculture, Nutrition, and Forestry of the Senate reports a bill on or before June 29, 2000, or an amendment thereto is offered, or a conference report thereon is submitted that strengthens the farm safety net and sufficiently supports farm families when agricultural commodity prices fall, through emergency income assistance, reformed farm policies, targeted assistance to segments of farm and rural communities, and other available options, the appropriate chairman of the Budget Committee may increase the allocation of budget authority and outlays to that committee by the amount of budget authority (and the outlays resulting therefrom) provided by that legislation for such purpose in accordance with subsection (b).

(b) LIMITATIONS.—The adjustments to the allocations required by subsection (a) shall not exceed $6,000,000,000 in budget authority and outlays for fiscal year 2000.

SEC. 14. RESERVE FUND FOR AGRICULTURE FOR FISCAL YEAR 2001.

(a) ADJUSTMENT.—If the Committee on Agriculture, Nutrition, and Forestry of the Senate reports a bill, or an amendment thereto is offered, or a conference report thereon is submitted that strengthens the farm safety net and sufficiently supports farm families when agricultural commodity prices fall, through reformed farm policies, targeted assistance to segments of farm and rural communities, and other available options, the appropriate chairman of the Budget Committee may increase the allocation of budget authority and outlays to that committee by the amount of budget authority (and the outlays resulting therefrom) provided by that legislation for such purpose in accordance with subsection (b).

(b) LIMITATIONS.—The adjustments to the allocations required by subsection (a) shall not exceed $5,000,000,000 in budget authority and outlays for fiscal year 2001.

SEC. 15. SENSE OF THE SENATE ON COLLEGE AFFORDABILITY.

It is the sense of the Senate that Congress should enact legislation to make college more affordable for low- and middle-income families by permitting the tax deductibility of college tuition and by extending the eligibility period for the tax deductibility of student loan interest payments.

FITZGERALD AMENDMENT NO. 2958

(Ordered to lie on the table.)

Mr. FITZGERALD submitted an amendment intended to be proposed by him to the concurrent resolution, S. Con. Res. 101, supra; as follow:

At the end of title III, insert the following:

SEC. . SENSE OF THE SENATE ON THE ESTABLISHMENT OF A NATIONAL BIPARTISAN COMMISSION ON TRUST FUNDS IN THE FEDERAL DEBT.

(a) FINDINGS.—The Senate finds that—

(1) the Presidential Commission on Budget Concepts of 1967 recommended that all federal trust funds, including Social Security, be included in budget totals to report a unified budget;

(2) the Federal government maintains more than 150 trust funds;

(3) surpluses from each trust fund are primarily used to purchase special nonnegotiable, nonmarketable Treasury securities;

(4) every one of these nonnegotiable, nonmarketable Treasury securities purchased by a trust fund increases the Gross Federal Debt;

(5) according to the Administration, one component of Gross Federal Debt—debt held by the public—will fall to zero by 2013, while the other component of the national debt—money borrowed from over 150 federal government trust funds and special funds, including Social Security and Medicare—will triple by 2013;

(6) the statutory debt limit, currently $5,950,000,000,000, applies to most obligations whose principal and interest are guaranteed by the United States government, including both debt held by the public and debt held by the trust funds and other government accounts;

(7) the current definitions of a trust fund and a federal fund are ambiguous;

(8) for the past 2 years, the United States has enjoyed consecutive budget surpluses, when the Social Security and other trust funds are included—for the first time since 1956–1957;

(9) in 1999, the United States enjoyed its first budget surplus, excluding the Social Security trust funds, since 1960;

(10) nevertheless, federal debt held by government accounts, including trust funds, will increase by $237,318,000,000 in fiscal year 2000, according to the Office of Management and Budget;

(11) the Gross Federal Debt, which includes debt held by government accounts and debt held by the public, will increase by $80,251,000,000 in fiscal year 2000, according to the Office of Management and Budget;

(12) as of February 29, 2000, the total national debt was $5,735,333,000,000, and is projected to reach a record breaking $6,300,000,000,000 in 2010, according to the Congressional Budget Office; and

(13) many of the most basic federal budget concepts were designed for deficit reduction, and are therefore outdated, outmoded, and in clear need of review in light of actual and projected budget surpluses.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that the Congress will establish a National Bipartisan Commission on Trust Funds in the Federal Budget which shall—

(1) catalog all existing trust fund accounts;

(2) review and analyze, with respect to the federal budget and the public debt, the long-term financial impact of including each trust fund in on-budget figures;

(3) identify problems that threaten the financial integrity of trust funds;

(4) make recommendations for the criteria for ''trust fund'' categorization, and evaluate each existing trust fund using those criteria;

(5) determine if cash balance accounting is appropriate for trust funds, and if accrual accounting would provide a clearer financial picture of the trust funds;

(6) determine the appropriate relationship between the federal trust funds and the national debt; and

(7) determine the role of the trust funds in the federal budget.

FITZGERALD (AND OTHERS) AMENDMENT NO. 2959

(Ordered to lie on the table.)

Mr. FITZGERALD (for himself, Mrs. LINCOLN, Mr. SANTORUM, Mr. BRYAN, Mr. HELMS, Mr. BAYH, Mr. DEWINE, Mr. KOHL, and Mr. JEFFORDS) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE RESPECTING THE PROPER TESTING AND USE OF CHILD SAFETY SEATS.

(a) PURPOSE.—The Senate declares that it is essential to ensure that children aged 12 and under are adequately protected against injuries and fatalities in motor vehicle crashes.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that—

(1) the Congress should enact legislation that requires the National Highway Traffic Safety Administration to update and improve the nation's child passenger safety standards, particularly with respect to compliance testing of child restraints;

(2) additional resources within the budget of the National Highway Traffic Safety Administration should be identified to enable the agency to conduct biomechanics research that could lead to improved testing and methodologies for assessing the adequacy of child restraints; and

(3) the National Highway Traffic Safety Administration should strengthen its program of educating parents about the importance of properly using age- and size-appropriate child safety seats.

LAUTENBERG AMENDMENT NO. 2960

(Ordered to lie on the table.)

Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the end of title II, insert the following:

SEC. . TEN-YEAR BUDGETING.

It shall not be in order in the Senate to consider any concurrent resolution on the budget (or any amendment thereto or conference report thereon) for any fiscal year unless it sets forth all appropriate budgetary levels pursuant to section 301 of the Congressional Budget Act of 1974 for the fiscal year beginning on October 1 of such year and for each of the ensuring 9 fiscal years.

FITZGERALD (AND OTHERS) AMENDMENT NO. 2961

(Ordered to lie on the table.)

Mr. FITZGERALD (for himself, Mr. ASHCROFT, Mr. CRAIG, and Mr. GRAMS) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the end of title III, insert the following:

SEC. . PROTECT THE SOCIAL SECURITY TRUST FUNDS.

It is the sense of the Senate that the levels in this resolution assume that the Congress shall pass legislation which provides for sequestration to reduce federal spending by the amount necessary to ensure that, in any fiscal year, the Social Security surpluses are used only for the payment of Social Security benefits, retirement security, social security reform, or to reduce the Federal debt held by the public.

KENNEDY (AND OTHERS) AMENDMENT NO. 2962

(Ordered to lie on the table.)

Mr. KENNEDY (for himself, Mr. LAUTENBERG, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

On page 4, line 4, decrease the amount by $100,000,000.

On page 4, line 5, increase the amount by $1,300,000,000.

On page 4, line 6, increase the amount by $2,300,000,000.

On page 4, line 7, increase the amount by $3,100,000,000.

On page 4, line 8, increase the amount by $4,600,000,000.

On page 4, line 13, decrease the amount by $100,000,000.

On page 4, line 14, increase the amount by $1,300,000,000.

On page 4, line 15, increase the amount by $2,300,000,000.

On page 4, line 16, increase the amount by $3,100,000,000.

On page 4, line 17, increase the amount by $4,600,000,000.

On page 4, line 22, increase the amount by $100,000,000.

On page 4, line 23, increase the amount by $1,300,000,000.

On page 4, line 24, increase the amount by $2,300,000,000.

On page 4, line 25, increase the amount by $3,100,000,000.

On page 5, line 1, increase the amount by $4,600,000,000.

On page 5, line 7, decrease the amount by $100,000,000.

On page 5, line 8, increase the amount by $1,300,000,000.

On page 5, line 9, increase the amount by $2,300,000,000.

On page 5, line 10, increase the amount by $3,100,000,000.

On page 5, line 11, increase the amount by $4,600,000,000.

On page 19, line 7, decrease the amount by $100,000,000.

On page 19, line 8, decrease the amount by $100,000,000.

On page 19, line 11, increase the amount by $1,300,000,000.

On page 19, line 12, increase the amount by $1,300,000,000.

On page 19, line 15, increase the amount by $2,300,000,000.

On page 19, line 16, increase the amount by $2,300,000,000.

On page 19, line 19, increase the amount by $3,100,000,000.

On page 19, line 20, increase the amount by $3,100,000,000.

On page 19, line 23, increase the amount by $4,600,000,000.

On page 19, line 24, increase the amount by $4,600,000,000.

On page 29, line 3, increase the amount by $100,000,000.

On page 29, line 4, decrease the amount by $11,200,000,000.

KENNEDY (AND OTHERS) AMENDMENT NO. 2963

(Ordered to lie on the table.)

Mr. KENNEDY (for himself, Mr. FRIST, Mr. LIEBERMAN, Mr. BINGAMAN, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the appropriate place, insert the following:

(a) FINDINGS.—

The Senate finds that:

(1) Federally-funded research and development and science and technology programs have led to innovations that have dramatically improved the quality of life for all Americans.

(2) The Federal investment in research and development conducted or underwritten by both military and civilian agencies has produced benefits that have been felt in both the private and public sector.

(3) The National Science Foundation is the largest supporter of non-medical basic research in the Federal Government.

(4) In 1990, the Department of Defense supported 44% of all university-based engineering research, by 1999 such support is estimated to have declined by 43%.

(5) The Department of Energy leads the federal government in supporting research in the physical sciences.

(6) Technical innovation is the principal driving force behind the long-term economic growth and increased standards of living of the world's modern industrial societies. Other nations are well aware of the pivotal role of science, engineering, and technology, and they are seeking to exploit it wherever possible to advance their own global competitiveness.

(7) Discoveries across the spectrum of scientific inquiry have the potential to raise the standard of living and the quality of life for all Americans, and as such federal investments in research and technology should be balanced across all disciplines, including but not limited to the physical sciences and engineering, life sciences, biomedical research, and information technology.

(8) The Senate has in past legislation expressed its commitment to continued investments to both civilian and defense science and technology, namely in the Federal Research Investment Act of 1999 and the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999.

(9) A continued trend of funding appropriations equal to or lower than current budgetary levels will lead to permanent damage to the United States research infrastructure, high technology economy, and national security.

(b) SENSE OF THE SENATE.—

It is the Sense of the Senate that:

(1) Total federal investment in civilian research be at a minimum consistent with the levels called for in the FY01 Administration

Budget Request, as this investment manifests the Senate's belief that the Federal government should have a robust program of research across all disciplines of scientific endeavor.

(2). For fiscal years 2001–2008, the science and technology (6.1, 6.2 and 6.3) accounts for the Department of Defense, including all of the Armed Services, in Function 050 (National Defense), shall increase annually and at a minimum achieve the levels called for in Section 214 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999.

(3) Congressional authorizers and appropriators should continue their efforts to support merit-based and peer-reviewed R&D programs as a priority in the federal science investment portfolio.

REED (AND OTHERS) AMENDMENT NO. 2964

(Ordered to lie on the table.)

Mr. REED (for himself, Mr. DASCHLE, Mrs. FEINSTEIN, Mr. LEAHY, Mr. LAUTENBERG, Mr. SCHUMER, Mr. DURBIN, Mrs. MURRAY, Mr. KOHL, Mr. TORRICELLI, Mr. LEVIN, Mrs. BOXER, Mr. ROBB, Mr. KENNEDY, Mr. BIDEN, Mr. BYRD, Mr. KERRY, Mr. REID, Mr. INOUYE, Mr. BRYAN, Mr. HARKIN, Mr. WYDEN, Ms. MIKULSKI, and Mr. L. CHAFEE) submitted an amendment intended to be proposed by them to the concurrent resolution, (S. Con. Res. 101), supra; as follows:

At the end of title III, insert the following:

SEC. . SENSE OF THE SENATE REGARDING THE NEED TO REDUCE GUN VIOLENCE IN AMERICA.

(a) FINDINGS.—The Senate finds the following:

(1) On average, 12 children die from gun fire everyday in America.

(2) On May 20, 1999, the Senate passed the Violent and Repeat Offender Accountability and Rehabilitation Act, by a vote of 73 to 25, in part, to stem gun-related violence in the United States.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in function 750 of this resolution assume that Congress should—

(1) pass the conference report to accompany H.R. 1501, the Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act, including Senate-passed provisions, with the purpose of limiting access to firearms by juveniles, convicted felons, and other persons prohibited by law from purchasing or possessing firearms; and

(2) consider H.R. 1501 not later than April 20, 2000.

ROBB (AND OTHERS) AMENDMENT NO. 2965

Mr. ROBB (for himself, Mr. HARKIN, Mr. LAUTENBERG, Mr. DORGAN, Mr. KENNEDY, Ms. MIKULSKI, Mr. KERRY, Mr. BINGAMAN, Mr. BAUCUS, and Mr. GRAHAM) proposed an amendment to the concurrent resolution, S. Con. Res. 101, supra; as follows:

On page 4, line 4, increase the amount by $78,000,000.

On page 4, line 5, increase the amount by $521,300,000.

On page 4, line 6, increase the amount by $1,011,200,000.

On page 4, line 7, increase the amount by $1,223,400,000.

On page 4, line 8, increase the amount by $1,361,200,000.

On page 4, line 13, increase the amount by $78,000,000.

On page 4, line 14, increase the amount by $521,300,000.

On page 4, line 15, increase the amount by $1,011,200,000.

On page 4, line 16, increase the amount by $1,223,400,000.

On page 4, line 17, increase the amount by $1,361,200,000.

On page 4, line 22, increase the amount by $1,300,000,000.

On page 4, line 23, increase the amount by $1,322,100,000.

On page 4, line 24, increase the amount by $1,344,600,000.

On page 4, line 25, increase the amount by $1,367,400,000.

On page 5, line 1, increase the amount by $1,390,700,000.

On page 5, line 7, increase the amount by $78,000,000.

On page 5, line 8, increase the amount by $521,300,000.

On page 5, line 9, increase the amount by $1,011,200,000.

On page 5, line 10, increase the amount by $1,223,400,000.

On page 5, line 11, increase the amount by $1,361,200,000.

On page 18, line 7, increase the amount by $1,300,000,000.

On page 18, line 8, increase the amount by $78,000,000.

On page 18, line 11, increase the amount by $1,322,100,000.

On page 18, line 12, increase the amount by $521,300,000.

On page 18, line 15, increase the amount by $1,344,600,000.

On page 18, line 16, increase the amount by $1,011,200,000.

On page 18, line 19, increase the amount by $1,367,400,000.

On page 18, line 20, increase the amount by $1,223,400,000.

On page 18, line 23, increase the amount by $1,390,700,000.

On page 18, line 24, increase the amount by $1,361,200,000.

On page 29, line 3, decrease the amount by $97,000,000.

On page 29, line 4, decrease the amount by $5,938,100,000.

On page 29, after line 5, insert the following:

''Not later than September 29, 2000, the Senate Committee on Finance shall report to the Senate a reconciliation bill proposing changes in laws within its jurisdiction necessary to reduce revenues by not more than $19,000,000 in fiscal year 2001 and $1,743,000,000 for the period of fiscal years 2001 through 2005.''

NOTICE OF HEARINGS

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on April 6, 2000 in SR–328A at 9:30 a.m. The purpose of this meeting will be to discuss interstate shipment of state inspected meat.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, April 5, for purposes of conducting a Full Committee business meeting which is scheduled to begin at 9:30 a.m. The purpose of this business meeting is to consider pending calendar business.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, April 5, immediately following the business meeting for a hearing. The committee will examine the energy potential of the 1002 area of the Arctic Coastal Plain; the role this energy could play in national security; the role this energy could play is reducing U.S. dependence on imported oil; and the legislative provisions of S. 2214, the Arctic Coastal Plain Domestic Energy Security Act of 2000.

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

COMMITTEE ON FINANCE

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, April 5, 2000, for hearings on Medicaid in the Schools: A Pattern of Improper Payments.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, April 5, 2000 at 9:30 a.m. and 2 p.m. to hold two hearings.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. DOMENICI. Mr. President, I ask unanimous that the Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, April 5, 2000 at 9:30 a.m. to markup the nomination of Thomas N. Slonaker, to be Special Trustee for American Indians within the Department of the Interior, and to conduct a hearing on S. 612, ''the Indian Needs Assessment and Program Evaluation Act of 1999.'' The hearing will be held in the Committee room, 485 Russell Senate Building.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Rules and Administraton be authorized to meet during the session of the Senate on Wednesday, April 5, 2000, at 9:30 a.m., to receive testimony on political parties in America.

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

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Subcommittee on Administrative Oversight and the Courts be authorized to meet to conduct a hearing on Wednesday, April 5, 2000 at 9:30 a.m., in SH216.

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

PRIVILEGES OF THE FLOOR

Mr. DOMENICI. Mr. President, I ask unanimous consent Dave Carney, a member of Senator ABRAHAM's staff, be allowed access to the floor.

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

Mr. BINGAMAN. Mr. President, I ask unanimous consent that Caroline Chang, a Fellow working in my office, be permitted floor privileges during the pendency of S. Con. Res. 101.

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

Mr. DODD. Mr. President, I ask unanimous consent that Gabriel Lam of my staff be accorded the privilege of the floor for today only.

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

Mr. BOND. Mr. President, I ask unanimous consent that John Stoody, a detailee to the Committee on Small Business staff, be granted the privilege of the floor during pendency of S. Con. Res. 101.

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

Mr. BAUCUS. Mr. President, I ask unanimous consent that David Cross, a Fellow in my office, be afforded privilege on the floor during debate on Amendment No. 2955 and also during the vote, whenever it should occur.

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

ORDERS FOR THURSDAY, APRIL 6, 2000

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Thursday, April 6. I further ask consent that on Thursday, immediately following the prayer, the Journal of the proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of S. Con. Res. 101, the budget resolution, with 8½ hours of debate remaining.

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

PROGRAM

Mr. MURKOWSKI. Mr. President, for the information of all Senators, the Senate will continue consideration of the budget resolution at 9:30 a.m. tomorrow. The first votes are scheduled to occur at 10:30. In addition, the so-called vote-arama should begin at some point tomorrow by late afternoon or early evening. Therefore, Senators should adjust their schedules accordingly.

CONGRATULATING THE U-CONN WOMEN'S BASKETBALL TEAM FOR THEIR NCAA CHAMPIONSHIP

Mr. MURKOWSKI. Mr. President, on behalf of the leader, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 282, introduced earlier today by Senators DODD and LIEBERMAN.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 282) congratulating the Huskies of the University of Connecticut for winning the 2000 women's basketball championship.

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

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the resolution and preamble be agreed upon en bloc, the motion to reconsider be laid upon the table, and any statements relating thereto be printed in the RECORD.

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

The resolution (S. Res. 282) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 282

Whereas the University of Connecticut women's basketball team won its second national championship in 5 years by defeating the University of Tennessee by the score of 71–52;

Whereas the University of Connecticut Huskies entered the 2000 NCAA Tournament with a perfect 15–0 record in the Big East Conference and with just one loss during the regular season;

Whereas National Coach of the Year Geno Auriemma's team began the season ranked number one in the Nation and will finish the season ranked number one in the Nation;

Whereas the University of Connecticut Women Huskies brought the State of Connecticut its second straight NCAA Basketball Title, following the 1999 championship of the University of Connecticut Men's team;

Whereas both Shea Ralph and Svetlana Abrosimova were chosen consensus All-Americans; Ralph was selected the NCAA tournament's Most Outstanding Player; Kelly Schumacher set a championship-game record for blocked shots with 9; and Ralph, Abrosimova, Sue Bird, and Asjha Jones were named to the All-Tournament team;

Whereas the Huskies dominated March Madness, averaging 91.3 points and a 19-point margin of victory in the tournament;

Whereas University of Connecticut's 19-point win over Tennessee, the other powerhouse of women's collegiate basketball, was the second largest margin of victory ever in a championship game;

Whereas the high caliber of the University of Connecticut Women Huskies in both athletics and academics has again advanced the sport of women's basketball and provided inspiration for future generations of young female athletes; and

Whereas the Huskies' season of accomplishment rallied Connecticut residents of all ages, from Stamford to Storrs, from Norwalk to Norwich, behind a common purpose and inspired a wave of euphoria across the State: Now, therefore, be it

Resolved, That the Senate commends the Huskies of the University of Connecticut for completing the 1999–2000 season with a 36–1 record and winning the 2000 NCAA Women's Basketball Championship.

ORDER FOR ADJOURNMENT

Mr. MURKOWSKI. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order following the Durbin statement and amendment introduction.

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

FISCAL YEAR 2001 BUDGET—Continued

AMENDMENT NO. 2953

Mr. DURBIN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 2953.

Mr. DURBIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

FEDERAL REVENUE TOTALS

On page 4, line 3, decrease the amount by $0.

On page 4, line 4, decrease the amount by $4,843,000,000.

On page 4, line 5, decrease the amount by $35,146,000,000.

On page 4, line 6, decrease the amount by $65,248,000,000.

On page 4, line 7, decrease the amount by $99,450,000,000.

On page 4, line 8, decrease the amount by $128,552,000,000.

FEDERAL REVENUE CHANGES

On page 4, line 12, increase the amount by $0.

On page 4, line 13, increase the amount by $4,843,000,000.

On page 4, line 14, increase the amount by $35,146,000,000.

On page 4, line 15, increase the amount by $65,248,000,000.

On page 4, line 16, increase the amount by $99,450,000,000.

On page 4, line 17, increase the amount by $128,552,000,000.

NEW BUDGET AUTHORITY

On page 4, line 21, increase the amount by $0.

On page 4, line 22, increase the amount by $136,000,000.

On page 4, line 23, increase the amount by $1,280,000,000.

On page 4, line 24, increase the amount by $4,186,000,000.

On page 4, line 25, increase the amount by $8,785,000,000.

On page 5, line 1, increase the amount by $15,334,000,000.

BUDGET OUTLAYS

On page 5, line 6, increase the amount by $0.

On page 5, line 7, increase the amount by $136,000,000.

On page 5, line 8, increase the amount by $1,280,000,000.

On page 5, line 9, increase the amount by $4,186,000,000.

On page 5, line 10, increase the amount by $8,785,000,000.

On page 5, line 11, increase the amount by $15,334,000,000.

NET INTEREST BUDGET AUTHORITY

On page 26, line 3, increase the amount by $0.

On page 26, line 7, increase the amount by $136,000,000.

FEDERAL REVENUE TOTALS

On page 26, line 11, increase the amount by $1,280,000,000.

On page 26, line 15, increase the amount by $4,186,000,000.

On page 26, line 19, increase the amount by $8,785,000,000.

On page 26, line 23, increase the amount by $15,334,000,000.

NET INTEREST OUTLAYS

On page 26, line 4, increase the amount by $0.

On page 26, line 8, increase the amount by $136,000,000.

On page 26, line 12, increase the amount by $1,280,000,000.

On page 26, line 16, increase the amount by $4,186,000,000.

On page 26, line 20, increase the amount by $8,785,000,000.

On page 26, line 24, increase the amount by $15,334,000,000.

PUBLIC DEBT

On page 5, line 22, increase the amount by $0.

On page 5, line 23, increase the amount by $4,979,000,000.

On page 5, line 24, increase the amount by $36,426,000,000.

On page 5, line 25, increase the amount by $69,434,000,000.

On page 6, line 1, increase the amount by $108,235,000,000.

On page 6, line 2, increase the amount by $143,886,000,000.

DEBT HELD BY THE PUBLIC

On page 6, line 5, increase the amount by $0.

On page 6, line 6, increase the amount by $4,979,000,000.

On page 6, line 7, increase the amount by $36,426,000,000.

On page 6, line 8, increase the amount by $69,434,000,000.

On page 6, line 9, increase the amount by $108,235,000,000.

On page 6, line 10, increase the amount by $143,886,000,000.

TAX CUT

On page 29, line 3, increase the amount by $4,843,000,000.

On page 29, line 4, increase the amount by $333,239,000,000.

DEFICIT INCREASE

On page 5, line 14, increase the amount by $0.

On page 5, line 15, increase the amount by $4,979,000,000.

On page 5, line 16, increase the amount by $36,426,000,000.

On page 5, line 17, increase the amount by $89,434,000,000.

On page 5, line 18, increase the amount by $108,235,000,000.

On page 5, line 19, increase the amount by $143,886,000,000.

Mr. DURBIN. Mr. President, the hour is late and I have a special sensitivity to the fact that many of the staff people have been here for a long time, and I know we will return to this amendment and debate first thing in the morning. I will make my remarks mercifully brief and just alert the Members of the Senate and those who follow this debate of the nature of the amendment I am offering.

I think this amendment goes to the heart of politics, the best part of politics. It goes to a clash of ideas, a difference of opinion, a true choice for the Members of the Senate and for the people of the United States because the amendment I offer has become the cornerstone of the Presidential debate for the year 2000.

The two candidates who are the likely nominees of their party, George W. Bush and Vice President AL GORE, have one marked difference. Governor Bush has proposed a substantial—some would say massive and risky—tax cut. Vice President GORE believes that, as do many of the Members of the Senate and the House, with this surplus we anticipate in the coming years, our first priority should be the reduction of the national debt so that our children don't bear that burden, and that we don't have to generate in taxes every day of every year the interest payments on old debt.

Furthermore, Vice President GORE and many of us believe that we should take our surplus and dedicate it to preserving Social Security, making certain that Medicare will be there for many years to come. He believes, as many of us do, that we should have targeted tax cuts well within our means, consistent with our goal of reducing the national debt, and that we should then have specific spending priorities for education and health care.

On the other side of the coin, there is quite a different proposal. Governor Bush has suggested perhaps the largest tax cut that has been proposed in recent memory. Every politician applauds a tax cut, and most of us like to offer one. But certainly we don't want to do something that is unrealistic. I suggest to my colleagues that the Bush tax cut being offered in the Presidential campaign is not only unrealistic; it is risky. And if we are not careful, if we follow his campaign pledge and his advice, we could jeopardize the economic growth that we have seen over the past 7 years.

Twice in the Senate Budget Committee, I allowed my colleagues—both Republicans and Democrats—to go on record in reference to the Bush tax cut. I thought it was only fair that the Republican members of the Senate Budget Committee would have that opportunity to stand by their Presidential candidate and the cornerstone of his campaign, the Bush tax cut because, you see, the Senate budget resolution we are considering today, proposed by Senate Republican leaders, doesn't include Governor Bush's tax cut.

I think this is a terrible oversight and omission that the standard bearer of the Republican Party would come forward with a vision of America that includes a tax cut, and for some reason the Senate Republicans don't want to include it in their proposal for the course of action in America for the next 5 or 10 years.

So twice in the Senate Budget Committee I offered the Bush tax cut for an up-or-down vote, take it or leave it, stand by your man, the Republicans with the Democrats, make it clear you disagree.

I was disappointed to find that my Republican colleagues in the Senate Budget Committee did not want to go on record when it came to the tax cut proposed by the standard bearer of the Republican Party, the possible Presidential nominee, Governor George W. Bush. I think there is good reason for that. I will explain it in a minute.

But I said in the committee that if the Senate Republicans in the Budget Committee didn't want to vote for Bush's tax cut in the committee, I would feel duty bound to offer that same opportunity to all of the Members of the Senate here on the floor. After all, as we debate important policy questions such as funding and education and whether we are going to drill in ANWR, these are policy questions on which we go on record. We establish our positions by our votes.

I am hoping by offering this amendment that the Senate will go on record. The Republican Members have their chance with this amendment to stand up for the tax cut proposed by their Presidential candidate. I think they should vote no. Above all, I hope they don't continue to duck this vote. They cannot duck this vote any more than Governor Bush can duck the responsibility to explain his tax cut and what it means to America.

Take a look at where we have been in this Nation over the past 7 years and the progress we have made. Record budget deficits have been erased. We have had the largest paydown of debt in the history of the United States with $297 billion in debt reduction. We are on the right track. We have seen the smallest Government in over three decades while we have increased key investments in education and in training for the people of this country. The typical family has seen their tax burden lowered to a level where you would have to reach back to the 1970s to find a comparison. Investment has boomed.

Take a look at the investment that is mirrored by our stock exchanges and our investments across America and you will see that people have been putting money into companies for growth. It has paid off. Unemployment is the lowest in decades, the welfare rolls the lowest in decades, inflation under control, housing starts at record levels, and business creation at record levels.

Frankly, everything you like to see that is positive in our economy has been moving forward under the Clinton-Gore administration. Of course,

they can't take complete credit for that, but they can take some credit for it. They would certainly be blamed if we were back in the recessions of previous Presidents.

We have to say as well that some credit should go to the Federal Reserve because they have tried to quell the flames and forces of inflation, and they have been very effective in doing so. The Chairman of the Federal Reserve, Alan Greenspan, deserves credit for his leadership. I was happy recently to vote to reconfirm him for another term as Chairman of that important body.

But, on balance, most Americans believe we are headed in the right direction.

One American who apparently does not believe that is the Republican candidate for President because George W. Bush has proposed a dramatic change and a drastic shift in America's economic policy. He said we should take the surplus we see coming because of a strong economy and dedicate it to a massive and risky tax cut primarily for the wealthiest people in America.

If you take a close look at what this means, this chart shows our economy moving forward as a great ocean liner and a $168 billion proposed tax cut from the Presidential candidate, George W. Bush, that masks an iceberg of a tax cut that is so large, it would exceed the available surplus and force us to move into the Social Security trust fund to pay for it.

Our fear, and the fear of Chairman Greenspan and many others, is that such a tax cut at this moment in history would fire up an economy, create inflation, force increases in interest rates, and, frankly, doom the economic expansion we have seen for over 108 months, a record in the history of the United States.

Take a look at what the Bush tax cut would cost over a 5-year period of time based on research by the Center on Budget and Policy Priorities. It would be a $483 billion tax cut, and over 10 years it would be a $1.3 trillion tax cut.

What would be the impact of a $1.3 trillion tax cut on the Social Security surplus? As you can see, the non-Social Security surplus is $171 billion. That is what we can consider using for such things as debt reduction, targeted tax cuts, and expenditures on education. But George W. Bush would take $483 billion out for his tax cut. You may note that is far in excess of the amount that is available outside of the non-Social Security surplus.

The obvious conclusion is, to pay for the George W. Bush tax cut, you would have to raid Social Security. I find we have decided on a bipartisan basis that won't happen, that we will protect the Social Security trust fund.

That is why I believe the Republican Members of the Senate, if they share that belief, as I do, that Social Security should be protected, should vote against the George W. Bush tax cut. My amendment gives them a chance to go on record against this tax cut to make it clear that they want to protect Social Security and avoid a raid on the Social Security trust fund to make up the $312 billion difference in the first 5 years we would see if we followed George W. Bush's plan.

The obvious question is whether this Bush tax cut is fair and whether it would help American families. As I said earlier, all of us would like to see tax cuts. We would certainly like to go back to families in Illinois and across America and say to them, We can give you a break to help pay for your bills. Most of them would welcome it. But if you take a close look at the proposal from George W. Bush for his tax cut, you will see that most working families and middle-income families in America won't even notice a change.

If you notice, the bottom 60 percent of wage earners in America, those making below $39,300 a year, will see an average tax cut of about $249 a year, a little over $20 a month. That comes down to 75 cents a day they might see by way of George W. Bush's tax cut—60 percent of American families. But in the top 1 percent, the people who are making over $300,000 a year already, the George W. Bush tax cut is worth over $50,000 a year. Not only does this tax cut raid Social Security but the beneficiaries of it turn out to be wealthiest people in this country. Frankly, that isn't fair.

If we are going to jeopardize our economic growth, if we are going to in some way avoid the debt reduction, which most economists agree is important for the growth of America, you would think a tax cut on the table would at least benefit most American families. Honestly, it doesn't or, if it does, it is so small, they wouldn't notice it. Twenty dollars a month? That is what 60 percent of the working families of America would see. As I mentioned earlier, it would be at great expense and peril to the Social Security trust fund and others.

As I offer this amendment, I am hoping we can have a bipartisan consensus to tell Governor George Bush to go back to the drawing board, to come forward with a proposal, if you will, that is consistent with continuing the economic growth in this country and that in fact identifies as the highest priority the reduction of our national debt and doesn't jeopardize Social Security. Frankly, his tax cut does. That is why I think this Senate should go on record in opposition to it on a bipartisan basis.

There is a lot of criticism of current political campaigns across America: They are too long; they are too nasty; they are too negative. And virtually all of those criticisms are true. But if our political campaigns in this democracy are of any value, they are because we have a true clash of ideas, a difference of opinions, and a real choice for voters.

When it comes to the George W. Bush tax cut, there couldn't be a clearer choice.

I hope my colleagues in the Senate will accept their responsibility, step up, and say whether they endorse the proposal of the Presidential candidate on the Republican side for this tax cut or whether they believe, as Chairman Greenspan does, Vice President GORE, and most American people do, that it is an unwise course of action.

I understand, as most people do, that there are a lot of differences of opinion in the course of a campaign. But Governor Bush has been very specific in spelling out his tax cut. In order to achieve his tax cut, you not only have to raid Social Security, but when you go in the outyears beyond 5 years, to achieve it you have to cut dramatically in spending on very important programs for America.

If that is something which the Republican side of the aisle wants to embrace, so be it. I, frankly, think it is shortsighted to take over $3.7 million low-income women and children off the WIC Program, a nutrition program for children and pregnant women so their babies are born healthy and get off to a good start.

If you follow through on the George W. Bush tax plan, you see massive spending cuts in key programs such as WIC. There is a $4.8 billion cutback in the Pell Grant Program, meaning 784,000 college students who receive grants—not loans, because they are low income—would see those disappear.

Mr. President, 400,000 kids, $2.9 billion cuts in Head Start—does it make sense to offer a tax cut of $50,000 a year to some of the wealthiest people in America and at the same time cut back and eliminate 400,000 kids from the Head Start Program?

The community development block grant programs and so many other job training assistance and support programs would be decimated by the proposal of the Presidential candidate on the Republican side, Governor Bush.

I believe if we are to stand on the record for this Bush tax cut plan, we have to answer to the voters in Illinois and across the Nation why we are prepared to threaten the future of Social Security and Medicare; why would we make deep cuts in Medicare spending; why would we fail to invest in debt reduction and help these important programs to provide the largest tax cuts in history to the richest people in our Nation.

Eliminating the estate tax primarily benefits millionaires. I asked a group who came to my office recently who said they wanted to see the estate tax eliminated: What percentage of estates in America pay the tax? They didn't know. The answer is 1.3 percent. It is a very small percentage. It comes down to the fact that if we are going to eliminate those taxes on the richest people in America, we should only do it if we can justify it. I don't believe Governor Bush can justify it in terms of the benefits that it would mean for the rest of the people who live in this country.

I hope we will not jeopardize our economic prosperity. I hope we will follow

the model that has been suggested by Vice President GORE. I sincerely hope my colleagues in the Senate will not duck this opportunity to vote on the George W. Bush tax cut plan. If they are proud of their candidate, if they believe in his platform, if they share his vision, for goodness sake, have the courage to stand up and vote yes; if you disagree with his position, at least have the courage to go on the record and say so.

I hope, as in the Budget Committee, we don't run into the same experience on the floor where the Republican majority refuses to go on the record when it comes to the cornerstone of the campaign of the Republican Presidential candidate George W. Bush.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 9:30 a.m., Thursday, April 6, 2000.

Thereupon, the Senate, at 10:33 p.m., adjourned until Thursday, April 6, 2000, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate April 5, 2000:

THE JUDICIARY

Jay A. Garcia-Gregory, of Puerto Rico, to be United States District Judge for the District of Puerto Rico, vice Raymond L. Acosta, retired.

EXTENSIONS OF REMARKS

IN SEARCH OF A CURE: SUPPORT INCREASED FUNDING FOR DIABETES RESEARCH

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. MENENDEZ. Mr. Speaker, today I ask my colleagues to increase funding for diabetes and support a $1 billion diabetes research budget for the National Institutes of Health (NIH). I ask that Congress make the quest for a cure for diabetes a top national priority—there can be no cure without a significant increase in funding.

Diabetes has been called the ''epidemic of our time'' by the Centers for Disease Control and Prevention. In 1995, 135 million cases of diabetes were reported worldwide, and that is expected to exceed 300 million by 2025.

Diabetes is a debilitating and deadly disease: it affects 16 million Americans; it kills one American every three minutes; it is the leading cause of new adult blindness, kidney failure, and non-traumatic amputations; and it is a major risk factor for heart disease and stroke. Diabetes disproportionately affects young children, older Americans, and members of minority populations. In addition, expenditures for the treatment of diabetes are in excess of $100 billion and individuals with diabetes account for one in four Medicare dollars.

In the past, Congress has strongly supported providing the necessary resources to find a cure for diabetes, but funding has often fallen short of desired expectations. I strongly support the findings in the Diabetes Research Working Group's (DRWG) report, which has laid out a comprehensive plan for utilizing increased resources. The report indicates that diabetes research is significantly underfunded when compared to the burden of the disease and the scientific opportunities in the field.

I ask my colleagues to join me in substantially increasing funding for diabetes research. Let us put this terrible disease on the path to a cure. If we act now, diabetes will never again be the burden on society that it is today.

HONORING CLARA McKINNEY REDDELL

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. HALL of Texas. Mr. Speaker, it is my privilege to rise today to recognize an outstanding citizen of the Fourth District of Texas, Clara McKinney Reddell. Mrs. Reddell was selected by the Heritage Guild of Collin County last year to be the Guest of Honor at ''Celebrate the Century'', and she previously was nominated for the Sesquicentennial Award at the McKinney Chamber of Commerce Awards Banquet.

Mrs. Reddell is the great-great-granddaughter of Collin McKinney and the great-granddaughter of J.B. Wilmeth. Both of these men were integral in the development of their community, and Mrs. Reddell has dedicated her life to preserving the memories of the pioneers of McKinney and Collin County. Not only has she preserved the history of her community, she also has strived to keep them at the forefront of the community's consciousness. This is evidenced by her authorship of a widely circulated pamphlet entitled ''McKinney and Collin County'' which chronicles the history of the city, the county, and her namesake. Her latest endeavor to keep the history of this area alive is to spearhead a campaign to name the new public high school after J.B. Wilmeth. Mr. Wilmeth opened the first free school in the county in his own home in 1848.

Mrs. Reddell's contributions to her community have been enormous. In 1941, Mrs. Reddell became the McKinney Chamber's secretary. She worked on numerous projects, including the Veterans Administration Hospital, Lavon Dam, and Ashburn General Hospital. In addition to these duties, she served as the secretary-treasurer of the Chamber of Commerce Managers and Secretary Association of East Texas which spanned 72 counties. She was also certified for 21 years of study in Chamber of Commerce management at East Texas Short Courses for Chamber Managers and Secretaries. She also contributed her time and seemingly boundless energy to the Heritage Guild. She would perform the laborious tasks of sanding, removing tacks, stripping, and staining in order to restore furniture and in keeping with her character Mrs. Reddell absorbed the material costs of these endeavors.

In addition to her community service, Mrs. Reddell raised a wonderful daughter, now Shirley Ann Reddell Cooper. Mrs. Reddell was married to her late husband, Eugene R. Reddell, for eight years before his tragic death. Mr. Speaker, Mrs. Reddell has devoted a lifetime to her family, to her community, and to the preservation of history in Collin County. As we adjourn today, let us do so in honor of this great lady, Clara McKinney Reddell.

CONGRATULATIONS TO TAIWAN PRESIDENT-ELECT CHEN SHUI-BIAN

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. RADANOVICH. Mr. Speaker, on March 18, in their second direct presidential election, voters in Taiwan elected Democratic Progressive Party candidate Chen Shui-bian as their president. They did so despite China's repeated warnings to the voters not to elect Chen, whose party platform calls for independence from China. Chen's victory meant that the voters in Taiwan were brave enough to make their own decisions, clearly in defiance of Bejing's demands. It also meant that the voters were seeking change, as they believed that Chen, a grass-roots politician could better reflect their wishes—particularly regarding relations between Taiwan and the Chinese mainland. Chen is attractive because he carries no baggage from the past, and may be the only one who can negotiate a future for Taiwan that will be acceptable to both Taiwan and China. This is a tremendous challenge that will require all of the leadership skills that President-elect Chen and Vice President-elect Annette Lu can muster.

I am hopeful that both President-elect Chen and Vice President-elect Lu will be able to ameliorate relations with the People's Republic of China. Chen has already called for a ''peace-summit'' with Beijing and proposed to revise a provocative provision in the Democratic Progressive Party's platform asserting independence. Chen's efforts to extend himself to China must be commended. He will seek to decrease tension in the Taiwan Strait without sacrificing Taiwan's dignity and sovereignty.

Mr. Speaker, I also want to offer my best wishes to outgoing President Lee Teng-hui, who made the smooth and peaceful transfer from his party to the Democratic Progressive Party possible. Taiwan has always been a friend of the United States, and I encourage my colleagues in the United States Congress to give every support to Taiwan's new administration. Taiwan's stability and prosperity are always in the best interest of the United States.

A TRIBUTE TO EDWARDS LIFE SCIENCES

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Ms. SANCHEZ. Mr. Speaker, I would like to pay tribute to Edwards Life Sciences as they begin operating as a new, independent publicly traded company.

From the company's very beginning in the garage/laboratory of its founder, Miles ''Lowell'' Edwards, the name Edwards has been renowned for cardiovascular devices which have literally saved thousands of lives. In essence, the name Edwards is synonymous with ''miracle'' for over the past 40 years, as many lives have been saved due to the ingenious of Lowell Edwards.

When Edwards retired in Santa Ana, CA, he began to think of ways to invent an artificial heart. With his electrical engineering background, Edwards had already invented many devices, including the furl booster pump which was used by the U.S. Government in World War II. An artificial heart was foremost on his mind most of his life. His own heart had been damaged by rheumatic fever when he was thirteen. He had long sought to discover a mechanism to give people a new heart—and a new life.

Edwards believed that an artificial heart could be created and that it would work. Although skeptical at first, a young Dr. Albert Starr at the University of Oregon Medical School, suggested that he first invent an artificial heart valve. Edwards did invent a value and it was successfully implanted on September 21, 1960. When Edwards remarked that ''. . . making that valve was the luckiest think!'', he didn't realize the enormous implications of that statement.

Today, Edwards Life sciences employs over 1,600 dedicated men and women in Irvine, CA, and 6,000 worldwide. Edwards is a global leader in designing, manufacturing, and marketing medical devices and pharmaceuticals to treat late-stage cardiovascular disease. In recognition of over 40 years of scientific and medical advances, the founder's name is now honored in the new street name—''One Edwards Way.''

From inventor to creator of the first biotech company in southern California, Miles ''Lowell'' Edwards' legacy is now instilled into the hearts of the men and women who are now charged with the responsibility to continue the commitment to serve mankind. I commend all of you today as you begin your journey as Edwards Life sciences.

SMALL INTERNET BUSINESS

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. UDALL of New Mexico. Mr. Speaker, there is no doubt that the last few years have shown us the promise of the 21st century. Our economic growth has been spurred by the stunning development of the high-tech sector and Internet commerce, which have created tremendous new opportunities and new jobs. These opportunities promise only to grow in this century. I am aware that declining computer prices have kept inflation down . . . and that e-commerce will soon be a $400 billion business. The Internet is in its 11th year of annual doubling since 1988. There are over 44 million hosts on the Internet and an estimated 150 million users, worldwide. By 2006, the Internet is likely to exceed the global telephone network. Moreover, tens of millions of Internet-enabled appliances will have joined the Internet. We don't want government doing anything that would mess up all of that success. I believe the private sector should lead. But frankly, it is also government's duty to make sure companies follow the will of the people.

As Teddy Roosevelt told businesses almost 100 years ago, ''whenever great social or industrial changes take place, no matter how much good there may be to them, there is sure to be some evil.'' The fact is we have a protect the consumer. To me, privacy is the make-or-brake issue for all electronic commerce. If consumers feel when they buy a book or browse a magazine on line, that someone is keeping a personal profile on them, they'll stop buying books.

If they feel that when they apply for loans at different banks, a third party can learn about their personal finances, it will be the last time they bank on the Internet. More than 80 percent of Americans are concerned about threats to their privacy when they are on-line. More than 90 percent want businesses telling them how they will use personal information. When 80 or 90 percent of Americans agree on anything, you know this is serious.

The legislation that Congressman CAMPBELL and I propose is simple. We are recommending the establishment of a seal—much like FDIC or Good Housekeeping that instantly assures the consumer that the Internet site they are about to use holds itself to an internationally recognized set of basic privacy principles. This seal would be completely voluntary. Users would learn to recognize the seal as a guarantee that their personal information will not be collected or used without their consent.

I foresee small businesses particularly favoring this proposal because many of these companies have not yet established good reputations as have the larger, well known companies have. Here's a proposal that could touch every business owner in the country. Here's an idea that could give consumer's the confidence that their information is indeed private and is in safekeeping. This is an era of truly sweeping changes.

I want to tell the Chamber about a small business in my district: De La Pena Books. The proprietor, Bart Durham began the store as a ''By Appointment Only'' business dealing with old, rare, and antiquarian books which he operated from the De La Pena House, one of Santa Fe's historic homes which he owned at the time. Bart advertised in AB Bookman's Weekly and ran a direct mail business. By 1983 he had amassed quite a collection of books about New Mexico and published ''Catalog No. 1, New Mexico'' containing over 900 separately priced books about New Mexico history dating from the early 1800's. Mr. Durham mailed about 200 of these catalogs to his customers who responded quite favorably. Cataloging then became the method that I used to sell the majority of my books.

In 1990 his business began the open retail shop operation in the Santa Fe's Design Center. This move spurred the business into book sales of a more general nature and in 1996, the shop space next to Nicholas Potter Books on Palace Avenue became available. Sales increased substantially and all was fine until the rents on the property were significantly increased. To begin to pay that kind of rent meant that he would have to sell more books than his modest operation could locate and buy. The only alternative Bart Durham could see was to go on-line. He gave his notice and rented a three bedroom apartment where two of the rooms became dedicated to De La Pena Books. He designed his own web page, subscribed to some book locating services, and the business was off and flying. The first thing that he noticed was that all his ''dead stock'', books about the world beyond the limits of New Mexico, started flying out the door. His gross sales dropped off a little, but the net sales increased. Bart no longer needed to tend the shop for 8 hours a day and was free to do as he wished with his new found time.

Now, whenever Mr. Durham comes home, he goes on-line, check his e-mail, makes the electronic deposits through customers' credit card numbers, wraps up the sold books for shipping, and takes them to the post office in the morning. As he purchases new titles, he writes their quotes and posts them on-line. In his own words, Bart said to me: ''I love the book world, my computer, my web page, the on-line and e-mail phenomena, and the freedom that I enjoy to do as I wish with most of my time.''

Mr. Speaker, this legislation is intended especially for small Internet businesses like DelaPena books. These small business owners often do not have a reputation that allows the average Internet surfer to feel comfortable purchasing from their goods. However, a small e-commerce business can willingly place the seal on their site and inspire confidence and trust in consumers. This is an equal chance bill that will help large entities and the independent merchant alike.

Please give this voluntary on-line privacy and disclosure act your serious attention-for all Americans.

HONORING AARON KINSEY

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. HALL of Texas. Mr. Speaker, it is a privilege to share with my colleagues a speech written by an outstanding citizen of the Fourth District of Texas, Mr. Aaron Kinsey, who thoughtfully describes the elements of the free enterprise system upon which our country was built. Mr. Kinsey notes that there are four basic freedoms:

''The first of these freedoms is simply the freedom of economic choice. We, as Americans, inherently have the freedom to choose where we will work and for whom we will work. As business owners we have the freedom to make and sell whatever products we choose within the limits of public safety and welfare, and to charge whatever prices we feel will be the most profitable. And finally . . . we are free to take risks. Ultimately, the choices we make will determine our success and failure, and if we do fail, we know it was by a choice that we ourselves made.

''Our second basic freedom . . . is voluntary exchange . . . The priorities that determine what we do with our money are different for everyone, but the bottom line is that the decision is ours. In a free enterprise system, voluntary exchange works to the perceived advantage of both persons making the exchange.

''Our next basic freedom is our right to private property. This freedom gives us the right to do as we wish with our possessions. Our Founding Fathers showed us that they guarded this freedom by passing the 5th Amendment, which aside from addressing other issues, guarantees us our right to private property. These great men knew that private property gives an incentive for people to work, save, and invest. Naturally, people know that the harder they work, the more rewards they will receive. These rewards can be passed on to their children so that they can have a better life.

''Another freedom we as Americans have is a motivation to earn and increase our wealth. Under the free enterprise system, we are free to take risks in order to enhance our wealth and well-being. Any entrepreneur takes the risk; some succeed and some fail. For example, Ninfa Laurenzo of Dallas, Texas, was widowed with five children in 1969. In 1973, she

faced bankruptcy, but by 1993, she was the head of a multi-million dollar corporation. Ninfa's Inc. now operates 34 restaurants and employs 1,300 people . . .

''Finally, no discussion about free enterprise can be complete without addressing the importance of competition. Competition is the force that prohibits market anarchy. Competition does this by allowing businesses to enter and leave the market as they wish. When businesses are in a market together, they keep that market moving and improving. This improvement allows the customer to have the best product at the best price. Without competition, the monopolistic business can decide what the customer should have in addition to being able to set the price.''

Mr. Kinsey concludes that, ''American society would be very different if our Founding Fathers had not established a government in which free enterprise could thrive. Fortunately, we live in a system that allows us the freedoms of economic choice, voluntary exchange, private property, and profit motive. It is these freedoms that have helped make the American economy the greatest and most coveted in the world.''

A TRIBUTE TO E. TUNNEY MAHER, JR.

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. GILMAN. Mr. Speaker, I would like to take this opportunity to recognize E. Tunney Maher, Jr., an outstanding resident of my constituency who will be honored by the Hastings-on-Hudson Chamber of Commerce as its Hastings-on-Hudson Citizen of the Year on April 9th.

Tunney Maher is a lifelong resident of Hastings-on-Hudson who is retiring after 23 years as the director of St. Matthew's Christian Youth Organization basketball program. However, Mr. Maher has contributed significantly to the community in many other ways. For the last 19 years, Tunney has been employed in the Rehabilitation Department at St. Cabrini Nursing Home. In 1991 he was awarded the Archdiocesan of New York Parish Volunteer Award. He also has been named a Suburban Hero by Gannet Newspapers and was honored by St. Matthew's Roman Catholic Parish at its 1994 Annual Dinner.

Although Tunney has devoted himself to helping the citizens of Hastings-on-Hudson, his pride and joy has been his work with the CYO basketball program. There are currently 150 youths in the program now, and over 800 children have been a part of the program since its inception. However, Tunney has made certain that the program is not strictly basketball. He has made it a policy to have the youngsters give something back to the community by helping to feed the homeless, clean up the environment, and other projects that reflect a dual responsibility. Tunney reflects on his experience with the youth basketball program: ''It's a time-consuming thing, but it's worth it. There's a great deal of satisfaction when you've worked with these kids and you've done something positive for them.''

Mr. Speaker, I invite my colleagues to join in congratulating Tunney Maher, Jr. on receiving the citizen of the Year Award from the Hastings-on-Hudson Chamber of Commerce. I am confident the lessons he imparted to the youths of his village will assist them in developing into solid, productive citizens.

HONORING MR. ROBERT EUGENE ELLEDGE

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. GARY MILLER of California. Mr. Speaker, I rise to honor an American hero. Last week, I had the opportunity to present Mr. Robert Eugene Elledge, of Pomona, CA, with the Order of the Purple Heart for Military Merit.

This event was truly special because Mr. Elledge is a Korean war veteran who served our Nation nobly and honorably. Unfortunately, Mr. Elledge had to wait 49 years to be honored for his sacrifices.

On May 9, 1951, Mr. Elledge and his division marched throughout the night in pouring rain to reach the hill they were ordered to capture. Early the next morning, the Communist Chinese Forces and North Korean Forces began their May offensive. This operation was designated ''The Second Chinese Communist Forces Spring Offensive,'' also known as the Battle of Soyang or as Mr. Elledge recalls it, the May Massacre.

The May Massacre began with planes overhead, dropping leaflets. Mr. Elledge heard pilots talking over loudspeakers in a foreign language. His division ate a hot breakfast, and then they were ordered to attack.

As Mr. Elledge began to crawl up the hill, his helmet was cracked into pieces by enemy fire, rendering him unconscious. He awoke disoriented, and found himself crawling down the hill, where he found a medic. The medic began bandaging the wounds on his head and neck, treated his pain, and placed him on the ambulance. Then, they told Mr. Elledge that his company had been annihilated—only four had survived.

Mr. Elledge received treatment for these wounds in South Korea, Japan, and at Fort Custer, MI. A hometown hero, Mr. Elledge was featured in an article in the Quincy Herald Whig. He received the Combat Infantry Badge and the Bronze Service Star. However, he never received the medal that is most frequently associated with individual sacrifices to our Nation—the Purple Heart.

The Order of the Purple Heart for Military Merit is the oldest military decoration in the world presently used, and the first award made available to the common soldier. This honor was begun early in our Nation's history by another soldier, Gen. George Washington. General Washington, although considered a stern commander, was always appreciative of the troops who served him so loyally. His order permitting meritorious soldiers to wear the figure of a heart on purple cloth over the left breast began the tradition of this combat decoration.

Today, the Order of the Purple Heart for Military Merit may only be awarded to a member of the Armed Forces who is killed or wounded in action.

Forty-nine years ago, Mr. Elledge felt that his experience fell within this definition, and he began to inquire about when he might receive this honorable award.

But, it seems that the paperwork requesting the medal was lost. In fact, back in 1951, the Army told Mr. Elledge that his service records were missing, and that he would most likely have to wait several years to receive his Purple Heart.

Last Friday, 49 years after surviving the May Massacre, tears came to Mr. Elledge's eyes when he received the medal he had waited for so patiently.

The Korean war is often referred to as our ''forgotten war''. While his paperwork may have been forgotten, the sacrifices that Mr. Elledge made for our country in Korea will always be remembered.

This year, we mark the 50th anniversary of the Korean war, a time to commemorate not the war, but rather the veterans thereof and the sacrifices they made to preserve democracy on the Korean Peninsula almost 50 years ago. My colleagues, I encourage you to take the time to recognize the American heroes in your district, and to ensure that their sacrifices are not forgotten.

TRIBUTE TO MARY ROMANO

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the deeds of a remarkable woman from my district, Mary Romano of Maplewood, New Jersey, who was feted on Sunday, April 2, 2000 at Cryan's Beef & Ale in South Orange, New Jersey to mark her retirement as Maplewood Democratic Chair. Due to her many years of service and leadership, it is only fitting that we gather here in her honor, for she epitomizes a strong spirit of caring and generosity.

Born in Mount Pleasant, Pennsylvania, Mary is one of four children of the late Sarah and John Melillo who came to the United States from the Province of Avellino, Italy. When she was five years old, her parents moved from Pennsylvania to the Roseville section of Newark, New Jersey. She was educated in the Newark School system and graduated from Central Technical and Commercial High School.

Mary continually touches the lives of the people around her. She is an active member of many organizations including, Maplewood Seniors, St. Joseph Rainbow Seniors, Maplewood Service league and Maplewood Women's Club. In addition to her duties as municipal Democratic Chair she has held numerous other leadership positions including, Treasurer of Immaculate Heart of Mary Rosary Altar Society, Vice President of the Ladies Auxiliary of the South Orange BPOE 1154 and Executive Board Member of the John J. Giblin Association. She is currently the corresponding secretary of the Giblin Association. She retired in 1987 from the Essex County Office of Public Information, where she was Secretary to the Director.

Known for a questioning mind and an ability to get things done, Mary has devoted much time and energy to numerous Democratic organizations. Her many duties include, Vice Chair and Current Chair of the Maplewood

County Committee, Delegate to the New Jersey Democratic Convention in 1983, Co-Chair of volunteers in Northeast New Jersey for Jim Florio's 1990 Gubernatorial campaign, and a volunteer for the National Governors Association 84th Annual Meeting in Princeton, New Jersey.

As an involved resident of Maplewood, she is always ready to participate in activities and contribute to the public good. Numerous groups including, the John J. Giblin Association, the American Heart Association, the American Cancer Society and the Maplewood Senior Club II have honored her. The latter group named her Senior of the Year.

Mary has been married since 1946 to Nicholas F. Romano, who is retired from the Newark Board of Education. She has lived in Maplewood since 1961. Her two children are Nicholas Francis Romano, Jr. and Mary Michele Fox. She has three grandchildren, Christina Marie Romano, Joseph Timothy Fox and the twins Jessica Lynn Romano and Anthony Romano.

Mr. Speaker, I ask that you join our colleagues, Mary's family, friends, the Democratic Party, the Township of Maplewood, the State of New Jersey and me in recognizing the outstanding and invaluable service to the community of Mary Romano.

ESTABLISH A CENTER IN THE DIAMOND VALLEY RESERVOIR

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. CALVERT. Mr. Speaker, I'm pleased to introduce legislation that will assist in establishing an interpretive and cultural center in the vicinity of the Diamond Valley Reservoir in southern California. This center will preserve, protect and make available the extraordinary discoveries that were uncovered during the construction of the Diamond Valley Reservoir to all citizens of the United States.

During the past five years, the construction of the Diamond Valley Reservoir outside of Hemet, California has been the largest, private, earth moving construction project in the United States. The Reservoir is now the largest man made lake in southern California. It covers 4,500 acres, is 4.5 miles long and 2 miles wide and is 160–250 feet deep. The cost of $1.8 billion for construction was totally borne by the residents of southern California. The reservoir will provide a desperately needed emergency supply of water for the city of Los Angeles and the surrounding area.

During the construction and excavation of this massive project, extraordinary paleontology and archeology discoveries were uncovered. Unearthed were 365 prehistoric sites, pictographs, petroglyphs, stone tools, bone tools, and arrow heads. In addition, a preserved mastodon skeleton, a mammoth skeleton and a 7 foot tusk and bones from extinct animals previously unknown to have resided in the area including the giant Long-Horned Bison and an enormous North American Lion were discovered. In addition, the construction of the Diamond Valley Reservoir unearthed the largest known accumulation of late Ice Age fossils known in California. The scientific importance of this collection may now rival California's other famed site, the La Brea Tar Pits.

It is my honor to introduce legislation which will be the first step in preserving this world class collection of archaeological, paleontological and late Ice Age fossils for future generations.

RECOGNITION OF THE OHIO VALLEY CHAPTER OF ASSOCIATED BUILDERS AND CONTRACTORS PARTNERSHIP WITH OSHA

HON. DAVID L. HOBSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. HOBSON. Mr. Speaker, I rise today to commend an historic partnership between the Ohio Valley Chapter of the Associated Builders and Contractors (ABC) and the Occupational Safety and Health Administration (OSHA). The agreement provides incentives for contractors to voluntarily improve their safety performance under the high-standard guidelines set by the partnership while OSHA will recognize those contractors with exemplary safety programs. This cooperation signifies that the participants are committed to ensuring the highest standards of workplace safety.

I want to recognize the local Ohio leadership of ABC in forging this partnership which is beneficial to workers, contractors, and OSHA. Additionally, I would like to recognize the OSHA Area Director, William Murphy from Cincinnati, Ohio, for his hard work in making this alliance possible.

The Associated Builders and Contractors and OSHA have always shared a common goal: saving lives and protecting the well-being of local workers. Now they have a partnership which provides a model for cooperation between the public and private sectors. This new level of cooperation will allow both groups to more effectively meet their goals and maintain the levels of safety which make American workers the best in the world.

I am pleased to recognize and commend this partnership and I am hopeful that it will set the stage for future cooperation in other industries.

IN MEMORY OF THE LATE MENEFEE (CHUCK) D. BLACKWELL

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. SKELTON. Mr. Speaker, it is with deep sadness that I inform the House of the death of Chuck Blackwell, a former Lexington, Missouri, resident and graduate of Wentworth Military Academy. He was 84.

Chuck, a son of the late Horace F. and Berrien Menefee Blackwell, was born on February 17, 1916. He attended Wentworth Military Academy in Lexington, Missouri, and graduated from the University of Missouri-Columbia in 1936. While in college, he was a member of Phi Beta Kappa and Phi Delta Theta fraternity. Then, he attended the University of Michigan Law School, where he was elected to the Order of the Coif and a member of Phi Delta Phi law fraternity. Upon graduation in 1939, he joined a law firm then called McCune, Caldwell & Downing.

Chuck left the law firm in 1942 to serve his country during World War II. He rose from the rank of second lieutenant to major while assigned to the Fourteenth Armored Division, Army of the United States, from 1942 until 1946. A war hero, his military service was recognized with a Silver Star, a Bronze Star with oak leaf cluster, a Purple Heart and three battle stars.

In 1948, Chuck rejoined the law firm, known for many years as Blackwell, Sanders, Matheny, Weary & Lombardi, where he served as a managing partner. Professional affiliations developed during his 57 year law career included the Kansas City Metropolitan Bar Association, the American Bar Association, the Missouri Bar and the Lawyers Association of Kansas City. He also served on many corporate boards.

Chuck was also involved in many civic and charitable activities in his community. He was a University Trustee of the Nelson-Atkins Museum of Art from 1957 to 1991. Additionally, Chuck was a member of the Board of Governors of the American Royal Association, Vice President and Director of the Charles R. and Minnie Cook Foundation, board member of the Jacob L. and Ella C. Loose Foundation and the Greater Kansas City Community Foundation, Trustee of the Loretta M. Cowden Foundation and the Midwest Research Institute, and Director of the Starlight Theatre Association. Furthermore, Chuck was an avid hunter and fisherman and loyal Kansas City Chiefs, Kansas City Royals and Missouri Tigers fan.

Chuck married the late Mary Lou Harris Blackwell of Kansas City on April 25, 1942. They were married for 56 years and had one son, the late Stephen M. Blackwell.

Mr. Speaker, Chuck Blackwell was my good friend and a great American. I know the Members of the House will join me in extending heartfelt condolences to his family.

IN MEMORY OF THE LATE MORRIS ABRAM

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. GILMAN. Mr. Speaker, I rise today to pay tribute to Morris B. Abram, an outstanding leader of the American Jewish community and an activist in the civil rights movement whose accomplishments helped shape our country and typified the ideal of public service. His death last month at the age of 81 was a loss to all of us who counted this great American as a friend and mentor on the ways to promote civil rights at home and human rights abroad.

He served as the president of Brandeis University and was asked by five presidents to take a lead role in a number of commissions and panels that promoted equal educational and housing opportunities for all Americans, and protection of our seniors against corruption in the nursing home industry and greater respect for human rights around the world.

Having served on the staff of the International Military Tribunal at Nuremburg, he

learned first-hand about the Holocaust and dedicated himself to the Jewish community, serving as national president of the American Jewish Committee from 1963 through 1968, Chairman of the National Conference on Soviet Jewry from 1983 through 1988, and chairman of the Conference of Presidents of Major Jewish Organizations from 1986 through 1989.

President Bush designated him as the United States Permanent Representative to the United Nations in Geneva, and he remained in this city after completing his ambassadorial term to head up Human Rights Watch which highlights the successes and shortcomings of the United Nations. In his capacity as chairman of this group he testified before the International Relations Committee in July of last year on promoting equal treatment of Israel in the United Nations.

Earlier this year on a committee trip on UN issues in Geneva, I was privileged to have dinner with him and his wife, the former Bruna Molina, where I sought his counsel on how we can ensure the all UN members, including Israel, have the right to sit on all UN bodies including the UN Security Council, I ask my colleagues to join me in remembering this Great American who battled injustice and discrimination wherever and whenever he found it.

TRIBUTE TO JIM ''LABBY'' LABAGNARA

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. PASCRELL. Mr. Speaker, I would like to call your attention to a remarkable person from my district, Jim ''Labby'' LaBagnara of Paterson, New Jersey, who was feted on March 30, 2000 because of his many years of service and leadership. It is only fitting that we gather here in his honor, for he epitomizes a strong spirit of caring and generosity.

Jim ''Labby'' LaBagnara was born, raised and still lives in Paterson. He attended Eastside High School and earned five varsity letters in baseball and soccer as a student.

In addition to playing for Eastside, he played baseball for the Emblems, American Legion Post 77, Public Service Electric & Gas, Fair Lawn A.C., Little Falls A.C., Glen Rock A.C. amongst other baseball teams in Northern New Jersey.

''Labby'' had a try out with the St. Louis Browns Major League Baseball Team. In addition, he was also offered baseball scholarships to Duke University, the University of North Carolina and Manhattan College. He pursued a career in baseball and was under contract with two Minor League teams.

His life took an interesting turn when he was offered a job at Wright Aeronautical under the condition that he played baseball and soccer for them. While working at Wright, he learned to be a Machinist and to fly. He furthered his education and received an Aircraft and Engine Mechanic's License. He later became the Chief Pilot of Lincoln Park's Aero Flying Service, where he stayed until the bombing of Pearl Harbor, signaling the beginning of World War II. He then joined the Naval Air Force, and served with honor.

After the war he pursued the fields of flying and sports. He is the Founder and President of Precision Gears and Products, Aero Flying Service, Eastern Gear, Inc., which he sold to Baker-Hughes Company. After selling the company, he went on to work for Baker-Hughes for another 24 years. These years instilled in him the skills necessary for him to become a stellar role model in the community.

During this time he taught nearly 1,000 student pilots. He currently holds an Instructor's License as well as a Commercial Pilot's License for small and multiengined aircraft with instrument rating. He has flown land planes, seaplanes and helicopters.

''Labby'' is married to Alma LaBagnara and together they have three children including, Elissa, Susan and Dr. James LaBagnara, Jr. He continually touches the lives of others. For example he has sponsored and coached baseball for 47 years. As a player his batting avg. was .340. As a coach, he is seen as both a father figure and mentor to his players.

His benevolence is unequaled in sports. He is always willing to give his time and financial support. He sponsored the Precision Gears Baseball Team, which played in the American Legion Baseball League. In 1961, he joined with the All Wags A.C., Inc. to manage the Pasquariello-Bradle Post 187 ''All Wags'' Team, which brought numerous State and regional championships to the Paterson based group for over 35 years.

Mr. Speaker, I ask that you join our colleagues, Labby's family, friends, All Wags A.C., Inc., the City of Paterson, the State of New Jersey and me in recognizing the outstanding and invaluable service to the community of Jim ''Labby'' LaBagnara.

LONGTIME SCOUT LEADERS HONORED

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. LIPINSKI. Mr. Speaker, on April 12th, 2000, the Chicagoland Forest District will be sponsoring the 10th Annual Good Scout Benefit at Palermo's Fine Italian Cuisine & Banquets in Oak Lawn, Illinois. Every year at this event, longtime contributors to scouting are honored with the Good Scout Award. Youth scouting is a vital effort in Southwest Chicagoland, providing tomorrow's leaders with important values through outdoor recreation and community service. This year's recipients are Bill Hawkinson and Bob Wilcox. It now gives me great honor to recognize these scout leaders from the 3rd Congressional District for their vital service to our community.

William ''Bill'' Hawkinson is a lifetime resident of South-side Chicago. Shortly after graduating from Purdue University, he moved to Oak Lawn in 1968. In 1975, Bill would become the Finance Chairman of District 06 for two years, helping to greatly expand the profile of local scouting. In his first year as Finance Chair, Bill was honored for his outstanding service with the Arrowhead award. Two years later, he would become District Chairman for a full year.

Today, Bill remains deeply committed to the community and local scouting. Besides running two successful automotive dealerships, he actively volunteers for medical, educational and religious organizations in Chicagoland. Mr. Hawkinson still lives in Oak Lawn with his wife, Rickie, both proud parents of Jeff (26), April (21), and Erica (15).

Robert ''Bob'' Wilcox has been actively involved in local scouting for 62 years. Bob's lengthy resume includes service as Committee Chairman for St. Rita Troop 600, Commissioner Staff in the Iroquois and Forest District, and Vice-Chairman in the Iroquois District. For 12 years, Bob served as Scoutmaster for Troop 600, administering over 60 scouts. Over the years, Bob Wilcox received numerous scouting awards. In 1973, he received the distinguished St. George Award by Cardinal John Cody at Holy Name Cathedral.

Bob's family clearly reflects his commitment to scouting. His son Robert is an Eagle Scout and Assistant Scoutmaster for Troop 33 of La Grange, Illinois. Bob's daughter Jeanny is an Assistant Leader in Girl Scout Troop 170. All four of Bob's grandchildren are also involved in scouting.

Fortunately, Bob's many talents have not been limited to scouting. In addition to his previously described proficiencies, Mr. Wilcox is a highly-respected retired 44-year optician and co-owner of Mahoney-Wilcox Opticians on North Michigan Avenue in Chicago.

Again, it gives me great honor to recognize these scout leaders today. Mr. Speaker, I hope Bill Hawkinson and Bob Wilcox will continue to use their strength and leadership to set a positive example to the citizens of the 3rd Congressional District of Illinois.

A TRIBUTE TO LISA SPECHT

HON. HOWARD L. BERMAN

OF CALIFORNIA

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. BERMAN. Mr. Speaker, my colleague, Mr. WAXMAN and I, rise today to pay tribute to Lisa Specht who will be honored by the American Jewish Committee as the recipient of the prestigious Learned Hand Award, named in memory of Judge Learned Hand and presented annually to a leader of the legal profession who has been ''a voice of understanding and goodwill.''

We have known Lisa for many years and have greatly enjoyed our friendship with this charming and accomplished woman.

She is an individual of many talents. In her distinguished career, she has been a television commentator and panelist, a community activist, a feminist and of course, a top-notch lawyer. The Los Angeles Business Journal lists her as one of Los Angeles County's most prominent attorneys and California Law Business has named her as one of California's top 100 Attorneys.

As a senior partner at the law firm of Manatt, Phelps & Phillips, Lisa specializes in representing the firm's clients before governmental entities. Her considerable political acumen makes her a powerful force on their behalf. in addition, she serves as a strategic policy and business advisor to many corporate presidents and CEOs.

A champion of women's rights, Lisa was a co-founder of the Women's Political Committee over twenty-five years ago and has

worked tirelessly to recruit and support progressive woman candidates who run for public office. She serves on the national board of the National Organization of Women Legal Defense and Education Fund, and she is a Board Member and former officer of Bet Tzedek Legal Services.

Her interest in improving her community has led her to give generously of her time, energy and skills to numerous boards and commissions including the Industry Policy Committee of the United States Department of Commerce and the Recreation and Parks Commission of the City of Los Angeles. She is also a Trustee of Pitzer College.

Supported by her husband, Ron Rogers, Lisa has been a great force for good in her chosen profession and in her community. We are extremely proud of her many accomplishments and ask our colleagues with great pleasure to join us and the American Jewish Committee in paying tribute to a remarkable person and a wonderful friend, Lisa Specht.

TRIBUTE TO CAPTAIN CHRISTOPHER H. RISING

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today to recognize the outstanding career of one of the New York City's finest, Christopher H. Rising, who today is being sworn in as Captain for the New York Police Department. For the past 15 years, Captain Rising has not only had a distinguished career with the New York Police Department, but has also been an outstanding leader on Long Island.

As a life long resident of Long Island, Captain Rising began his career before earning his degree from St. John's University. Never one to be satisfied with almost, Captain Rising finished his degree at night. After his graduation, he decided to pursue a law degree as well. Captain Rising spent four long years attending St. John's University Law School at night, while continuing to meet all of his responsibilities as a police officer during the day. To his credit and endurance, he not only earned the Juris doctorate, but he did so with honors.

A dedicated family man to his wife, Trish, and their daughter Kaitlin, Captain Rising balances his life with his two loves—his family and his career.

Which is why I would like to thank Captain Rising for his dedication to the people of New York. New Yorker's like him make all of us proud.

IN MEMORY OF THE LATE GEORGE WHITNEY

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. GARY MILLER of California. Mr. Speaker, today I note with great sadness the passing of Mr. George Whitney, one of the great community leaders of Upland, California.

Mr. Whitney unselfishly dedicated his life to improve the lives of others. He was a founding trustee of Pitzer College of the Claremont Colleges. He served Good Samaritan Hospital, the California Historical Society, the Southwest Museum, and the I.N. and Susanna H. Van Nuys Foundation. He also served as president of the Friends of the Huntington Library and the Zamorano Club.

An Upland pioneer, Mr. Whitney moved to the city as a toddler in 1916 and lived there until his passing in January. During that time, the San Gabriel Valley experiencing an unprecedented amount of growth. From 1951 until 1963, Mr. Whitney headed the Upland Planning Commission that was responsible for designing the city's master plan. Because of his commitment to integrating the city's rich heritage with ample open space, Upland has maintained its rural atmosphere nestled at the base of the San Gabriel Mountains.

Mr. Speaker, Mr. Whitney inspired his children, his peers and all who knew him. With his passing, our community has lost a mentor, a great leader and a friend. God bless him and his family.

INTRODUCTION OF LEGISLATION ON SHIP SCRAPPING

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. DEFAZIO. Mr. Speaker, I rise today to introduce legislation to address the pressing problem of how to safely dispose of the U.S. fleet of obsolete vessels which are threatening to pollute our nation's waterways. Currently, the U.S. Maritime Administration maintains a fleet of vessels located in waterways around the country that are designated for disposal. However, due to limitations under current law and concerns about the conditions under which these ships could be scrapped, these ships remain rotting at anchor with no easy disposal option in sight.

My legislation would authorize funding for a ship scrapping pilot program at the U.S. Maritime Administration (MARAD). The legislation would allow MARAD to pay qualifying U.S. shipyards to scrap its obsolete vessels.

Under current law, MARAD is required to make money off of its ship scrapping program. However, because of the considerable expense of scrapping vessels in the U.S., MARAD has had difficulty in selling its obsolete vessels to U.S. shipyards. Until 1994, MARAD sold most of its vessels designated for scrapping to overseas shipyards. Many of these ships ended up in shipyards in India where workers toiled in horrific conditions. A series of articles in the Baltimore Sun in December 1997 highlighted the environmental and worker safety hazards facing the workers who toiled on former U.S. government-owned ships in India.

Following the 1997 articles and under pressure from the Environmental Protection Agency and the U.S. Congress, MARAD stopped sending its obsolete vessels overseas. MARAD has not sold ships for scrapping overseas since 1994. However, there are few options in the U.S. for scrapping the obsolete ships.

Shipyards scrapping vessels in the U.S. must abide by U.S. labor and environmental laws, making it a costly process. However, under MARAD's statutory mandate to maximize financial returns on its obsolete vessels, it must try to sell the ships for scrapping. Meanwhile, MARAD's vessels are in extremely poor condition and pose environmental risks because they contain hazardous substances such as PCBs and asbestos. A recent Department of Transportation Inspector General (IG) report cited these risks to illustrate why MARAD's ship scrapping program needs to be revamped. The IG report recommended changing the law requiring that MARAD maximize financial returns on the sale of its obsolete vessels.

''Environmental dangers associated with MARAD's old, deteriorating ships are very real and increasing daily,'' the IG report stated. ''Some vessels have deteriorated to a point where a hammer can penetrate their hulls.''

It's time to let go of the fantasy that the U.S. government can make money off of its obsolete ships. We should allow MARAD to pay shipyards to do the scrapping in a responsible and safe manner here in the U.S. By allowing MARAD to pay for ship scrapping, MARAD can reduce its inventory of obsolete ships and remove the threat these vessels pose to our waterways. In addition, paying shipyards to do the scrapping work will create secure well paid jobs in a domestic industry in need of new business.

And finally, allowing MARAD to pay for ship scrapping, may save money for the U.S. in the long run. In fiscal year 1999, it cost MARAD $5.2 million to maintain its fleet of obsolete vessels. This is only the tip of the iceberg. With no solution for disposing of its ships in sight, MARAD's inventory will continue to grow. The inventory of obsolete vessels has almost doubled over the last two years. It now totals 110 vessels, with 88 designated for scrapping. The U.S. Navy expects to transfer 18 additional vessels to MARAD by the end of fiscal year 2001 alone. As these vessels continue to deteriorate the cost to keep them afloat rises. For example, in 1999, MARAD spent $1 million for an emergency hull repair for one vessel alone.

My bill would establish a pilot program, similar to the one launched by the U.S. Navy, to pay qualified U.S. shipyards to scrap its vessels. The bill authorizes $40 million over three years for the program.

The government's current options are to send its vessels to overseas shipyards where third world workers toil in unspeakable conditions, or leave them in U.S. harbors where they risk polluting our waters. Unfortunately, without financial incentives like those in my legislation, these ships are not going anywhere.

The federal government needs to take responsibility for the environmental hazards and safety risks posed by these vessels. My legislation is a step towards solving this problem.

INTRODUCTION OF THE WORKER ECONOMIC OPPORTUNITY ACT: PROTECTING THE DOT-COM AMERICAN DREAM

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. CUNNINGHAM. Mr. Speaker, today I am honored to introduce the Worker Economic

Opportunity Act, the House companion identical to S. 2323 introduced in the other body by Senators MITCH MCCONNELL and CHRISTOPHER DODD.

This legislation, supported in the House and Senate, by Republicans and Democrats, with the involvement of the private sector and the Labor Department is being introduced for one reason: to protect the dot-com American Dream.

It will secure the opportunity for 65 million Americans, union and non-union, who are hourly and non-exempt employees to be awarded stock options and other equity arrangements, without fear that a ''piece of the rock'' will hurt their overtime pay or expose employers to bizarre and unintentional liability.

Recently, the Labor Department ruled that one part of one old, very important law—the Fair Labor Standards Act of 1938—effectively and quite unintentionally endangered the New Economy practice of awarding stock options to line employees.

The writers of that law never imagined that anyone but the most senior executives could be awarded stock options. Under the FLSA, profits from stock options would have to be taken into account when computing overtime, an impossible task that endangered both stock options and overtime pay for hourly workers.

But today, workers demand them. And employers are offering them.

The Sunday San Diego Union-Tribune, the Washington Times and Washington Post, the Wall Street Journal, and most every major metropolitan daily newspaper employment section is packed with job after job that offers stock options, stock options, stock options. That's good for workers, and good for America, and part of the dot-com American Dream.

This bill is straightforward. It exempts these stock options and equity-sharing benefits of the New Economy from affecting people's rightful overtime pay yesterday, today and tomorrow.

It's supported by Republicans and Democrats, the House and Senate, and the Administration, and the private-sector Coalition to Promote Employee Stock Ownership representing over 100 associations and employers.

PUBLIC RECOGNITION

I want to recognize and thank several Members and other individuals whose work on this has been so important.

On the Republican side, these members include Representatives STEVE KUYKENDALL, TOM DAVIS and DOUG OSE, and Workforce Protections Subcommittee Chairman CASS BALLENGER, the gentleman from North Carolina, whose panel has jurisdiction over this issue.

On the Democratic side, these members include Representatives JIM MORAN, CAL DOOLEY, ANNA ESHOO, TIM ROEMER, and many others.

The Senate has been a strong partner, side by side working together with us in the interests of American workers. I want to commend the Labor Department, including Secretary Alexis Herman, and Mr. Earl Gohl in the office of the Secretary, for their conscientious hard work. Lastly, I want to express my appreciation to the over 100 trade associations and employers who participated in the private-sector Coalition to Promote Employee Stock Ownership, led by the able personnel of the American Electronics Association.

I look forward to my friend Chairman BALLENGER taking up this important legislation in committee. Given that it has strong bipartisan, bicameral, Administration and private sector support, that it will be moved promptly, sent to the President, and signed into law. Together, we will score a win for employees and employers, for high-tech and low-tech, and for the American Dream.

ADDITIONAL INFORMATION

Mr. Speaker, a great deal of information about this issue is available on the Internet. For the benefit of my colleagues, I wish to include in the RECORD several web links that provide helpful background information. These include:

The LPA (formerly Labor Policy Association) has several backgrounder papers, congressional testimony, and news releases available at http://www.lpa.org.

The Employment Policy Foundation likewise has a background paper on this issue at http://www.epf.org.

The Association of Private Pension and Welfare Plans (APPWP) has background information on stock options at http://www.appwp.org/stockoptions.html, and on stock ownership by nonexempt employees at http://www.appwp.org/stock_ownership_nonexempt.html.

The House Education and Workforce Committee, Subcommittee on Workforce Protections has posted the prepared testimony from its public hearing on this issue at http://www.house.gov/ed_workforce/hearings/106th/wp/flsastockop3200/wl322000.htm.

I encourage Members who wish to cosponsor this bill to contact me as soon as possible.

''THE KEEP THE COLORADO RIVER CLEAN ACT''

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. GEORGE MILLER of California. Mr. Speaker, ten and a half million tons of toxic mine wastes generated by the now-defunct Atlas Mine are stored in a tailings pond located immediately adjacent to the Colorado River near Moab, Utah. The tailings pond, built in the 1950's is not lined, and as a result, these radioactive and toxic wastes are seeping down through the aquifer into the Colorado River.

Water from the Colorado River makes up a significant part of the drinking water supply for Los Angeles, San Diego, Las Vegas, Phoenix and Tucson, and is used additionally to irrigate hundreds of thousands of acres of agricultural lands. Moreover, the tailings pond, which has been designated as critical habitat for four endangered species, is situated between Canyonlands and Arches National Parks.

Leaving a huge, leaking tailings pile right next to the Colorado River does not make sense. In the event of flood, the river could easily be contaminated. Yet, until recently, the federal government was willing to allow the Atlas Corporation to reclaim the site by simply placing a dirt cap over the top of the pile. This plan will not stop contamination of the Colorado River, which is expected to continue for hundreds of years. To address this problem, on January 19, 1999, Representatives PELOSI, GUTIERREZ, FILNER and I introduced H.R. 393, a bill to require the Department of Energy to move the tailings to a safe location and then direct the Attorney General to ascertain the liability of the Atlas Corporation, and its parent companies, to secure reimbursement as appropriate. This bill was referred to the Commerce Committee where it has languished.

I introduced this bill after years of advocating removal of these toxic wastes from the banks of the Colorado River. But, until now the Executive Branch has refused to take responsibility for cleaning up this site. Thankfully, Energy Secretary Bill Richardson has recognized the foolishness of this approach and, earlier this year, proposed an ''agreement-in-principle'' that will enable the abandoned Atlas uranium mill tailings site to be moved away from the Colorado River to a safer location. The Administration has also requested $10 million for fiscal year 2001 to undertake the studies and data collection necessary to reclaim the Atlas site.

In addition to moving the toxic tailings away from the Colorado River, Secretary Richardson's proposal also includes solutions to several other public lands issues in Utah: the return of certain federal lands to the Northern Ute Indian Tribe; reservation of a production royalty on future oil and gas development of those lands; and protection of a quarter-mile corridor along 75-miles of the Green River adjacent to Ute tribal lands.

This week, I joined Representatives CANNON, FILNER, NAPOLITANO, and 47 other House colleagues in sponsoring H.R. 4165—a revised bi-partisan bill that will accomplish the full range of goals outlined by the Department of Energy and Interior—and most importantly, will assure that the toxic mill tailings are moved away from the Colorado River to a safe location.

DENMARK'S CROWN PRINCE MAKES DARING TREK ACROSS GREENLAND

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. LANTOS. Mr. Speaker, as a Co-Chair of the Danish Caucus, I would like to take a moment to recognize and commend the actions of the young heir to the Danish throne, Crown Prince Frederik. It is quite encouraging to see a young man who serves as a model of behavior for the youth of Denmark and who uses his time and influence to educate others and serve his country. Presently—instead of lounging about Frederiksborg, the Danish Royal Palace—Prince Frederik is serving as the medic for a four month, 2,200 mile dog sled expedition across Greenland with five other members of the Greenland patrol.

The Los Angeles Times (March 3, 2000) described the Prince's adventure: ''The 31-year-old heir to the Danish throne has . . . served in the army, navy, and Danish version of the Seabees. The Harvard graduate will get his pilot's license and will train with the air force after the Greenland expedition, [called] Sirius 2000.''

Every step of Sirius 2000 is broadcast on the expedition's website (http://www.expedition.tv2.dk), which has drawn

''enormous interest, especially among school children who are following the expedition as part of their studies,'' according to Freddy Neuman, whose public relations agency is handling media inquiries about the trip. The effort unites TV2 with the Ministry of Education in a project to teach young Danes about Greenland.

Crown Prince Frederik's daring outdoor adventure teaches schoolchildren and the general public alike about Greenland, the frigid and thinly populated land that has been under Danish rule for most of the last two centuries. According to the Los Angeles Times, ''Scholars and scientists at the Arctic Institute and the Danish Polar Council here say they are thrilled that Frederik's participation is putting the territory, its indigenous people, and the Greenland Patrol—which is marking its 50th anniversary with the event—on the global map.'' Leif Vanggaard, a retired navy captain and surgeon with 30 years experience treating Arctic injuries, said of the expedition: ''The TV programs and web site and all these connections to schools make it educational as well as functional.''

Mr. Speaker, Crown Prince Frederik's trek across frigid Greenland is helping to remind mainland Denmark of its other thinly populated, yet environmentally rich territory. The Prince's daily courage and dedication to his mission and the nation are notable accomplishments, and an inspirational demonstration of how a privileged young man can wisely use his public visibility to benefit others.

ALPHONSE STROOBANTS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2000

Mr. McINNIS. Mr. Speaker, on April 1, 2000, Mr. Alphonse Stroobants received the Charles Sackett Heart Award from the American Heart Association, Centra Health and the Cardiology Associates of Central Virginia.

The Coveted Charles Sackett award was named for Dr. Charles Sackett, whose drive and vision for cardiac services has made a long lasting impact on the Central Virginia Community.

In his acceptance remarks Mr. Stroobants spoke of his former co-workers at the medical community, and of his many friends through the years.

The son of a coal miner, Alphonse Stroobants was raised in war ravaged Belgium. He fled the Nazi occupation on bicycle into France when he was nine years old in the early 1940's with his parents.

He immigrated to the United States in 1956 and took his first job as an apprentice for a tool and die maker in New York state.

Responding to an ad in the newspaper, he moved to Lynchburg in 1959. He eventually purchased the company where he was working and grew Belgium Tool and Die into a successful business with annual sales in excess of twenty five-million dollars. He sold the company and retired in 1990.

Mr. Stroobants gift to Centra Health has further assisted the development of cardiac services for Central Virginians and the Heart Center is named in his honor.

Long known for his generosity and competitive spirit, he has remained a loyal friend to Virginia. His love for the community is genuine, and his service and philanthropy exemplary.

Mr. Speaker I am honored to know and have as a friend Alphonse Stroobants.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 6, 2000 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 10

1 p.m.

Aging

To hold hearings to examine funerals and burials, focusing on protecting consumers from bad practices.

SD–106

APRIL 11

9:30 a.m.

Appropriations

Interior Subcommittee

To hold hearings on proposed budget estimates for fiscal year 2001 for the Department of Energy.

SD–138

Commerce, Science, and Transportation

To hold hearings to examine the effects of permanent, normalized trade relations with China on the U.S. economy.

SR–253

Armed Services

To hold hearings on the nominations of Bernard Daniel Rostker, of Virginia, to be Under Secretary of Defense for Personnel and Readiness; Gregory Robert Dahlberg, of Virginia, to be Under Secretary of the Army; and Madelyn R. Creedon, of Indiana, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration.

SR–222

Agriculture, Nutrition, and Forestry

To hold hearings on the nomination of Christopher A. McLean, of Nebraska, to be Administrator, Rural Utilities Service, Department of Agriculture; to be followed by hearings to examine the Methyl Tertiary Butyl Ether (MTBE) crisis and the future of renewable fuels.

SR–328A

Health, Education, Labor, and Pensions

Children and Families Subcommittee

To hold hearings to examine early childhood programs for low-income families.

SD–430

10 a.m.

Energy and Natural Resources

To hold hearings on S. 282, to provide that no electric utility shall be required to enter into a new contract or obligation to purchase or to sell electricity or capacity under section 210 of the Public Utility Regulatory Policies Act of 1978; S. 516, to benefit consumers by promoting competition in the electric power industry; S. 1047, to provide for a more competitive electric power industry; S. 1284, to amend the Federal Power Act to ensure that no State may establish, maintain, or enforce on behalf of any electric utility an exclusive right to sell electric energy or otherwise unduly discriminate against any consumer who seeks to purchase electric energy in interstate commerce from any supplier; S. 1273, to amend the Federal Power Act, to facilitate the transition to more competitive and efficient electric power markets; S. 1369, to enhance the benefits of the national electric system by encouraging and supporting State programs for renewable energy sources, universal electric service, affordable electric service, and energy conservation and efficiency; S. 2071, to benefit electricity consumers by promoting the reliability of the bulk-power system; and S. 2098, to facilitate the transition to more competitive and efficient electric power markets, and to ensure electric reliability.

SH–216

2:30 p.m.

Foreign Relations

To hold hearings on United States policy towards China, focusing on permanent normal trade status.

SD–430

APRIL 12

9:30 a.m.

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 2001 for the Corporation for National and Community Service, Community Development Financial Institutions, and Chemical Safety Board.

SD–138

Judiciary

Administrative Oversight and the Courts Subcommittee

To resume oversight hearings on the handling of the investigation of Peter Lee.

SH–216

Joint Economic Committee

To hold hearings to examine reform of the International Monetary Fund and the World Bank.

311 Cannon Building

Indian Affairs

To hold oversight hearings on the report of the Academy for Public Administration on Bureau of Indian Affairs management reform.

SR–485

Commerce, Science, and Transportation

To hold hearings on S. 2255, to amend the Internet Tax Freedom Act to extend the moratorium through calendar year 2006.

SR–253

10 a.m.

Appropriations

Defense Subcommittee

To hold hearings on proposed budget estimates for fiscal year 2001 for the Department of Defense, focusing on missile defense programs.

SD–192

Governmental Affairs

To hold hearings to examnie the Wassenaar arrangement and the future of multilateral export control.

SD–342

Environment and Public Works

To hold hearings on the disposal of low activity radioactive waste.

SD–406

11 a.m.

Health, Education, Labor, and Pensions

Business meeting to consider S. 2311, to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Service Act, to improve access to health care and the quality of health care under such programs, and to provide for the development of increased capacity to provide health care and related support services to individuals and families with HIV disease; the proposed Organ Procurement and Transplantation Network Act Amendments of 2000; the nomination of Mel Carnahan, of Missouri, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation; the nomination of Edward B. Montgomery, of Maryland, to be Deputy Secretary of Labor; the nomination of Marc Racicot, of Montana, to be a Member of the Board of Directors of the Corporation for National and Community Service; the nomination of Alan D. Solomont, of Massachusetts, to be a Member of the Board of Directors of the Corporation for National and Community Service; the nomination of Scott O. Wright, of Missouri, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for the remainder of the term expiring December 10, 2003; and the nomination of Nathan O. Hatch, of Indiana, to be a Member of the National Council on the Humanities for the term expiring January 26, 2006.

SD–430

2 p.m.

Foreign Relations

International Economic Policy, Export and Trade Promotion Subcommittee

To hold hearings on the status of infrastructure projects for Caspian Sea energy resources.

SD–419

2:30 p.m.

Energy and Natural Resources

Water and Power Subcommittee

To hold oversight hearings to examine federal actions affecting hydropower operations on the Columbia River system.

SD–366

APRIL 13

9:30 a.m.

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 2001 for the National Aeronautics and Space Administration.

SD–138

Energy and Natural Resources

To resume hearings on S. 282, to provide that no electric utility shall be required to enter into a new contract or obligation to purchase or to sell electricity or capacity under section 210 of the Public Utility Regulatory Policies Act of 1978; S. 516, to benefit consumers by promoting competition in the electric power industry; S. 1047, to provide for a more competitive electric power industry; S. 1284, to amend the Federal Power Act to ensure that no State may establish, maintain, or enforce on behalf of any electric utility an exclusive right to sell electric energy or otherwise unduly discriminate against any

consumer who seeks to purchase electric energy in interstate commerce from any supplier; S. 1273, to amend the Federal Power Act, to facilitate the transition to more competitive and efficient electric power markets; S. 1369, to enhance the benefits of the national electric system by encouraging and supporting State programs for renewable energy sources, universal electric service, affordable electric service, and energy conservation and efficiency; S. 2071, to benefit electricity consumers by promoting the reliability of the bulk-power system; and S. 2098, to facilitate the transition to more competitive and efficient electric power markets, and to ensure electric reliability.

SH–216

2:30 p.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold hearings on S. 2034, to establish the Canyons of the Ancients National Conservation Area.

SD–366

APRIL 25

2:30 p.m.
Energy and Natural Resources
Water and Power Subcommittee
To hold hearings on S. 2239, to authorize the Bureau of Reclamation to provide cost sharing for the endangered fish recovery implementation programs for the Upper Colorado River and San Juan River basins.

SD–366

APRIL 26

10 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2001 for the Department of Defense.

SD–192

APRIL 27

9:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on pending legislation on agriculture concentration of ownership and competitive issues.

SR–328A

SEPTEMBER 26

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs on the Legislative recommendation of the American Legion.

345 Cannon Building

POSTPONEMENTS

APRIL 19

9:30 a.m.
Indian Affairs
Business meeting to consider pending calendar business; to be followed by hearings on S. 611, to provide for administrative procedures to extend Federal recognition to certain Indian groups.

SR–485

Daily Digest

HIGHLIGHTS

House committees ordered reported 12 sundry measures.

The House passed H.R. 3660, Partial-Birth Abortion Ban Act; H.R. 3671, Wildlife and Sport Fish Restoration Programs Improvements Act.

Senate

Chamber Action

Routine Proceedings, pages S2145–S2267

Measures Introduced: Eleven bills and two resolutions were introduced, as follows: S. 2357–2367, and S. Res. 281–282. **Page S2233**

Measures Reported: Reports were made as follows:

Special Report of the Joint Economic Committee, Congress of the United States on the 2000 Economic Report of the President. (S. Rept. No. 106–255) **Page S2233**

Measures Passed:

Congratulating Michigan State University Men's Basketball Team: Senate agreed to S. Res. 281, to congratulate the Michigan State University Men's Basketball Team on winning the 2000 National Collegiate Athletic Association Men's Basketball Championship. **Pages S2156–57**

Congratulating University of Connecticut Women's Basketball Team: Senate agreed to S. Res. 282, congratulating the Huskies of the University of Connecticut for winning the 2000 Women's Basketball Championship. **Pages S2157–59, S2264**

Congressional Budget Resolution: Senate continued consideration of S. Con. Res. 101, setting forth the congressional budget for the United States Government for fiscal years 2001 through 2005 and revising the budgetary levels for fiscal year 2000, taking action on the following amendments proposed thereto: **Pages S2145–56, S2159–S2227, S2264–67**

Adopted:

By 99 yeas to 1 nay (Vote No. 53), Hutchison/Ashcroft Amendment No. 2914, to express the sense of the Senate to provide for relief from the marriage penalty tax. **Pages S2145–56**

Domenici (for Johnson) Amendment No. 2928, to provide funding for certain health care programs for military retirees and their dependents. **Pages S2178–79**

Domenici (for Johnson) Amendment No. 2929 (to Amendment No. 2928), to limit the amount of the reserve fund for military retiree health care. **Page S2179**

Rejected:

Bingaman Amendment No. 2926, to provide funding for certain education programs. (By 54 yeas to 46 nays (Vote No. 54), Senate tabled the amendment.) **Pages S2159–78, S2195–96**

Conrad Amendment No. 2935 (to Amendment No. 2906), to increase the amount of debt reduction contained in the resolution by $75 billion over 5 years. (By 52 yeas to 48 nays (Vote No. 55), Senate tabled the amendment.) **Pages S2190–95, S2196**

Pending:

Stevens Amendment No. 2931, to strike certain provisions relating to emergency designation spending point of order.

Stevens Amendment No. 2932, to strike certain provisions relating to Congressional firewall for defense and non-defense spending.

Byrd/Warner Amendment No. 2943, to express the sense of the Senate on the continued use of Federal fuel taxes for the construction and rehabilitation of our nation's highways, bridges, and transit systems. **Pages S2197–S2206**

Roth Amendment No. 2955, to strike the revenue assumption for Arctic National Wildlife Refuge (ANWR) receipts in fiscal year 2005. **Pages S2206–22**

Robb Amendment No. 2965, to reduce revenue cuts by $5.9 billion over the next five years to help fund school modernization projects. **Pages S2222–27**

Durbin Amendment No. 2953, to provide for debt reduction and to protect the Social Security Trust Fund. **Pages S2264–67**

During consideration of this measure today, Senate also took the following action:

By 51 yeas to 49 nays (Vote No. 52), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected the motion to waive the Congressional Budget Act of 1974 with respect to consideration of Robb Amendment No. 2915 (to Amendment No. 2914), to condition Senate consideration of any tax cut reconciliation legislation on previous enactment of legislation to provide an outpatient prescription drug benefit under the Medicare program that is consistent with Medicare reform. Subsequently, a point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974 was sustained, and the amendment thus fell. **Pages S2145–55**

By 16 yeas to 84 nays (Vote No. 56), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive section 305 of the Congressional Budget Act of 1974 with respect to consideration of Allard/Enzi/Grams Amendment No. 2906, to protect social security and provide for repayment of the Federal debt. Subsequently, a point of order that the amendment was not germane to the provisions of the Budget Resolution was sustained, and the amendment thus fell. **Pages S2179–90, S2196–97**

A unanimous-consent agreement was reached providing for further consideration of the resolution on Thursday, April 6, 2000, and there be 8 hours and 30 minutes remaining on the resolution, with votes to occur on the pending Byrd/Warner Amendment No. 2943 (listed above), and the pending Roth Amendment No. 2955 (listed above), beginning at 10:30 a.m. **Pages S2225, S2264**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting the Department of Transportation's Biennial Report on Hazardous Materials Transportation; to the Committee on Commerce, Science, and Transportation. (PM–99) **Page S2232**

Nominations Received: Senate received the following nomination:

Jay A. Garcia-Gregory, of Puerto Rico, to be United States District Judge for the District of Puerto Rico vice Raymond L. Acosta, retired. **Page S2267**

Messages From the President: **Pages S2231–32**

Communications: **Pages S2232–33**

Petitions: **Page S2233**

Executive Reports of Committees: **Page S2233**

Statements on Introduced Bills: **Pages S2234–49**

Additional Cosponsors: **Page S2249**

Amendments Submitted: **Pages S2251–63**

Notices of Hearings: **Page S2263**

Authority for Committees: **Pages S2263–64**

Additional Statements: **Pages S2230–31**

Privileges of the Floor: **Page S2264**

Record Votes: Five record votes were taken today. (Total—56) **Pages S2155–56, S2196–97**

Adjournment: Senate convened at 9:31 a.m., and adjourned at 10:33 p.m., until 9:30 a.m., on Thursday, April 6, 2000. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2264.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—INTERIOR

Committee on Appropriations: Subcommittee on Interior concluded hearings on proposed budget estimates for fiscal year 2001 for the Department of the Interior, after receiving testimony from Bruce Babbitt, Secretary, and John D. Trezise, Director, Office of Budget, both of the Department of the Interior.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

S. 1608, to provide annual payments to the States and counties from National Forest System lands managed by the Forest Service, and the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands managed predominately by the Bureau of Land Management, for use by the counties in which the lands are situated for the benefit of the public schools, roads, emergency and other public purposes; to encourage and provide new mechanism for cooperation between counties and the Forest Service and the Bureau of Land Management to make necessary investments in federal lands, and reaffirm the positive connection between Federal Lands counties and Federal Lands, with an amendment in the nature of a substitute;

S. 1705 to direct the Secretary of the Interior to enter into land exchanges to acquire from the private owner and to convey to the State of Idaho approximately 1,240 acres of land near the City of Rocks National Reserve, Idaho;

S. 1727, to authorize for the expansion annex of the historic Palace of the Governors, a public history museum located, and relating to the history of Hispanic and Native American culture, in the Southwest, with an amendment;

S. 1849, to designate segments and tributaries of White Clay Creek, Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System, with an amendment;

S. 1910, to amend the Act establishing Women's Rights National Historical Park to permit the Secretary of the Interior to acquire title in fee simple to the Hunt House located in Waterloo, New York, with an amendment;

H.R. 1615, to amend the Wild and Scenic Rivers Act to extend the designation of a portion of the Lamprey River in New Hampshire as a recreational river to include an additional river segment;

S. 311, to authorize the Disabled Veterans' LIFE Memorial Foundation to establish a memorial in the District of Columbia or its environs, with an amendment;

S. 1836, to extend the deadline for commencement of construction of a hydroelectric project in the State of Alabama;

S. 1892, to authorize the acquisition of the Valles Caldera, to provide for an effective land and wildlife management program for this resource within the Department of Agriculture, with an amendment in the nature of a substitute;

H.R. 3063, to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for sodium that may be held by an entity in any one State;

S. 1797, to provide for a land conveyance to the City of Craig, Alaska, with an amendment in the nature of a substitute;

S. 1778, to provide for equal exchanges of land around the Cascade Reservoir, with an amendment in the nature of a substitute; and

The nomination of Thomas A. Fry, III, of Texas, to be Director of the Bureau of Land Management, Department of the Interior.

ARCTIC ENERGY POTENTIAL

Committee on Energy and Natural Resources: Committee concluded hearings to examine the energy potential of the 1002 Area of the Arctic Coastal Plain, the role this energy could play in national security; the role this energy could play in reducing U.S. dependence on imported oil, and S. 2214, to establish and implement a competitive oil and gas leasing program that will result in an environmentally sound and job creating program for the exploration, development, and production of the oil and gas resources of the Coastal Plain, after receiving testimony from Alaska Governor Tony Knowles, Juneau; David J. Hayes, Deputy Secretary of the Interior; Brenda Itta Lee, Arctic Slope Regional Corporation, Barrow, Alaska; Gerald L. Hood, Alaska General Teamsters Local 959, on behalf of the International Brotherhood of Teamsters, and Roger C. Herrera, Northern Knowledge, both of Anchorage, Alaska; W. Thomas Goerold, Lookout Mountain Analysis, Golden Colorado, on behalf of the Alaska Wilderness League; and Luci Beach, Gwich'in Nation, Fort Yukon, Alaska.

MEDICAID IN SCHOOLS

Committee on Finance: Committee concluded hearings to examine Medicaid policies and practices related to school-based health services and administrative activities, after receiving testimony from Kathryn G. Allen, Associate Director, Health Financing and Public Health Issues, and Robert H. Hast, Acting Assistant Comptroller General for Special Investigations, both of the General Accounting Office; Timothy Westmoreland, Director, Center for Medicaid and State Operations, Health Care Financing Administration, Department of Health and Human Services; Lynn Davenport, MAXIMUS, Inc., Waltham, Massachusetts; Susan Sclafani, Houston Independent School District, Texas; and Jacquelin Golden, National Parent Network on Disabilities, Baltimore, Maryland, on behalf of the American Physical Therapy Association.

UN PEACEKEEPING MISSIONS

Committee on Foreign Relations: Subcommittee on International Operations held hearings on United Nations peacekeeping missions and their proliferation, focusing on the principles underlying traditional U.N. peacekeeping, expansion of peacekeeping into new and non-tradition fields after the end of the Cold War, outcomes of recent missions, and the question of American interest implications, receiving testimony from John Hillen, Arlington, Virginia, on behalf of the U.S. Commission on National Security/21st Century (Hart-Rudman Commission); John R. Bolton, American Enterprise Institute for Public Policy Research, and Michael O'Hanlon, Brookings Institution, both of Washington, D.C.; and Kenneth Allard, Stratfor.com, Alexandria, Virginia.

Hearings recessed subject to call.

HOLOCAUST LEGACIES

Committee on Foreign Relations: Committee held hearings on legacies of the Holocaust, focusing on providing a forum for discussion, exposing long-suppressed truths about World War II and Holocaust-era assets, and to bring justice to survivors and victims, receiving testimony from Stuart E. Eizenstat, Deputy Secretary of Treasury/Special Representative of the Secretary of State and the President on Holocaust-Related Issues; Edgar M. Bronfman, Chairman, Presidential Advisory Commission on Holocaust Assets in the United States; Elie Wiesel, Boston University, Boston, Massachusetts; Mark B. Levin, National Conference of Soviet Jewry, and David A.

Harris, American Jewish Committee, both of Washington, D.C.; and Israel Singer, World Jewish Congress, New York, New York.

Hearings recessed subject to call.

ALLEGED CHINESE ESPIONAGE

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts resumed open and closed oversight hearings on alleged Chinese espionage, focusing on the plea-bargain agreement reached in the case of Peter Lee, receiving testimony from Jonathan Shapiro, Los Angeles, California, former Assistant U.S. Attorney in the Central District of California.

Committee will meet again Wednesday, April 12.

CAMPAIGN FINANCE REFORM

Committee on Rules and Administration: Committee concluded hearings to examine the role of political parties in America, focusing on campaign finance reform issues, after receiving testimony from Representatives Shays and Meehan; Bobby R. Burchfield, Covington and Burling, Scott Harshbarger, Common Cause, and Charles E.M. Kolb, Committee for Economic Development, all of Washington, D.C.; Michael C. Munger, Duke University, Department of Political Science, Durham, North Carolina; Robert T. Bennett, Ohio Republican Party, Columbus; and Dylan C. Glenn, Albany, Georgia.

NOMINATION

Committee on Indian Affairs: Committee ordered favorably reported the nomination of Thomas N. Slonaker, of Arizona, to be Special Trustee, Office of Special Trustee for American Indians, Department of the Interior.

INDIAN NEEDS ASSESSMENT AND PROGRAM EVALUATION

Committee on Indian Affairs: Committee concluded hearings on S. 612, to provide for periodic Indian needs assessments, and to require Federal Indian program evaluations, after receiving testimony from Kevin Gover, Assistant Secretary of the Interior for Indian Affairs; JoAnn K. Chase, National Congress of American Indians, Washington, D.C.; and Britt E. Clapham, II, Navajo Nation Department of Justice, Window Rock, Arizona.

House of Representatives

Chamber Action

Bills Introduced: 18 public bills, H.R. 4180–4197; and 5 resolutions, H. Con. Res. 298–299 and H. Res. 461–463, were introduced. **Pages H1851–52**

Reports Filed: Reports were filed today as follows:

Supplemental report on H.R. 1776, to expand homeownership in the United States (H. Rept. 106–553 Part 2); and

H. Res. 460, providing for consideration of H.R. 1776, to expand homeownership in the United States (H. Rept. 106–562). **Page H1851**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Gillmor to act as Speaker pro tempore for today. **Page H1767**

Guest Chaplain: The prayer was offered by the Rev. Jim Fisher, Chaplain, United States Coast Guard of Washington, D.C. **Page H1767**

Sequoia Ecosystem and Recreation Preserve Act: Agreed that Representative George Miller of California be hereafter considered as the first sponsor of H.R. 2077, a bill originally introduced by the late Honorable George Brown of California, for the purposes of adding cosponsors and requesting reprints. **Page H1767**

Partial-Birth Abortion Ban Act: The House passed H.R. 3660, to amend title 18, United States Code, to ban partial-birth abortions by a yea and nay vote of 287 yeas to 141 nays, Roll No. 104. **Pages H1779–H1801**

Rejected the Frank of Massachusetts motion to recommit the bill to the Committee on the Judiciary with instructions to report it back with an amendment that exempts a partial-birth abortion to avert serious adverse longterm physical health consequences by a yea and nay vote of 140 yeas to 289 nays, Roll No. 103. **Pages H1799–H1801**

H. Res. 457, the rule that provided for consideration of the bill was agreed to by a yea and nay vote of 244 yeas to 179 nays, Roll No. 102. **Pages H1771–79**

Committee on Banking and Financial Services: The Committee on Banking and Financial Services received permission to file a supplemental report on H.R. 1776, American Homeownership and Economic Opportunity Act. **Page H1801**

Wildlife and Sport Fish Restoration Programs Improvements Act: The House passed H.R. 3671, to amend the Acts popularly known as the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects and increase opportunities for recreational hunting, bow hunting, trapping, archery, and fishing, by eliminating opportunities for waste, fraud, abuse, maladministration, and unauthorized expenditures for administration and execution of those Acts by a yea and nay vote of 423 yeas to 2 nays, Roll No. 105. **Pages H1806–21**

Agreed to the Committee on Resources amendment in the nature of a substitute made in order by the rule. **Pages H1815–20**

Agreed to:

Young of Alaska amendment that increases the cap on the amounts authorized in the bill for the annual Set-Asides for Administration and makes technical changes; **Page H1818**

Udall of Colorado amendment that requires an implementation report on the Act from the Secretary of the Interior; and **Page H1819**

Traficant amendment that requires compliance with the Buy American Act. **Pages H1819–20**

H. Res. 455, the rule that provided for consideration of the bill was agreed to by a voice vote. **Pages H1801–06**

Presidential Message—Transportation of Hazardous Materials: Read a message from the President wherein he transmitted the Department of Transportation biennial report on the transportation of hazardous materials for Calendar Years 1996–1997—referred to the Committee on Transportation and Infrastructure. **Page H1821**

Quorum Calls—Votes: Four yea and nay votes developed during the proceedings of the House today and appear on pages H1778–79, H1800–01, H1801, and H1820–21. There were no quorum calls.

Adjournment: The House met at 10:00 a.m. and adjourned at 9:40 p.m.

Committee Meetings

COMMERCE, JUSTICE, STATE AND JUDICIARY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, and Judiciary held a hearing on U.S. Trade Representative. Testimony was heard from Charlene Barshefsky, U.S. Trade Representative.

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior held an oversight hearing on the Everglades. Testimony was heard from Jim Wells, Director, Energy and Natural Resources Division, GAO; and Mary Doyle, Chairperson, South Florida Task Force, and Counselor to the Secretary, Department of the Interior.

LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education continued appropriation hearings. Testimony was heard from public witnesses.

VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies held a hearing on the Department of Veterans Affairs. Testimony was heard from the following officials of the Department of Veterans Affairs: Thomas Garthwaite, M.D., Acting Under Secretary, Health; John Feussner, M.D., Chief Research and Development Officer; Kenneth Clark, Chief Network Officer; Joseph Thompson, Under Secretary, Benefits; Michael Walker, Acting Under Secretary, Memorial Affairs; Richard Griffin, Inspector General; Edward Powell, Assistant Secretary, Financial Management; Mark Catlett, Deputy Assistant Secretary, Budget; Leigh Bradley, General Counsel; E.D. Clark, Chairman, Board of Veterans Appeals; Harold Gracey, Jr., Acting Assistant Secretary, Information and Technology; Eugene Brickhouse, Assistant Secretary, Human Resources and Administration; and Dennis Duffy, Assistant Secretary, Planning and Analysis, and Acting Secretary, Congressional Affairs.

ENERGY POLICY ACT TECHNICS; NATIONAL OILHEAT RESEARCH

Committee on Commerce, Subcommittee on Energy and Power held a hearing on H.R. 2641, to make technical corrections to title X of the Energy Policy Act of 1992. Testimony was heard from James J. Fiori, Deputy Assistant Secretary, Environmental Management for Site Closure, Department of Energy; and public witnesses.

The Subcommittee also held a hearing on H.R. 380, National Oilheat Research Alliance Act of 1999. Testimony was heard from public witnesses.

EDUCATION OPTIONS

Committee on Education and the Workforce: Began markup of H.R. 4141, Education Opportunities To Protect and Invest In Our Nation's Students (Education OPTIONS) Act.

Will continue tomorrow.

OSHA'S EMPLOYEE WORK AT HOME POLICY

Committee on Education and the Workforce: Subcommittee on Oversight and Investigations held a hearing on Rulemaking at the U.S. Department of Labor: OSHA's Employee Work at Home Policy. Testimony was heard from the following officials of the Department of Labor: Edward Montgomery, Deputy Secretary; and Sally Patricia Paxton, Deputy Solicitor; and public witnesses.

OVERSIGHT—2000 CENSUS

Committee on Government Reform: Subcommittee on the Census held an oversight hearing of the 2000 Census: Mail-back Response Rates and Status of Key Operations. Testimony was heard from J. Christopher Mihm, Associate Director, Federal Management and Workforce Issues, GAO; and Kenneth Prewitt, Director, Bureau of the Census, Department of Commerce.

MISCELLANEOUS MEASURES

Committee on Government Reform: Subcommittee on Government Management, Information, and Technology approved for full Committee action the following measures: H.R. 1625, Human Rights Information Act; H.R. 4110, to amend title 44, United States Code, to authorize appropriations for the National Historical Publications and Records Commission for fiscal years 2002 through 2005; H. Res, 15, expressing the sense of the House of Representatives regarding Government procurement access for women-owned businesses; H.R. 3582, Federal Contractor Flexibility Act; and a concurrent resolution on the year 2000 computer problem.

HAITI: PROSPECTS FOR FREE AND FAIR ELECTIONS

Committee on International Relations: Held a hearing on Haiti: Prospects for Free and Fair Elections. Testimony was heard from Peter F. Romero, Acting Assistant Secretary, Western Hemisphere Affairs, Department of State.

INTERNET GAMBLING PROHIBITION ACT

Committee on the Judiciary: Began markup of H.R. 3125, Internet Gambling Prohibition Act of 1999.

Will continue tomorrow.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following measures: S. 406, Alaska Native and American Indian Direct Reimbursement Act; H. Res. 443, amended, expressing the sense of the House of Representatives with regard to the centennial of the raising of the United States flag in American Samoa; H.R. 1509, to authorize the Disabled Veterans' LIFE Memorial Foundation to establish a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States; H.R. 2647, to amend the Act entitled "An Act relating to the water rights of the Ak-Chin Indian Community" to clarify certain provisions concerning the leasing of such water rights; H.R. 2932, amended, Golden Spike/Crossroads of the West National Heritage Area Act; H.R. 2958, to provide for the continuation of higher education through the conveyance of certain public lands in the State of Alaska to the University of Alaska; H.R. 3182, Craig Municipal Equity Act; H.R. 3577, to increase the amount authorized to be appropriated for the north side pumping division of the Minidoka reclamation project, Idaho; H.R. 3293, amended, to amend the law that authorized the Vietnam Veterans Memorial to authorize the placement within the site of the memorial of a plaque to honor those Vietnam veterans who died after their service in the Vietnam war, but as a direct result of that service; and H.R. 4021, Giant Sequoia Groves Protection and Management Act of 2000.

AMERICAN HOMEOWNERSHIP AND ECONOMIC OPPORTUNITY ACT

Committee on Rules: The Committee granted, by voice vote, a structured rule, providing 1 hour of debate on H.R. 1776, American Homeownership and Economic Opportunity Act. The rule waives all points of order against consideration of the bill. The rule makes in order the Committee on Banking and Financial Services amendment in the nature of a substitute now printed in the bill as an original bill for the purpose of amendment. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule makes in order only those amendments printed in the Rules Committee report which may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. The rule permits the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides

for one motion to recommit with or without instructions. Testimony was heard from Chairman Leach and Representatives Lazio, LaFalce, Frank of Massachusetts, Waters Weygand, Inslee, Rush and Sanchez.

CASH VERSUS ACCRUAL

Committee on Small Business: Held a hearing on Cash versus Accrual: The Policy Implications of the Growing Inability of Small Businesses to Use Simple Tax Accounting. Testimony was heard from Joseph M. Mikrut, Tax Legislative Counsel, Department of the Treasury; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment approved for full Committee action, as amended, the following bills: H.R. 673, Florida Keys Water Quality Improvements Act of 1999; H.R. 855, Long Island Sound Preservation and Protection Act; H.R. 1106, Alternative Water Sources Act of 1999; H.R. 1237, to amend the Federal Water Pollution Control Act to permit grants for the national estuary program to be used for the development and implementation of a comprehensive conservation and management plan, to reauthorize appropriations to carry out the program; H.R. 2957, Lake Pontchartrain Basin Protection Act of 1999 and H.R. 3313, Long Island Sound Restoration Act.

VA CAPITAL ASSET PLANNING

Committee on Veterans' Affairs: Subcommittee on Health held a hearing on VA Capital Asset Planning. Testimony was heard from Representative Weldon of Florida; Stephan P. Backhus, Director, Veterans' Affairs and Military Health Care Issues, Health, Education, and Human Services Division, GAO; the following officials of the Department of Veterans Affairs: Frances M. Murphy, M.D., Acting Under Secretary, Policy and Management; Terrence S. Batliner, DDS, Director, VISN 19; and Dennis Smith, Director, VA Maryland Health Care System; and representatives of veterans organizations.

TAXPAYER BILL OF RIGHTS 2000

Committee on Ways and Means: Ordered reported, as amended, H.R. 4163, Taxpayer Bill of Rights 2000.

COMMITTEE MEETINGS FOR THURSDAY, APRIL 6, 2000

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings on interstate shipments of state inspected meat, 9:30 a.m., SR–328A.

Committee on Appropriations: Subcommittee on Energy and Water Development, to hold hearings on proposed budget estimates for fiscal year 2001 for the Department of Energy, 9 a.m., SD–116.

Subcommittee on VA, HUD, and Independent Agencies, to hold hearings on proposed budget estimates for fiscal year 2001 for the Department of Veterans Affairs, 9:30 a.m., SD–138.

Subcommittee on Treasury and General Government, to hold hearings on proposed budget estimates for fiscal year 2001 for the Office of Drug Control Policy, 9:30 a.m., SD–124.

Subcommittee on Commerce, Justice, State, and the Judiciary, to hold hearings on proposed budget estimates for fiscal year 2001 for the Federal Trade Commission, 9:30 a.m., S–146, Capitol.

Subcommittee on Foreign Operations, to hold hearings on proposed budget estimates for fiscal year 2001 for the International Financial Institutions, 10:30 a.m., SD–192.

Committee on Armed Services: to hold hearings to examine procedures and standards for the granting of security clearances at the Department of Defense, 9:30 a.m., SR–222.

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation, to hold hearings to examine issues dealing with aviation security, 10 a.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on Forests and Public Land Management, to hold oversight hearings on the proposed five-year strategic plan of the U.S. Forest Service in compliance with Government Results and Performance Act, 9:30 a.m., SD–366.

Committee on Finance: to hold hearings to examine China's accession to the World Trade Organization, 10 a.m., SD–215.

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs, with the Subcommittee on International Economic Policy, Export and Trade Promotion, to hold joint hearings on China in the World Trade Organization, focusing on United States high technology sector, 10 a.m., SD–419.

Subcommittee on International Economic Policy, Export and Trade Promotion, with the Subcommittee on East Asian and Pacific Affairs, to hold joint hearings on China in the World Trade Organization, focusing on United States high technology sector, 10 a.m., SD–419.

Select Committee on Intelligence: to hold closed hearings on pending intelligence matters, 2:15 p.m., SH–219.

Committee on the Judiciary: business meeting to consider the nomination of John Antoon II, of Florida, to be United States District Judge for the Middle District of Florida; the nomination of Richard C. Tallman, of Washington, to be United States Circuit Judge for the Ninth Circuit; the nomination of Marianne O. Battani, of Michigan, to be United States District Judge for the Eastern District of Michigan vice Anna Diggs Taylor, retired; the nomination of David M. Lawson, of Michigan, to be United States District Judge for the Eastern District of Michigan vice Avern Cohn, retired; H.R. 2260, to amend the Controlled Substances Act to promote pain management and palliative care without permitting assisted suicide and euthanasia; S. 1854, to reform the Hart-Scott-Rodino Antitrust Improvements Act of 1976; H.J. Res. 86, recognizing the 50th anniversary of the Korean War and the service by members of the Armed Forces during such war; and S. 2058, to extend filing deadlines for applications for adjustment of status of certain Cuban, Nicaraguan, and Haitian nationals, 10 a.m., SD–226.

Subcommittee on Criminal Justice Oversight, to hold oversight hearings to examine the Federal Bureau of Prisons, 2:30 p.m., SD–226.

House

Committee on Agriculture, Subcommittee on Department Operations, Oversight, Nutrition, and Forestry, hearing on H.R. 3453, Emergency Food Assistance Enhancement Act of 1999, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Commerce, Justice, State, and Judiciary, on Bureau of the Census, 10 a.m., 2358 Rayburn, and on NOAA, 2 p.m., H–309 Capitol.

Subcommittee on Foreign Operations, Export Financing and Related Programs, on Under Secretary of Defense for Policy, 9:30 a.m., 2359 Rayburn.

Subcommittee on Interior, on public witnesses—Natural Resources, Energy, and other programs, 10 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, and Education, on Armed Forces Retirement Home, and National on Disability, 10 a.m., on Elementary and Secondary Education, and Bilingual Education and Minority Language Affairs, 2 p.m., 2358 Rayburn.

Subcommittee on VA, HUD and Independent Agencies, on Federal Emergency Management Agency, 9:30 a.m., H–143 Capitol, and on NASA, 1 p.m., 2362–A Rayburn.

Committee on Commerce, Subcommittee on Oversight and Investigations, hearing on Third Party Billing Company Fraud: Assessing the Threat Posed to Medicare, 10 a.m., 2322 Rayburn.

Subcommittee on Telecommunications, Trade, and Consumer Protection, hearing to receive the report of the Advisory Commission on Electronic Commerce; to be followed by a hearing on H.R. 3489, Wireless Telecommunications Sourcing and Privacy Act, 10 a.m., 2123 Rayburn.

Committee on Education and the Workforce, to continue markup of H.R. 4141, Education Opportunities To Protect and Invest In Our Nation's Students (Education OPTIONS) Act, 9:30 a.m., 2175 Rayburn.

Committee on Government Reform, hearing on Autism: Present Challenges, Future Needs—Why the Increased Rates? 10:30 a.m., 2154 Rayburn.

Committee on International Relations, hearing on the Status of Negotiations Between China and Tibet, 10 a.m., 2172 Rayburn.

Subcommittee on International Economic Policy and Trade, to mark up H.R. 3680, to amend the National Defense Authorization Act for Fiscal Year 1998 with respect to the adjustment of composite theoretical performance levels of high performance computers, 2 p.m., 2255 Rayburn.

Committee on the Judiciary, to continue markup of H.R. 3125, Internet Gambling Prohibition Act of 1999, 9:30 a.m., 2141 Rayburn.

Subcommittee on the Constitution, oversight hearing on the Fourth Amendment and the Internet, 2:30 p.m., 2226 Rayburn.

Subcommittee on Crime, hearing on H.R. 4051, Project Exile: The Safe Streets and Neighborhoods Act of 2000, 1 p.m., 2141 Rayburn.

Committee on Resources, Subcommittee on Fisheries Conservation, Wildlife and Oceans, to mark up the following: H.R. 3176, to direct the Secretary of the Interior to conduct a study to determine ways of restoring the natural wetlands conditions in the Kealia Pond National Wildlife Refuge, Hawaii; and H.R. 3292, to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana, followed by an oversight hearing on Section 118 of the Marine Mammal Protection, 10 a.m., and an oversight hearing on Section 119 of the Marine Mammal Protection Act, 2 p.m., 1334 Longworth.

Subcommittee on National Parks, and Public Lands, the Subcommittee on Forests and Forest Health and the Subcommittee on Aviation of the Committee on Transportation and Infrastructure, joint hearing on H.R. 3661, General Aviation Access Act, 10 a.m., 1324 Longworth.

Subcommittee on Water and Power, hearing on the following bills: H.R. 1787, Deschutes Resources Conservancy Reauthorization Act of 1999; and H.R. 1113, Colusa Basin Watershed Integrated Resources Management Act; and oversight hearing on Bonneville Power Administrations' Subscription process, 2 p.m., 1324 Longworth.

Committee on Science, Subcommittee on Energy and Environment, hearing on the Human Genome Project, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Oversight, Investigations, and Emergency Management, hearing on Preparedness Against Terrorist Attacks Involving Weapons of Mass Destruction, 2 p.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Social Security, hearing on the 2000 Social Security Trustees Annual Report, 10 a.m., 1100 Longworth.

Next Meeting of the SENATE

9:30 a.m., Thursday, April 6

Senate Chamber

Program for Thursday: Senate will continue consideration of S. Con. Res. 101, Congressional Budget, with votes to occur on certain pending amendments beginning at 10:30 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10:00 a.m., Thursday, April 6

House Chamber

Program for Thursday: Consideration of H.R. 1776, American Homeownership and Economic Opportunity Act (structured rule, one hour of debate).

Extensions of Remarks, as inserted in this issue

HOUSE

Berman, Howard L., Calif., E497
Calvert, Ken, Calif., E496
Cunningham, Randy ''Duke'', Calif., E498
DeFazio, Peter A., Ore., E498
Gilman, Benjamin A., N.Y., E495, E496
Hall, Ralph M., Tex., E493, E494
Hobson, David L., Ohio, E496
Lantos, Tom, Calif., E499
Lipinski, William O., Ill., E497
McCarthy, Carolyn, N.Y., E498
McInnis, Scott, Colo., E500
Menendez, Robert, N.J., E493
Miller, Gary G., Calif., E495, E498
Miller, George, Calif., E499
Pascrell, Bill, Jr., N.J., E495, E497
Radanovich, George, Calif., E493
Sanchez, Loretta, Calif., E493
Skelton, Ike, Mo., E496
Udall, Tom, N.M., E494
Waxman, Henry A., Calif., E497

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