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# Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. THURMOND).

The PRESIDENT pro tempore. The Right Reverend John B. Cairns, Moderator of the General Assembly of the Church of Scotland, Edinburgh, Scotland, will give the prayer.

## PRAYER

The guest chaplain, Rt. Rev. John B. Cairns, Moderator of the General Assembly of the Church of Scotland, Edinburgh, Scotland, offered the following prayer:

Let us pray:

Loving God, through Your love the world was formed, by Your love it is sustained, in Your love is its life. There is a color, richness, and variety throughout Your creation that brings a response of wonder and praise, of thankfulness for so many gifts.

We give thanks for the unquenchable desire for liberty and justice sown in the hearts of women and men throughout the world, for the heartfelt aspiration for peace in individuals and nations, and that, though many wrong turnings are taken, there is still a road of hope ahead.

We acknowledge with thanksgiving the many contributions of this Nation toward the world's well-being: its welcome and defense of the weak and oppressed, its sacrifice in the interests of freedom for those beyond its shores, its inventiveness and its culture, a developing blend of differing traditions and understandings.

We pray for all in authority and government, particularly the Senators as they fulfill the call to leadership. May they exercise their power with wisdom and compassion and so contribute to the coming of that day when, for this and all nations, every way shall be a way of gentleness and every path a path of peace.

Amen.

## PLEDGE OF ALLEGIANCE

The Honorable MIKE CRAPO, a Senator from the State of Idaho, 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 MAJORITY LEADER

The PRESIDING OFFICER (Mr. CRAPO). The distinguished majority leader is recognized.

## NATIONAL TARTAN DAY

Mr. LOTT. Mr. President, today I rise to commemorate the second anniversary of National Tartan Day. I will be assisting those who do not have on their plaids, their Tartans, during the day to make sure you have one for your lapel—if not around your neck. We welcome our special guest chaplain in the Senate, the Right Reverend John Cairns, Moderator of the General Assembly of the Church of Scotland. It is my understanding that the office of Moderator is the highest honor that the Church of Scotland can bestow on a minister. The Moderator has had a distinguished career in the ministry, and we are truly privileged to have him as our guest for today's Tartan Day activities.

I remind my colleagues that the resolution which established National Tartan Day was Senate Resolution 155. It passed by unanimous consent on March 20th of 1998. As an American of Scottish descent, I appreciate the efforts of individuals, clan organizations, and other groups such as the Scottish Coalition, who were instrumental in generating support for the resolution. These groups have worked diligently to foster national awareness of the important role that Americans of Scottish descent have played in the progress of our country.

The purpose of National Tartan Day is to recognize the contributions that Americans of Scottish ancestry have made to our national heritage. It also recognizes the contributions that Americans of Scottish ancestry continue to make to our country. National Tartan Day is an opportunity to pause and reflect on the role Scottish Americans have played in advancing democracy and freedom. They have helped shape this Nation. Their contributions are innumerable. In fact, I myself was surprised to learn that three-fourths of all American Presidents can trace their roots to Scotland.

In addition to recognizing Americans of Scottish ancestry, National Tartan Day reminds us of the importance of freedom. It honors those who strived for freedom from an oppressive government on April 6, 1320. It was on that day that the Declaration of Arbroath, the Scottish Declaration of Independence, was signed. This important document served as the model for America's Declaration of Independence.

In demanding their independence from England, the men of Arbroath wrote, ''We fight for liberty alone, which no good man loses but with his life.'' These words are applicable today to the heroism of our American veterans and active duty forces who know the precious cost of fighting for liberty.

Senate Resolution 155 has served as a catalyst for the many States, cities, and counties that have passed similar resolutions recognizing the important contributions of Scottish Americans.

I hail originally from Carroll County, MS, where the neighborhood was made up of Watsons, my mother's family; McCains, Senator JOHN MCCAIN's family; McCalebs, McLeans, McKellys, and the list goes on and on. Most of them were ''Macs.'' I don't know how the Watsons got in there.

I thank all of my colleagues who supported this resolution in the past and who helped to remind the world of the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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stand for liberty taken on April 6—almost 700 years ago—in Arbroath, Scotland. A call for liberty which still echoes through our history and the history of many nations across the globe.

It has been my hope that this annual event will grow in prominence each year, similar to St. Patrick's Day and Columbus Day, and the ceremonies and activities taking place today and over the next few days demonstrate that these goals are coming to fruition. I believe April 6 can also serve as a day to recognize those nations that have not achieved the principles of freedom which we hold dear. The example of the Scotsmen at Arbroath—their courage—their desire for freedom—serves as a beacon to countries still striving for liberty today.

## SCHEDULE

Mr. LOTT. Mr. President, the Senate will resume consideration of S. Con. Res. 101, the budget resolution. By a previous order, there will be two back-to-back votes beginning at 10:30 a.m. The vote on the Byrd amendment will be the first, to be followed by a vote on the Roth amendment. Following the votes, the Durbin amendment regarding tax cuts will be the pending amendment.

For the information of all Senators, the so-called vote-arama—and I hope it will not rise to that level; maybe it will just be a few votes we will have to take one after the other—is expected to begin at some point this evening. I do want to emphasize, though, unless we are successful, on both sides of the aisle—let me say, Senator REID has been working very hard on the Democratic side of the aisle. They have a reasonably low number of amendments still pending. We hope to reduce the number on this side of the aisle, too. We should be able to determine by late this afternoon whether we can finish tonight or we will go over to tomorrow. I think we need to go ahead and tell our colleagues they should plan on being in and having votes in the morning because at this point, with some 60 amendments pending, I do not see how we can finish it tonight by any kind of reasonable hour.

I will stay in touch with Senator DOMENICI and Senator LAUTENBERG, the floor managers, and Senator REID and Senator NICKLES on our side, to assess the additional time that might be needed. Senators should adjust their schedules accordingly.

I know there is an event tonight, a dinner. But we can finish tonight or we can finish tomorrow, or whatever it takes. We have to complete our work. There are only about 8½ hours remaining of time, so we should be able to finish that all right today. The remainder of the time will be determined by how many amendments we have remaining.

I will be glad to yield to Senator DOMENICI.

Mr. DOMENICI. Let me just verify, as the one who is working with these amendments, Senators should not assume it is very likely that we finish tonight. I reported that to the leader earlier this morning. I do not know how many amendments are pending on the other side. We are working with our people who have about 31 amendments, most of them sense-of-the-Senate amendments. I will give my colleague that list soon and see if he can help us. I will work at it and talk some Senators into understanding they would not have to offer them; they could offer them some other time when the Senate is considering another matter.

If you just look at 8½ hours plus whatever it is going to take for half those amendments in vote-arama, I assume we will be in tomorrow.

Mr. LOTT. I have been urging Senators, and I know Senator DASCHLE has also, to prepare to be in session on this Friday, knowing the budget resolution was headed for this date for at least a couple of weeks. So we should proceed with that in mind. If we get a lot of cooperation and something could be worked out, that would be different, but I do not see how we can predict anything at this point but having votes on Friday morning.

I yield the floor.

## RESERVATION OF LEADERSHIP TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

## FISCAL YEAR 2001 BUDGET—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. Con. Res. 101, which the clerk will report.

The bill clerk read as follows:

A 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.

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 to congressional firewall for defense and nondefense 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.

Roth amendment No. 2955, to strike the revenue assumption for Arctic National Wildlife Refuge (ANWR) receipts in fiscal year 2005.

Robb amendment No. 2965, to reduce revenue cuts by $5.9 billion over the next 5 years to help fund school modernization projects.

Durbin amendment No. 2953, to provide for debt reduction and to protect the Social Security trust fund.

AMENDMENT NO. 2953

The PRESIDING OFFICER. The pending amendment is the Durbin amendment, amendment No. 2953. The Senator from Nevada.

Mr. REID. The minority yields 20 minutes off the resolution to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 20 minutes, with the time coming off the resolution.

Mr. DURBIN. Mr. President, I thank Senator REID and Senator LAUTENBERG for yielding me this time.

The amendment I have offered is a straightforward opportunity for Members of the Senate to go on record in reference to the proposed tax cut by George W. Bush, the nominal candidate for President on the Republican side.

The reason I am offering this amendment is I believe it offers a clear choice to the Members of the Senate and certainly to the people of this Nation. Every one of us understands we have been going through a period of unprecedented prosperity in America. In fact, I believe we have set records in terms of the period of economic growth without recession. This is not an accident. It is by design of an administration that has been determined to continue to bring Federal spending under control, to keep interest rates manageable, and to encourage growth in the economy. This policy of the administration is complemented by the policies of the Federal Reserve Board under Chairman Alan Greenspan.

We are now at an unusual point in our history where we are considering the possibility of surpluses. That is something that would have been unthinkable a few years ago in Washington when we were drowning in red ink with deficit after deficit piling on to our national debt. It reached such a point of desperation that a proposal was made in the Congress to amend the Constitution of the United States and give to the Federal judiciary the power to rein in the spending of Congress.

It was an unprecedented transfer of power to the judiciary away from the legislative branch of Government. Some people were so despondent and so desperate, they were prepared to back such a constitutional amendment for a balanced budget. It is hard to imagine that was only about 4 years ago.

Today in the course of debating the budget resolution, our focus is the use of the surplus, the revenues we will generate from our economy far and above what is necessary for the needs of Government and current programs. There is a difference of opinion about what to do with this surplus.

On the Democratic side, we believe the first priority should be the reduction of our national debt. We collect each day in America $1 billion in taxes from individuals, businesses, and families, and that money is used for the sole purpose of paying interest on our national debt. That $1 billion does not educate a child; it does not build a road; it does not make America any safer. It pays interest on debt, a debt primarily held by foreign bond holders.

We believe on the Democratic side that our first priority should be to

bring down this debt and reduce these interest costs so we can say to our children: You are not going to inherit our mortgage, a mortgage which we incurred for our needs in our generation. We are going to give you a better chance to build your America in the vision of your future instead of being saddled with our old debt.

That is the highest priority on the Democratic side, and my colleagues will hear it expounded by the Democratic leader, Senator LAUTENBERG, when he offers his Democratic alternative to the budget.

The way we reduce this debt is by investing money in Social Security so that system will be available for seniors and the disabled for decades to come and also, of course, and by investing in Medicare. Medicare is a word which many people in this Chamber fear to use. They are afraid on the other side of the aisle to even make reference to Medicare and its future. But for 40 million-plus Americans, Medicare is an important word in their everyday life. That Medicare system provides health insurance for the elderly and disabled of America. It has been, frankly, one of the most successful programs in the modern era because it represents a commitment by the Federal Government that no one, when they have reached a certain age, will go wanting when it comes to quality health care, and it has worked.

In the 40 years since the institution of Medicare, our seniors have lived longer; they have had a better life; they are more independent; they are healthier; they are stronger, and Medicare has a lot to do with it. We on the Democratic side believe that part of the surplus generated in this economy should be dedicated to Medicare's future to make sure this health insurance is around for many years to come.

We also believe we should target tax cuts. We think we can take an appropriate amount of this surplus and convert it into tax cuts which families really need. I will give two specific examples. We on the Democratic side believe that we should have a targeted tax cut so families can deduct college education expenses. How many families do we know that have sent a son or daughter off to college and then worried about how much debt that child incurred in the course of their higher education?

By providing the deductibility of college education expenses as a targeted tax cut on the Democratic side, we will provide some relief to these families, up to, say, $2,800, for example, each year which will defray the cost of college education expenses. I hope it will be more in the future, but that depends, of course, on the economy and how it is moving and whether the surpluses continue.

Secondly, the largest growing group of Americans are those over the age of 85. People who have parents and grandparents who are now reaching their golden years find they need additional care, in many instances. Whether it is in the nature of a visiting nurse or in a nursing home, this additional care can be costly. We have proposed on the Democratic side a targeted tax cut that will allow families to defray some expenses of long-term care for a parent or aging relative. We believe this is sensible and reflects what modern families have to deal with and struggle with on a daily basis. So our targeted tax cuts come right behind our plan for debt reduction.

Finally, the last piece in our proposal on the Democratic side is our investment in our future. We understand, and most historians will agree, the 20th century had a lot to do with education. We want to make certain the 21st century is an American century as well, and that means investing in our children to make certain they have the very best education, the very best teachers, and the schools are modernized so they can accommodate the new technology.

Along with the President, we invest money for education, as well as for an important program I have found to be immensely popular across Illinois and around the Nation. That program is a prescription drug benefit. The idea behind it, of course, is we will find a way under Medicare to provide a prescription drug benefit for the elderly and disabled that will help them pay for their drugs and also keep them in a position, if they have an expensive pharmaceutical bill, of not having to choose between food or medicine.

We also believe the cost element is important in this debate on a prescription drug benefit. We believe prescription drugs in America should be fairly priced. Pharmaceutical companies are entitled to a profit—they need it for future research—but when we hear stories about exactly the same drug made in America costing half as much in Canada and costing less if one buys it for their dog than if they buy it for their aunt, people are saying this is an outrage. We ought to have prescription drugs fairly priced so this benefit under Medicare will work.

That is a condensation of the Democratic approach to our surplus, our future, and our budget priorities.

On the other side, George W. Bush, the Governor of Texas running for President of the United States, has a much different view of America. He believes we should change dramatically and radically the path we have followed over the past 7½ years.

He has proposed, instead of reducing debt, investing in Social Security, investing in Medicare, targeted tax cuts, education, and health care, that we should have a massive tax cut, a tax cut primarily for the wealthiest people in America.

Take a look at the first year of this tax cut and one can understand this graphic. This graphic shows the American economy moving forward, steaming into the ocean. Look at this tiny little $168 billion cap of an iceberg. This is the first year of the George W. Bush tax cut. Look what comes and follows. This tax cut grows in size and eventually, I believe, could endanger the economy and its growth.

My position on that is not unique nor is it partisan. Chairman Alan Greenspan has said: Tax cuts are not our highest priority in America. Our highest priority is debt reduction. That is the Democratic alternative. I think Chairman Greenspan is right. I think George W. Bush is wrong.

The amendment which I offer is an up-or-down vote by the Members of the Senate about whether they want to follow the course that has led to such economic progress or whether they want to sign up for the George W. Bush tax cut.

Let me tell you what this tax cut would cost America. It would cost us, in the first 5 years, $483 billion; then, over a 10-year period of time, more than $1.2 trillion. It is a substantial investment in tax cuts.

As I have said many times on the floor, every politician likes to stand up and call for a tax cut. It is one of the most popular speeches we can make. But it may not be the most responsible thing to do. The American people are thinking twice about this promise by George W. Bush of a tax cut of this magnitude because they understand that every proposal has its cost.

Let me show you a chart.

The impact of the Bush tax plan is to not only spend the surplus that we have discussed but to reach beyond the surplus, which we are generating in our Government, and to call on spending the Social Security trust fund for the George Bush tax cut.

Those on the Senate floor who want to vote in favor of the Bush tax plan are really saying we should reach into the Social Security trust fund surplus and take the money out of Social Security to fund this George W. Bush tax plan.

This chart shows that in the first 5 years of the George Bush tax cut, we have a non-Social Security surplus of $171 billion. George Bush would spend not only that but another $312 billion to fund this tax cut. Where does he find the additional money? He has to take it from the Social Security trust fund. In raiding the Social Security trust fund, I believe he breaks faith with a promise made, on a bipartisan basis, by Congress that we would make certain the fund is protected.

Let's take a closer look at what it means in terms of the Republican budget resolution, as well.

Recalling again the $171 billion non-Social Security surplus, on the Republican side, in their budget resolution, they call for a tax cut in the neighborhood of $168 billion to $223 billion over a 5-year period. You will note, this is perilously close and in many instances exceeds, again, the non-Social Security surplus.

In order to fund this plan, they will either have to reach deep into the Social Security trust fund or, as an alternative, will have to make cuts in spending.

Cuts in spending may sound harmless today, but when we put them on the spot and ask, ''Where will you cut,'' they refuse to point to it. Many of us believe that investments in education, in our infrastructure, and in our Nation's defense are too important to be left in this uncertainty.

Looking again at the Bush tax cut—the original figure of $483 billion that he proposed, plus an additional $60 billion in interest—it shows you the disparity between the non-Social Security surplus and the Bush tax cut. This is the tax cut I am asking my colleagues in the Senate to vote on yes or no today. I will be voting no. I will be voting against a tax cut which threatens the Social Security trust fund. I hope my colleagues will stand up and be counted as to whether they believe the Bush tax cut is good policy for the future of America.

Let's take a closer look at what this tax cut means to American families. Most families who I represent could certainly use a tax cut. I think, in many instances, it would be helpful to them to meet their expenses and to provide for their future.

Take a close look at the Bush tax cut and the winners and the losers. Families making over $301,000 a year, under the George Bush tax cut, would see an annual tax break of over $50,000. Think of it—a family already making $300,000 a year, plus a $50,000 tax break under the George Bush tax cut. Sixty percent of working families in America, with incomes below $39,300, would see an annual tax break, under the Bush tax cut, of $249.

My colleagues in the Senate will have their choice. Do they want to support the Bush tax cut, which threatens Social Security by raiding the Social Security trust fund, and provides virtually no tax relief to 60 percent of America's working families, at the same time providing a generous $50,000-plus tax cut for those making over $300,000 a year?

Many on the Republican side have already appeared with George W. Bush, put their arms around him and endorsed him. If they endorse his tax cut, they have a chance to vote for it today.

Twice in the Senate Budget Committee they ran away from this decision. They refused to face a vote, up or down, on the Bush tax cut. Today they will have another clear choice, a choice as to whether or not they believe America is moving in the right direction—whether we should take the Democratic alternative of reducing debt, investing in Social Security and Medicare, with targeted tax cuts for families, with investments in education—or whether they will take what I consider to be a risky and dangerous course and follow the suggestion of the Presidential candidate of the Republican Party, George W. Bush.

This morning's Roll Call newspaper spelled out that the George Bush tax plan makes it virtually impossible for him to meet the needs of America's future—to fund the prescription drug benefit, to fund additional medical research, things that Americans understand to be an important part of our future.

George W. Bush has made his choice. He has decided this tax cut is more important than those other things. It is time for the Senate to make its choice. It is time for the Senate to stand up and be counted.

I hope, unlike in the Senate Budget Committee, my colleagues in the Senate—whether they are for or against this tax cut—will stand up and be counted. If they believe, as I do, that America is moving in the right direction and that taking this risky strategy could imperil our future, I hope they will join me in voting no on this tax cut.

I yield back the remainder of my time.

Mr. DOMENICI. Mr. President, parliamentary inquiry: Are we scheduled to vote at 10:30?

The PRESIDING OFFICER (Mr. BUNNING). The Senate is scheduled to have a 10-minute debate at 10:30 a.m., which will be followed by a vote.

Mr. DOMENICI. Is there a vote following that, also?

The PRESIDING OFFICER. Following that vote, there will be a 2-minute debate on the Roth amendment, which will be followed by a vote.

Mr. DOMENICI. I hope all Senators heard that. Let me repeat it. We will have a 10-minute debate starting at 10:30 on the Byrd amendment, to be followed by an up-or-down vote. When that vote is completed, there will be 2 minutes to debate the next amendment.

What did the Chair say the second amendment is?

The PRESIDING OFFICER. The Roth amendment.

Mr. DOMENICI. The Roth amendment on ANWR. After 2 minutes of debate, there will be a vote on or in relation to that. So Senators ought to know that is going to occur.

I say to the Senator, I am at some point going to use some time. I could take 5 minutes now—or 10—and discuss it.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. First, Mr. President, let me see if I understand the amendment Senator DURBIN has offered, which he claims to be Governor Bush's tax proposal.

On page 4, line 4, what I note is that there is a reduction in revenues in the resolution by $4.8 billion. I wonder if the Senator would confirm that that is correct. I am reading it off the Senator's amendment.

Mr. DURBIN. I do not have a copy. I sent my copy to the desk. I will have a copy in a moment.

Mr. DOMENICI. All right. On page 4, line 4, revenues in the resolution are reduced by $4.8 billion. Is that correct?

Mr. DURBIN. On page 4 of this amendment? I am sorry, I say to the Senator, I do not see that reference.

Mr. DOMENICI. On the bottom of the first page of the amendment, it says: ''On page 4, line 4, decrease the amount by $4,843,000,000.'' Is that correct?

Mr. DURBIN. That is correct.

Mr. DOMENICI. Could you tell me what year that is?

Mr. DURBIN. It begins in the year 2002.

Mr. DOMENICI. 2001?

Mr. DURBIN. 2002. I am sorry, it is 2001. I stand corrected.

Mr. DOMENICI. Does the Senator know there is no tax cut in 2001 in the Bush proposal?

Mr. DURBIN. Governor Bush has offered two proposals. The first proposal is the one that we have followed in offering this amendment. He has come back to offer a second proposal starting with 2002. We stuck with his original proposal, which is the period of time which this budget resolution we are considering on the floor addresses.

Mr. DOMENICI. My next question was going to be, did you know that Governor Bush's tax plan covered 2002 through 2006? You have it starting in 2001 with almost $5 billion, but you have given an explanation for that. There are two plans out there, and you chose one over the other.

Mr. DURBIN. That is correct. I chose the first one he offered, the one that mirrors this budget resolution in terms of the period of time that we are addressing.

Mr. DOMENICI. Is it fair to assume that a candidate for President is not bound by the economic assumptions that we make in the Senate or that the CBO makes or OMB makes?

Mr. DURBIN. I conclude that a Presidential candidate can assume anything he or she wants to assume. In fairness, if somebody is going to make the cornerstone of their campaign a tax cut, it should make sense and should hold up when anyone analyzes it. With the figures I brought to the floor today, I suggest that Bush's proposed tax cut would invade the Social Security surplus by virtually any estimation.

Mr. DOMENICI. Let me make a point to the Senator, and I thank the Senator for yielding. Presidential candidate George W. Bush had three of the best economists in America working with him on this tax proposal. Interestingly enough, they made economic assumptions different from the Congressional Budget Office, or the OMB, for the next 5 years.

Interestingly enough, the assumptions of the Congressional Budget Office and the OMB have been wrong, and most of the time they have been wrong by underestimating the performance of the economy. They have underestimated the growth in the economy, underestimated the revenue stream, and each year, we have come along later on and had to make adjustments to it. He is entitled to use his economic assumptions, which I have read and are very

realistic. And that makes a very big difference if one has slight economic assumptions of a positive nature higher than one would assume in our budget.

Mr. DURBIN. Will the Senator yield for a question?

Mr. DOMENICI. Yes.

Mr. DURBIN. Which assumptions did the Senator use in drawing up the budget resolution he proposes today?

Mr. DOMENICI. I am bound by the rules of the Senate to use the CBO. The President doesn't, however. He uses OMB. Frequently, we are different. As a matter of fact, over the last 3 years, we have gone to the President's numbers, and we have gone back to CBO's numbers because we are trying to find out which is more apt to be right. So there is nothing precise about this. One is entitled—just as President Clinton did when he ran for office—to use his own economic experts as he puts his plan together.

Mr. DURBIN. Is the Senator saying, then, that Presidential candidate George W. Bush is using assumptions that come from neither the CBO or OMB, but much more optimistic ones to justify his massive tax cut?

Mr. DOMENICI. Absolutely, except they are not markedly different, but they are different. There is only one Bush plan, as far as the Senator from New Mexico knows. It is December 1, 1999. I have a copy of it in front of me. What has been offered in the Senate is not the Bush plan. Nonetheless, I don't want to argue that exclusively. I can let everybody know that it isn't the Bush plan.

I think what is more important is that soon-to-be-President Bush is entitled to put a budget and a tax plan together, and he is entitled to use his best economic advisers. Let me suggest something. I honestly believe that if George W. Bush were the President instead of Bill Clinton being the President, there would be a couple of huge changes this year that would make it a lot easier to achieve the Bush tax plan.

First of all, we would not have a President recommending that domestic spending grow at 14 percent a year. That is what we are fighting with here—not with a President who is trying to have small Government so he could give some relief to the taxpayers. We are arguing with a President who has the largest increase in discretionary spending since the Jimmy Carter years. That is a lot, when you can beat one of those years with inflation in double digits. This year it is 14 percent. That is what he is asking for. We have to compete with that in our budgets. We can't just do what a Republican President, who isn't elected yet, would recommend as to how we spend money.

As a matter of fact, I have already said that I believe this budget resolution is kind of a holding budget resolution because I believe either man—Bush or Gore—when elected, will ask us to dramatically change this budget. I know George W. Bush will because he will find ways to consolidate and change the priorities of domestic spending in a significant way. When he does that, I have no doubt that he will be able to recommend to the Congress a very good tax plan.

Frankly, if we wanted to debate the value of a tax plan and its worth in society, its soundness, we could have a debate on his precise plan. It is a pretty good plan. Frankly, it does a lot of things that a huge majority of this Senate would like to see done to the Tax Code of the United States.

So we will have a vote on this amendment. Everybody should understand that it is not really the Bush plan. Everybody should understand that Bush will do his own plan. He will do his own plan on taxes, and he told us what it probably will be. He will do his own budget. It is very important we understand that. It won't be this budget because we have to work off a President's budget with increases of the type I just explained to you. He will have his own budget to work off of. I believe he didn't start his tax cut until one year later because he wanted the opportunity to work on a budget and a fiscal plan for this Nation along with a tax plan.

At some point in time, we will either have a vote in relationship to the Durbin amendment, or we will have a second-degree amendment to it. If he insists later on, he can have a vote on his. That is ultimately the way the rules work.

With that, I yield the floor.

Mr. REID. 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. Mr. President, I ask unanimous consent that the time charged to the quorum call I will soon initiate be charged equally to both sides under this amendment.

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

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill 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. Mr. President, I yield all of our time on the amendment.

The PRESIDING OFFICER. The Chair would like to announce that there will be two minutes equally divided on the Byrd-Warner amendment at 10:30.

AMENDMENT NO. 2943

The PRESIDING OFFICER. There are 2 minutes equally divided on the Byrd-Warner amendment.

Mrs. FEINSTEIN. Mr. President, I rise today in support of the Amendment by the distinguished Senator from West Virginia. In supporting this Amendment, however, I would like to make clear my views on the question of the repeal of the federal gas tax.

I do not think that, under present circumstances, repeal of the federal gas tax is necessary or warranted. Yes, gas prices have gone up precipitously over the past several months—to more than $2 a gallon in California—but there is some evidence that prices may now be easing.

More important, I have discussed this issue with the chief executive officers of several major U.S. oil companies, and none could promise that any of these savings would be passed on to consumers. Market forces—supply and demand—dictate how much, if any, of a fuel tax cut would be seen at the pump.

For California, repealing more than 9 cents of the federal gasoline tax merely triggers an automatic increase in the state gasoline tax. Under the California tax code, if the federal gas tax drops below 9 cents per gallon and if Federal Highway Trust Fund payments to California are reduced accordingly, the state tax goes up.

In other words, if all federal fuel taxes are eliminated and funding for the highway trust fund is therefore reduced, the overall tax will remain the same in California and Californians hurt by high gasoline prices will not benefit.

I am also concerned that repeal of the federal fuel tax may endanger the Highway Trust Fund and imperil important highway projects. The highway trust fund, which is funded by the federal fuel tax, provides about half a billion dollars a year for California, money which is used to seismically retrofit bridges to protect them against earthquakes; replace the I–80, which was destroyed by the 1992 earthquake; repair potholes; and otherwise maintain our roads and bridges.

The bottom line is that the current spike in gas prices is due to a supply squeeze: There is simply not enough oil in the market to meet demand. Although I was pleased that members of OPEC, as well as Norway, Mexico, and Venezuela, have agreed to increase production somewhat, it is still unclear if these production increases will be sufficient to meet demand over the next several months.

For that reason, I think it is important to underscore that just as I do not feel we should repeal the federal fuel tax now, I do not believe we should precipitously foreclose our options.

Alongside initiatives to increase fuel efficiency and develop alternate sources, suspension or repeal of a portion of the federal fuel tax in a way that benefits the consumer and does not harm highway spending may be necessary later if this crisis does not ease, and I intend to continue keeping a close eye on this issue.

Mr. BYRD. Mr. President, 2 years ago Congress enacted landmark transportation legislation, the Transportation Equity Act for the 21st Century. In that legislation we restored the trust to the highway trust fund and we set forth highway funding levels that State and local governments could expect to receive over the 6-year life of TEA–21.

There are efforts now to reduce the gas tax revenues going into the highway trust fund, thereby endangering the promises we have made regarding funding levels for the Nation's highways and bridges.

This amendment puts the Senate on record in opposition to any efforts to repeal or to reduce gas tax revenues, either temporarily or permanently. In adopting this amendment, the Senate will confirm the position that it took in enacting TEA–21, that all gas tax revenues should go to the States for critical transportation infrastructure needs and that we meant it when we said we were restoring the ''trust'' to the highway trust fund.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, again I commend the distinguished Senator from West Virginia for his leadership on this issue—not only this particular measure before the Senate, but it goes all the way back to when I was privileged to be bringing to the floor the ISTEA, TEA–21 legislation. Then, in the course of that deliberation, we took the 4.3 cents out of the general revenue and put it in the highway trust fund for the express purpose to improve our Nation's highways.

I commend the leadership.

I also express my gratitude to the myriad organizations, from the National Governors' Association, the League of Cities and Communities, and hundreds of others that have worked so hard to keep the Congress well informed about the needs of our infrastructure, of transportation.

I wish to add one word, and that is ''stability.'' This Nation must have stability in the funding to make this program successful.

The PRESIDING OFFICER. All time has expired.

Mr. BYRD. 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 amendment No. 2943. The clerk will call the roll.

The senior assistant bill clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?—

The result was announced—yeas 65, nays 35, as follows:

[Rollcall Vote No. 57 Leg.]

YEAS—65

| | | |
|---|---|---|
| Akaka | Edwards | Levin |
| Allard | Enzi | Lieberman |
| Ashcroft | Feingold | Lincoln |
| Baucus | Feinstein | Mikulski |
| Bayh | Frist | Moynihan |
| Bennett | Graham | Murray |
| Bingaman | Grassley | Reed |
| Bond | Hagel | Reid |
| Boxer | Harkin | Robb |
| Breaux | Helms | Roberts |
| Bryan | Hollings | Rockefeller |
| Burns | Hutchinson | Sarbanes |
| Byrd | Inouye | Schumer |
| Chafee, L. | Jeffords | Stevens |
| Cleland | Johnson | Thomas |
| Conrad | Kennedy | Thompson |
| Daschle | Kerrey | Torricelli |
| DeWine | Kerry | Voinovich |
| Dodd | Kohl | Warner |
| Domenici | Landrieu | Wellstone |
| Dorgan | Lautenberg | Wyden |
| Durbin | Leahy | |

NAYS—35

| | | |
|---|---|---|
| Abraham | Gramm | Murkowski |
| Biden | Grams | Nickles |
| Brownback | Gregg | Roth |
| Bunning | Hatch | Santorum |
| Campbell | Hutchison | Sessions |
| Cochran | Inhofe | Shelby |
| Collins | Kyl | Smith (NH) |
| Coverdell | Lott | Smith (OR) |
| Craig | Lugar | Snowe |
| Crapo | Mack | Specter |
| Fitzgerald | McCain | Thurmond |
| Gorton | McConnell | |

The amendment was agreed to.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

CHANGE OF VOTE

Mr. CRAPO. Mr. President, on rollcall vote No. 57, I voted ''aye.'' It was my intention to vote ''nay.'' Therefore, I ask unanimous consent that I be recorded as a ''nay.'' This would not affect the outcome of the vote.

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

(The foregoing tally has been changed to reflect the above order.)

Mr. WARNER. I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD. Mr. President, I want to take a moment to thank the 64 Senators who joined this morning in making an affirmative statement in opposition to any reduction in the gasoline tax. The vote this morning on the Byrd-Warner-Baucus-Voinovich-Lautenberg-Bond amendment represented a defining victory for those Senators that want to keep the ''trust'' in the Highway Trust Fund and assure that every penny of highway spending is backed up by fuel taxes deposited into that Trust Fund. It was a defeat for any effort to reduce the gas tax or substitute gas tax revenues with general revenues in the distribution of federal highway funds.

I especially want to thank the original cosponsors of my amendment who joined with me to protect the Highway Trust Fund. It is no coincidence that all of these original cosponsors are members of the Environment and Public Works Committee that has jurisdiction over the Trust Fund. They are the experts in this area. They know better than anyone the threat that is posed by reckless proposals to alter the funding stream to the Trust Fund. They know better than anyone that monkeying around with the funding stream to the Trust Fund poses great danger to our ability to provide our states, counties and cities with a consistent, predictable and growing allocation of federal dollars for the repair and expansion of their highways and bridges.

During the debate over the Transportation Equity Act for the 21st Century, Senator JOHN WARNER served as the Chairman of the Surface Transportation Subcommittee. Senator MAX BAUCUS served as the Ranking Member of that subcommittee as well as the full Environment and Public Works Committee. It would be impossible to overemphasize the contributions those two Senators made to that landmark legislation. Senator WARNER PERMANENTLY ALTERED THE LONG-STANDING DEBATE OVER SO-CALLED ''DONOR'' STATES BY GUARANTEEING EACH STATE A FAIR RETURN ON ITS INVESTMENT TO THE TRUST FUND. SENATOR BAUCUS saw to it that the legislation recognized the unique circumstances of the rural Western states, those states with relatively few citizens but a great many miles of highway. When Senator GRAMM of Texas and I developed an amendment to assure that the 4.3 cent gas tax would be fully spent on highway construction, we were just two non-Committee members with a good idea. When Senators WARNER and BAUCUS agreed to join as original cosponsors and lend their prestige and expertise to our amendment, our good idea became a genuine movement that garnered 54 co-sponsors and would eventually result in our adding close to $26 billion in guaranteed spending to the highway bill.

Senator VOINOVICH was not in the Senate during the debate over TEA–21. He was, however, one of the most outspoken governors on the importance of adequate transportation funding. He has been diligently attentive to transportation issues since he assumed the Chairmanship of the Surface Transportation Subcommittee from Senator WARNER. I appreciate very much his leadership in this area.

Senator LAUTENBERG, like Senator BOND, has the unique role of serving on both the Environment and Public Works Committee and the Transportation Appropriations Subcommittee. Indeed, Senator LAUTENBERG has served either as the Chairman or the Ranking Member of that subcommittee for more than a dozen years. As such, his name is always at the center of every transportation debate. He represents the most congested state in the nation and, as such, has been a national leader in protecting and expanding our nation's rail and transit systems. Senator BOND should be credited for his longstanding efforts at streamlining the environmental review processes that govern our highway construction enterprise. As a Senator from

a mountainous state that is sorely in need of improved highways, I applaud his efforts at ensuring that our highways can be built more expeditiously but in an environmentally friendly manner.

Mr. President, our victory this morning was the result of the leadership of these fine Senators as well as the efforts of our other cosponsors—Senators ROBB, BINGAMAN, REID, LINCOLN, and others. It was a victory for every American that drives on our nation's highways. It was a victory for the integrity of the Highway Trust Fund. It was a defeat for any proposal to de-link our federal highway spending from the level of gas tax revenues.

AMENDMENT NO. 2955

The PRESIDING OFFICER. There are now 2 minutes, equally divided between the Senator from Delaware and the Senator from Alaska.

Mr. LIEBERMAN. Mr. President, I rise today to join the distinguished Senator from Delaware in voicing my strenuous objections to opening the Arctic National Wildlife Refuge to oil exploration, and in urging our colleagues not to sacrifice this natural wonder at the altar of short-term economic expediency.

I recognize that ANWR is once again a tempting target at this moment of record high oil and gasoline prices and low consumer patience. Proponents of drilling, as they have many times before, hold out the promise of a quick fix to this recent price spike and a long-term solution to our dependence on foreign oil. They go so far as to portray the refuge as a kind of energy security blanket that will protect us from the whims of foreign producers.

But appealing as that sounds, the truth remains that ANWR is not the answer to our current oil woes. Opening this pristine place of wilderness to drilling will not bring down gas prices months or years from now, let alone in the immediate future. And it will not yield anywhere near the amount of crude needed to successfully wean us from our addiction to OPEC in years to come. What it will do, we know from plenty of analysis and experience, is immeasurable and irreversible damage to one of the last pure preserves of its kind in the world and one of G-d's most awesome creations. That is the real price at issue here, and it is far too high to pay for the modest benefit it will bring to our domestic oil supply and to those who produce it.

I would suggest to my colleagues that ''modest'' is a generous characterization. The fact is that we have no guarantees about the potential recovery of oil in ANWR. More than 20 different independent and federal studies have been completed on the amount of oil in ANWR, and estimates vary wildly. One of those, completed during the Reagan Administration, determined that there was only a one in five chance of finding any commercially recoverable oil at all. More recently, an assessment by the U.S. Geological Survey estimates that 5.2 billion barrels of oil would be ''economically recoverable'' from the refuge for the rest of its life. Compared against projections of the potential for an aggressive program to produce biomass ethanol to displace oil—2.5 million barrels per day by 2030 and over 3 million per day in 2035—the oil promise of the Refuge is minuscule. The Refuge would probably never meet more than a negligible percentage of our Nation's energy needs at any given time.

In exchange for this minimal return, we would threaten one of the most unique animal and plant habitats in the world. Consider the fate of the Porcupine Caribou Herd, for which the Coastal Plain within the refuge is an important calving ground. An Environmental Impact Statement issued by the Interior Department in 1995 shows that development of ANWR will likely have significant negative effects on the PCH, displacing them to areas of higher predator density, reducing the amount and quality of forage species available during calving, and restricting the animals' access to areas where they can get relief from insects. Experts predict similar risks await polar bears, muskoxen, brown bears, snow geese, wolves, seals, and whales.

That is if all goes well with the drilling, which is not a safe assumption. Data from the Alaska Department of Conservation show that the Trans-Alaska and Prudhoe Bay oil fields have caused an average of 427 spills annually since 1996. The most common spills involve crude and diesel oil, but more than 40 substances, from acid to waste oil, could be released. What is more, current oil operations in Alaska's North Slope emits about 56,427 tons of nitrous oxides, which contribute to smog and acid rain, and about 24,000 tons of methane, a greenhouse gas, per year. Drilling for more oil in ANWR thus compounds the serious problem of global climate change, generating methane emissions in addition to the carbon dioxide emissions that result from increased dependence on oil resources.

It is this lopsided tradeoff—uncertain dividends for likely devastation—that has generated cries of outrage from practically every environmental group every time Congress has attempted to open ANWR to drilling, generated several veto threats from President Clinton, and prompted editorials in newspapers from Seattle to Tampa to Des Moines to Atlanta questioning the wisdom of such a move. It was not right then, it's not right now, and it won't be right come the next price spike.

Nor is it right to mislead the public into thinking a quick fix exists. The reality is we don't have any easy answers to our foreign oil addiction. There is no untapped domestic oil oasis out there that will end our dependence on foreign oil and minimize our vulnerability to fluctuations of the global market. But that is not to say we are helpless. In fact, there are several steps we as a nation could take over the next year that would go a long way toward curing our OPEC addiction.

The solution, I would argue to my colleagues, is nurturing alternative energy sources and improving our energy efficiency. First, we should invest more in exploring the power potential of wind and geothermal energy, fuel cells, and organic materials, and developing long-range strategies for harnessing these renewable energy sources. We have made a good start this year by passing legislation sponsored by Senator LUGAR to spur more research into harvesting energy from common crops. I hope we will build on that progress by adopting the President's budget recommendation of increased funding for research, development, and deployment of renewable energy technologies by 30 percent. Second, we should take stock of the domestic energy market and evaluate national and individual consumer decisions affecting our own energy supply and efficiency. In some areas the results are encouraging. As the President has noted, conservation measures taken by U.S. businesses have significantly improved the efficiency of the overall economy. During the crisis of the 1970s, nearly nine percent of our GDP was spent on oil, compared with only three percent today. But we can and should do better.

The promise of this approach was spelled out in detail by leading experts at a recent hearing held by the Senate Governmental Affairs Committee. To cite just one example, Dr. John Holdren, the Director of the Program on Science, Technology, and Public Policy at Harvard University's Kennedy School of Government, and Chairman of the President's Committee of Advisors on Science and Technology, stated that if the U.S. increases its efficiency by 2.2 percent per year, it could reduce its dependence on oil by more than 50 percent, approximately 5.5 million barrels of oil per day. This goal is more than realistic, for as Dr. Holdren noted, the U.S. decreased its energy intensity by 1.7 percent from 1972 to 1979 and by 3.2 percent from 1979 to 1982.

In short, we don't have to defile the Alaskan wilderness to declare our energy independence. Assaulting ANWR is bad energy policy, it's even worse environmental policy, and it's simply not necessary to help the American consumer and protect our economy. For that reason, I implore my colleagues to once again stand as firm as the tundra and uphold the ban on drilling in the Arctic Refuge.

Mr. GRAMS. Mr. President, I want to take just a few minutes to address the assumption in the budget of oil leasing revenues from activities within the Section 1002 area of Alaska.

First, however, I think it's important to understand just a few of the facts surrounding the current state of the Clinton energy policy. In 1977, the Carter Administration and Congress responded to the energy crisis by creating the Department of Energy and

charging it with increasing U.S. energy security and reducing our reliance on foreign oil. In the early 1970's, our Nation relied upon foreign oil to meet roughly 35 percent of our needs. Today, after investing billions of dollars into the Department of Energy, our Nation is now reliant upon foreign oil to meet almost 60 percent of our needs. That reliance will increase to 65 percent by 2020.

Those numbers are real, they're tangible, and everyone has been able to see it happening. The Clinton Administration has had seven years to respond to our growing reliance on foreign oil and to increase our domestic energy security. So you might ask, what have they done to improve the situation? I regret to say they've done very little. Since 1992, U.S. oil production has decreased by 17 percent while at the same time our energy consumption has increased by 14 percent. In 1990, U.S. jobs in oil and gas exploration and production were roughly 405,000 today those jobs have been reduced to roughly 290,000, a 27 percent decline. And in 1990, the U.S. was home to 657 working oil rigs. Today, there are only 153 working oil rigs scattered across the Nation a 77 percent decline.

Likewise, since coming to office, President Clinton has known that the U.S. Department of Energy was obligated by contract to pick up and remove spent nuclear fuel from civilian nuclear reactors across the country. In my home state of Minnesota, the Department's failure to remove nuclear fuel could force the shutdown of two nuclear reactors and the loss of 20 percent of Minnesota's generation capacity. Again, not only has this Administration failed to respond, I believe they've made the situation even worse by rejecting legislation that has passed both Houses of Congress with overwhelming, bipartisan majorities. Those bills would have not only moved waste from states, thereby fulfilling the Department's obligation, they would have helped ensure the continued use of emissions-free nuclear power well into the future.

As if that weren't enough, the Clinton Administration has taken a very hostile approach to coal-fired generation, they've termed hydropower a nonrenewable resource and are now working to breach dams in the Northwest, and they've closed vast areas of land to exploration for natural gas reserves.

When confronted with the truth about high oil costs and increasing reliance on foreign oil, the only thing this Administration can say is that they support renewable energy sources. Well, I too, am a strong supporter of renewable energy technologies. I've been a strong proponent of the development and promotion of ethanol and biodiesel as a means of reducing our reliance on foreign oil and improving the environment. I was a cosponsor of legislation signed into law last year extending the tax credit for electricity generated from wind and expanding that tax credit to electricity generated from poultry waste. I have written letters in each of the past two years to Senate appropriators supporting significant increases in renewable energy programs, and I was one of 39 Senators to vote in support of a $75 million increase for renewable energy programs last year. I wrote to President Clinton this year asking him to include more money for renewable energy programs in his budget. However, I know that simply calling for increased funding for renewable energy can't even approach the loss of generation in hydropower, nuclear, coal, and other sources that this Administration has pursued through its energy policies.

I think it's clear that, since coming to Washington in 1993, this Administration has been asleep at the wheel in developing a coherent energy policy. They're more interested in pursuing the limited agenda of a few interest groups than in planning for the energy needs of a growing economy.

Instead of strapping on the same blinders that narrowly guide the Clinton Administration, I believe Congress must put all of our options on the table and begin to plan for the long-term energy needs of our nation's consumers. One of those options is clearly the topic we're discussing today, our nation's tremendous oil reserves in the Section 1002 area of Alaska.

Mr. President, history shows that for two decades, Congress has placed special consideration upon this area because of its potential for significant oil and gas reserves. In 1980, Congress passed the Alaska National Interest Lands Conservation Act—or ANILCA. In addition to setting aside over 100 million acres of Alaska for National Parks, Refuges, and Wilderness, the ANILCA legislation specifically left open the future management of a 1.5 million-acre area on the coastal plain of the Arctic National Wildlife Refuge. The legislation also required the Department of Interior to undertake geological and biological studies of the Section 1002 area and report back to Congress.

After more than five years of conducting these studies, the Department of Interior, in 1987, recommended to Congress that the Section 1002 area be made available for oil and gas exploration and production, and that it be done in an environmentally sound manner.

Congress has responded to this recommendation a number of times since receiving it from the Department of Interior. In fact, both Houses of Congress passed an authorization for oil and gas leasing in the Section 1002 area as part of the 1995 budget reconciliation legislation, but it was eventually vetoed by President Clinton.

Today, as a result of increasing prices for oil and decreasing domestic oil and gas production, we find ourselves again debating some decades-old questions. Do we move forward in an environmentally sound manner to develop domestic oil and gas reserves, or do we ask other nations to produce oil for us without similar environmental safeguards? Do we keep American jobs and investments inside our borders, or do we ship our jobs and industries to foreign nations? Do we increase our energy and national security while we have a chance to do so, or do we run around the world begging friend and foe alike to ''feel our pain'' every time we have an oil supply disruption? For me, the answer is simple.

This budget resolution assumes that we're going to move forward to develop oil and gas reserves in the Section 1002 area of Alaska—our nation's most promising deposit of recoverable oil and gas. In 1998, the U.S. Geological Survey produced an assessment of estimated in-place oil resources reaffirming previous studies that showed the tremendous potential of the Section 1002 area. In fact, it showed that Section 1002 contains as much as 16 billion barrels of recoverable oil—enough to offset 30 years worth of Saudi Arabian imports. Clearly, this area has great potential for easing the growing vulnerability we have to oil supply disruptions abroad.

I think it is important to note that we're not talking about turning the Section 1002 area over to oil companies and then walking away forever. If we're going to allow oil and gas exploration and production, it will be done in an environmentally sound manner and with due consideration to the needs of fish and wildlife populations. Senator MURKOWSKI has introduced legislation that accomplishes those very goals. S. 2214—The Arctic Coastal Plain Domestic Energy Security Act—contains a number of provisions to protect the environment. The bill directs the Secretary of Interior to issue regulations that protect fish and wildlife, their habitat, subsistence resources, and the environment of the Coastal Plain of Alaska. The bill provides the Secretary with the authority to close areas of the Coastal Plain, on a seasonal basis, to protect caribou calving and other fish and wildlife species. The bill would also require those obtaining federal leases to comply with federal and state environmental laws, reclaim leased lands to the condition in which they were found, and ensure the protection of fish, wildlife, and the environment. To ensure these actions are done, the Secretary will require bonds to any lands and surface waters affected and conduct semi-annual inspections of every facility to ensure compliance with all environmental regulations.

To my colleagues who oppose exploration of the Section 1002 area, do you think other nations on whom we rely for our oil supplies are employing similar protections? Do you think Iran, Libya, or Iraq are going the extra mile to protect wildlife? Do you think the OPEC nations are holding themselves to these stringent environmental standards? We all know the answer is an emphatic NO. Yet this Administration is opposing any exploration of the

Section 1002 area for environmental reasons, while at the same time begging Iran, Iraq, Libya and others to increase their production for us. I ask my colleagues, who are the real environmentalists here? Certainly not the Clinton Administration. It's clear to me that this Administration's policy against exploration in the Section 1002 area, when compared against its policy of begging for increased oil production abroad, is a net loss for American jobs, family checkbooks, domestic energy security, and the environment.

Mr. President, I urge my colleagues to take a hard look at the intellectual dishonesty of refusing to explore our domestic oil and gas reserves for environmental reasons, while asking other nations to find and produce more oil with significantly fewer environmental protections than we require. I support the inclusion of this assumption in the budget resolution and I hope we vote to maintain it.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, there will be 2 minutes of debate, and then we will have another vote. Votes don't count against this time. So if you take 20, 30 minutes on a vote, we just have to add that much more to the resolution because we are not counting vote time under the statute. I hope you will stay around and vote shortly, after the debate is completed.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. ROTH. Mr. President, my amendment would simply protect the Arctic National Wildlife Refuge from oil drilling. Following in the footsteps of conservationist President Theodore Roosevelt, President Dwight Eisenhower set aside this Arctic wilderness area for all time and all generations.

While my amendment protects a wilderness, it also protects a legacy. It is a legacy forged of foresight and conservation that has been handed down from generation to generation. I hope we will pass this legacy on today to future generations—just as we have received it from past ones. My amendment will insure that we do.

This is not a partisan debate. The President I have named were both Republicans. I am joined in support of my amendment by many Democrats. Together, both parties have a stake in this wilderness area. I hope today that both parties will join hands in protecting it. I urge my colleagues to support my amendment.

I yield the remainder of my time to the Senator from California.

Mrs. BOXER. I thank my colleague. This is truly a bipartisan effort. As this budget stands, it is the most antienvironmental budget in history because it is the first time any budget resolution has called for drilling in a wildlife refuge. We know that when President Eisenhower declared this a refuge, he never envisioned drilling in it. Drilling in a refuge is not only unnecessary; it is destructive.

Please support the Roth-Boxer amendment.

The PRESIDING OFFICER. The Senator from Alaska, Mr. STEVENS, is recognized.

Mr. STEVENS. Mr. President, I regret to do this, but my colleague from Delaware is wrong. I was there. President Eisenhower set aside an arctic wildlife range that was open to oil and gas exploration. It was not until 1980 that it was designated an area subject to oil and gas exploration. An environmental impact statement was provided by the Congress. It was not set aside by President Eisenhower or anybody as wilderness yet.

The PRESIDING OFFICER. The Senator from Alaska, Mr. MURKOWSKI, is recognized.

Mr. MURKOWSKI. Mr. President, we have had this issue in the budget package before. Make no mistake, if the amendment of the Senator from Delaware is adopted, the Senate will go on record in support of a failed energy policy that rewards the price fixers in OPEC and the military ambitions of Saddam Hussein.

The Department of Commerce has indicated that our 56-percent reliance on foreign oil threatens the national security. One out of two barrels is imported. Our growing dependence on imported oil will mean 30 giant supertankers loaded with 500,000 barrels of crude oil will dock in this country every single day of the year. That is more than 10,000 ships a year. That is surely an environmental disaster waiting to happen.

America has the highest environmental standards and laws in the world. By increasing energy imports, we are simply exporting environmental problems to other countries.

Former Senator Mark Hatfield said, ''I would vote to open up that small sliver of ANWR any day, rather than send American boys overseas to risk their lives in a war over oil.''

Mr. President, yesterday the issue of exports of Alaskan oil came up on the floor. I indicated at that time that when export contracts are completed this April, British Petroleum has assured me that it will cease exports of Alaska crude.

I have a letter dated March 23, 2000, from BP's Vice President for U.S. Government Affairs, Larry Burton, reiterating BP's pledge on exports. I ask unanimous consent that a copy of the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BP AMOCO CORP.,
*Washington, DC, March 23, 2000.*

Hon. FRANK H. MURKOWSKI,
*Chairman, Committee on Energy and Natural Resources, Dirksen Senate Office Building, Washington, DC.*

DEAR MR. CHAIRMAN: I would like to respond to your inquiry regarding BP Amoco's plans concerning Alaska North Slope oil exports. Pending completion of contracts due at the end of April, at this time we do not have subsequent plans to export.

We applaud the Administration and the Congress for its wisdom to permit the market to work and to remove an historical penalty imposed on Alaska North Slope oil. The West Coast is part of the global crude market. The ultimate destination of Alaskan crude has no effect on either West Coast supply or gasoline prices. Once our acquisition of ARCO is complete, we would expect to run all of our Alaska crude through ARCO's excellent West Coast refining and marketing network.

Sincerely,

LARRY D. BURTON.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MURKOWSKI. Mr. President, I move to table the 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 the motion to table amendment No. 2955. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 58 Leg.]

YEAS—51

| | | |
|---|---|---|
| Abraham | Enzi | McCain |
| Akaka | Frist | McConnell |
| Allard | Gorton | Moynihan |
| Ashcroft | Gramm | Murkowski |
| Bennett | Grams | Nickles |
| Bond | Grassley | Roberts |
| Breaux | Gregg | Santorum |
| Brownback | Hagel | Sessions |
| Bunning | Hatch | Shelby |
| Burns | Helms | Smith (OR) |
| Campbell | Hutchinson | Specter |
| Cochran | Hutchison | Stevens |
| Coverdell | Inhofe | Thomas |
| Craig | Inouye | Thompson |
| Crapo | Kyl | Thurmond |
| DeWine | Lott | Voinovich |
| Domenici | Mack | Warner |

NAYS—49

| | | |
|---|---|---|
| Baucus | Feinstein | Lugar |
| Bayh | Fitzgerald | Mikulski |
| Biden | Graham | Murray |
| Bingaman | Harkin | Reed |
| Boxer | Hollings | Reid |
| Bryan | Jeffords | Robb |
| Byrd | Johnson | Rockefeller |
| Chafee, L. | Kennedy | Roth |
| Cleland | Kerrey | Sarbanes |
| Collins | Kerry | Schumer |
| Conrad | Kohl | Smith (NH) |
| Daschle | Landrieu | Snowe |
| Dodd | Lautenberg | Torricelli |
| Dorgan | Leahy | Wellstone |
| Durbin | Levin | Wyden |
| Edwards | Lieberman | |
| Feingold | Lincoln | |

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. MURKOWSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2953

The PRESIDING OFFICER. The question is on agreeing to the Durbin amendment. There are 32 minutes in opposition.

Mr. GRAMM addressed the Chair.

Mr. DOMENICI. I yield to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I yield the remaining time on the Durbin amendment.

AMENDMENT NO. 2973 TO AMENDMENT NO. 2953

(Purpose: To express the sense of the Senate on proposals ''to accomplish the strategic goal of completely eliminating the internal combustion engine over, say, a twenty-five year period'')

Mr. GRAMM. Mr. President, 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 Texas [Mr. GRAMM] proposes an amendment numbered 2973 to amendment No. 2953.

Mr. GRAMM. 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 $1.

On page 4, line 5, decrease the amount by $1.

On page 4, line 6, decrease the amount by $1.

On page 4, line 7, decrease the amount by $1.

On page 4, line 8, decrease the amount by $1.

**FEDERAL REVENUE CHANGES**

On page 4, line 12, increase the amount by $0.

On page 4, line 13, increase the amount by $1.

On page 4, line 14, increase the amount by $1.

On page 4, line 15, increase the amount by $1.

On page 4, line 16, increase the amount by $1.

On page 4, line 17, increase the amount by $1.

**NEW BUDGET AUTHORITY**

On page 4, line 21, increase the amount by $0.

On page 4, line 22, increase the amount by $1.

On page 4, line 23, increase the amount by $1.

On page 4, line 24, increase the amount by $1.

On page 4, line 25, increase the amount by $1.

On page 5, line 1, increase the amount by $1.

**BUDGET OUTLAYS**

On page 5, line 6, increase the amount by $0.

On page 5, line 7, increase the amount by $1.

On page 5, line 8, increase the amount by $1.

On page 5, line 9, increase the amount by $1.

On page 5, line 10, increase the amount by $1.

On page 5, line 11, increase the amount by $1.

**NET INTEREST BUDGET AUTHORITY**

On page 26, line 3, increase the amount by $0.

On page 26, line 7, increase the amount by $1.

On page 26, line 11, increase the amount by $1.

On page 26, line 15, increase the amount by $1.

On page 26, line 19, increase the amount by $1.

On page 26, line 23, increase the amount by $1.

**NET INTEREST OUTLAYS**

On page 26, line 4, increase the amount by $0.

On page 26, line 8, increase the amount by $1.

On page 26, line 12, increase the amount by $1.

On page 26, line 16, increase the amount by $1.

On page 26, line 20, increase the amount by $1.

On page 26, line 24, increase the amount by $1.

**PUBLIC DEBT**

On page 5, line 22, increase the amount by $0.

On page 5, line 22, increase the amount by $1.

On page 5, line 24, increase the amount by $1.

On page 5, line 25, increase the amount by $1.

On page 6, line 1, increase the amount by $1.

On page 6, line 2, increase the amount by $1.

**DEBT HELD BY THE PUBLIC**

On page 6, line 5, increase the amount by $0.

On page 6, line 6, increase the amount by $1.

On page 6, line 7, increase the amount by $1.

On page 6, line 8, increase the amount by $1.

On page 6, line 9, increase the amount by $1.

On page 6, line 10, increase the amount by $1.

**TAX CUT**

On page 29, line 3, increase the amount by $1.

On page 29, line 4, increase the amount by $1.

**DEFICIT INCREASE**

On page 5, line 14, increase the amount by $0.

On page 5, line 15, increase the amount by $1.

On page 5, line 16, increase the amount by $1.

On page 5, line 17, increase the amount by $1.

On page 5, line 18, increase the amount by $1.

On page 5, line 19, increase the amount by $1;

and insert the following:

**SEC. . SENSE OF THE SENATE ON THE INTERNAL COMBUSTION ENGINE.**

It is the sense of the Senate that the levels in this resolution assume that the Senate will not, on behalf of Vice President Al Gore, increase gasoline and diesel fuel taxes by $1.50 per gallon effective July 1, 2000, and by an additional $1.50 per gallon effective fiscal year 2005, as part of ''a coordinated global program to accomplish the strategic goal of completely eliminating the internal combustion engine over, say, a twenty-five year period'' since ''their cumulative impact on the global environment is posing a mortal threat to the security of every nation that is more deadly than that of any military enemy we are ever again likely to confront.''

Mr. GRAMM. Mr. President, I thank Senator DURBIN for offering his version of the tax cut proposed by Governor Bush. I believe he will get an opportunity next year to vote on it. I look forward to having that opportunity. I intend to vote for it when it is offered by then-President George Bush. I hope and believe it will pass the Senate by an overwhelming margin.

But let me try, if I might, to explain the dilemma we have in terms of trying to do the Bush tax cut now, as if this were a serious proposal. Then I want to discuss my substitute.

Quite aside from the fact the years do not actually match up because if George Bush is elected President, he will take the oath on January 20 of next year, and therefore his tax cut would begin in fiscal year 2002 in all probability, but let me explain the problem. I am grateful for the opportunity because it tells a story that miraculously the general public does not appear to understand; that is, why can't we have Clinton's budget and George Bush's tax cut?

The reason we cannot—it is an old fact of life—you can't have your cake and eat it too. President Clinton has proposed a budget that, in the 5 years from 2002 through 2006, would spend, relative to what we are spending now, an additional $494 billion. For the years that this tax cut amendment would be in force, the President's budget that was submitted this year, if enacted, would raise spending by $494 billion.

During that same period, the Bush tax cut, if adopted, would reduce taxes by $483 billion. That gives rise to two points. First of all, we cannot increase spending on some 80 new programs and program expansions which President Clinton has proposed, increasing spending by half a trillion dollars in 5 years—we cannot have the Government spend all that money and at the same time give it back to working families so they can spend it. We cannot do both. We are going to have to choose.

The question we are all going to have to answer—and by ''all'' I do not mean just 100 Members of the Senate; I mean every voter in America—the question we are going to have to answer is: Do we want these 80 new programs and program expansions so we can spend in Washington another $500 billion over the first 5 years of the new Presidency, or would we rather eliminate the marriage penalty?

Today, Americans meet, fall in love and get married and they discover they end up paying about $1,200 of additional taxes for the right to be married. Let me make it clear. My wife is worth $1,200—a bargain at the price. But it seems to me she ought to get the money and not the Federal Government.

How can it make sense in America, if you have a janitor with three children and a waitress with two children, they meet, their dreams come true, they fall in love—under the American Tax Code they both lose their earned-income tax credit and they are suddenly in the 28-percent tax bracket? So they look at the dollars and cents and many of them decide not to get married.

How does it make sense? If two people get out of college, meet, and fall in love and get married, forming the most powerful bond for human happiness and progress in world history, why is that a taxable event? Why is love and marriage taxed by the Federal Government?

Governor Bush says it should not be taxed. If he is elected President, he wants to repeal the marriage penalty so love and marriage are not taxable events.

If you agree with Senator DURBIN, and if you agree with the Vice President, AL GORE, then you believe you can spend that money in Washington better than all of those married couples could spend it, and you do not want to eliminate the marriage penalty. You want all these new government programs.

Rather than starting a new spending spree, spending $494 billion on some 80 new and expanded programs, Governor Bush has proposed that he would rather eliminate the death tax.

What does the death tax do? Death is a taxable event under the American Tax Code. Americans work their whole lives, they build up a small business, they build up a family farm, they pay taxes on every dollar they earn in their lives. Yet when they die and leave their life's work to their children, the people they built the life's work for, too often in America those children have to sell the farm or sell the business to give Government up to 55 cents out of every dollar of their life's work. They paid taxes on every dollar they earned, but because they accumulated, because they saved, because they sacrificed, their children end up having to sell the business and sell the family farm in order to give another tax to Government.

Senator DURBIN and Vice President GORE say: Don't do that. Don't repeal the marriage penalty. Don't repeal the death tax. Let us spend this money for you in Washington.

You think that by keeping the farm your daddy and mama worked a lifetime for that you would be better off, but they say: You would not. Let us take your farm because we are going to give you all these Government programs.

They say: Look, you think you know how to spend an extra $1,200 on your children, but you are wrong. AL GORE and Senator DURBIN know better how to spend that money than you do.

This amendment is really about choice. President Clinton gives us one choice, and George Bush gives us another.

President Clinton's choice is, between 2004 and 2006, some 80 new and expanded programs will get $494 billion. That is what he wants to do. He can spend this money and make everything wonderful for you and your family, and if you believe that, you ought to elect AL GORE as President because that is his program. In fact, he wants to spend far more than President Clinton does.

Governor Bush believes you can spend that money better than the Government. So rather than giving the Government another $494 billion to spend—we are not talking about Social Security; we are not talking about Medicare; we are talking about spending basically on discretionary programs.

The President's discretionary nondefense budget goes up by a whopping 14 percent when one makes the adjustments for all the phony revenues and shifting when somebody is paying and when they are not paying.

If you believe President Clinton and Vice President GORE are right, that we would be better off spending the $494 billion in Washington on your behalf to help you and your family, then you ought to be for spending this money. But if you believe repealing the marriage penalty and repealing the death tax so your family can keep more money to spend on their children so you don't have to sell your farm or sell your business—and 73 percent of small businesses do not make it into the second generation, in part because of death taxes. If you believe you would be better off spending $483 billion, along with every other family in America, than having Washington spend $494 billion for you, then you are going to get to vote on it. This is going to be on the ballot in November, but it is going to have AL GORE's name next to the spending and it is going to have George Bush's name next to the tax reductions.

How people are being confused is that many of our colleagues and the Vice President and President say George Bush wants to give $483 billion in tax cuts, he wants to stop penalizing couples for getting married, he wants to stop taking farms away from people when they die, and he wants to reduce tax rates across the board, and that is dangerous.

I say to Senator DOMENICI, they say it is dangerous to give back $483 billion in tax refunds to working people, but they do not say it is dangerous to spend $494 billion. I ask the question: If it is dangerous to give it back to the American people and let them spend it, how come it is not dangerous to spend it right here in Washington, DC? How can it be irresponsible for Governor Bush to be talking about $483 billion in tax reductions, letting working people keep more of what they earn, and how come it is not irresponsible for President Clinton to be talking about spending $494 billion more in Washington?

Mr. DOMENICI. Will the Senator yield?

Mr. GRAMM. I will be happy to yield.

Mr. DOMENICI. Mr. President, I want to make an observation and see if my colleague agrees with me. As a matter of fact, if we took President Clinton's budget and adopted it—and it has a 14-percent increase in nondefense discretionary spending; that is, 13 appropriations bills less defense and military construction. It has a 14-percent increase. I believe it was the Senator who found that is the highest increase in domestic discretionary spending since the years of Jimmy Carter's Presidency when inflation was rampant.

Mr. GRAMM. Exactly.

Mr. DOMENICI. How many years does my colleague think it would take to eat up all the surplus and be right there ready to use the Social Security surplus if we increased that spending 14 percent a year for the next few years? How many years?

Mr. GRAMM. It would take 3 years to consume the entire surplus. Why is it less dangerous to let them spend the whole thing in 3 years than giving a tax cut and giving most of that surplus back? The reason this amendment is so important is that I do not think we are ready to debate the Presidential campaign on the floor of the Senate.

The point is, our colleague from Illinois has offered an amendment that he claims will have us voting on the Bush tax cut. Here is the dilemma: We cannot have Clinton spending and the Bush tax cut. We have to choose between the two. That is what the election is about. If you want this spending, you ought to vote for AL GORE, and if you would rather repeal the marriage penalty so we do not charge young couples $1,200 a year for the right to be married, if you think we ought to repeal the death tax so that you do not have to sell your daddy's and mama's farm when they die on which they spent a lifetime and paid taxes on every dollar they earned, plowed money back into that farm, skimped for it, sacrificed for it—or if you are a small business—if you think you should not have to sell it just because they die, then you ought to vote for Governor Bush.

We cannot adopt the Bush tax cut now because we have the Clinton budget before us. We are going to get an opportunity next year to have a Bush budget and the Bush tax cut. At that time, I hope we will get votes from some of our Democrats. I predict today that we will get at least 15 of them who will vote for it.

Mr. DURBIN. Will the Senator yield for a question?

Mr. GRAMM. I will be happy to yield. Let me talk a little bit about my amendment, and then I will yield.

Now that we are into Presidential politics, I have offered a substitute, and that is, we ought to vote on the Gore tax increase. As many of my colleagues know, because they probably received a signed copy, our Vice President has written a book, ''Earth in the Balance.'' The principal proposal of this book is as follows:

He wants a coordinated program to accomplish the strategic goal of completely eliminating the internal combustion engine over, say, 25 years. That means the pickup you have your umbrella and gun slung across the back of is going to be gone. That means this new car you either have today or are hoping to buy is going to be gone.

Eliminating the internal combustion engine is a pretty dramatic change, especially over a 25-year period.

He goes on to say the reason he wants to do this is—talking again about these cars and these trucks:

> Their cumulative impact on the global environment is posing a mortal threat to the security of every nation that is more deadly than any military enemy we are ever again likely to face.

There is no way we can eliminate the internal combustion engine without starting out over the next 5 years, maybe now with a $1.50-a-gallon tax, maybe in 4 years another $1.50, and to get rid of the internal combustion engine we would have to get gasoline up $10, $20, $50 a gallon.

Since our colleague from Illinois decided today was the day we ought to begin to debate the Presidential campaign on the floor of the Senate, I thought we ought to have an opportunity for Senators to go on record saying they do not agree with the Vice President; they are not quite ready to kiss the internal combustion engine goodbye. I am still hoping to get a four-wheel-drive truck. I am not ready to let AL GORE come in and impose his values that say it is OK for my people who live in rural areas of my State and commute 40, 50 miles a day to work to try another mode of transportation to get rid of their car or pickup.

Mr. DURBIN. Will the Senator yield?

Mr. GRAMM. I am not ready to do that.

Mr. DURBIN. Will the Senator yield for a question?

Mr. GRAMM. The Senator will get his 30 minutes. I have my 30 minutes, with all due respect.

What I have done is offer an amendment that says it is the sense of the Senate we should not to be doing this; we should not be raising gasoline taxes so the Vice President can get rid of our cars and our trucks.

Since the Senator from Illinois decided today we ought to vote on the two alternatives, his argument is that it is OK for President Clinton in his budget to spend a new $494 billion in taxes but it is not all right, it is risky, I say to Senator DOMENICI, it is terribly risky if, instead of us spending it, we let the taxpayers spend it. I do not get it. I do not understand how it is not risky for us to spend it but somehow it is risky to repeal the marriage penalty or the death tax.

So what I have offered, since we cannot do the Bush tax cut until George Bush becomes President—and I would like to hurry the day; if we could do something today that could make it come sooner, God knows, I would sign on as a cosponsor. But I do not think we are going to be able to do it before the Constitution says we can. In any case, what I have done, since we have started this debate, is I have taken the Vice President's book, and I have put in the first installments of what would be required to get rid of all the internal combustion engines, and the first installment would be a $1.50 tax on gasoline today, then another $1.50 tax 4 years from now. That would only start it. We would have to go up from there. But I want to take a conservative approach, as I always do.

Finally, for those who say, OK, the Vice President wrote this book, but he did not mean it. This book was written for environmentalists. He meant it for them, but he did not mean it for people in Texas or New Mexico—let me read his response when he was asked about it.

He said, ''There is not a statement in that book that I don't endorse, not one.''

I do not endorse them. I am against raising gasoline taxes. I am against taking away my pickup truck. I am opposed to it.

I thought this was going to be saved for us to vote on in the election. But since our colleague from Illinois decided to debate the Presidential campaign today, let's debate it.

Let me conclude with this remark, and then I will reserve the remainder of my time and let our colleague speak.

I am happy to say the man I support for President wants to cut your taxes. I am proud of it. I want the world to know it. I suspect our colleague from Illinois is not going to be proud of the fact that AL GORE wants to raise gasoline taxes as part of a program for a ''coordinated global program to accomplish the strategic goal of completely eliminating the internal combustion engine.''

So we are offering a sense of the Senate today to say we are not for that. He may be for it. AL GORE is for it. He says he is for it. He wrote the book. He said he was for it as late as 4–26–99. The point is, not that he is not for it—he is for it —but that we are against it. That is the purpose of this amendment.

Should we be debating the Presidential campaign on the floor of the Senate? I do not know whether we should or not. But since our colleague from Illinois decided to bring it up, I thought we ought to give people an alternative. It is the same choice they are going to have on election day, on the first Tuesday after the first Monday in November of this year.

It is a profound choice. The lives of every American family will be changed if we repeal the death tax, if we repeal the marriage penalty, if we cut tax rates. The life of every American family will be changed if we have confiscatory taxes on gasoline to achieve some extremist goal of eliminating the internal combustion engine.

Improve it? Yes. Make it more efficient? Yes. Make it more environmental friendly? Yes. But kiss it and modern civilization good-bye as part of some extremist environmental agenda? I say, no. I say, no. I believe the Senate will say no today. They are going to say no today. I would not be surprised if all 100 Senators said no.

The American people are going to say no in November.

I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. FITZGERALD). The Senator from Nevada.

Mr. REID. I ask for the yeas and nays on the amendment offered by the Senator from Texas.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

Mr. REID. Mr. President, the statements of the Vice President that my good friend from Texas referred to are certainly valid. He stands by those.

I am wondering if the Senator from Texas stands by the statement he made on August 5, 1993, when we were working on the budget Deficit Reduction Act, which has set this economy on fire doing great things for the economy.

My friend from Texas, speaking about the President's deficit reduction plan, said:

> This program is going to make the economy weaker. Hundreds of thousands of people are going to lose their jobs as a result of this program.

He also went on to say:

> I believe hundreds of thousands of people are going to lose their jobs as a result of this program. I believe that Bill Clinton will be one of those people.

He further said:

> I want to predict here tonight that if we adopt this bill the American economy is going to get weaker and not stronger, the deficit 4 years from today will be higher than it is today and not lower. When all is said and done, people will pay more taxes, the economy will create fewer jobs, Government will spend more money, and the American people will be worse off.

I yield to the Senator, under the resolution, 20 minutes. If the Senator needs more time, it is available.

Mr. DURBIN. I thank the Senator from Nevada.

Mr. GRAMM. Will the Senator yield so I can respond?

Mr. DURBIN. The Senator from Texas would not yield for a question. But I would like to ask him a question. I hope I am not inviting a speech. It is a very simple question.

I am holding Vice President GORE's book, ''Earth in the Balance'' in my hand. Can the Senator from Texas tell me which page he refers to when he says that Vice President GORE has called for a $3 gasoline tax increase? I want to turn to that page immediately. Can the Senator give me the number of the page?

Mr. GRAMM. I would be happy to respond by saying he calls for the elimination of the internal combustion engine over 25 years. Does anybody believe that you could achieve that without taxes driving up the price of gasoline? I think——

Mr. DURBIN. I reclaim my time.

Mr. GRAMM. He tells us what he wants, but he does not tell us the bad news about how we get it.

Mr. DURBIN. I reclaim my time, Mr. President.

If you have been around politics for about 5 minutes 30 seconds, you know

that when you do not have an answer, you answer a question with a question. That is what has happened.

Vice President GORE does not propose a $3 gasoline tax increase. He never has. The Senator from Texas knows it. He is coming to the floor trying to suggest a tax increase that he has dreamed up of $3 a gallon because he does not want to face the music when it comes to the real tax increases and cuts proposed by the Republican candidate for President, his Governor from the State of Texas, George W. Bush.

That is for real. That is the cornerstone of his campaign. You cannot stand it, Senator, but it is a fact. You make up taxes and put it in the mouth of AL GORE. We take the words spoken by George Bush.

When I ask the Senate to vote on George W. Bush's tax cut—the mainstay of his campaign—you would think the Republicans would rally behind George W. Bush. This is their man. This is the one they want to see elected to the White House. But they run, in the words of our former Senator Dale Bumpers, like the devil runs from holy water, when it comes to a vote on the George W. Bush tax cut. They cannot stand the thought of going on record for what the Senator from Texas says he is so very proud of. He is so very proud of George W. Bush's tax cut, he has offered a substitute to it. He does not want to be on the record. He does not want to go back to Texas and try to explain that tax cut. I do not blame him. It is a bad idea. It is bad policy.

I make no apology for bringing to the floor of the Senate the major issues in the Presidential campaign. For goodness sakes, what would the world think if the Senate stopped talking to itself and talking about issues that are being debated in America? This is the No. 1 issue in the campaign. I make no apology for bringing it to the floor, asking Democrats on this side and Republicans on the other, to go on record: Do you support it or don't you?

I make no apology for the progress we have made in this Nation over the last 7½ years under the Clinton-Gore administration. I tell the Senator from Texas and anyone following this debate, I would gladly run on the record of this administration and our economy. I would take it to every State in the Union because we know what has happened: Unemployment is down, housing starts are up, business creation is up, inflation is under control. We have seen America prosper in a way that has never happened in our history.

It bothers my Republican friends to acknowledge this fact. They think it dropped out of Heaven. They do not think the President had anything to do with it. We know better. We know that on the floor of this Senate, and in the House of Representatives, President Clinton's budget plan, that started reducing the deficits and moving us in the right direction, was passed without a single—not one—Republican vote in support. It kills them.

Senator GRAMM was just quoted on the floor. He said it would be the end of—I have forgotten his exact words—but the end of civilization as we know it if the Clinton plan passed. Well, guess what. It did pass, and America got a lot better. American families know we are moving in the right direction. It is interesting to me that my Republican friend from Texas just loves this Bush tax cut to pieces, but he can't bring himself to go on record to vote for it. He doesn't want to have to go back home and explain it—even in Texas, Governor Bush's own State.

I am offering the Bush tax cut as he has proposed it in his own words. Senator GRAMM is offering a figment of his imagination about what Al Gore might have said. When I ask him for a specific page in this book, where there is a $3 gas tax increase, I get a question back to me. Well, if you have been through the first grade, you know how to open a book and go to the right page. That is what the teacher teaches you. Senator GRAMM can't take us to the right page in Vice President Gore's book referring to a $3 gas tax because it isn't there. He is making it up.

Look at what the so-called fair Bush tax cut means to American families. If you happen to have an income of $31,100 a year, it means a $500-per-year tax break under the Bush tax cut. But, boy, if you are in an income category over $300,000, there is a $50,000-a-year tax cut coming from the Bush proposal, the one for which I want the Senate to go on record.

Is this fair? It isn't fair whether you drive a pickup truck or walk along the shoulder of the highway. It isn't fair to working families who have to drive pickup trucks to survive. I think we ought to vote, and I think the Senator from Texas ought to withdraw his amendment so we can vote up or down on something of which he is so proud.

Look at what happened to the deficits under various Presidents. I think the record is clear. I am sure it hurts my Republican colleagues to acknowledge the obvious. We have seen the deficits grow under Presidents Reagan and Bush. But look at what has happened under President Clinton. The deficits have come down.

Mr. REID. If the Senator will yield, I quoted the chairman of the Banking Committee, PHIL GRAMM of Texas, where he says, verbatim, among other things, on August 5 in the CONGRESSIONAL RECORD:

> The deficit 4 years from today will be higher than it is today and not lower.

Does the Senator's chart indicate that that statement is totally without foundation and not true?

Mr. DURBIN. It indicates that when you are asking the Senator from Texas, Mr. GRAMM, for advice on where the economy is going, you ought to do just the opposite. He said the deficit is going up but the deficit went down.

Mr. REID. I say to my friend from Illinois, on October 6, 1993, a few weeks after he made the statement about the deficit increasing, he said this: ''This program''—he meant the Clinton deficit reduction plan—''is going to make the economy weaker. Hundreds of thousands of people are going to lose their jobs as a result of this program.''

Is the Senator from Illinois aware that we have created 21 million jobs since this statement was made that hundreds of thousands of people would lose their jobs?

Mr. DURBIN. I even have it on good authority that they have created new jobs in Texas because of the prosperity coming forth from this administration. I can't believe the Senator from Texas, who is in close touch with his State, hasn't noticed that, and that with the Clinton-Gore approach on our economy, with the help of the Federal Reserve, America is moving in the right direction. Even Texas may be moving in the right direction. I don't want to speak for that State.

Mr. REID. Here is another statement from August 6, 1993: ''I believe that hundreds of thousands of people are going to lose their jobs as a result of this program.''

He is speaking of the Clinton deficit reduction plan.

Mr. DURBIN. Who said that?

Mr. REID. Senator PHIL GRAMM of Texas. He further said, ''I believe that Bill Clinton will be one of those people. We have a Presidential election coming up soon.''

Would the Senator comment on the statements made about President Clinton losing his job and hundreds of thousands of people losing their jobs.

Mr. DURBIN. Well, of course, President Clinton was reelected in a rather decisive victory over former Senator Bob Dole. The American people like the way America is moving forward. I am sure it has been painful for Senator GRAMM and others who opposed the President's suggested policy to get America back on track to realize they were wrong. The facts have shown them to be wrong. In fact, we have had the longest period of growth and prosperity in America's economic history.

They want to change that, I say to the Senator from Nevada. Their Presidential candidate, George W. Bush, doesn't like the way things have been going. He thinks that instead of the policies that have brought America forward, we ought to change it all—a dramatic, radical, and risky tax cut that would go to the wealthiest people in America.

When I asked the Republicans in the Senate to vote up or down on whether they want to stand by Governor Bush, they came in with a substitute. They want to change the subject and invent a tax that they cannot even identify with Vice President AL GORE. Vice President GORE has not called for a $3 gas tax increase.

I think the Vice President is right to heighten our awareness of the need to do something to improve air quality in America. I might say to the Senator from Texas—he may not know this—

about 6 years ago, the Vice President, along with President Clinton, went to the major automobile makers of the United States and challenged them to come up with a more fuel-efficient engine, and it is possible, even in my lifetime, that what we know as the internal combustion engine will be gone, and we will have something that is cheaper to operate and safer for the environment. Whether you are from Texas or Illinois, that would be a good change.

When I listen to the critics of Vice President GORE on the environment, I find it hard to believe. I can't believe that even in the State of Texas you aren't at least sensitive to air and water quality. But to say that anybody who brings up the environment is some pinheaded professor that parks his bicycle straight overstates the case. The American people, particularly younger people in this country, want a cleaner nation, with air that is safe to breathe and water that is safe to drink. If the Vice President is heightening our awareness of environmental issues, so about be it. All political leaders should do that.

Mr. REID. If the Senator will yield, there has been a lot of discussion in the last few weeks about the cost of fossil fuel, gasoline, and diesel fuel being so expensive. It has come to my attention that 56 percent of the fuel that we use in this country comes from foreign nations. Does the Senator think the Vice President was concerned about that and was trying to do something so we would be less dependent on the oil barons of the Middle East?

Mr. DURBIN. I think the Senator from Nevada is exactly right. It is about time America gets serious about an energy policy. I can recall that in previous administrations we had statements of fuel efficiency on vehicles and on appliances, and, frankly, some people on the other side of the aisle thought that was a heavyhanded move by the Government. They have been fighting off that information at a time when we should have it. We ought to be looking to alternative sources, not only alternative sources for fuel, responsible sources in the United States, but also alternative fuels. This is not radical thinking. It is sensible that we would look for alternatives to our dependence on foreign fuel. I think when Vice President GORE raises environmental concerns, those are concerns most Americans share.

Let me go on to another point raised by the Senator from Texas. He raised the marriage tax penalty, which is imposed on people who, because their combined incomes bring them to a higher tax rate, pay more after they are married than before. I say to the Senator from Texas—he probably knows this—the Democrats, the Republicans, and the President agree that this should be changed. There is no controversy here. For him to raise it in the debate baffles me.

Second, when it comes to the estate tax, do you know what percentage of Americans pay the estate tax? I will answer this question. It is 1.3 percent of the estates that pay the estate tax.

Now, yesterday, I had a chance to meet a gentleman by the name of Bill Gates, who runs Microsoft Corporation. He has had a bad month. His net worth went down from $70 billion to $52 billion. When he passes away, I don't believe it is unreasonable that he would pay some taxes back to the America, which has given him a chance to succeed, to pay for education and opportunities for the next generation.

Obviously, the Senator from Texas thinks that is unfair and unjust. I do not. I do concur with his belief that we ought to change the estate tax law so that family farmers and family businesses can pass their enterprises on without penalty, under most circumstances. I already introduced a resolution to that effect in the Senate last year. I hope we can do that. But to eliminate the estate tax on Bill Gates doesn't strike me as the progressive thinking of the Senator from Texas. He is entitled to his point of view.

Let me talk to you about his conjecture that President Clinton in his budget is going to dramatically increase spending.

The Senator from Texas will never tell you on what specifics President Clinton wants to spend money. You would think it is a wasteful expenditure here, there, and the other place. My guess is, if you take a close look at the specific areas of spending, you will find that most American families agree. There are areas where we should spend more taxpayer dollars.

Let me give you a couple of illustrations.

Can we start with education? Is there anyone who couldn't believe we should invest in education, hold the teachers and the establishment of education accountable for what comes out of the classroom but give them the resources to do a good job; pay teachers a decent salary; put the computers and technology in the classroom so they can teach adequately; and make sure schools are modernized for the 21st century?

I think that is one of the ''wasteful'' programs the Senator from Texas would have us eliminate so we can give a tax cut to the wealthiest people in American.

Look at some of the proposals by President Clinton for spending. I guess the Senator from Texas should have taken a look at this list. It appears he wants to spend some more money on additional defense for America. I don't think that is altogether a bad idea. I think that is part of the preamble of the Constitution—that the United States wants to provide for the common defense. And I am glad President Clinton has shown leadership there.

When it comes to foreign assistance, he, for example, wants to invest money to make America's embassies overseas safe from terrorism. Is that a wasteful expenditure we should do away with in the name of a $50,000-a-year tax cut that George W. Bush proposes for people making over $300,000 a year?

The list goes on and on.

Environmental toxic cleanup: The President wants to spend more on that. So do I. I don't want those toxic chemicals in the soil leeching into ground water and contaminating water supplies across America.

The President is right, and the American people know it.

In the area of agriculture, we had an effort to help our farmers across America struggling through the most difficult times. Yes. That is President Clinton's proposal for spending. Is it a valid one? You bet it is. For 2 straight years, we have passed emergency appropriations for farmers.

I take it the Senator from Texas doesn't believe we should do that; instead, we should take the George W. Bush tax cut and give a $50,000-a-year tax break to some of the wealthiest people in this country.

The list goes on and on.

Investments in transportation: So that the FAA can have modern equipment; so that when we get on an airplane with our family we have peace of mind that the best technology is available.

Yes, President Clinton wants to spend money on that, and apparently the Senator from Texas thinks that is wasteful.

I don't know how he gets back and forth to Texas. When I travel to Illinois, it is on an airplane. I want it safe for me and my family and for all of the other people who use it.

In the education area, the President's proposal would not only modernize our classrooms but increase the number of teachers so we have smaller class sizes.

A national literacy program that both Presidential candidates agree on so kids by the third grade can read and write: Is that a good proposal and a goal for the 21st century? I think so. But the Senator from Texas, obviously, takes exception. He thinks that is another wasteful Government expenditure.

He would rather give a tax cut to the wealthiest people in America. I think that is wrong. That is what elections are about.

Mr. REID. Mr. President, will the Senator yield?

Mr. DURBIN. I am happy to yield to my colleague.

Mr. REID. The Senator outlined very clearly the importance of certain spending taking place in this country. I would like the Senator to comment on the fact that when President Bush took office, the yearly deficits, not counting the Social Security surpluses which made the deficit look smaller, were about $300 billion a year.

In addition to the President requesting some spending that the Senator outlined so clearly, what is the status of the deficits of this country since President Clinton became President?

Mr. DURBIN. I am glad the Senator asked. As Senator BYRD carries the

Constitution in his pocket, I carry with me a card which has a record of what is happening under the Clinton-Gore administration. Record budget deficits have been erased.

In 1992, the deficit was a record $292 billion. The Congressional Budget Office said it was going to grow to $455 billion by the year 2000, this year. Instead, we have a projected $167 billion surplus, the third one in a row. That is $622 billion in savings not drained by the Government in 1 year alone. And we have had the largest paydown of debt in the history of the United States—$297 billion.

All the deficit hawks on the other side of the aisle hate to hear these numbers, but they are the facts.

Under the Clinton-Gore administration, we have addressed the deficit situation. We are no longer talking about a constitutional amendment to balance the budget but are moving in the right direction. The American people want us to continue doing that.

We have people who visit this Capitol at this time of year, usually classrooms from across America. These young men and women who come to watch this Senate and visit our offices deserve an America with a reduced national debt. That is the goal of the President's proposal and his budget. It is one not shared by George W. Bush. He believes we should give a massive and risky tax cut across the board. We believe targeted tax cuts make more sense and deficit and debt reduction are absolute priorities.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. REID. I yield the Senator from Illinois an additional 15 minutes under the resolution.

The PRESIDING OFFICER. The Senator is recognized.

Mr. REID. Historically, my friend from Illinois talked about what has happened since Bush was no longer President and how the deficit came down. From where did this huge national debt of $5 trillion come?

Mr. DURBIN. I think the Senator from Nevada can remember that we accumulated more debt in the history of the United States with the election in 1980 of President Reagan until President Clinton, and about 1994 or 1995 started to turn the corner, than we had accumulated in the entire history of the United States, more debt than we had accumulated in our entire history.

We collect $1 billion in taxes every day to pay interest on the debt that we accumulated during the Reagan-Bush era. President Clinton has finally moved away from that. We are starting to reduce that debt, and we think that is the highest priority. But it isn't the highest priority of Gov. George W. Bush. He believes the highest priority is a tax cut—a tax cut for some of wealthiest people in this country.

We believe we should target the tax cut to the families who need it. For example, a lot of families send their kids to college. They know it is a very expensive undertaking.

We propose on the Democratic side that you be able to deduct from your taxes college education expenses. This gives a helping hand to middle-income families across America so that the kids will finish school with less debt, and maybe no debt.

I think that is a targeted tax cut that makes sense. It makes a lot more sense than a $50,000-a-year tax cut for somebody making $300,000 a year. That is the George W. Bush tax cut.

We also want to target the tax cut to help pay for long-term care. Families know when their parents and grandparents are elderly that it is expensive to care for them. They want to give them the best. It takes a lot from their savings. We give a tax cut for that purpose—a targeted tax cut to help pay for long-term care. That is a sensible approach.

We think the highest priority should be debt reduction. We are not the only ones who suggest it. For anyone who believes this is a partisan proposal, take a look at this particular article that appeared in the Washington Post. This is from the business section. Alan Greenspan, not known to be a Democrat, the Chairman of the Federal Reserve Board: ''Pay down the debt first.''

That newspaper was obviously not delivered in Texas because neither the Senator who is speaking today on behalf of his amendment nor the Presidential candidate on the Republican side heard the news. Greenspan said debt reduction should be the highest priority—not in their book. From their point of view, the highest priority is making sure the wealthiest people in this country pay less in taxes. That to me doesn't make sense. Let us pay down this awful debt that has been accumulated during the Reagan-Bush years.

Let us try to put this behind us so future generations have more flexibility in their own lives; so that we have less demand for capital; and interest rates coming down.

So those who are following the debate understand where we are, I put forward on the floor the Bush tax cut asking the Democrats and Republicans to go on the record one way or the other. The Senator from Texas says: No. Let's try a substitute. He dreams up a gas tax increase and cannot point to one page in Vice President GORE's book that enumerates that increase, and he wants us to vote on that.

I encourage my friends on the floor to turn down the Gramm gas tax increase. We don't need a $3 increase. Nobody on this side of the aisle called for it.

I think Senator GRAMM should understand at this point in time it would be devastating. That is what he wants to vote on because he doesn't want to vote on the Bush tax cut, which is well documented. That is painful, I am sure, but I think it is important we do it.

Back to the estate tax for a second. In 1995, approximately 2.3 million people died in America; 31,000 out of 2.3 million ended up paying the Federal estate tax, 1.37 percent. The vast majority of our Nation's citizens simply do not leave estates valued at $600,000 or more, which is the present annual tax threshold, which is going to increase to $1 million, which I support.

The Senator from Texas would have us believe everyone passing away has as their last act, before the undertaker wheels them out, filing a Federal tax form for the Federal estate tax. It doesn't happen. The vast majority, over 98 percent of the American people, don't pay this tax. Some of the wealthiest people in this country do. He thinks we should wage this Presidential campaign over the 1.37 percent of the population. I think that is a mistake.

I think, honestly, those who have done well in America and prospered and made millions of dollars and left huge estates owe something back to America. That is part of the cost of living and prospering in this country, as far as I am concerned. We see that differently.

The Senator wants to preserve and protect those in the highest income categories, give them the Bush tax cut, and turn his back on things such as education spending—which he thinks is wasteful government spending. I disagree.

There are some radicals on his side of the aisle who want to eliminate the Department of Education. That is a serious mistake. I am not going to put those words in the mouth of any single Senator, but we have heard it over and over from the other side of the aisle. They would take away the authority of the Department of Education to provide for the 5, 6, or 7 percent of Federal aid to education across America. I think that is a mistake, too.

The President understands, as most American families do, that education is critical for our future. If the Senator from Texas wants to walk away from this commitment to education, I think he is walking away from a commitment which is important for our children to make sure they have the skills and education not only to prosper in this Nation but to be able to compete in a global economy. He may think a tax cut for wealthy people is more important than making certain that our kids are well educated, but I disagree with that. I think most American families understand they get one chance to educate their kids, and they want to do it right.

Mr. REID. Will the Senator yield?

Mr. DURBIN. I am happy to yield to the Senator.

Mr. REID. We have talked about income taxes; that is what the Senator from Texas talked about and that is what the Bush tax cut mainly talks about, the Federal income tax.

Is the Senator aware of the article that ran in the Washington Post 8 or 9 days ago, and then ran all over the country, indicating that the Federal

income tax now is at a 40 to 50-year low?

Mr. DURBIN. Yes, the Senator from Nevada is correct. Despite all the statements to the contrary, Federal taxes have been going down on American families and they have been held to the 1970 level. We have been making real progress in that regard.

What we have tried to do when the Democrats had a voice in the process is make sure that tax cuts went to working families. Those are the folks who need a helping hand. If there is an increased tax burden in this country, it comes primarily from State and local sources and from payroll taxes associated with the Medicare and Social Security programs which, quite honestly, we have to sustain until we address meaningful reform.

On that subject, let me add, President Clinton and Vice President GORE are talking about investing this surplus back into Social Security and back into Medicare to reduce their debt and to make certain those programs will be here for decades to come. The Republican side of the aisle does not want to address those issues, and they should. Instead, they want the George W. Bush tax cut. Instead of putting this money into debt reduction and strengthening Social Security and Medicare, providing for prescription drug benefits under Medicare, they would give a tax cut to the wealthiest people in our country. That is the clear choice in the Presidential campaign.

The Senator from Texas does not believe I should raise this issue on the floor of the Senate. He says since I have, it is open season for debate on it. I welcome the debate. For goodness sakes, if we cannot come to this floor and debate the issues that are central to the most important choice Americans will make in the year 2000 in the Presidential election, then this great deliberative body has lost its way. I think it is important that all Members come to the floor and be recorded on this vote.

I invite the Senator from Texas to withdraw his substitute amendment so he can have an up-or-down vote on the Bush tax cut. Surely GRAMM wants to go back to Texas and see your Governor and say: I stood by you. I was with you to the bitter end. I defended you against your critics. I am for the Bush tax cut.

Certainly you don't want to go back and say to your Governor: I didn't want to vote on your tax cut so I put up a substitute. I dreamed up an Al GORE gas tax. I did my darnedest to avoid being on the record.

I am certain Texas pride demands standing by your Governor, as many on your side of the aisle, I am sure, want to do. In order to do that, you have to take away the substitute amendment. You have to face the music. You have to understand that if you are going to buy this tax cut from George W. Bush, you have to go on the record and do it and not just make speeches when you are off the Senate floor.

I yield back the time offered to me by Senator REID under the resolution.

Mr. REID. How much time did the Senator have remaining?

The PRESIDING OFFICER. He had 5 minutes remaining.

The Senator from Texas.

Mr. GRAMM. Mr. President after listening to that, I feel like a mosquito in a nudist colony. I don't know quite where to hit.

Let me start at the beginning. Bill Clinton's plan was not just the largest tax increase in American history; it was a stimulation package of $16 billion where spending exploded before the tax increase ever went into effect. Republicans in the Senate killed that stimulation plan.

Bill Clinton's plan was to have the Government take over and run the health care bill. I remember distinctly somebody standing up and saying the Clinton health care bill will pass over my cold, dead, political body. That political body is still alive and the Clinton health care bill is dead.

Bill Clinton, when he sent Congress a budget in 1995, proposed a $200 billion deficit, and his budget had a $200 billion deficit through this year. Who lost their jobs? When we killed the Clinton health care bill and defeated the stimulus package, they lost their jobs. We elected a Republican majority in both Houses of Congress. When we elected a Republican majority, we rejected the Clinton budget and the deficit started to go away and we have a surplus today.

In terms of a reasonable policy to protect the environment, forgive me, but completely eliminating the internal combustion engine is not a reasonable policy to protect the environment. It is an extremist policy that deserves to be rejected and it will be rejected. They are ashamed of it.

I ask the following question: How is he going to eliminate the internal combustion engine? Maybe they are just going to confiscate the cars or trucks. Maybe they are going to take us off to prison.

If you don't do it with taxes, how do you do it? The point is, they don't know how you would do it—at least they don't know before the election. The American people are going to want to know.

They are for eliminating the marriage penalty—baloney. Where's the beef? Their tax cut actually raises taxes for 5 years. Middle-income Americans would get virtually no tax relief under their policy.

Finally, as to this ''tax the wealthy,'' what a phony issue that is. In the President's first budget, they proposed raising taxes on people earning $25,000 a year who were drawing Social Security. That is what they call ''rich.''

They were able to take a family making $44,000 a year and under Clinton's first budget make it $75,000 by saying: To tax somebody, you count the rent value of the home they own; you count the value of their life insurance; you count the value of their parking place.

To the Democrats, anybody who works and makes money is rich. Whenever we try to cut anybody's taxes, they are always rich. They have every excuse in the world to do anything except to give the American people a tax cut.

Finally, let me say again the part of the story that they are not telling is the following: Their budget, which they support, proposes that over the next 5 years we spend $494 billion on new and expanded programs. That is the Clinton budget.

What Governor Bush is proposing is that rather than spend all this money on these programs, we give part of it back to working families. Why is it not risky for us to spend $494 billion on new programs, which is the Clinton budget that they support, and why is it risky for Governor Bush to propose giving less than that amount back to families to let them spend it?

I have 3 minutes remaining. I yield to Senator DOMENICI.

Mr. DOMENICI. Mr. President, we have heard an interesting political discussion today. The idea we should be debating the Bush tax cut on the Senate floor is totally political. It brought a political answer. So we are now engaged in a Presidential election instead of a budget.

The truth of the matter is, we do not have before us a Bush budget. What we have before us is the budget of the President of the United States. For those on the Democrat side who are talking about Bush's budget, let me say they have never offered the President's budget. Nobody has dared offer it because it is so bad that even they know they would not get the votes for it.

That is not the kind of budget we are going to get next year, if George Bush is President. He is going to give us a budget that calls for less Government but priorities in Government. There is going to be sufficient money left over in his budget to have a tax cut, tax relief for the American taxpayer, and take care of the Social Security trust fund. There is no doubt in my mind he will present that kind of budget.

We can argue all we want today about what fits in this year's budget. We are operating against the competition of a budget from the President. We are not working with a President who wants to have tax relief. As a matter of fact, this President's budget sets the way to increase taxes in the first year, not decrease them, and to increase them over the first 5 years, not decrease them. As a matter of fact, it is a tax increase budget. We have to compete with that and try to get our business done, having to work with him in the appropriations process. Now we have somebody coming down here telling us Bush's budget does not fit in ''your'' budget. Of course, it doesn't fit in our budget because we have not yet seen what President-elect Bush would submit to us to do with all these duplicative programs. We heard there are

342 programs in economic development. He is not going to leave those around. He is going to provide a completely different tone, a different kind of budget with high priorities in education and the issues he has described.

I want to close by saying it is somewhat of a lark to come down here and talk about how big the deficit got following Jimmy Carter. Ronald Reagan had to take over an America whose military had gone right down the drain, an America that had an economy that was dead weak. He had to sit there and let the inflation come out of that and then, yes, build back defense and provide some tax relief for the American people. That was a great economy. He took over when it was a basket case.

If we want to debate things past, I will conclude by saying: Does anybody believe this robust economy of America was made robust because Bill Clinton and the Democrats increased taxes $293 billion? Does anybody really believe that? I am certain a majority of American economists would say it was coming back strong, we plunked this on top of it, and it didn't break the economy; it just let it go ahead. It probably would be stronger if we had not adopted the $293 billion. That is my guess.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Is there time remaining with the majority?

The PRESIDING OFFICER. All their time has expired.

The Senator from Illinois.

Mr. DURBIN. Mr. President, I yield back my time.

AMENDMENT NO. 2985 TO AMENDMENT NO. 2953

Mr. DURBIN. I send a perfecting amendment to the desk.

Mr. DOMENICI. Parliamentary inquiry. Is that amendment in order?

The PRESIDING OFFICER. The Senator has a right to modify his amendment. Therefore, a second-degree amendment would not be in order.

Mr. DOMENICI. I don't understand. We have a second-degree pending. What kind of amendment is he sending? Is it amending the second-degree amendment or the underlying amendment?

The PRESIDING OFFICER. It is a second-degree perfecting amendment, but it is an amendment to his own amendment which the Senator has the right to modify. It can be accepted as a modification.

Mr. DOMENICI. I say to my friend, I did not think we were going to be doing this. That is what you kind of said to me. But that is all right. I thought we were going to vote on second degrees, you would have another round of votes on your own, but it is OK if you want to change that now.

Mr. REID. I say to my friend from New Mexico, we are not changing anything. In all due respect, if their amendment had been prepared properly, there wouldn't have been an opportunity for us to do our amendment. We think there should be an up-or-down vote. We said all along we are going to get an up-or-down vote, no matter how long it takes, whether the majority is going to approve their Presidential nominee's tax cut; it is as simple as that. We asked for an up-or-down vote for the last 24 hours.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, parliamentary inquiry. Is it an appropriate time for a Senator to send an amendment to the desk? Is it appropriate for a Senator to send an amendment to the desk unrelated to the pending amendment, the one that has just been debated, and ask it be placed in the queue for consideration?

The PRESIDING OFFICER. It would take unanimous consent.

Mr. WARNER. I ask unanimous consent this amendment be placed in the queue for consideration.

Mr. REID. Objection—just lining it up for later on? OK.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I don't know what the words ''queue it up'' mean. We ought to get it straight. I don't object to his sending an amendment to the desk, but I do object to gaining any kind of preferential treatment for that amendment.

Mr. WARNER. Mr. President, I have not requested any preferential treatment. I simply wish to send it to the desk.

The PRESIDING OFFICER. The Senator has a right to submit an amendment. The amendment is submitted. The Senator from Nevada.

Mr. REID. 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 Nevada [Mr. REID], for himself and Mr. DURBIN, proposes an amendment numbered 2985 to Amendment No. 2953.

Mr. REID. I ask unanimous consent to waive the reading of the amendment.

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

The amendment is as follows:

At the end of the amendment add the following:

Notwithstanding any other provisions of this resolution the following numbers shall apply:

**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.

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

Mr. DOMENICI. Parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Before I relinquish the floor, might I ask what this amendment is?

The PRESIDING OFFICER. This is the perfecting amendment to the underlying Durbin amendment.

Mr. DOMENICI. So Senators would like a vote on the Durbin amendment? Is that what all this is about? Is that it?

Mr. REID. That is it.

Mr. DOMENICI. Let's just do it.

Mr. REID. That will be perfect. We think that would be very appropriate.

Mr. DOMENICI. Can we agree we are going to vote on the Gramm amendment and then we will vote on the Durbin amendment, regardless of what happens to the Gramm amendment?

Mr. DURBIN. Will the Senator from New Mexico yield?

Mr. REID. I think the staff is preparing an appropriate unanimous-consent agreement. I think we can work this out.

Mr. DOMENICI. What we are going to do is have a vote on Senator DURBIN's amendment, then have a vote on Senator GRAMM's amendment?

Mr. REID. That is right.

Mr. DURBIN. I ask the Senator from New Mexico to yield for a moment.

Mr. REID. We yield time under the resolution.

Mr. DURBIN. Would the Senator from New Mexico allow us, despite all the debate this morning, to describe our actual amendments before the actual vote?

Mr. REID. We usually have 2 minutes.

Mr. DURBIN. That will be fine. Thank you.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the votes relative to the following amendments be scheduled to occur at 2 p.m. in the sequence listed, with no second-degree amendments in order, where applicable, prior to the votes, and there be 2 minutes prior to each vote for explanation, and all votes after the first vote in the sequence be limited to 10 minutes. The amendments are as follows: Reid amendment No. 2985, which I understand is a Durbin amendment, essentially—is that correct, Senator?—and then Gramm amendment No. 2973—and Senator Gramm is here. it is the same amendment to which he has been speaking—and then Durbin amendment No. 2953, as amended, if amended.

I also ask unanimous consent that following the allotted 1 hour of debate, the pending amendments be laid aside until the stacked votes. It may be that there is no time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I understand Senator MCCAIN has an amendment. We have agreed heretofore on the floor—the minority and majority—that he would proceed as the next amendment. To do that, we have to yield back time that we have on the pending amendment. I yield back any time I have.

Mr. REID. As does the minority.

The PRESIDING OFFICER. All time is yielded back.

The Senator from Arizona is recognized.

Mr. MCCAIN. I understand that the pending amendment has been set aside.

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 2988

(Purpose: To end the ''Food Stamp Army'')

Mr. MCCAIN. 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 Arizona [Mr. MCCAIN] proposes an amendment numbered 2988.

Mr. MCCAIN. 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 9, line 2, increase the amount by $2,500,000.

On page 9, line 3, increase the amount by $2,500,000.

On page 9, line 6, increase the amount by $10,000,000.

On page 9, line 7, increase the amount by $10,000,000.

On page 9, line 10, increase the amount by $6,000,000.

On page 9, line 11, increase the amount by $6,000,000.

On page 9, line 14, increase the amount by $4,200,000.

On page 9, line 15, increase the amount by $4,200,000.

On page 9, line 18, increase the amount by $2,800,000.

On page 9, line 19, increase the amount by $2,800,000.

On page 9, line 22, increase the amount by $2,000,000.

On page 9, line 23, increase the amount by $2,000,000.

On page 4, line 21, increase the amount by $2,500,000.

On page 4, line 22, increase the amount by $10,000,000.

On page 4, line 23, increase the amount by $6,000,000.

On page 4, line 24, increase the amount by $4,200,000.

On page 4, line 25, increase the amount by $2,800,000.

On page 5, line 1, increase the amount by $2,000,000.

On page 5, line 6, increase the amount by $2,500,000.

On page 5, line 7, increase the amount by $10,000,000.

On page 5, line 8, increase the amount by $6,000,000.

On page 5, line 9, increase the amount by $4,200,000.

On page 5, line 10, increase the amount by $2,800,000.

On page 5, line 11, increase the amount by $2,000,000.

On page 5, line 14, increase the amount by $2,500,000.

On page 5, line 15, increase the amount by $10,000,000.

On page 5, line 16, increase the amount by $6,000,000.

On page 5, line 17, increase the amount by $4,200,000.

On page 5, line 18, increase the amount by $2,800,000.

On page 5, line 19, increase the amount by $2,000,000.

Mr. MCCAIN. Mr. President, I thank Senator DOMENICI and Senator REID for allowing me to propose this amendment. I don't intend to take a very long time. I know there are many other pending amendments.

Mr. President, I rise today to introduce an amendment to the Congressional budget resolution for fiscal years 2001 through 2005 that would provide the funding necessary to end the ''food stamp army'' once and for all.

This amendment increases the defense budget by $28 million over five years—an average of less than $6 million per year—to pay for an additional allowance of $180 a month to military families who are eligible for food stamps. Additionally, the Congressional Budget Office estimates the amendment would save millions of dollars in the food stamp program by removing servicemembers from the food stamp rolls for good.

Last week, I introduced S. 2322, the ''Remove Servicemembers from Food Stamps Act of 2000'', that will provide junior enlisted servicemembers who are eligible for food stamps in the paygrade E–1 through E–5 an additional subsistence allowance of $180 a month. A not-yet-published Department of Defense report estimates that approximately 6,300 servicemembers receive food stamps, while the General Accounting Office and Congressional Research Service place this number at around 13,500. Regardless of this disparity, the fact that just one servicemember is on food stamps is a national disgrace, and this situation cries out for repair.

In recent years, annual military pay increases have barely kept pace with inflation—lagging at least 8 percent behind the pay increases in the private sector during the same period. To put the impact of such trends in plain dollar amounts, the lowest enlisted rank, an E–1, currently earns as little as $12,067 per year, plus $2,766 in allowances, which is well below the poverty level for a family of four. In fact, the

number of men and women in the military earning less than $20,000 per year constitutes 45 percent of the Army, 46 percent of the Marine Corps, 26 percent of the Navy, and 18 percent of the Air Force. Of these servicemembers, 111,600 have families and 6,515 are single parents.

Because of this serious disparity in military versus civilian pay, the Congress took action last year to significantly increase military pay across the board. The Senate-passed military pay bill, S. 4, included the same food stamp relief plan in S. 2322, and it was also approved by the Senate as part of the National Defense Authorization bill. However, I was greatly disappointed when the Senate-approved food stamp relief provision was rejected by conferees from the House of Representatives despite the strong support of Admiral Jay Johnson, the Chief of Naval Operations, and General Jim Jones, the Commandant of the Marine Corps. With thousands of military families on food stamps, and possibly thousands more eligible for the program, I cannot understand the Congress' refusal to rectify this problem in last year's National Defense Authorization Act.

It is outrageous that Admirals and Generals received a 17 percent pay raise last year, while enlisted families continue to line up for free food and furniture. Last year, we poured hundreds of millions of dollars into programs the military did not request and that were not identified by the Joint Chiefs as a priority item. It is difficult to reconcile how Congress could waste $7.4 billion on pork-barrel spending in the defense budget last year alone, yet refuse to provide a few million dollars to get military families off food stamps.

It is unconscionable that the men and women who are willing to sacrifice their lives for their country have to rely on food stamps to make ends meet, and it is an abrogation of our responsibility as Senators to let this disgrace go on. Sadly, politics, not military necessity, remains the rule, not the exception.

I will not stand by and watch as our military is permitted to erode to the breaking point due to the President's lack of foresight and the Congress' lack of compassion. These military men and women on food stamps—our soldiers, sailors, airmen, and Marines—are the very same Americans that the President and Congress have sent into harm's way in recent years in Somalia, Bosnia, Haiti, Kosovo, and East Timor. They deserve our continuing respect, our unwavering support, and a living wage.

S. 2322 is supported by The American Legion, the Veterans of Foreign Wars, the National Association for Uniformed Services, the Disabled American Veterans, The Retired Officer's Association and every enlisted association or organization that specifically supports enlisted servicemember issues in the Military Coalition and in the National Military/Veterans Alliance. Associations include the Non Commissioned Officers Association, the Retired Enlisted Association, the Fleet Reserve Association, the Air Force Sergeants Association, the U.S. Coast Guard Chief Petty Officers Association, the Enlisted Association of the National Guard of the U.S., and the Naval Enlisted Reserve Association. I ask unanimous consent to include their letters of support in the RECORD following my remarks.

I urge my colleagues to support this amendment to the budget resolution that provides the funding for the food stamp relief in S. 2322. It is a step in the right direction toward meeting our responsibilities to our servicemembers and their families.

Mr. President, we must end the days of a ''food stamp Army'' once and for all. Our military personnel and their families deserve better.

Mr. President, I ask unanimous consent that letters from various service organizations in support of this amendment be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE AMERICAN LEGION,
*Washington, DC, April 5, 2000.*

Hon. JOHN MCCAIN,
*U.S. Senate, Russell Senate Office Building, Washington, DC.*

DEAR SENATOR MCCAIN: On behalf of more then 4 million members of The American Legion family we want to thank you for introducing S. 2322, the ''Remove Servicemembers from Food Stamps Act of 2000.'' This critical legislation provides junior enlisted servicemembers in the pay grade E–1, through E–5, who are eligible for food stamps, an additional subsistence allowance of $180 a month.

The American Legion continues to support quality of life features for members of the Armed Forces and their dependents as well as military retirees. People are the foundation of the Nation's fighting forces.

Military pay must be reasonably comparable to compensation in the private sector if the Armed Forces aspire to compete for quality volunteers and retain an experienced military force for the long term.

With military families on food stamps, passage of relief legislation to compensate junior enlisted servicemembers with an additional subsistence allowance is critical to maintaining adequate morale and ensuring retention of America's military families in the Armed Forces.

American Legion National Commander Alan Lance's first hand observations after meeting with soldiers, sailors and airmen in Kosovo, Bosnia, and aboard the aircraft carrier, USS George Washington serves to reaffirm your resolve in assisting America's enlisted sons and daughters in uniform.

Thank you again for recognizing the sacrifice of America's men and women in uniform. America's servicemembers stand in harm's way in Somalla, Bosnia, Haiti, Kosovo, and East Timor. They deserve continuing respect, unwavering support, and a living wage from a grateful nation.

Sincerely,

STEVE A. ROBERTSON,
*Director, National Legislative Commission.*

VETERANS OF FOREIGN WARS OF THE UNITED STATES,
*Washington, DC, March 29, 2000.*

Hon. JOHN MCCAIN,
*U.S. Senate, Washington, DC.*

DEAR SENATOR MCCAIN: On behalf of the 2 million members of the Veterans of Foreign Wars of the United States (VFW) I thank you for taking the initiative to introduce your bill titled ''Remove Servicemembers from Food Stamps Act of 2000.'' We certainly share your concern that today, regretfully, several thousand enlisted members of our active duty force participate in the food stamp program. They do this out of necessity rather than opportunism.

In our collective judgment the $180 per month Special Subsistence Allowance (SSA) you propose is an equitable amount of money in addition to the presently authorized Basic Allowance for Subsistence (BAS) paid to those servicemembers with dependents in the rank of E–1 through E–5. We also strongly agree with your proposed termination of date for SSA being after September 30, 2005.

In closing, and based on the above facts, the VFW will support all efforts to have your proposed piece of legislation enacted immediately in law. It is a national disgrace to require even a few military families today to need food stamps as part of their lifestyle. Thank you again for having the courage and the time to address this unconscionable situation.

Sincerely,

JOHN W. SMART,
*Commander-in-Chief.*

NATIONAL ASSOCIATION FOR UNIFORMED SERVICES,
*Springfield, VA, March 30, 2000.*

Hon. JOHN MCCAIN,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR MCCAIN: This letter is being provided to you on behalf of the National Association for Uniformed Services to express our strong support for your bill to establish a special subsistence allowance for members of the Uniformed Services eligible for food stamps.

It is disgraceful that the level of compensation of any of the nation's warriors is so low that they qualify for food stamps. This legislation would help those with the most serious problems and is a necessary and welcome step toward correcting the inequitable compensation provided to members of the Uniformed Services.

We appreciate your long-standing concerns for our men and women in uniform and strongly support the ''Remove Servicemembers from Food Stamps Act of 2000.''

Sincerely,

RICHARD D. MURRAY,
*President.*

DISABLED AMERICAN VETERANS,
*Washington, DC, March 30, 2000.*

Hon. JOHN MCCAIN,
*U.S. Senate, Russell Senate Office Building, Washington, DC.*

DEAR SENATOR MCCAIN: On behalf of the Disabled American Veterans (DAV), I commend you for introducing the ''Remove Servicemembers from Food Stamps Act of 2000.'' Your efforts on behalf of the men and women who serve our nation in its Armed Forces is greatly appreciated.

It is indeed unconscionable that the men and women who are willing to sacrifice their lives in defense of our nation and its ideals are forced to depend on food stamps to feed their families. It also effects the nation's state of military readiness when our servicemembers deployed around the world must worry about their loved ones at home,

and whether their needs are being met. This is not conducive to a strong national defense.

These military men and women, who are continually put in harm's way by the President and the Congress, should never have to rely on charity to make ends meet. We must never let our defenders of freedom down, especially when they are deployed in protection of world freedoms.

The delegates to our last National Convention, held August 21–25, 1999, in Orlando, Florida, passed Resolution No. 052, which calls for adequate funding for the defense of our nation, both at home and abroad. I have enclosed a copy of this resolution for your information.

Thank you again for your efforts on behalf of our nation's military members and for your support of veterans' issues.

Sincerely,

JOSEPH A. VIOLANTE,
*National Legislative Director.*

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THE RETIRED OFFICERS ASSOCIATION,
*Alexandria, VA, April 4, 2000.*

Hon. JOHN MCCAIN,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR MCCAIN: On behalf of the nearly 400,000 members of The Retired Officers Association (TROA), I am writing to express TROA's support for your bill, S. 2322, the ''Remove Service Members from Food Stamps Act of 2000.''

All Americans are concerned when thousands of younger families serving their Nation in uniform have become eligible for public assistance. TROA believes strongly that the ultimate answer is to increase military pay sufficiently to restore pay comparability with the private sector and wipe out the double-digit military pay raise gap that has accumulated over almost two decades. In addition, housing allowances must be increased to fully offset the cost of adequate housing for each pay grade.

Until the Executive and Legislative Branches are prepared to allocate the funding required to accomplish these goals, the only way to resolve the food stamp issue is a special allowance such as provided for in S. 2322.

TROA applauds your concern for the well-being of our men and women in uniform, and particularly for those in lower grades for whom past pay constraints pose the most significant impacts on their standard of living.

Sincerely,

PAUL W. ARCARI,
*Colonel, USAF (Ret),*
*Director, Government Relations.*

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NCOA,
*Alexandria, VA, March 29, 2000.*

Hon. JOHN MCCAIN,
*U.S. Senate, Russell Senate Office Building, Washington, DC.*

DEAR SENATOR MCCAIN: The Non Commissioned Officers Association of the USA (NCOA) is writing to state its strong support for the ''Remove Servicemembers from Food Stamps Act of 2000,'' legislation that you are preparing to introduce in the very near future. In these times of unprecedented prosperity in America, it is impossible to reconcile how even one U.S. Armed Forces member should be in the position of qualifying for food stamps.

The fact that this legislation is needed is a further statement on how Congress and the Administration have allowed military basic pay and other components of the total compensation package to seriously erode. While the Remove Servicemembers from Food Stamps Act of 2000 will not solve the underlying problems, NCOA believes it is a positive, compassionate step in the right direction. This legislation demands the full support of all of your Senate colleagues—it is the right thing to do.

The Association extends its sincere appreciation for your leadership and support for the enlisted men and women of the U.S. Armed Forces. Count on NCOA's support to get this legislation enacted.

Sincerely,

LARRY D. RHEA,
*Director of Legislative Affairs.*

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THE RETIRED ENLISTED ASSOCIATION,
*Alexandria, VA.*

Hon. JOHN MCCAIN,
*U.S. Senate, Russell Senate Office Building, Washington, DC.*

DEAR SENATOR MCCAIN: On behalf of the 110,000 members and auxiliary of The Retired Enlisted Association (TREA), TREA National President Fred Athans and TREA National Auxiliary President Kay Claman, I would like to express our support for your efforts on behalf of these members of the Armed Forces currently receiving food stamps.

As we enter into the 21st Century, it is unconscionable that individuals who are serving this great nation are forced to rely on government assistance in order to properly support their families. As you are certainly aware, today's military is ''doing more with less'' than any time in the recent past. Those in uniform are spending more hours on the job with an ever increasing operational tempo, yet many of these soldiers, sailors, airmen and Marines cannot properly feed their children. the time has come to address this issue once and for all.

TREA strongly supports your amendment to the budget resolution which will provide for the Department of Defense to ensure today's military personnel, particularly the junior enlisted force—the future non-commissioned officers, can take care of their families without relying on food stamps.

In closing, I would again like to thank you for your leadership and attention to this very important issue. If TREA can be of any further assistance please do not hesitate to contact me.

Sincerely,

MARK H. OLANOFF,
*Legislative Director.*

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FLEET RESERVE ASSOCIATION,
*Alexandria, VA, March 29, 2000.*

Hon. JOHN MCCAIN,
*U.S. Senator, Russell Senate Building, Washington, DC.*

DEAR SENATOR MCCAIN: Please be advised that the Fleet Reserve Association (FRA) endorses your proposed bill, the ''Remove Service Members from Food Stamps Act of 2000.'' The bill will certainly alleviate the unfavorable publicity concerning junior enlisted members of the Armed Forces who must depend upon food stamps to supplement their meager pay. In addition, the Association understands that the Chief of Naval Operations and the Commandant of the Marine Corps support the proposal.

The unfortunate fact that junior enlisted members are forced to rely on food stamps reflects the inadequacy of military compensation. Although there was progress toward closing the significant pay gap between military and civilian pay levels last year, more must be done and this measure helps address this reality.

Petty Officers and Non-commissioned Officers are the backbone of the military services and deserve fair and equitable compensation for their great service to our Nation. Retaining these essential personnel must be a high priority and FRA remains committed to improving their pay and benefits.

FRA salutes you for your strong commitment to the men and women serving in our Nation's uniformed services.

Sincerely,

CHARLES L. CALKINS,
*National Executive Secretary.*

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AIR FORCE SERGEANTS ASSOCIATION,
*Temple Hills, MD, March 29, 2000.*

Hon. JOHN MCCAIN,
*U.S. Senate, Russell Senate Office Building, Washington, DC*

DEAR SENATOR MCCAIN: On behalf of the 150,000 members of the Air Force Sergeants Association, I thank you for introducing legislation important to the enlisted men and women of all components of the Air Force. This bill would provide $180 dollars a month to any military member who meets the food stamp income qualification threshold. As you indicated, it is unconscionable that our nation allows these brave men and women to subsist below the poverty level. As such, your legislation would provide some much-needed monetary relief to this group until such time as our national leaders correct the situation.

Indeed, the lowest ranking members of our Armed Forces often express their dismay as they observe this country's spending priorities. In so many different ways, we fail to thank them for their sacrifice. In so many ways, we communicate to them (by the things we do and don't support) that they are just not very important to this nation.

Again, Senator, thank you for introducing this legislation to provide those who meet the food stamp program threshold with an additional monthly stipend. The message this legislation sends is, ''We are proud of you, we honor you, we depend on you, and we will support you and your families.' As always, this association is ready to support you on this legislation and other matters of mutual concern.

Sincerly,

JAMES E. STATON,
*Executive Director.*

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EANGUS,
*Alexandria, VA, March 29, 2000.*

Hon. JOHN MCCAIN,
*Senate Russell Building,*
*Washington, DC.*

DEAR SENATOR MCCAIN: The Enlisted Association of the National Guard of the United States applauds your efforts to assist our Junior Enlisted members within the military.

Although we ask these young men and women to endanger themselves for their country, their country does not provide adequate pay and allowances to provide support for their families.

In the FY 00 Authorization Bill, Congress authorized a mid-year increase for supposedly mid-grade service members. However, in some cases, high-ranking officers making tens of thousands of dollars received upwards of a 17% salary increase, while junior grades received a 5.2% increase overall.

We spend millions of dollars yearly recruiting individuals to join the military. Why can't we find enough monies to enable those who serve in the military to feed their families?

Senator McCain, we wholeheartedly endorse your legislation to help our Junior Enlisted members.

Working for America's Best!

MSG MICHAEL P. CLINE (RET),
*Executive Director.*

NAVAL ENLISTED
RESERVE ASSOCIATION,
*Falls Church VA, April 3, 2000.*

Re Remove Servicemembers from Food Stamps Act of 2000.

Hon. JOHN MCCAIN,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR MCCAIN: Enlisted Sailors, Marines and Coasties who are constituents of the Naval Enlisted Reserve Associated (NERA) are again in your debt for championing their causes.

Your proposed ''Remove Servicemembers from Food Stamps Act of 2000'' addresses both squarely and collaterally several issues near and dear to the hearts of our members, among them the respect and dignity that must accrue to those who answer the call to service, and pay parity, which detracts from virtually all the services' efforts to attract talent in the junior enlisted ranks, and retain that talent at mid-career.

Our support for your bill is wholehearted and affirmative.

Thanks again for being there for us.

DENNIS F. PIERMAN,
*Executive Director.*

Mr. MCCAIN. Mr. President, I want to provide a couple of brief anecdotes which are sometimes disturbing. In a July 20, 1999, piece in the Washington Post entitled ''Feeling the Pinch of A Military Salary; For Some Families Pay Doesn't Cover The Basics,'' it starts out by describing:

On a muggy Saturday at Quantico Marine Corps Base, about two dozen Marines and family members quietly poked through piles of discarded furniture, clothing, and household goods in what has become a weekly ritual at the big Northern Virginia installation. At 8 a.m., the patch of lawn was covered with beds, tables, dressers, and desks. Within 45 minutes, almost all the furniture was gone. The price was right—Everything was free.

The items had been gathered by volunteers who go ''trashin'' every Tuesday, scouring garbage left at curbs on the base. Every Saturday, they give away what they collect to needy, eager Marine families.

''We're talking about the basics of life here, and they don't have it,'' said Lisa Joles, a Marine wife who created the Volunteer Network 2 years ago. ''Sometimes, they don't have a thing. I didn't know how large the problem was until I got to Quantico.''

One result is that members of the military routinely work second jobs, often without permission from superiors, military officials acknowledged. Enlisted men and women sell goods at Potomac Mills, flip hamburgers at fast food restaurants, do construction work, and deliver packages for UPS. ''It seems like everybody who has been here a while has a part-time job,'' said Marine Lance Corporal Robert Hayes, who has a second job as a mover. ''You really don't have enough money to make it to the next paycheck otherwise.''

Several evenings each week, as soon as he finishes duty at Quantico, Lance Corporal Harry Schein darts off base, picks up his 14-month-old son from day care and drops him off with the boy's mother. Then he drives up I–95 to Arlington and joins a group of Marines who moonlight moving office furniture until about 11 p.m. On Saturdays and Sundays, he works from 4 p.m. until midnight as a security guard in Alexandria.

The stories go on and on. About a year ago, there was a piece on 20/20 shown out at Camp Pendleton. Enlisted men and women and their families were lining up for cartons of food. We have a lot of retention problems in the military and we have a lot of recruiting problems. These, I know, are going to be well ventilated by the Armed Services Committee as time goes on. In my earlier years, it would have been hard for me to comprehend these kinds of conditions prevailing among the men and women in the military, particularly in the All Volunteer Force.

Mr. President, I ask for a recorded vote on this amendment, and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. MCCAIN. I thank the managers, Senator DOMENICI and Senator REID.

I yield the floor.

Mr. DOMENICI. Will the Senator yield off his time?

Mr. MCCAIN. I yield the remainder of my time after Senator DOMENICI speaks, or after anyone else who wants to speak on this amendment.

Mr. DOMENICI. I thank the Senator.

We will try to stack this vote, if it is all right with the Senator. We are going to have the three votes.

I commend Senator MCCAIN. I hope what he is suggesting on the floor happens, because the truth is, the U.S. Department of Defense is making it very difficult for this to happen. We have worked with them on a number of occasions. You would actually be shocked at some of the correspondence I have received.

I want to quote one piece of correspondence. When I said, why don't you tell us how to take care of the food stamp problem, this is what the Secretary of Defense for Personnel and Readiness, Edwin Dorn, wrote to me: It would be a mistake to give higher pay to military personnel who had ''a larger family than he or she can afford.''

You can see why that becomes part of the issue, as the Senator from Arizona understands. We have an all-volunteer military that we have asked to stay on for long periods of time. It is not like draftees who spend 2 years in uniform. They have families. They have children. In fact, we have not quite figured it out. Maybe the Senator from Arizona can figure it out in his committee. With this targeting of money today—not a lot of money—we will start solving the problem with those who are not earning much. That is the intent of the proposal of the Senator from Arizona.

But essentially it is very difficult for the military to come up with a conclusion that we have to make sure we don't penalize big families in the military. I never heard of any implication that we had an all-volunteer military and we were going to start by saying to them: Don't have too many children.

I believe the Senator from Arizona would join me in saying that is an absurd policy. What if they have five children? I think that is all right. If they want to serve 30 years in the military with five children, we ought to give them the benefits they deserve. Because they have that many children, we ought not to cause them to be on food stamps. That is the basic problem we have.

I want to put in the RECORD letters I wrote in 1996, the response I received from Edwin Dorn and from Secretary of Defense Bill Cohen.

I ask unanimous consent that they be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE BUDGET,
*Washington, DC, May 15, 1996.*

Hon. EDWIN DORN,
*Under Secretary of Defense for Personnel and Readiness, Department of Defense, Washington, DC.*

DEAR UNDER SECRETARY DORN: I am writing to express my very strong concern about an issue involving the fundamental quality of life of many U.S. military personnel. I am also requesting that as the defense Department official with purview over the 8th Quadrennial Review of Military Compensation you look into the matter and consider solutions as the Review Commission prepares to make its recommendations on the military compensation system to Congress this summer.

The issue that troubles me is the fact that according to Department of Defense (DoD) estimates, there are currently almost 12,000 active duty military personnel whose families qualify for and receive food stamps. I further understand from DoD research that while pay for single enlisted personnel is sufficiently high such that none qualify for food stamps or other forms of welfare, married personnel with families with as few as one dependent, for an E–1, do in some cases qualify. I also understand that even sergeants and some junior officers can qualify, depending on their number of dependents and pay allotments. Furthermore, many of these military personnel live off base and receive an additional housing allowance in their paycheck and yet their pay remains sufficiently low that they still qualify for food stamps.

Frankly, I do not believe it is acceptable that the men and women who serve in our Armed Forces and who experience all the rigors of prolonged overseas deployments, family separations, other sacrifices the Nation asks of them should have pay so low that they must accept food stamps, or any other form of welfare. This situation reflects extremely poorly on the ''Quality of Life'' for Armed Forces personnel that is described to be the primary point of emphasis in The President's defense budget. This situation not only fails to reward U.S. military personnel at an appropriate level, it will also exacerbate recruiting and retention problems for the military services, especially as the pool of available quality recruits shrinks and as downsizing in the services has finally ended.

According to DoD calculations, under the existing military compensation system, a supplemental allowance by family based on grade and number of dependents could put the pay of virtually all current military food stamp recipients above the gross income eligibility criteria for food stamps and would cost $72.6 million. This is, of course, only one possible solution to this problem. Because I know, you and the 8th Quadrennial Review of Military Compensation are considering the entire compensation of that complex system, I do not want to presume the optimal solution. I do, however, want to impress on you

the need to address the problem and to seek a level of compensation for Armed Forces personnel that precludes overall compensation so low that their families qualify for food stamps or any other form of welfare.

I very much appreciate your taking my concerns into consideration. I look forward to working with you on this important issue after the 8th Quadrennial Review of Military Compensation makes its report to Congress this summer.

Sincerely,

PETER V. DOMENICI,
*U.S. Senator.*

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UNDER SECRETARY OF DEFENSE,
*Washington, DC, July 22, 1996.*

Hon. PETE V. DOMENICI,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR DOMENICI: Thank you for your May 15 letter about military families on food stamps. I share your concern for this problem and have given a lot of thought to it. For those reasons. I am especially apologetic about the slowness of my response to you.

The Department has studied this issue twice recently, in 1991 and in 1995, and thus I elected not to include it in the Quadrennial Review of Military Compensation. Their studies confirm an insight contained in your letter; the number of military families eligible for food stamps is largely an artifact of a system that does not count the value of military housing when computing food stamp eligibility. If we were to control for value of housing and for family size (another criterion), the number of military families in this category in 1995 would drop from 12,000 to fewer than 5,000.

This computation does not dispose of the problem. I remain concerned that thousands of military families are eligible for food stamps, and that they are regarded by some as impoverished. However, my concern is tempered by the realization that the military member and his/her spouse have made a decision to increase the size of his/her family. The Department does a number of things to accommodate servicemembers' personal choices. As the number of dependents increases, for example, the member become eligible for larger family quarters. And, there is no limit on the number of minor dependents eligible for the Defense health program.

This is a difficult issue because it requires us to weigh our concern for military family members against the military member's obligation to exercise judgment. I do not believe it would be prudent to adapt the military compensation system further to accommodate a member's decision to have a larger family that he/she can afford.

I appreciate and share your concern for the quality of life of military families. If thee is additional information I can provide, I shall be happy to do so.

Sincerely,

EDWIN DORN.

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U.S. SENATE,
COMMITTEE ON THE BUDGET,
*Washington, DC, February 11, 1997.*

Hon. WILLIAM S. COHEN,
*Secretary of Defense, Department of Defense, Washington, DC.*

DEAR SECRETARY COHEN: During your inaugural press conference on January 31, you were asked a question about the 12,000 Armed Forces personnel who are currently using foodstamps. You responded to the question by stating that it is ''not acceptable'' for service men and women to be foodstamp recipients. Responding to the same question, General Shalikashvili stated that he believed that the condition of these military families should be changed. Your and General Shalikashvili's responses to this question were, for me, very welcome news; that so many military families qualify for foodstamps does not indicate that the Administration is serious about ''quality of life'' for our Armed Forces; it indicates the opposite.

Last year, I had an exchange of correspondence on this subject with under Secretary Dorn, urging him to address the problem. Unfortunately, he chose not to review this matter during last year's Quadrennial Review of Military Compensation. Under Secretary Dorn also seemed to argue that family size is purely a matter of choice to service men and women and that he ''did not believe it would be prudent to . . . accommodate a [service] member's decision to have a larger family than he/she can afford.'' A copy of this exchange of correspondence is enclosed.

I hope that you will agree with me that the time has come to take action on this matter and to adjust compensation for those enlisted personnel who you judge to be truly in need. I am in complete agreement with you that the current situation is not acceptable, and I would be very happy to work with you to resolve it.

With best regards,

PETE V. DOMENICI,
*U.S. Senator.*

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THE SECRETARY OF DEFENSE,
*Washington, DC, March 19, 1997.*

Hon. PETE V. DOMENICI,
*U.S. Senate,*
*Washington, DC.*

DEAR PETE: Thank you for your letter of February 11, expressing your concern about military members who receive food stamp benefits. You are correct. I did say that it was unacceptable to have members of the military on food stamps during the January 31, 1997 press conference. However, both General Shalikashvili and I believe that this is a very complex issue, which not only involves the Department's compensation system, but also the structure of government food stamp programs.

I will continue to closely monitor this issue, as I am committed to ensuring that our service men and women enjoy the quality of life they have earned and deserve.

Sincerely,

BILL.

Mr. DOMENICI. Mr. President, I say to the Senator from Arizona that this is not a lot of money he is asking for here. I guess technically you can't direct it in a budget resolution. But I think when we vote for this this afternoon—I hope everyone will vote for it—we will be saying: Let's begin to solve this problem. Let's not sit around and say families within the military are too big. Let's fix it.

Am I kind of speaking for what the Senator from Arizona is worried about? Am I on the right track?

Mr. MCCAIN. If the Senator will yield, yes, he is doing exactly what I had in mind. I appreciate very much his long-term commitment on this issue. It is long overdue. We should fix it. I share his dissatisfaction with the Department of Defense in its responsibility towards these young men and women.

I thank the Senator from New Mexico.

Mr. DOMENICI. I believe all time has been yielded on our side. Are we ready for another amendment?

Mr. REID. If the Senator will withhold the unanimous consent request, I want to consult with our leader. I am pretty sure it is OK. I want to doublecheck.

We have so many amendments to be offered, and we know the other side is next in line to offer the next amendment. Until their Member shows up, we would like Senator REED to speak off the resolution about an amendment which he will offer at a subsequent time.

Mr. President, the minority yields the time on the McCain amendment.

The PRESIDING OFFICER. All time is yielded.

Mr. REID. Mr. President, we yield time to the Senator from Rhode Island off the resolution.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. Thank you, Mr. President. I thank the Senator from Nevada for yielding time. I am going to take a moment to discuss an amendment that I will propose later today.

On May 20 of last year, this Senate passed effective, commonsense gun safety legislation as part of the juvenile justice bill. The vote was overwhelming—73–25. It was in response to the tragedy at Columbine High school, a tragedy that shook the very foundation of America's sense of security, their sense of the well-being for their children. In response to that great tragedy, this Senate acted. It passed a commonsense gun control provision that would close loopholes in our Nation's gun laws—not only to help prevent future Columbines but to try to stop this pervasive wave of gun violence that is sweeping America and claiming 12 children each and every day.

Yet here we are, almost 1 year from the day of the Columbine tragedy, and we still have not brought to this floor the conference report so that we can vote upon it and send it to the President for his signature.

Leadership, both the House and the Senate, has stood idly by while all of America asked us for a very simple request to get on with the business we started last May to bring the juvenile justice bill to the floor for a vote, for passage we hope, and for the signature of the President.

What happened in the intervening year is that this conference committee met only once last August. In effect, the message that I think is being communicated is there is a hope and an expectation by the Republican leadership in the House and Senate that this problem will go away, that people will forget about Columbine, and that people will forget about this tragedy. We cannot forget. We have to take active steps to ensure that the measure we pass will at least come back for a clear vote and, hopefully, come back so we can incorporate it in real legislation.

It is very unusual that a conference would take this long. I can recall being part of a financial service modernization bill—very contentious legislation;

legislation that involved numerous interest groups; legislation that effectively failed at the very last moment in the last Congress; and, again, in this Congress—that was subject to a tumultuous series of legislative maneuvers on both sides of Congress. Yet it only took us 3 months to rationalize, to compromise, and to ultimately pass this bill in the conference.

We just spent 1 month dealing with the issues of transportation in the Transportation Act, a $209 billion legislative initiative.

My suggestion is pretty clear, that this is not routine business as usual by taking this long for a conference. It represents a deliberate decision not to act, a deliberate decision to try by stalling, by delay, by tying this up with the approaching elections so that effectively what we will do is end prematurely the important steps we began last May 20 by adopting commonsense gun control legislation.

This is something the American people clearly want. It is something that, when they are asked, they will overwhelmingly say are commonsense measures.

A poll was recently conducted in which over 90 percent of Americans responded by saying they wanted child safety locks. In this group, 85 percent of the gun owners responded saying they, too, wanted child safety locks. They also want us to close the loopholes on the gun shows by an overwhelming majority. Yet despite overwhelming public support, despite our already accomplished legislation in this party the bill languishes in conference.

In this debate, there is a great hue and cry that we don't need more laws, just enforce the ones on the books. In this debate, law enforcement is on our side. They recognize that in addition to enforcing the laws, we need other commonsense laws that will give them additional tools, that will go to the heart of many issues that have to be addressed if we want a sane and peaceful society.

This chart indicates the number of associations of law enforcement officials that are strongly supportive of our initiative, including the International Association of Chiefs of Police and the International Brotherhood of Police Officers. Police are on our side. They stand with us to demand we take effective, prompt action to send this juvenile justice legislation to the President for his signature.

In addition to that, I was this morning with a group of police officers from my home State of Rhode Island and others from Maryland. They were quite clear; they want to see prompt action. When we have the American people overwhelmingly supporting this provision, when we have law enforcement, those men and women who stand most in the line of fire, demanding this legislation be passed, it is indeed puzzling we are not taking effective steps to pass this legislation.

Let me briefly review what is at issue in the juvenile justice bill so we can be clear about the nature of this legislation. First, in the juvenile justice bill we passed an amendment requiring that a secure storage or safety device be sold with all handguns. Unlike virtually every other product in the United States, firearms produced in this country are not subject to regulation by the Consumer Product Safety Commission.

Again, one of the great ironies of present-day America is that a toy gun is subject to safety provisions of the Consumer Product Safety Commission; a real gun that can cause real harm and real damage—death in many cases—is not subject to such regulation. As a result, manufacturers of firearms produce weapons lacking, in some cases, even the most rudimentary safety features designed to prevent the accidental or intentional shooting of children or by children.

The tragic consequences are undeniable. Each year, suicides and accidental shootings make up more than half of the tens of thousands of gun deaths in the United States. Kids are frequently the victims. This is an important point. The gun lobby tries to suggest that the victims of shootings are being waylaid by armed desperados who are law breakers who will never follow laws. In fact, the reason they are on the streets is that the laws are ineffectual for putting them behind bars. More than half the shootings are accidents, with no criminal intent, or suicide, in which the individual is so depressed and despondent, they are seizing a weapon to destroy themselves.

We have been shocked recently by the tragic death of Kayla Rowland, a 6-year-old shot by another 6-year-old in Mount Morris Township, MI. I believe if a Member came to this floor last May 20 and predicted that a 6-year-old child would be shot by another 6-year-old child in a schoolroom in the United States, we would have been hooted down as hysterical demagogs. Sadly and tragically, that has happened.

Mr. DOMENICI. Will the Senator yield?

Mr. REID. I am happy to yield to the Senator.

Mr. DOMENICI. I don't want my remarks to interrupt his statement. I ask unanimous consent a vote in relation to the pending McCain amendment, No. 2988, occur in the stacked sequence under the same terms as outlined in the previous consent agreement.

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

Mr. DOMENICI. In light of this agreement, there will now be three recorded votes at 2 o'clock.

Mr. REED. Mr. President, as I pointed out, we were all shocked by the death of Kayla Rowland. That week, People magazine conducted a review of other deaths of children which are symptomatic of what is happening in America. They don't capture the headlines across the country as the tragic death of that 6-year-old did, but they suggest what is happening day in and day out—the 12 children in America killed each day.

I will recite some of the stories in which youngsters were killed by firearms. A woman in Carroll County, MD, 18 years old, died of an accidental gunshot wound to the head after she and her friends were admiring her father's .22-caliber revolver. Her parents were out of the country. They were doing missionary work in Costa Rica.

A simple safety lock on that weapon perhaps could have saved that young woman's life. This is one of those classic accidents the gun lobby doesn't want to talk about because it can be effective and should be passed by our legislation which will put trigger locks on the weapons. It is not a question of irresponsible, reckless parents whose moral or ethical values contribute to the death of a child. These parents are missionaries, literally doing the Lord's work, in Costa Rica, when their child accidentally shoots herself.

A 6-year-old boy and a friend in Shopiere, WI, were horsing around with a .22-caliber pistol his mother kept for protection and usually stored in her dresser. After posing with the gun for a photograph, the boy pointed the gun at his head. It went off, killing him. As his grandmother said: It was kid's play, total kid's play.

Again, would a trigger lock have helped? Perhaps.

How about the 15-year-old boy in San Bernardino, CA, who found his stepfather's handgun while his pregnant mother slept, and he used it to shoot himself.

A 16-year-old girl in Altoona, PA, argued with her father, a gun collector, about her curfew, and then took a .22-caliber handgun from under his mattress while he was out and shot herself in the head.

All of these young lives were lost in just 1 week in America. We could catalog such deaths every week in America.

The gun lobby says we don't need gun locks; we don't need gun laws; we just have to do a better job enforcing those already on the books. How is law enforcement going to save the lives of kids such as those I have talked about? They are not hardened criminals. They are not in bad families. They are not out robbing banks or terrorizing in gangs.

The only way they can be helped is through prevention—not enforcement but prevention. That is what will save these kids. Prevention is the key—not to the exclusion of enforcement; we have to enforce our laws and be tough.

Later today, Senator DURBIN will introduce a resolution that will amend it and ask us to put more resources into enforcement. I strongly support that. But we need prevention and enforcement. We require safety caps on bottles of aspirin and bottles of prescription drugs. It makes no sense that we don't require the same types of safety devices on handguns.

We have to do it. It is included in our juvenile justice bill. If we maintain it in conference and bring it to the floor, we can save many children in this country.

Regarding gun shows—and I see my colleague from New Jersey, Senator LAUTENBERG, who was the leader in this effort—with the help of Vice President GORE, by one vote we were able to pass sensible rules to close the gun show loophole to require that background checks would always be conducted for all the thousands of gun shows around the country.

Currently at most gun shows, one-fourth or more of the dealers are unlicensed. Therefore, they do not have to perform a Brady law background check. This is a serious loophole. If someone is a felon, if someone has a shady background, if someone is irrational and looking for a gun, he or she would go to a gun show, go to a licensed dealer, and then the dealer would explain they have to do a gun check. Then what would happen? That person would certainly keep looking around until he found an unlicensed dealer who had a whole cache of guns and say, Do I have to do a background check?

No, no, not at all.

We can see in that supermarket, that bazaar of guns, that is where, likely, those people who do not want a check can go and today they will be able to get a handgun.

It is just common sense to effectively enforce the Brady law, to make sure this gun show loophole is closed, and closed in a way that allows for checking those people who should be checked, the ones for whom you might have to find State records that are not available on a weekend; for whom you might need indeed more than 72 hours to conduct a background check.

Another is the ban on juvenile possession of assault weapons. There is absolutely no reason a youngster should have an assault weapon. These weapons were designed to kill people.

I served in the Army at the point where the transition was made between the old M–14 weapon, which was a rifle that had great accuracy, that was part of what some people derided as the old musket Army of aimed fire, and the tactics of the strategists back in the 1960s who said: We do not need aimed fire; we just need a weapon that, in close quarters, can deliver massive rates of fire, high rates of cyclical fire. The whole purpose being not hunting, not target shooting, but destroying other people, which is the nature of warfare. That is where the assault weapon comes. No child needs to have those.

A ban on the importation of large-capacity clips is another provision. It is illegal for these clips to be produced by American manufacturers, but through another loophole they can be imported into the country. Once again, if you are a sportsman out hunting, you do not need a magazine that can accommodate 45 rounds. People who need these types of magazines are folks who should not have them, in a sense, because the potential for violence, the potential for criminal activity is much more enhanced, I believe, when you have a magazine that has 40 or 50 rounds rather than those old-fashioned hunting rifles which are part and parcel of the American story.

In addition to these provisions, the underlying legislation would increase the enforcement capacity of Federal agents and local agents by expanding the successful youth crime gun interdiction initiative to 250 cities by the year 2003, enhancing the efforts to trace guns used in crime and identify and arrest adults who sell guns to children. All of these other worthy provisions are there; also, increased penalties on so-called straw purchases—those individuals who buy guns knowing the ultimate recipient is unable to have the gun either because of a criminal record or because of age. It would keep guns out of the hands of violent offenders. It would also allow the Federal Trade Commission and Attorney General to study the extent to which the gun industry markets and distributes its products to juveniles.

They are all reasonable measures. All should be done. But what has been done? Because of the inaction, and deliberate inaction, of the leadership, nothing has been done. The American people have waited too long. Later today, I will be offering, along with 22 of my colleagues, a sense-of-the-Senate resolution calling on the juvenile justice conferees to complete and submit the conference report before April 20, the first anniversary of the Columbine shooting, and to include in the conference report the amendments I have just discussed, that were passed by this Senate, seeking to limit access to firearms by juveniles, convicted felons, and other persons prohibited by law from purchasing or possessing firearms.

Will the passage of this amendment stop every gun crime in this country? No, but it will save lives, the lives of those children I talked about, the lives of children shot accidentally, the lives, perhaps, of people who, if they do not have easy access to firearms, may think a moment before taking their lives.

If we do these things: Close the gun show loophole, require safety locks to be sold with handguns, if we ban the importation of large-capacity clips and juvenile possession of assault weapons, we will bring some sense to our gun laws and we will provide a meaningful memorial to those children who died at Columbine and those children who die each day by gun violence.

I notice my colleagues from New Mexico and from Vermont are here. I suspect they would like to speak also. As a result, I yield the floor.

Mr. REID. I yield 5 minutes to the Senator, the ranking member of the Judiciary Committee, off the resolution.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the Senator from Rhode Island, and I thank the other Senator from Rhode Island, and I thank the Senator from Nevada and the Senator from New Jersey. I am proud to cosponsor the amendment to report the juvenile justice conference by April 20. I think the distinguished senior Senator from Rhode Island does the whole Senate and the country a service by his amendment.

Congress has kept the country waiting too long for action on juvenile justice legislation. It kept the country waiting too long for action on sensible gun laws. In fact, we are almost up to the first-year anniversary of the shooting in Columbine High School in Littleton, CO.

This morning I was watching the news, seeing some of these young people talking about what they went through, and the memories all came back about what had happened there when 14 students and a teacher lost their lives, nearly 12 months ago, on April 20, 1999.

I mention that date, April 20, 1999, because it has been 11 months since then that the Senate passed the Hatch-Leahy juvenile justice bill. This bill was not a close call. The vote was 73–25. It was a bipartisan bill. It included some very modest but, I believe, effective gun safety measures. Ten months ago, the House passed its own juvenile crime bill.

Then we did not meet or have a conference; we did not meet to talk about it until about 8 months ago. Then we met only briefly. We did nothing and recessed for a 4- or 5-week vacation.

Now it is very easy to see what has happened. By delaying and delaying and delaying, some might have the best of all possible worlds. They could say: Yes, I stood up and voted for some modest gun safety laws; and at the same time they could say to the powerful gun lobby: Don't worry, it is not going anywhere. We have that bottled up somewhere in a committee, a committee of conference that never meets. Nobody even knows where it is. I doubt if there are 10 people in the House or the Senate who could even name the members of it.

The majority in Congress convened this conference on August 5, 1999, less than 24 hours before the Congress adjourned for its long August recess.

You do not have to be a cynic to recognize this for what it was: a transparent ploy to deflect criticism for delays while ensuring the conference did not have enough time to prepare comprehensive juvenile justice legislation to send to the President before school began in September, 1999.

This is a serious matter. The Senate Democrats and the House Democrats have been ready for months to reconvene the juvenile justice conference and work with Republicans to have an

effective juvenile justice conference report, one that has reasonable gun safety provisions, something along the lines of what we passed 3–1 here in the Senate. Unfortunately, the Republican leadership would not act.

I know they are facing fierce opposition from the gun lobby. One only has to turn on the television set to see an aging actor telling us why we should not be protecting our young children. I wish instead of listening to somebody who is acting a role and playing a role and has made their livelihood acting out other people's fantasies, they would listen to the Nation's law enforcement officers. These are the men and women whom we ask every single day to put their lives on the line for us. These are the people who die protecting us. These are the people most concerned about effective gun laws.

Ten national law enforcement organizations, representing thousands of law enforcement officers, have endorsed the Senate-passed gun safety amendments, and they support loophole-free firearms laws, from the International Association of Chiefs of Police, International Brotherhood of Police Officers, Major Cities Chiefs, National Sheriffs Association, and on and on.

I spent 8 years in law enforcement. I know how much they care. They believe in keeping guns out of the hands of people who should not have them. I am not talking about people who use guns for sports and hunting. I am talking about criminals and unsupervised children.

These thousands of law enforcement officers are asking us to do our duty. Instead of taking all these recesses and vacations, we should stay here a couple of days and pass juvenile justice legislation.

Every parent, every teacher, every student in this country is concerned about school violence. We know there is not any one thing that will stop school violence, but we do know that in the Hatch-Leahy juvenile justice bill there are provisions that help bring about safety in our schools. Don't we owe it to the parents, don't we owe it to the students, don't we owe it to the teachers to make this a safer country? We do not owe or should not owe anything to any powerful lobby, left or right. We owe our privilege of serving here to the people who sent us here, and the vast majority of people who sent us here, Republicans and Democrats, want us to move forward on this sensible piece of legislation.

Mr. REID. Mr. President, as a matter of formality, I will yield time off the resolution to the manager of this bill. I do it for a specific reason. There has been a lot of attention focused in recent months on gun violence in America. The Senator from New Jersey, who has decided to retire from the Senate, has been the leader on this issue for many years. For example, 33,000 people have been prevented from having guns as a result of the initial work done by the Senator from New Jersey. Those are people who commit acts of domestic violence and are convicted of crimes dealing with domestic violence. Those people can no longer have permits to carry weapons. They can no longer have handguns.

One of the few pioneers in the Senate on the Brady bill was the Senator from New Jersey, Mr. LAUTENBERG. He was the person who initially started the work in the Senate and in the Congress on the Brady bill. What does that mean? It means that over 400,000 felons who have attempted to purchase weapons have been prevented from buying those guns.

In addition to that, of course, he sponsored a law eliminating funding of an ATF program that allowed convicted felons with weapons violations to apply for and waive probation. In short, it is very good that we have so much attention focused on guns and gun violence and legislation dealing with guns.

Before yielding time to the Senator from New Jersey, I want the record to reflect that we are dealing with gun legislation more easily today than we were when this man had the vision to act on some of these laws. Jim Brady depended on FRANK LAUTENBERG to pass the Brady bill.

I commend and applaud the Senator from New Jersey for the work he has done, and I yield to him such time as he may consume, off the resolution.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I thank the Senator from Nevada for his courtesy and kind remarks.

We have done a lot of work. I commend Senator REED from Rhode Island for his leadership. He had a career in the military before he came to the Congress. He used that background to understand the problem and to put it into perspective. I commend him for his leadership on gun violence issues.

I was pleased to hear from our friend from Vermont, the ranking member on the Judiciary Committee. Vermont is known to have a lot of hunters. Vermont is known as a place where there are a lot of guns. As I heard Senator LEAHY say, a lot of these hunters were disappointed at the unwillingness of the gun lobby, personified by the National Rifle Association, in their organization's unwillingness to step forward and make some commonsense adjustments to the law, getting legislation on the books that says guns should not be available willy-nilly to people who want to buy a lethal weapon.

I hope we will soon deal with an amendment that will codify our interest in controlling gun violence. We are soon coming upon a very important anniversary. April 20 is the 1-year anniversary of the awful tragedy at Columbine High School. Few can forget that awful day, the shock we all felt when we heard about young people in the high school being assaulted by gunmen and looking at the pictures on television and seeing a young man reaching out for help, fearful for his life, and young people running frantically from the school to get out of the way of the bullets. The consequences were disastrous: 12 classmates were killed, the 2 killers, and a teacher. Twenty-three other students and teachers wounded. I shutter when I recall that bloody carnage.

No parent or grandparent can avoid thanking the Lord for the safety of their own families when they see the horror of those moments. Yet that assault was not only an assault on Columbine High School, it was an assault on the sensibilities of our country—the innocent young people scared, desperate, running away from gunmen.

Frankly, I thought that would be the ultimate outrage; that would be the ultimate insult to the lawfulness of our society, to our respect for law, to our respect for life; that this would be it and people would stand up and say: Enough; we have had enough; we want to make a change. The cries of people, the tearful students who lost friends and those who lost relatives, sons and daughters, sent an image across this country which I thought would shake through the halls of this Congress which says: Hey, listen, it's time.

Poll after poll was done at that time. The numbers were that 80 to 90 percent of the people said they wanted the gun show loophole closed. There are over 4,000 gun shows a year where anyone—any thief, any felon, anyone who is listed on the 10 most wanted list of the FBI—can walk up, take the money out of their pocket, put it down on the table, and nobody asks: What is your name? Where do you live? From what town do you come?

That is not what the American people want. I do not understand the NRA and other members of the gun lobby who say this is somehow an intrusion on their personal rights. Where are the personal rights of the family to know that when their children go to school each and every day, they will return home in the same healthy condition as when they went to school?

Everyone here has to be aware that on May 14 we are going to have the Million Mom March. I met with people from New Jersey who are participating. I will tell you something. If you talk to women's groups, talk to individual women across this country about what really counts with them, what is the most important thing on their agenda: Is it equal opportunity for jobs? Is it to make sure that pay scales are the same for men and women? What is it that is the most important thing? I will tell you what the most important thing is: To know their children are safe when they go to school. The Million Mom March is organized around that precept that children should be safe, that this society of ours has had enough of guns and the havoc it wreaks in our Nation.

That tragic day, almost a year ago, was enough to offend women across the

country to organize a million person march in State after State where it will be taking place.

But what has the Congress done to answer the anguished cries of people who have lost a child? Anybody who knows a family who has lost a child, particularly to violence—I guess it does not matter how you lose a child; once you lose a child, it is a terrible thing. The family never recovers. The circumstances never change. Columbine High School will never be the same, even though they had yet another crazy incident there.

What happens to those cries? What happens to those pleas? They fall on deaf ears. That is what happens. Not enough people listen, to say: You know what. Yes, we understand there is some debate about the possession of a weapon. But there is nothing in the Constitution—no matter how hard the proponents of guns try—that says you cannot wait a few days while we check to see who you are before we give you a gun. Before we give you an automobile, we check out who you are.

What is it that prevents us from saying, look, come on; get together, gun lovers, NRA and the others? What is it that says we have to permit gun purchases by anonymous buyers? There isn't anything in the Constitution that says that. There isn't anything in the Constitution that says you should not have to have a license, that you should not have to be trained before you buy a gun.

The Senator from Rhode Island, who is going to propose this amendment, as I indicated, was in the Army as an officer. He is a West Point graduate. He served in Vietnam. He knows what it is to be in war. He served during the period of the Vietnam conflict. I served in Europe during World War II when the shooting was going on. I know what the purpose of a gun is. I learned how to use it. I have never owned one since I got my discharge, I can tell you.

But what is it that prevents us from taking up the simplest, commonsense legislation? It is the gun lobby. The response to the cries of the people who want their kids to be able to go to school safely and return is: No, we have a greater allegiance to the NRA and the gun lobby than we have to families across America. What an outrage. But it does not get anything done.

I am hoping, with Senator REED's leadership, we are going to get something done today.

Congress has done nothing since that time to protect families from gun violence. When I wrote the law to prohibit domestic abusers from getting guns, it was said that it was an unnecessary thing, it was an imposition of law on our citizens. But 33,000—I thank the Senator from Nevada for mentioning it—33,000 domestic abusers have been prevented from owning a gun. We know something else.

We know the statistics show that about 150,000 times a year a gun is put to the head of a woman, often in front of her children, and a man threatens to blow her brains out. There is no visible wound, but I guarantee you, there are wounds that carry through life. The children never forget. But we cannot act on it.

We are now waiting for something to happen. We are waiting for the juvenile justice bill, which passed overwhelmingly and went to the House, with our gun-loophole-show closer, and it died. The conference committee has been appointed, but nothing has happened since that time.

We have had support in the past from Senators on the other side of the aisle on the gun show amendment. Senators DEWINE, FITZGERALD, LUGAR, VOINOVICH, WARNER, and Senator Chafee—who is no longer with us—voted for my amendment at that time.

The final juvenile justice bill, as we heard from Senator LEAHY, passed by a vote of 73–25. So there was strong bipartisan support for moving forward on juvenile crime and trying to reduce gun violence.

But that was back on May 20—11 months ago. What has happened since then? Shootings have not stopped. We saw a 6-year-old murder another 6-year-old in Michigan.

From Mount Morris, MI, to Los Angeles, CA; from Fort Worth, TX, as youngsters in a prayer session were violated by a gun-wielding assaulter, to Conyers, GA; no community is safe from gun violence.

But while the vast majority of Americans want Congress to act, some special interests—the National Rifle Association, the gun lobby—have worked with their few allies in Congress, where less than 3 million members of the NRA determine what actions we take on behalf of 260 million Americans.

It is not right. Sooner or later, the voters are going to rebel and say: If you do not vote to put common sense into gun possession in this country, we are going to vote you out of office. That is what ought to happen. Boy, if one time that happens in an area where this is the dominant subject, that would be the end of the gun lobby.

It is the same old reaction. Every time Congress wants to pass gun safety laws, the NRA works hard to prevent its passage. Lately, we heard a lot of criticism about the enforcement of gun laws. But this is kind of a joke because the rhetoric ignores the facts. The number of Federal firearms cases prosecuted by the U.S. attorneys increased 16 percent from 1992 to 1999—4,754 in 1992 to 5,500 in 1999.

So the suggestion that law enforcement is not fighting gun crimes is just wrong. But more importantly, this rhetoric suggests a false choice between enforcement or stronger laws. What we need is both.

Mr. President, I yield the floor, but not without making mention of the fact that Smith & Wesson, a prominent gun manufacturer, has agreed that they need to do more on gun safety. The company reached an agreement with the administration that will incorporate many of the measures stalled in the conference committee: Background checks at gun shows, child safety locks, and preventing the use of ammunition clips with more than 10 rounds.

Congress ought not be trailing behind gun manufacturers when it comes to gun safety. The conference committee ought to complete its job. I support Senator REED's resolution. When it is presented, I hope that all of my colleagues will vote for it.

I yield the floor.

AMENDMENT NO. 2985

The PRESIDING OFFICER. There are 2 minutes available, evenly divided, on the Reid amendment.

Who yields time?

Mr. REID. Senator REID yields to Senator DURBIN.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I offer this amendment and urge the Senate to go on record opposing the George W. Bush tax cut. It is a risky proposal. It threatens our economy. It raids the Social Security trust fund. It provides no funding protection for Social Security or Medicare. It eliminates needed investments in education. Sadly, the tax cuts go primarily to the wealthiest people in America. The Bush tax cut is a $50,000 tax cut if you make over $300,000 a year. For 60 percent of American families, it is a tax cut of $249.

Some of my Republican colleagues who say they have endorsed George W. Bush and his plan have a chance to follow the admonition of that noted political philosopher, Tammy Wynette, who said: ''Stand by your man.'' But for those who want this economy to continue to prosper, and America to continue to be strong, vote ''no'' on the George W. Bush tax cut.

(Mr. VOINOVICH assumed the chair.)

Mr. DOMENICI. Mr. President, even though Senators REID and DURBIN have been talking about it for a couple of hours, and Senator GRAMM and I spoke on it for about a half hour, essentially, the tax plan George W. Bush has is not part of the President's proposal, but it will be part of President-elect George W. Bush's budget. So we wait for him to deliver his budget, which will indeed accommodate his tax cut. All this is a political scuffle here today in advance of his budget. He hasn't even had a chance to give us one and tell us what kind of Government he wants.

They want us to adopt this while we are fighting over a Clinton budget that increases spending beyond anything President George W. Bush would do. I commend soon-to-be-President-elect Bush for suggesting a major tax reform. When the American people actually see it, they are going to think it is good for America. It will fit in his budget. That is an important time.

I move to table the Reid 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 the motion to table amendment No. 2985. The clerk will call the roll.

The bill clerk called the roll.

Mr. NICKLES. I announce that the Senator from Delaware (Mr. ROTH) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 59 Leg.]

YEAS—99

| | | |
|---|---|---|
| Abraham | Enzi | Lott |
| Akaka | Feingold | Lugar |
| Allard | Feinstein | Mack |
| Ashcroft | Fitzgerald | McCain |
| Baucus | Frist | McConnell |
| Bayh | Gorton | Mikulski |
| Bennett | Graham | Moynihan |
| Biden | Gramm | Murkowski |
| Bingaman | Grams | Murray |
| Bond | Grassley | Nickles |
| Boxer | Gregg | Reed |
| Breaux | Hagel | Reid |
| Brownback | Harkin | Robb |
| Bryan | Hatch | Roberts |
| Bunning | Helms | Rockefeller |
| Burns | Hollings | Santorum |
| Byrd | Hutchinson | Sarbanes |
| Campbell | Hutchison | Schumer |
| Chafee, L. | Inhofe | Sessions |
| Cleland | Inouye | Shelby |
| Cochran | Jeffords | Smith (NH) |
| Collins | Johnson | Smith (OR) |
| Conrad | Kennedy | Snowe |
| Coverdell | Kerrey | Specter |
| Craig | Kerry | Stevens |
| Crapo | Kohl | Thomas |
| Daschle | Kyl | Thompson |
| DeWine | Landrieu | Thurmond |
| Dodd | Lautenberg | Torricelli |
| Domenici | Leahy | Voinovich |
| Dorgan | Levin | Warner |
| Durbin | Lieberman | Wellstone |
| Edwards | Lincoln | Wyden |

NOT VOTING—1

Roth

The motion was agreed to.

AMENDMENT NO. 2973

The PRESIDING OFFICER. There are 2 minutes of debate. Who yields time?

Mr. GRAMM. Mr. President, I want to close the debate.

Mr. DURBIN. I am happy to make my statement.

Senator GRAMM came to the floor and waved Vice President GORE's book, saying it calls for a $3 tax increase but could not point out the page. It is not in there, nor is there a statement made by the Vice President to that effect.

Because of the political pain my Republican colleagues have experienced in just voting against the tax program which Governor George W. Bush proposed, they are asking Members to vote against a tax program which Vice President GORE has never proposed.

This is easy. Vote yes; save a copy of the last roll call.

Mr. GRAMM. Mr. President, in his book ''Earth in the Balance,'' the Vice President calls for the complete elimination of the internal combustion engine.

I have a sense-of-the-Senate resolution that says we should not undertake that activity, that raising the price of gasoline to the degree that would be required to achieve that goal would be devastating to the American economy.

I believe the Vice President saying we should have a policy to completely eliminate the internal combustion engine in 25 years is irresponsible policy. It ought to be rejected. The only way to achieve it would be astronomical taxes, rationing, and confiscating people's cars or trucks. I want the world to know and the Vice President to know we are against it.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2973. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Delaware (Mr. ROTH) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 60 Leg.]

YEAS—99

| | | |
|---|---|---|
| Abraham | Enzi | Lott |
| Akaka | Feingold | Lugar |
| Allard | Feinstein | Mack |
| Ashcroft | Fitzgerald | McCain |
| Baucus | Frist | McConnell |
| Bayh | Gorton | Mikulski |
| Bennett | Graham | Moynihan |
| Biden | Gramm | Murkowski |
| Bingaman | Grams | Murray |
| Bond | Grassley | Nickles |
| Boxer | Gregg | Reed |
| Breaux | Hagel | Reid |
| Brownback | Harkin | Robb |
| Bryan | Hatch | Roberts |
| Bunning | Helms | Rockefeller |
| Burns | Hollings | Santorum |
| Byrd | Hutchinson | Sarbanes |
| Campbell | Hutchison | Schumer |
| Chafee, L. | Inhofe | Sessions |
| Cleland | Inouye | Shelby |
| Cochran | Jeffords | Smith (NH) |
| Collins | Johnson | Smith (OR) |
| Conrad | Kennedy | Snowe |
| Coverdell | Kerrey | Specter |
| Craig | Kerry | Stevens |
| Crapo | Kohl | Thomas |
| Daschle | Kyl | Thompson |
| DeWine | Landrieu | Thurmond |
| Dodd | Lautenberg | Torricelli |
| Domenici | Leahy | Voinovich |
| Dorgan | Levin | Warner |
| Durbin | Lieberman | Wellstone |
| Edwards | Lincoln | Wyden |

NOT VOTING—1

Roth

The amendment (No. 2973) was agreed to.

VOTE ON AMENDMENT NO. 2953, AS AMENDED

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2953, as amended.

The amendment (No. 2953), as amended, was agreed to.

AMENDMENT NO. 2988

The PRESIDING OFFICER. Who yields time on the McCain amendment?

Mr. DOMENICI. I will take the time.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I do not think anybody objects to this amendment. This is an effort to say to the Department of Defense we want them to fix the problem of food stamps in the military. It adds a small amount of money over the years to target the solving of the food stamp problem in the military.

That is essentially the McCain amendment. We should adopt it. He wants a rollcall vote. I believe the yeas and nays have been ordered.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. LEVIN. Mr. President, I am not sure who controls time in opposition. I do not oppose it, but I would like 30 seconds. I ask unanimous consent that I have 30 seconds.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I am going to vote for the amendment—I believe most Members will—but we want to make sure we do not create an inequity, an unfairness in the process. We will be paying different amounts of money to the same people, same rank, and we may actually be giving the extra money to the wrong people.

Senator MCCAIN's amendment, it seems to me, has exactly the right purpose: to get rid of food stamps going to some members. But we have to do it right. Senator WARNER is going to be holding hearings in our committee on this whole food stamp situation. We, hopefully, can accomplish this goal in a way which does not create a discriminatory situation.

I have one last fact. We all should be glad to know the number of our service members on food stamps has gone down, from 19,400 in 1991 to 11,900 in 1995, to 6,300 in 1999. The number of people on food stamps has been going down dramatically, not only numerically but also as a percentage of the force.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2988. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Delaware (Mr. ROTH) is necessarily absent.

The PRESIDING OFFICER (Mr. FITZGERALD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 61 Leg.]

YEAS—99

| | | |
|---|---|---|
| Abraham | DeWine | Johnson |
| Akaka | Dodd | Kennedy |
| Allard | Domenici | Kerrey |
| Ashcroft | Dorgan | Kerry |
| Baucus | Durbin | Kohl |
| Bayh | Edwards | Kyl |
| Bennett | Enzi | Landrieu |
| Biden | Feingold | Lautenberg |
| Bingaman | Feinstein | Leahy |
| Bond | Fitzgerald | Levin |
| Boxer | Frist | Lieberman |
| Breaux | Gorton | Lincoln |
| Brownback | Graham | Lott |
| Bryan | Gramm | Lugar |
| Bunning | Grams | Mack |
| Burns | Grassley | McCain |
| Byrd | Gregg | McConnell |
| Campbell | Hagel | Mikulski |
| Chafee, L. | Harkin | Moynihan |
| Cleland | Hatch | Murkowski |
| Cochran | Helms | Murray |
| Collins | Hollings | Nickles |
| Conrad | Hutchinson | Reed |
| Coverdell | Hutchison | Reid |
| Craig | Inhofe | Robb |
| Crapo | Inouye | Roberts |
| Daschle | Jeffords | Rockefeller |

| | | |
|---|---|---|
| Santorum | Smith (OR) | Thurmond |
| Sarbanes | Snowe | Torricelli |
| Schumer | Specter | Voinovich |
| Sessions | Stevens | Warner |
| Shelby | Thomas | Wellstone |
| Smith (NH) | Thompson | Wyden |

NOT VOTING—1

Roth

The amendment (No. 2988) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. LAUTENBERG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, if the Senator from Alaska will withhold, I yield 3 minutes to the Senator from New York for a request involving another Senator.

The PRESIDING OFFICER. The Senator from New York is recognized.

(The remarks of Mr. SCHUMER pertaining to the introduction of S. 2370 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, regular order.

AMENDMENT NO. 2931

The PRESIDING OFFICER. The clerk will report the amendment previously proposed.

The legislative clerk read as follows:

The Senator from Alaska (Mr. STEVENS) for himself, and Mr. BYRD, Mr. INOUYE, Mr. LEAHY, Mr. SHELBY, Mr. CAMPBELL, and Mr. COCHRAN proposes an amendment numbered 2931:

Strike Section 208.

Mr. STEVENS. Mr. President, I have at the desk another amendment, the third one I mentioned previously. I ask unanimous consent that it be put in line after the second one.

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

Mr. STEVENS. Mr. President, because of time circumstances, I ask unanimous consent that this amendment be temporarily laid aside so that Senator ROBB may offer his amendment.

I understand arrangement has already been made on that and that we will proceed. It is my understanding that my amendment would be pending when the Robb amendment has been disposed of. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. I ask unanimous consent that be the procedure.

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

AMENDMENT NO. 2965

The PRESIDING OFFICER. There are 10 minutes equally divided. The Senator from Virginia.

Mr. ROBB. Thank you, Mr. President.

We had an opportunity to discuss and debate this particular amendment last night to accommodate Senators. Very simply, this is an amendment to reduce the amendment for the tax cut by $5.9 billion over the next 5 years. It doesn't call for the passage of any specific school construction or renovation proposal that has been discussed. It simply sets aside the money to pay for them. Five years ago, the unmet needs in our schools nationally totaled about $185 billion. Today, those unmet needs total over $306 billion.

We hear a lot about State surpluses. If we used all of the fiscal year 1999 surpluses from all of the States, we would still only address about 10 percent of the unmet backlog in terms of school construction and school modernization.

I showed this picture last night. I will show this one again. This is a picture of Loudon County High School, just outside the beltway. This is a trailer being put in place in the parking lot. There are a number of trailers in the parking lot. There are over 3,000 trailers currently in use in Virginia alone. Loudon County needs 22 new schools at an average cost of $18 million each. That is over $400 million for one county alone.

School enrollment is at record levels. Currently, there are 53.2 million students in the United States. In the next 10 years, it will increase by another 1 million students. The average school today is 42 years old. The last major investment in schools was made back in the Eisenhower administration. It was a $1 billion investment then. The same amount of money today, in current terms, would be $5.4 billion. This amendment simply sets aside $5.9 billion over the next 5 years to accomplish at least a portion of the pressing unmet school construction needs in this country today. I hope it will be the wisdom of my colleagues to agree to this particular amendment and vote for schools.

I think I adequately covered the amendment last night. I yield to my distinguished colleague from Georgia or others who may wish to address this particular amendment.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, the Senator from Virginia has been debating this for an extended period of time. School construction and renovation is traditionally the responsibility of local and State governments. It traditionally has been and it still is.

The Robb amendment, in effect, has the effect of raising taxes by $4.2 billion over 5 years to have the Federal Government take over part of this responsibility. Even under the President's proposal, which would cost even more, we would only be able to cover about one-fourth of the total cost of improving schools, according to the General Accounting Office.

As we have said repeatedly over the last couple of days, this budget resolution includes more money for education than the President—$600 million more in 2001 and $2.2 billion more over 5 years. We have made plenty of room for different options on education policy in this budget resolution.

All of these issues will be discussed and debated in the ESEA reauthorization coming up in May. The spending increase in this amendment is unnecessary.

In addition, if the Federal Government is going to become a major and direct party in the issue of school construction, along with it will come the same kind of intervention that the last two Congresses have been endeavoring to undo. They have been trying to make it more flexible, not less.

It is my personal opinion, given the way school construction has been managed, that any Federal program of this nature will by necessity have the tendency to pick winners and losers because as everybody acknowledges, it doesn't get to the total requirement and it will also have the effect of rewarding local jurisdictions that have been less attentive to the work that they are responsible for or for which they are responsible.

Invariably, districts that have gotten the job done or are in the business of doing it will be second-class citizens to those jurisdictions that have overlooked or not been attentive to the nature of their responsibility of school construction.

How much time remains?

The PRESIDING OFFICER. The Senator from Georgia has 1 minute 40 seconds and the Senator from Virginia has 2 minutes 14 seconds.

Mr. COVERDELL. I yield the floor to the Senator from Virginia.

Mr. ROBB. Mr. President, I respond to my distinguished colleague from Georgia by saying, first of all, this is not an amendment to raise taxes. This is simply an amendment to give up $5.9 billion of the tax cut that is in the resolution.

Second, there are no Federal strings attached. One of the benefits of this particular approach is we are not dealing with school policy, which can be very sensitive. We are dealing with bricks and mortar. For the most part, we are doing this through a tax credit that leverages the money so they can get a whole lot more bang for the buck. It is a way to keep us from being involved in local school policy. It provides maximum flexibility in the way the funds are used.

Finally, with all due respect to my distinguished colleague, he talked about less attentive. You can translate ''less attentive'' into ''less resourced.'' Most of the Federal programs designed to help are for those localities and institutions that simply don't have the resources to meet the critical needs of their students. This is designed to help some of those localities, including localities with very old schools that have leaking roofs and simply don't have modern heating, air conditioning, ventilation, and other accommodations that are part of the modern school system or could not have the modern technology.

This gives them a chance to compete on a more equal footing. I hope it will

be the pleasure of our colleagues to set aside this part of the tax cut for the very important purpose of investing ultimately in our children, by investing in a nonintervention, nonintrusive way in school policy, in the bricks and mortar that will provide the kind of environment where they can learn.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, the bottom line, whether you call it a tax increase or reduction of a tax relief proposal, the net effect is between $4 billion and $6 billion is not going to be in the checking accounts of American citizens if this amendment is adopted that could theoretically otherwise be there. Taxpayers will have less if the amendment is adopted.

The second point the Senator from Virginia makes about underresourced has merit. But so does mine. Yes, there are some school districts that are underresourced; those are the responsibility of those States, not the Federal Government.

It is equally true that many of these jurisdictions do have the resources and for whatever reason have not made that the priority it maybe ought to have been. There is no doubt about it. We can name any number of jurisdictions that have underequipped schools that sit in municipalities or counties that have innumerable resources.

Mrs. MURRAY. Mr. President, I take a moment to commend my colleagues—Senator ROBB, Senator HARKIN, Senator LAUTENBERG, and Senator DORGAN, for bringing this important amendment to the floor.

I commend the work they have done and their commitment to school modernization which means so much to our communities and the children who attend the public schools in this country.

I have heard the other side say throughout this debate they have made a commitment to education. But I am concerned, as I look at their budget, that a real commitment is missing. I believe that part of making a real commitment to education requires providing resources to our schools. Today, my colleagues are offering an amendment as a way to offer this choice.

Today, a record 53.2 million children are enrolled in elementary and secondary schools. By 2009, this number will reach 54.2 million. As a result, local communities need to build or modernize 6,000 public schools, and repair an additional 8,300 public schools. In addition, the average public school building in this country is 42 years old. These schools need improvements.

What kind of message do we send to our children when they can go to shopping malls, movies theaters, and baseball stadiums that are significantly nicer than their schools? What kind of message does that send about our priorities?

This amendment would once again provide us with a clear choice on the issue of education. Do we want a tax cut, or do we want to provide to modernize our schools. This amendment would allow the federal government to take a roll as a partner in helping our districts meet the pressing need of modernizing our school buildings.

The amendment would provide $1.3 billion in grants and loans to help schools address urgent facilities issues, and provide tax credit bonds to help communities finance the cost of new construction and major repairs for schools.

This Congress has made a commitment over the past two years to reducing class size. This program is truly making a difference in our schools. I believe we have the opportunity this year to continue the efforts to reducing class size, and providing funds for school to make sure they have the facilities to provide for these smaller classes.

A decent sized class in an adequate facility is not too much for our children. I hope you are all able to make this choice and support this amendment.

Mr. ROBB. How much time remains on this side?

The PRESIDING OFFICER. Nine seconds.

Mr. ROBB. I yield the entire 9 seconds to the distinguished Senator from Iowa.

Mr. HARKIN. Mr. President, I wholeheartedly support the amendment of the Senator from Virginia. It is what is needed for this country. It is a national obligation. We ought to be rebuilding and modernizing our schools. The Senator from Virginia has it right.

AMENDMENT NO. 3010 TO AMENDMENT NO. 2965

(Purpose: To reduce revenue cuts by $5.9 billion over the next 5 years)

Mr. COVERDELL. I send the substitute to the Robb amendment No. 2965 to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Georgia [Mr. COVERDELL] proposes an amendment numbered 3010 to amendment 2965.

Mr. COVERDELL. I ask unanimous consent the 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.

On page 4, line 5, increase the amount by $1.

On page 4, line 6, increase the amount by $1.

On page 4, line 7, increase the amount by $1.

On page 4, line 8, increase the amount by $1.

On page 4, line 13, increase the amount by $1.

On page 4, line 14, increase the amount by $1.

On page 4, line 15, increase the amount by $1.

On page 4, line 16, increase the amount by $1.

On page 4, line 17, increase the amount by $1.

On page 4, line 22, increase the amount by $1.

On page 4, line 23, increase the amount by $1.

On page 4, line 24, increase the amount by $1.

On page 4, line 25, increase the amount by $1.

On page 5, line 1, increase the amount by $1.

On page 5, line 7, increase the amount by $1.

On page 5, line 8, increase the amount by $1.

On page 5, line 9, increase the amount by $1.

On page 5, line 10, increase the amount by $1.

On page 5, line 11, increase the amount by $1.

On page 18, line 7, increase the amount by $1.

On page 18, line 8, increase the amount by $1.

On page 18, line 11, increase the amount by $1.

On page 18, line 12, increase the amount by $1.

On page 18, line 15, increase the amount by $1.

On page 18, line 16, increase the amount by $1.

On page 18, line 19, increase the amount by $1.

On page 18, line 20, increase the amount by $1.

On page 18, line 23, increase the amount by $1.

On page 18, line 24, increase the amount by $1.

On page 29, line 3, decrease the amount by $1.

On page 29, line 4, decrease the amount by $1.

On page 29, after line 5, insert the following:

In lieu of the language proposed to be inserted, insert the following:

SEC. . (a) The Senate finds that on March 2, 2000, the Senate passed S. 1134, by a vote of 61–37, the Affordable Education Act of 2000, which—

(1) authorizes up to 2.5 billion dollars a year in new bond authority to allow public-private partnerships to build new schools;

(2) allows small school districts to build more schools by providing them greater flexibility in dealing with complex IRS regulations;

(3) allows 14,000,000 families or 20,000,000 children to benefit from Education Savings Accounts, which would generate $12,000,000,000 in new resources for kindergarten through college education;

(4) allows 1,000,000 college students in State pre-paid tuition plans to receive tax relief to make college more affordable;

(5) allows 1,000,000 workers studying part-time to receive education assistance through their employers;

(6) guarantees that every college student and recent college graduate in America will receive a tax break on the interest on their student loans;

(7) gives all of our Nation's elementary and secondary school teachers needed tax relief for their professional development expenses;

(8) gives America's teachers needed tax relief by providing them a deduction for their out-of-pocket classroom expenses;

(9) allows America's classrooms to benefit from new technology by encouraging the charitable donation of computers to the classroom;

(b) Therefore, it is the Sense of the Senate that this budget resolution assumes that

Congress should pass, and the President should sign significant education tax relief legislation for America's teachers and students.

The PRESIDING OFFICER. Who yields time?

Mr. COVERDELL. Parliamentary inquiry: It is my understanding that with the second-degree amendment before the Senate, there is now an hour equally divided on this measure; is that correct?

The PRESIDING OFFICER. On the second-degree amendment, that is correct.

Mr. COVERDELL. Mr. President, the bipartisan education savings account which was passed in March and had been threatened by a veto from the President makes education more affordable for millions of Americans. I might say, during that debate of our proposal to empower parents, to empower local school districts and communities, there was a similar debate with the Senator from Virginia on a similar subject. We prevailed at that time.

At that time, the Senator from Virginia basically was attempting to fund this idea of his by removing the loss of tax revenue that occurs in the education savings account. As I understand the amendment now, it would reduce the tax relief in the budget resolution. So it is a very similar debate that is occurring between the Senator from Virginia and our side.

I want to refresh the Senate on what has passed the Senate and will soon find its way to the President's desk. As I said a little earlier, the President has at least given an indication that he would veto it, so I think it is entirely appropriate that we reassert our position in the budget resolution.

The education savings account starts with the current law, which allows families to save up to $500 per year while the interest in an account is exempt from taxes as long as the savings are used for college education. We have taken the same proposal and expanded it to $2,000 per year instead of $500, and we have said a family can use the savings in that account anywhere in the education of the child, from kindergarten through college—even after college if the student is a dependent.

We have taken what everybody on both sides of the aisle has said is a grand idea and expanded it. Everybody is a winner: Public education, private education, home schooling education, kindergarten through college. It remains puzzling to me that this bipartisan proposal, supported by Members on both sides of the aisle, is now threatened by the President.

On State prepaid tuition relief, the legislation makes interest earned on qualified public and private school higher education tuition plans tax free. Some 41 States today—I think soon it will be all—offer a State prepaid tuition plan to help parents prepare their students for the cost of college. The problem is, when those benefits come to the student, they get taxed, so it is diminished significantly. Under this proposal, that tax would no longer hit the savings account. It would be there and available for the family to help that child through college.

The proposal extends employer-provided educational assistance for undergraduate studies; in other words, it helps make it possible for employers to assist employees in their continuing education. It is estimated that some million employees will be the beneficiaries of this proposal that has now passed the Senate.

I failed to mention that it is estimated those who would open education savings accounts, such as those we are enumerating here, are 14 million families who are the custodians, those who are taking care of 20 million children. That is about 40 percent of the entire population in school in the United States.

The proposal repeals the 60-month rule on student loan interest deductions and allows many individuals to claim tax deductions on interest they pay on their student loans without the imposition of a time limit. Currently, you have an exemption on that kind of benefit, but it runs out after a certain number of years. This removes the time limit.

With regard to school construction, the Affordable Education Act contains a provision originally offered by Senator GRAHAM of Florida to create a new category of exempt bonds for privately owned, publicly operated K–12 schools. So we do not obviate or ignore the issue of construction problems in the country. This provision would make available up to $2.5 billion each year in school construction bonds, enough to build hundreds of new schools in America every year. But it would be totally controlled locally. It would not be the Federal Government picking which schools, it would be the districts themselves deciding whether they wanted to use this new provision in order to deal with school construction needs in their district.

The bill would allow school districts to issue more tax-exempt bonds for school construction without having to comply with complex IRS arbitrage rebate rules. This would lower the cost of school construction for many small and rural school districts.

The billions of dollars in Federal assistance are on top of what State and local governments are already doing to build schools without, as I said a moment ago, Federal interference from Washington or any selection being made by Federal bureaucrats. According to the U.S. Census Bureau, State and local governments spent $13 billion in 1999 on public school and university facilities. An American school and university survey shows, between 1990 and 1999, public school construction expenditures increased by 60 percent—that is without the Federal Government; they have done that on their own, making their own decisions—while overall economic activity only increased by 32 percent, and student population increased by only 10 percent.

So, in summary, what this sense of the Senate does is ask the President to recognize how many winners are generated by the Senate's idea on the Affordable School Act: 14 million families will benefit, 20 million schoolchildren; there will be $12 billion in new savings without the Federal Government investing a dime; 1 million college students in State prepaid tuition plans; 1 million workers receiving education assistance; countless schools will be built across the country; and countless Americans will receive a break on the interest they pay on their student loans.

Reserving the remainder of my time, I yield the floor so we might hear from the Senator from Virginia.

Mr. REID. Mr. President, I ask for the yeas and nays on the Coverdell amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. REID. Under the resolution, I yield 5 minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Mr. President, I thank my distinguished colleague from Georgia. I did not see the movie ''Groundhog Day,'' but this reminds me of ''Groundhog Day.'' We have been here before. We wasted an entire week of the Senate's valuable time on the precise bill that the distinguished Senator from Georgia is now presenting to us as an alternative.

I listened as the clerk read the language of the initial part of the bill, taking all the amounts that would be put aside to help schools and reducing them to a single dollar. In Virginia, we call that the shad treatment: You leave the skeleton but you surgically remove the entire skeletal structure so there is nothing remaining. Then you substitute a piece of legislation that has already passed this body, notwithstanding the fact that the authors and proponents of the legislation knew from the very beginning this particular bill would not be signed by the President.

With all due respect to my distinguished colleague from Georgia, he knew and they knew from the beginning we were wasting a week on that particular legislation. To suggest this is a possible new development or a surprise now, with all due respect, is a bit disingenuous.

We have the same problem as before. We are trying to do an end run to bring about vouchers. With this legislation, this Senate would be finding a way to put a disproportionate amount of money—if I recall the figures; I do not have them in front of me—about $37 or so per family for those students who, for the most part, are already sending

their children to private schools or parochial schools and about, if I recall, $7 for those in public schools.

This is designed to get around the difficulty the distinguished Senator found in incorporating a voucher provision. Vouchers address 10 percent of the population. Our responsibility is to the 90 percent of the children who are in schools in America who do not have access to them. Even if we were to make vouchers available to every schoolchild in America, we only have infrastructure that can support a little over 10 percent of the population. This takes money that would otherwise be available, in this case, for much needed school construction which the States cannot afford and which, by his own admission, would help disproportionately those school districts that do not have the resources, that do not get a chance to play on a level playing field.

It would take the money we could use to leverage to build even more schools and renovate even more schools to run the voucher route, again, in a bill that will not even go to the President. This particular resolution does not go to the President for signature. It will have no impact on whatever the President chooses to do about the particular legislation the Senator and those who supported his position passed last time around.

Let's not support vouchers in another form to find a way to make it impossible for the Federal Government, without strings attached, to provide support for bricks and mortar in local school districts and divisions that need the assistance. We want to move away from a situation where we have trailers instead of classrooms. If colleagues support the underlying amendment, they will be supporting school construction and renovation. If they support the substitute, they will be supporting school vouchers. I hope it will be the pleasure of this body to reject the substitute and support the underlying amendment. I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I yield 5 minutes to the Senator from Iowa, Mr. HARKIN, off the resolution.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I thank our minority whip for yielding me this time. I do speak strongly in favor of the underlying Robb amendment of which I am a cosponsor.

Senator ROBB has it right when he tries to invest in rebuilding and modernizing our public schools. States and local communities are struggling right now to renovate existing schools. School construction and modernization is necessary for our kids in the 21st century.

The average school in America right now, as Senator ROBB said, is 42 years old. Technology is placing new demands on our schools. As a result of increased use of technology, many schools must install new wiring, telephone lines, and electrical assistance. The demand for the Internet is at an all-time high, but in the Nation's poorest schools only 39 percent of classrooms have Internet access.

In 1998, the American Society of Civil Engineers issued a report on our Nation's infrastructure. The report found many problems with a lot of our infrastructure, but the most startling finding was with respect to our Nation's public schools.

The American Society of Civil Engineers reported that public schools are in worst condition than any other sector of our national infrastructure. This is an alarming fact. I ask unanimous consent that a copy of the American Society of Civil Engineers report card be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMERICAN SOCIETY OF CIVIL ENGINEERS—1998 REPORT CARD FOR AMERICA'S INFRASTRUCTURE

| Subject | Grade | Comments |
|---|---|---|
| Roads | D− | More than half (59 percent) of our roadways are in poor, mediocre or fair condition. More than 70 percent of peak-hour traffic occurs in congested conditions. It will cost $263 billion to eliminate the backlog of needs and maintain repair levels, Another $94 billion is needed for modest improvement—a $357 billion total. |
| Bridges | C− | Nearly one of every three bridges (314 percent) is rated structurally deficient or functionally obsolete. It will require $80 billion to eliminate the current backlog of bridge deficiencies and maintain repair levels. |
| Mass Transit | C | Twenty percent of buses, 23 percent of rail vehicles, and 38 percent of rural and specialized vehicles are in deficient condition. Twenty-one percent of rail track requires improvement. Forty-eight percent of rail maintenance buildings, 65 percent of rail yards and 46 percent of signals and communication equipment are in fair or poor condition. The investment needed to maintain conditions is $39 billion. It would take up to $72 billion to improve conditions. |
| Aviation | C− | There are 22 airports that are seriously congested. Passenger enplanements are expected to climb 3.9 percent annually to 827.1 million in 2008. At current capacity, this growth will lead to gridlock by 2004 or 2005. Estimates for capital investment needs range from $40-60 billion in the next five years to meet design requirements and expand capacity to meet demand. |
| Schools | F | One-third of all schools need extensive repair or replacement. Nearly 60 percent of schools have at least one major building problem, and more than half have inadequate environmental conditions. Forty-six percent lack basic wiring to support computer systems. It will cost about $112 billion to repair, renovate and modernize our schools. Another $60 billion in new construction is needed to accommodate the 3 million new students expected in the next decade. |
| Drinking Water | D | More than 16,000 community water systems (29 percent) did not comply with the Safe Drinking Water Act standards in 1993. The total infrastructure need remains large—$138.4 billion. More than $76.8 billion of that is needed right now to protect public health. |
| Wastewater | D+ | Today, 60 percent of our rivers and lakes are fishable and swimmable. There remain an estimated 300,000 to 400,000 contaminated groundwater sites. America needs to invest roughly $140 billion over the next 20 years in its wastewater treatment systems. An additional 2,000 plants may be necessary by the year 2016. |
| Dams | D | There are 2,100 regulated dams that are considered unsafe. Every state has at least one high-hazard dam, which upon failure would cause significant loss of life and property. There were more than 200 documented dam failures across the nation in the past few years. It would cost about $1 billion to rehabilitate documented unsafe dams. |
| Solid Waste | C− | Total non-hazardous municipal solid waste will increase from 208 to 218 million tons annually by the year 2000, even though the per capita waste generation rate will decrease from 1,606 to 1,570 pounds per person per year. Total expenditures for managing non-hazardous municipal solid waste in 1991 were $18 billion and are expected to reach $75 billion by the year 2000. |
| Hazardous Waste | D− | More than 500 million tons of municipal and industrial hazardous waste is generated in the U.S. each year. Since 1980, only 423 (32 percent) of the 1,200 Superfund sites on the National Priorities List have been cleaned up. The NPL is expected to grow to 2,000 in the next several years. The price tag for Superfund and related clean up programs is an estimated $750 billion and could rise to $1 trillion over the next 30 years. |

America's Infrastructure G.P.A. = D. Total Investment Needs = $1.3 Trillion (estimated five-year need). Each category was evaluated on the basis of condition and performance, capacity vs. need, and funding vs. need.
A = Exceptional; B = Good; C = Mediocre; D = Poor; F = Inadequate.

Mr. HARKIN. Mr. President, because of increasing enrollments and aging buildings, local and State expenditures for school construction have increased dramatically by 39 percent in the last several years. However, this increase has not been enough to address the needs.

The National Education Association recently surveyed States about their need to modernize public schools and upgrade education technologies. According to their preliminary report, $254 billion is needed to modernize school facilities; $54 billion is needed to upgrade education technology. In my State of Iowa, for example, $3.4 billion is needed for school facilities and $540 million for education technology.

It is a national disgrace that the nicest places our children see are shopping malls, sports arenas, and movie theaters, and some of the most rundown places they see are their public schools. What kind of a signal does that send about the value we place on them, their education, and their future? How can we prepare our kids for the 21st century in schools that did not even make the grade in the 20th century?

This amendment by Senator ROBB provides a comprehensive two-pronged response: $1.3 billion each year to make grants and no-interest loans for emergency repairs to schools.

The second part of this strategy is to underwrite the cost of building nearly $25 billion of new school facilities. This amendment provides the tax credits to subsidize the interest on new construction projects to modernize public schools.

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 a school bond issue to finance the bulk of the project. Modern, up-to-date school buildings are essential for student achievement.

Studies show students in overcrowded schools, or schools in poor fiscal condition, scored significantly lower on math and reading than their peers in less crowded conditions.

This is a very serious national problem. In Iowa alone during the 1990s, there were 100 fires in Iowa public schools. During the previous decade,

there were only 20. The wiring is getting old, schools are catching on fire, water pipes are bursting, and they do not have the new technology our students need.

If there is one thing that cries out for our intervention on a national level, it is this issue: to upgrade and modernize our schools and to build new schools where needed. All one has to do is read Jonathan Kozol's book ''Savage Inequalities: Children in America's Schools'' to understand in this system of ours in America where schools are financed by local bond issues, that if you have an area with high-income residents, high property values, you get pretty darn good schools. But go to areas where there are low-income people and low property values; that is where we find the poor schools.

Yet a child educated in one of those poor schools does not stay in that local school district. That child moves to Iowa, California, Virginia, Georgia, or anywhere else and becomes a burden on all of society. That is why this cries out for a national solution.

To hear my friends on the other side, they say leave it up to the local school districts and let them handle it. Sure, if you live in a rich school district, you are fine.

But if you live in a poor area of America—rural or urban—you do not have the wherewithal to build those new schools and to get the wiring and the upgrading that you need.

That is why it is a national problem. It requires a national solution. That is why I hope the Coverdell amendment will be defeated and that we could get to the underlying Robb amendment and let the kids of this country and their parents and their families know that this national effort is going to go forward to rebuild our schools.

I compliment the Senator from Virginia for his amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

The Senator from Georgia.

Mr. COVERDELL. Mr. President, I will be very brief.

The Senator from Virginia and I have an honorable disagreement about how the Federal Government ought to respond to being a better partner in education. But the one issue that I would take some exception to and would like to clarify is the question of whether this is designed to be a voucher. It is not a voucher. The good Senator from New Jersey, Mr. TORRICELLI, who vehemently does not support vouchers, is a coauthor because he does not view this as a voucher.

I would not say that of the 70 percent of the families who would open an account who are in public schools, some family somewhere with that savings account might not make a change. But it would be statistically insignificant. If they did, I think it is a right that they should have.

As the Senator from Virginia said, 90 percent-plus of our students are in public schools. I venture to say that 10 years from now, 90 percent-plus of our students are still going to be in public schools.

The proposal is not designed to be a disguise for vouchers. It never has been. As I said, 70 percent of the people who open these accounts are estimated to have children in public schools and 30 percent are in some other school.

Of the $12 billion that will be saved and used for schools, it is divided about 50–50. In my view, that is because those families who have the child in the private school know they have a higher hurdle, that they have to pay the local school taxes and the tuition, so they tend to save more.

It may not be persuasive to the Senator from Virginia, but I did want to make the point that I never viewed this, and I think generally speaking it has never been viewed, as a voucher.

I yield the floor. When the Senator from Virginia concludes his remarks, I think we are both prepared to yield back time on this substitute amendment.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. I request, from the Senator from Nevada, 2 minutes from the resolution.

Mr. REID. The Senator from Virginia is given 2 minutes from the resolution.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Mr. President, I will be very brief.

I thank my colleague from Georgia for the clarification. I did not suggest that this was a voucher. I suggested it was an end run around the difficulty in establishing vouchers. The fact is that three-quarters of the benefits under the education IRA that the distinguished Senator from Georgia was able to pass through this body, which will be vetoed by the President of the United States, would go to people who are already enrolled in private schools. So it may not be a duck, but it certainly looks, talks, and walks like a duck.

With respect to the need, I suggest to the Senator from Georgia—and I do this in a friendly spirit—looking at all of the schools and the current estimates, Georgia faces an $8.5 billion shortfall for school modernization, which includes $7.1 billion for infrastructure and $1.5 billion for technology needs. There is projected a 26.5-percent increase in this shortfall in the decade ahead. Georgia would be among the States to benefit from this particular provision.

But the bottom line is that we have a choice between a plan that we know the President would support and sign, which would provide some 6,000 schools built or modernized and some 25,000 schools repaired, as opposed to the alternative, where we would have 198 schools built or modernized and none repaired.

At the same time, we would be transferring funds that could be used to support public education that would be supporting private education. It is as simple as that. I ask our colleagues to reject the substitute and support the underlying amendment.

With that, I yield to the distinguished Senator from Nevada.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. The ranking member of the Budget Committee, who has been working today with his staff to resolve our vote-athon later, to get rid of a lot of these amendments that are around, is yielded 5 minutes off the resolution.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. I thank my friend from Nevada.

I commend the Senator from Virginia for his very thoughtful amendment. I listened carefully to what he had to say. Senator ROBB has the respect of all of us, regardless on which side of the aisle your political initiation or interests fall.

As he said, if it looks like and sounds like and talks like it, then we kind of know what it is. I think that is a proper characterization, in all fairness to the distinguished Senator from Georgia. If it is a tax-saving device that later can be used for contributions to private schools, it obviously is. If it is not a voucher, it sure enough resembles one so much that the disguise is more than penetrable.

But I wish to talk about the Robb amendment. Senator ROBB talks about the need to modernize our Nation's schools. Boy, I salute that. I am the product of public education. In fact, my parents barely could afford to send me to a free school.

I have taken an interest in the community from which I came, Paterson, NJ. It is industrialized, one of the poorest cities in the State of New Jersey—in fact, one of the poorest cities in America in ranking.

I looked at the situation with the schools there, schools that I attended. In particular, I looked at one school, a school that we called school No. 6, that I attended where they are barely able to keep plaster on the walls and keep the place in fit condition. I also went to high school in the same city for a while. Knowing my age, one recognizes how old those schools might be. The fact is, we both weathered storms, the schools and I, over a lot of years. But wear and tear shows.

We look at these schools and see how inadequately prepared they are for contemporary times. We question what we ought to do there. Since I come out of the computer business, those are my roots. I am a member of something that probably is not noticeable on everybody's calendar, but I am a member of the Information Processing Hall of Fame, which is in Dallas, TX. My former colleague, Bill Bradley, was a Hall of Famer, but of a much more recognizable Hall of Fame, also a much more recognizable participant.

But what I know is that unless we go to the Patersons of the country, unless

we go to the cities of the country that are in desperate need of improvements in the physical structure of their schools, we are going to find ourselves leaving out a significant portion of our population—whether rural or urban.

I do not mean to boast, but I personally made a contribution to a school in Paterson and stood there and pulled wires with people from the telephone company, who, on a voluntary basis, all pulled wires. And I paid for some small part of the installation of cable that would enable this school, if they ever got the equipment, to at least hook up to the Internet and the world outside their physical building.

That is necessary. It is not that we are being good to these kids. We are being good to America. We have to have people who can learn, and we don't care what their background is. If they have the capacity to learn, we ought to give them the tools, as the most advanced country, the largest power in the world that has students who can learn but who don't always get the benefits of the proper tools for an education. That includes the simplest thing, not just pulling cable to hook them up to the Internet, but to make sure the buildings are sound enough to provide reasonable temperatures in the summer and the winter.

Nothing is more discouraging to the learning process than to expect someone to function in a school that doesn't have the basic comforts. We have all heard the horror stories about sanitary facilities located floors away from where the classrooms are, where windows are broken, kids can be injured by falling plaster or, worse, even today, asbestos still used in the construction.

I commend the Senator from Virginia for standing up for what is right. It is a small cost, when you think about it, as to what we might get in return on investment. Those of us who are in the business world do look at return on investment, and this is one really good one.

I hope we are going to get by the partisan divide. We are worried about the digital divide, but we also have to worry about the partisan divide as we discuss the budget and its requirements. We have to kick this football. This is where the game starts, right here in the budget resolution. What we ought to do is have a good clean kickoff and make sure we do it right. I hope when the roll is taken, we defeat the Coverdell amendment and support the ROBB amendment.

The PRESIDING OFFICER (Mr. GORTON). Who yields time on the pending amendment? If neither side yields time on the amendment, it will be deducted equally from both sides.

Mr. COVERDELL. Mr. President, on the Coverdell substitute, we are prepared to yield back our time. It is the understanding that the other side will do the same.

Mr. REID. I yield back our time.

AMENDMENT NO. 3013 TO AMENDMENT NO. 2965

(Purpose: To express the sense of the Senate regarding the need to reduce gun violence in America.)

Mr. REID. 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 Nevada [Mr. REID], for 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, proposes an amendment numbered 3013 to Amendment No. 2965.

Mr. REID. 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 amendment add 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.

Mr. REID. Mr. President, I will take time now on the resolution to say this to the acting manager of the bill so the majority knows what we are doing. This matter has already been debated. The Senator from Rhode Island came earlier today and debated this amendment. Therefore, what we are going to do to use our half hour of time allotted under the second-degree amendment is time will be yielded to the Senator from Maryland, Ms. MIKULSKI, who also is going to, at a subsequent time, offer an amendment on the digital divide. Her half hour will be on the digital divide, not on the Reed amendment. You, of course, would have your half hour to speak about anything the majority cares to. I wanted to explain that to the majority.

Mr. COVERDELL. You are essentially using your half hour to deal with the Senator from Maryland.

Mr. REID. On another amendment, that's right. Mr. President, under the resolution, that is what we are going to do. It should move this matter along. The Senator from Maryland—when she gets here—will speak.

Mr. STEVENS. Will the Senator yield for a minute? I want to make sure I haven't inadvertently lost the floor.

Mr. REID. Without losing my right to the floor, I say to the chairman of the Appropriations Committee, what we have here now is we have filed a second-degree amendment to the pending amendment. We have an hour of debate, which the Senator from Maryland is going to use at this time.

Mr. STEVENS. A second degree to my pending amendment?

Mr. REID. No, the Robb amendment.

Mr. STEVENS. I appreciate that.

Mr. DOMENICI. I have a question. Did Senator COVERDELL not offer a substitute to the Robb amendment?

Mr. COVERDELL. Mr. President, we have offered a substitute and we yielded back time.

Mr. REID. The same problem of this morning.

I yield to the Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Ms. MIKULSKI. Parliamentary inquiry to my Democratic whip: Am I offering my amendment now or only speaking on it?

Mr. REID. We offered it.

Ms. MIKULSKI. I am ready to do it anyway. Thanks to you and the Democratic leadership, President Bill Clinton, and AL GORE, we are talking about a plan to cross the digital divide. A few minutes earlier, Senator CHUCK ROBB of Virginia spoke eloquently and persuasively about how we needed to deal with the problem of wiring schools in the United States. I absolutely support that Robb amendment because we have schools that are deteriorating, and they are in such bad shape we can't wire them for the Internet.

While we are creating a new physical infrastructure for our schools, we also need to look to the future. We want to help our children by making sure that public education gets them ready for the new future and a new economy. This is why I believe very strongly that no child in the United States of America should ever face the digital divide.

What is the digital divide? The divide is between those who have access to technology and who have access to learning and how to use the technology. If you are on the right side and have access to technology, and access to those who will teach you how to use it, both as a person and a community, you will feel very empowered and have a bright future. But if you are on the wrong side of the divide, where you don't have access to technology—Mr. President, the Senate is not in order.

Mr. STEVENS. Mr. President, I am still disturbed, if the Senator will yield about the procedure.

Ms. MIKULSKI. Mr. President, I have the floor.

Mr. STEVENS. Point of order: I call for regular order. The regular order is my amendment.

Mr. REID. Mr. President, this was an amendment in the second-degree.

The PRESIDING OFFICER. The Senator from Maryland has the floor. As long as she has the floor, no one else can call for regular order with respect to amendments.

Ms. MIKULSKI. Mr. President, I have the floor. I in no way mean to have sharp elbows with the Senator from Alaska. I was only trying to get order to continue my presentation.

The PRESIDING OFFICER. The Senator is entitled to be heard.

Ms. MIKULSKI. If people want to argue about who has the floor, they can go off the floor and continue those arguments. Mr. President, I would like, if we are going to have exchanges——

The PRESIDING OFFICER. Will those who are having discussions in the right side of the well take their conversations off the floor.

Ms. MIKULSKI. Thank you, Mr. President.

What I was talking about was that if you have access to technology and access to those who can teach you technology, your future as a person, a community, and even our country, is bright. But if you are on the wrong side of the divide and don't have access to technology, and will never know how to learn to use technology, your future is quite dismal and, as a person, you could end up functionally obsolete in the United States of America.

The Presiding Officer comes from the State of Washington, which is one of the most robust, high-tech States in the United States of America. He knows from his conversations with those tech tycoons that what we are facing in the United States of America is a workforce shortage of people who know how to use technology. Also, not only in the new ''dot-coms'' or the new ''dot-commers,'' what we also face is a skill shortage, even in the old economy.

In my own hometown of Baltimore, where they make steel or build automobiles, we have gone from smokestacks to ''cyberstacks.'' Walk with me along the minivan plant in Baltimore or come with me in the steaming steelmills of Baltimore, and you will see steelworkers and automobile workers are now tech workers.

I want to be sure that every person in the United States of America is ready for that new economy. That is why we want to emphasize K through 12. We will practice the basics from K through 12. We are going to ensure that no child is left out or left behind in this new economy. We want to practice in the budget the ABCs. We want to make sure there is universal access to technology in schools, libraries, and community centers. We want to practice the ''B'' which is the ''best'' trained teachers. We also want to practice a ''C'' called ''computer'' literacy for every child by the time they finish the eighth grade.

Those are our national goals. That is what I hope we are able to do. But in order to do that, we have to put our resources with our national commitment.

First of all, I truly believe that the Government cannot do this alone. That is why an amendment I will be offering later on will put aside $200 million in tax incentives to encourage public-private partnership.

Why is this important? Because the Government can't do it alone. The private sector is already doing important, exciting work, and improving access to technology. But technology empowerment can't be limited to a few ZIP Codes, or recycled factories, where great work is being done in my own hometown. We need to encourage private sector donations of high-quality technology, sponsorship of community centers, and the sponsorship of training. I have seen many examples in my own hometown.

While we look forward to providing technology, one of the most important things is to make sure our teachers are trained. If our teachers are not trained, our technology could end up in closets and our children could be left not learning what they need to learn. The budget amendment calls for $600 million for teacher training.

Everywhere I go, teachers tell me they want to help their students cross the digital divide. But they need the training to do this. Technology without training is a hollow opportunity.

In my own home State of Maryland, the superintendent of public education established what we call a ''tech academy'' so that public schoolteachers could come from across the State to learn how to use this. Guess what. Six hundred teachers came and 400 had to be turned away. We now have an incredible waiting list.

No teacher should have to stand in line to learn how to use technology so they can teach children how to use technology. This is why we want to make sure that young people coming up in our teacher schools learn technology. Those teachers who are the fourth grade reading specialists should know as much about technology as some computer whiz.

In addition to that, our amendment provides access—$400 million—for school technology and school libraries, for hardware and software technology everywhere. We want to make sure our school libraries are high-tech media centers.

Why is this important?

In my own community, in some schools we have a ratio of one computer per five children.

To the Senator from Georgia, I would note that in some of our private schools it will be mandated that every child come with a laptop.

But I say to my colleague and others who are listening, if you are a poor child, it is more likely you live in a poor neighborhood. The poor neighborhood has poorer schools. They do not have technology in their classroom or a media center in their library.

Please, in the United States of America, with all the money we are going to spend in this budget, let's put $400 million to be sure our schools and our libraries do have the hardware and software where they need it.

Our children don't only learn in schools and in libraries, though those are crucial places. Many of them learn out in the community. This is why our amendment will provide $100 million to create 1,000 community technology centers. Community leaders have told me that we need to bring technology to where the children learn. They don't learn only in schools; they learn in communities.

I saw for myself what technology meant to a community center at a public housing project. The adults learned technology during the day and the children learned technology through structured afterschool activities sponsored by the Boys and Girls Clubs in the afternoon.

In my own town of Baltimore, I spoke to the Urban League to see what they were doing to help get our children ready for the future. They told me they had to forage for funds, and there was not one Federal dollar available to help the Urban League help those children get ready for the future.

Certainly, if we can spend $18,000 a year on one person in prison, we can spend the money to create 1,000 community centers to keep our children in school and get ready for the new economy.

Mr. President, in addition to that, speaking of the Boys and Girls Clubs, we are including in our amendment Senator BIDEN's excellent proposal to provide $20 million to place computers and trained personnel in those Boys and Girls Clubs. What a tremendous opportunity.

In April we are celebrating Boys and Girls Clubs Month. There are great alumni from the Boys and Girls Club. Michael Jordan is one; President Bill Clinton went to one when his mother worked as a nurse and the Boys and Girls Clubs was one of his afterschool activities. Boys and Girls Clubs have been training and helping young people stay on the right track for a number of years. We not only want to teach them about hoop dreams; we want to team them about technology. This is why this is so crucial.

We will also provide $25 million to create an e-Corps within AmeriCorps. This will provide funds for 2,000 volunteers to teach technology in their schools and community centers.

In addition, we want to make sure we provide private sector deployment of broadband networks in underserved urban and rural communities. We need these funds to build the super information highway with on and off ramps for all.

I have in my State the Mountain Counties, a nice tourism word for Appalachia. With the old economy fading in coal mining and without the railroad jobs and so on, we are trying to

create a super information highway there. Guess what. If you are a constituent in Cumberland, your on and off ramp is in Pittsburgh. This makes service slow and unreliable. It slows down e-commerce and prevents new jobs from coming to an area that badly needs them. These funds will be used to help the private sector bring the super information highway to every corner.

We need to test new ways to bring technology into the home, with innovative applications. We need to look out for Native Americans. We are living in a very exciting time. The opportunities are tremendous to use technology to improve our lives, to use technology to remove the barriers caused by income, race, ethnicity, or geography. If we can help every one of our children and make sure they cross this digital divide, this will be the most important legislation this United States can pass. It will be as important as the Civil Rights Act of 1964. Technology is the tool, but empowerment is the outcome.

It could mean, through the work we do here, the death of distance as a barrier for economic development. But it also could mean the death of discrimination because poor children and children of color would be able to leapfrog into the future.

My amendment takes the Federal dollars and makes public investments in our schools, our community-based organizations, our libraries, our teachers, and, most of all, our children. At the right time, I will be offering my amendment. That is, indeed, a brief summary of this amendment.

Obviously, this isn't the most compelling thing on Senators' minds, and it is disappointing I have had to speak in an environment where everybody else's conversation was more important than the person speaking. That is OK because deep down I know America is listening. Deep down, I know this is a very important coalition issue. It brings people together of all different geographies, rural and urban, whether poor white or a child from a family of African, Latino, or Native American background. It also means if you are disabled, you will be able to learn the tools needed to ensure, though you might have a physical disability, you will not have barriers.

This amendment is about hope. This amendment is about opportunity. This amendment is about one more rung on the opportunity ladder of the United States of America. I think it has broad-based appeal on a bipartisan basis. I hope when the time comes to offer my amendment and when we have a roll-call vote, the men and women of the Senate will vote to ensure that our children can have a future and many children can leapfrog into the future, leaving behind the legacies of poverty.

I yield the floor.

Mr. SARBANES. Mr. President, I rise in support of the National Digital Empowerment Amendment to be offered by my colleague, Senator MIKULSKI. Let me begin by expressing my deep thanks to Senator MIKULSKI for her leadership in the Senate in crafting this initiative. And I should mention that she has not only worked with her Senate colleagues on this, but has reached across to the House of Representatives, joining with the members of the Congressional Black and Hispanic Caucuses, to ensure that it addresses the digital divide in a comprehensive and extensive way. She has also sought out the opinions of parents, teachers, children, business people and working people all across our State and the Nation to ensure that every community can reap the benefits of technology.

Moreover, I am pleased that members of the technology sector of our economy are participating so fully and have played such a key role in helping to develop this initiative. With the technological giants joining us in this effort, we are off to a great start in helping to ensure that every man, woman and child in our country will have the opportunity to access the Internet.

I believe we have a tremendous opportunity right now, with our economic prosperity, to begin closing this digital divide. We have the lowest unemployment rate and the lowest inflation rate in our country in more than 30 years. In our African-American and Hispanic communities, unemployment has fallen to some of the lowest levels in history.

And to help sustain this economic recovery, we must provide the tools to enable our people to obtain the skills necessary to compete in a global economy—an economy that is growing by leaps and bounds in part due to the technology sector and the opportunities it presents.

We are the world's leader of this technological revolution and our children are on the cusp of enjoying the full benefits of what it has to offer. In order to assist them in this endeavor, we must move forward to empowering each and every community with the technological skills and resources it requires. We can take a major step in this regard by passing this legislation—America's future deserves no less. So I lend my strong support to this amendment and I urge my colleagues to do the same.

Mr. STEVENS. What is the parliamentary situation?

The PRESIDING OFFICER. We are on amendment No. 3013 of the Senator from Rhode Island, Mr. REID. It is a second-degree perfecting amendment to the Robb amendment.

Mr. STEVENS. It was my intention to delay debate on my amendment until the Robb amendment and the second-degree amendment were finished. As I understand it, a substitute was filed rather than a second-degree. I am not sure that process is over. I want to keep our commitment. I apologize to the Senator from Maryland; I thought that was over when I came to the floor.

I am prepared to allow my good friend from Georgia to complete this process, if that is the desire of the Senate. We will get to my amendment when this amendment is disposed of.

Mr. REID. I say to my friend from Alaska, and the manager of the bill, we are still on the Robb amendment. We have whatever time is left on our side.

We have one more speaker on our side.

Ms. MIKULSKI. I understand there was confusion. I was yielded 30 minutes, and I have consumed 16 minutes. I yield my 14 minutes back to the Democratic whip to use such time as he deems appropriate.

Mr. REID. We have no more amendments to offer on this particular measure. Does the majority wish to spend more time on this amendment?

Mr. COVERDELL. We have 30 minutes allotted on the amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. COVERDELL. In answer to the question of the Senator from Nevada, yes, we have several speakers on the amendment and will probably use the majority of the 30 minutes on our side.

Mr. REID. We don't appear to have any speakers.

There was no attempt—and I explained this in detail to the Senator from New Mexico—to do anything other than complete the work on the Robb amendment.

There are a lot of people I might try to take advantage of, but one of them is not the Senator from Alaska.

Mr. STEVENS. I appreciate the Senator's comments. I was misinformed. I apologize to the Senator.

I want to make certain when the time comes, we get to the floor as intended.

The PRESIDING OFFICER. Who yields time on the Reed amendment?

Mr. COVERDELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COVERDELL. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Parliamentary inquiry. Under this circumstance, the time is being equally divided?

The PRESIDING OFFICER. If no one yields time, it is equally divided.

Mr. REID. Mr. President, unless the majority is ready to proceed, we have a Senator to speak, and I can yield him some time off the resolution. But if the Senator from Idaho is ready to proceed?

Mr. COVERDELL. We are. Mr. President, I yield up to 10 minutes of our time to the Senator from Idaho.

Mr. DOMENICI. Mr. President, might I ask a question of the Senator who has been managing? How much time does he have on his amendment?

Mr. COVERDELL. The full 30 minutes, well, minus—what is it, 25 minutes?

The PRESIDING OFFICER. The Senator has 25 minutes remaining.

Mr. DOMENICI. Thank you.

Mr. CRAIG. Mr. President, I want to be brief, but I think it is important to respond for the record because we have had a Senator stand up and suggest we ought to instruct the judiciary committees that are in conference now over juvenile justice—and he is doing it based on guns and guns alone. So for a few moments let me talk about what is in the juvenile justice bill that has been covered up by the debate that has produced no results for this country and, most importantly, should not.

I know the Senator has not talked about the alcohol prevention for minors that is in the bill or the cultural violence issues or the gangs or the juvenile Brady bill and the gun safety provisions that were already in a bill before Columbine and before Senators came to the floor and began to muck up the process of a very well thought out juvenile crime bill. There are provisions for juvenile offenders to allow the U.S. attorney to prosecute juveniles as adults for violent felonies and serious drug offenses. It treats Federal delinquency records for serious crimes such as murder and rape and armed robbery and assault similar to records of adults and other offenders.

Why are we stymied? Why has the Congress not rushed to judgment on gun laws? More gun laws—adding more to the 35,000 gun laws that are already on the books of America's cities, counties, State, and Federal Government. Let me tell you why.

In a recent poll by Zogby, recognized by most as a very creditable pollster, here was the question asked of the American citizens: Which of the following is the best way to solve the gun violence in America? Mr. President, 52 percent said prosecuting criminals who use a gun in the commission of a crime—well over a majority of the American people are saying no more laws; Attorney General Janet Reno, go after the criminal who misuses his or her rights under the Constitution.

Then 15 percent said having parents and schools teach self-control. Now we are up to 67 percent of the American people who, when asked the question, are saying: Don't pass more laws; enforce the ones you have. Work on the cultural problems that America has. Only 2 percent of the American people say Congress should legislate more gun laws—only 2 percent.

So when the Senator from California brought this amendment to the floor some time ago, and it was defeated, that was the reason it was defeated. Now the Senator from Connecticut comes forward with the identical amendment and is going to ask the Senate to repeat the action. A political ''gotcha'' is what they think it is.

America is very aware of what we are doing here. It is not what we are not doing here. They know we are not passing more gun laws. They know the reason is because that does not work. Only 2 percent of the American public are willing to suggest that somehow the Congress can miraculously change the culture of our society or the violence in America. The juvenile justice bill itself, absent what was put on it by this Senate, will go a great deal further in curbing juvenile crime than anything else.

The Senate will vote its will on this issue, and it should. That is appropriate. But it will not be voting the will of America, an America that is saying to this Justice Department: Get busy and enforce the law; saying to the parents of school-age children of America: Get involved in the lives of your children. Work with them in developing self-control. Work with your schools and your communities. That is not passing a law. That is changing your schedule as a parent. That is taking time out of your busy lives to get involved with your kids.

That was the tragedy of Columbine and that is the tragedy of America today. Somehow we have become so busy we cannot give our children time. When violence erupts in America as a result of a juvenile offender and a misdirected child, we run to the Congress of the United States and say: Fix it.

We cannot fix these kinds of things, and the American people innately know it. That is why they so clearly said to the Senator from California or to the Senator from Connecticut or to other Senators: Stacking up laws and stacking up law books does not a safer world make. That is why the Senate has rejected it. That is why the House has rejected it. That is why my colleagues on the other side of the aisle gain absolutely no value and political traction on this issue—because the American people have it figured out.

I am not surprised. The American people are collectively much brighter than most of us. I ask the Senate to reject this amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Nevada.

Mr. REID. I yield to the Senator from California for 5 minutes.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I thank the assistant Democratic leader for this time. I came to talk about the MIKULSKI amendment, which I was honored to carry for her in the Budget Committee. But I also feel the need to respond to my friend from Idaho, who is an eloquent voice for the status quo when it comes to gun violence.

The Senate did act, the Senate did act on five sensible gun laws. The fact is, we should be pushing for them because over his opposition we did pass those laws and they are stuck in the conference committee. The Reid amendment would simply call on the conference committee to do its work and report these laws out so we can turn around the tragedy that is meeting too many families, too many children.

I heard a statistic the other day: 75 percent of all gun murders of children in the world occur in the United States of America, the land of the free and the home of the brave. It does not matter how brave a child is. Twelve a day are killed. I say to my friend from Rhode Island, I appreciate him offering his amendment.

Also, I say to the Senator from Maryland, Ms. MIKULSKI, I was honored to offer a very similar amendment in the Budget Committee. The good news is that amendment was adopted unanimously, and Chairman DOMENICI accepted it. The difference between Senator MIKULSKI's amendment, which I cosponsor with her, and the one in the committee is that this one has solid numbers behind it. The amendment in the committee was a general vow of support from the Budget Committee to bridge that digital divide. We offer in this amendment a comprehensive approach to building human capital and physical infrastructure that is needed for sustained success in this century.

I want to make two points about the great need we face for our children. We have a public education system in this Nation that is essentially a great equalizer. It gives all children a chance to grow up and be what they want to be, in my case a Senator. I want to see that occur for all of our children. It will not occur if they do not have access to computers and teachers who understand how to use the computers.

I come from a State that boasts Silicon Valley. In Los Angeles, we have a similar high-tech area. In San Diego, we have a magnificent high-tech area, and it is moving all over our State. Those companies have to go to foreign countries to get human capital. People are being offered very high salaries to come to America. Therefore, we must train our young people or all those good jobs will not go to Americans, and that will be a very sad situation, indeed.

The last point I will make is that if you have young children or if you have grandchildren—and I am fortunate to have a grandchild—you can see that 2- and 3-year-olds find their way on computers. A lasting memory I have of my grandson is at the age of 2½, with his thumb stuck in his mouth, his blanket hanging down, and the other hand on the mouse figuring out how to use the computer. Now he is 5. I hate to admit it, but he understands computers probably as well as I do. At least when the computer freezes up, he figures out a way to make it work.

If children are gravitating in that direction and they can understand at that age—because their brain capacity is expanding at amazing rates at age 3, 4, and 5—we have to make sure our families can give them this opportunity. It is the right thing to do for them. It is the right thing to do for our education system. It is the right thing to do for our Nation.

The Mikulski-Boxer amendment, which is supported by many others too

numerous to mention, is so important. Since we can look back at the budget vote and see that a similar amendment was, in fact, adopted across the board by the committee in a bipartisan vote, this is the logical next step—to put the numbers behind the idea that every single child in America should come on board this information age and do well in school, do well in the family, and do well in a future career.

I thank the Chair, and I thank my assistant minority leader.

The PRESIDING OFFICER. Who yields time?

Mr. COVERDELL. How much time remains on our side?

The PRESIDING OFFICER. Twenty-one minutes.

Mr. COVERDELL. I yield up to 10 minutes to the distinguished Senator from Alabama.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the distinguished Senator from Georgia and welcome the opportunity to share a few remarks about violence in America and what we can do to make our streets and communities safer and, specifically, what we ought to do about firearms in America.

Over half the homes in America have a gun. It is a traditional part of American life, and it will always be. It is protected by the second amendment to the Constitution. It provides the right to keep and bear arms. That is a tradition and a legal right given to the American people, unless it is taken away by an amendment to the Constitution of the United States.

However, even though we have firearms, firearms are dangerous and they should not be in the hands of people who are dangerous.

We have a string of laws that help us deal with that, laws that I used to enforce for 15 years as a Federal prosecutor, and 12 years as U.S. attorney. We had a project under President Bush called Project Triggerlock, which he promoted and I promoted in my district. I sent out a newsletter to every sheriff and every chief of police telling them that we were willing and able to use tough Federal firearms legislation to help them crack down on crime where firearms were used; that we would prosecute people who had been convicted of a felony who possessed a firearm; that we would, indeed, prosecute them aggressively if they wanted to bring those cases to the Federal prosecutors. We increased those prosecutions substantially. I believe that helped reduce crime. I believe it helped make our communities safer.

Years went by and President Clinton took office. I expected, since he talked so much about illegal guns and stopping guns—they talk about this inanimate object, a metal firearm as if it is an evil force, when, obviously, the person behind it is the one who causes the trouble. I thought we would see a further step-up of the prosecution of laws.

As one can see from the chart behind me, exactly the opposite occurred. It is astounding to me. I left office in 1992, and under President Bush's administration, there were 7,048 prosecutions of criminals for illegal use of guns under existing laws then, and we have more laws today than we had then. Look what happened. They steadfastly set about to reduce those gun prosecutions to 3,807 in 1998. I find that astounding.

I came to this body 3 years ago. I know how to pull out the Department of Justice statistics book. I used it every day as a Federal prosecutor. I could see how my district was doing and other districts were doing. I looked at the numbers. It was stunning to me.

In the last 3 years I have been here, I do not believe I have missed one opportunity to call those numbers to the attention of the Attorney General of the United States, the Deputy Attorney General of the United States, the Associate Attorney General of the United States, or the Chief of the Criminal Division. It has been 10, 15, or more times. Most of the time I have had this very chart with me.

I said: I am astounded.

They said: The States are prosecuting more cases, and we are trying to go after big gun cases.

Fundamentally, the numbers went down. The intensity of the effort went down.

Then an experiment occurred. The U.S. attorney in Richmond, VA, appointed by President Clinton, got with the chief of police in Richmond, who is a young, aggressive African American, to do something about gun violence in Richmond. So they attempted to do what we called Project Triggerlock. They called it Triggerlock with Steroids. They prosecuted the types of cases we were doing, and they ran TV advertisements and announcements. They thought the combination would help.

They credited their efforts in Richmond, VA—President Clinton's own appointee—with a 30-percent reduction in the number of deaths and murders in Richmond, VA—40 percent. It may be more than that over 2 years, but 30 percent was the number they testified to in a hearing I held.

Oddly enough, the day before the hearing, which was going to be on a Monday, the President, the Department of Justice, and Janet Reno tried their best to put off the hearing. They did not want to go into these numbers. They did not want to talk about them. Finally we said: We are going to have this hearing; we have been talking about it for years.

So we set it and went forward. Then that Saturday before the hearing was to be held, President Clinton dedicated his national radio address to Project Exile in Richmond and bragged about how good it was. He said in that radio address: I am directing the Attorney General of the United States and the Secretary of the Treasury—which has the Bureau of Alcohol, Tobacco, and Firearms that does most of the investigations—to step up their prosecution of criminals with guns.

A month or so later, the Attorney General came before the committee on another matter, and I asked her about it. She apparently had not done anything about it. I remember asking her: How did she get the message from the President? Did she have to turn on the radio or did he send it to her in writing? He said it on the radio: I am directing you to enhance these prosecutions. He should; but it has not been done.

A lot of other laws have been passed in recent years that are supposed to work. I am telling you about the 7,000 prosecutions of felons who were in the possession of a gun during the commission of a crime, the 7,000 prosecutions of felons, in the possession of automatic weapons, lying on their forms when they applied to buy one, and that sort of thing. That is the bread and butter of prosecuting gun cases. That is the meat and potatoes of it. We passed a lot of other laws.

They want to pass another law to go even further than what this Congress has passed to restrict the sale of guns at a gun show saying it is going to affect crime in America. That is absolutely bogus. That is baloney. That is politics.

We tried to reach a reasonable agreement, but I am not going to vote for some sort of restriction on gun shows that says to people who have been doing this for 50 years that they have to wait 3 days before they can sell a gun. By then the show is closed and has gone back to a State somewhere far away. That is not necessary.

We have tried to reach an accord with the White House on that. They do not want an accord. They think they can get a political issue.

Let me show you what I am talking about, what is really important on guns.

They passed a law called 922(q), title 18, involving the possession of firearms on school grounds. That was a few years ago before I came to the Senate. It was not too many years ago.

In 1997, they had five prosecutions in the whole United States. In 1998, they had eight prosecutions in the whole United States. They passed a law that it is unlawful to transfer firearms to juveniles. I support that law. I support the one on the possession of firearms on school grounds, too. But, look, in 1997, they prosecuted five of those cases; and in 1998, six of those cases.

Another law deals with the possession or transfer of a semiautomatic weapon; that is, the assault weapons. You remember we had to have this assault weapon ban. It was worthy of debate.

An assault weapon looks like a military M–16, an AK–47, but it really is not. The assault weapons are semiautomatic, not fully automatic as are the military weapons. If it is fully automatic, if it is a machine gun, an automatic weapon, it has been illegal since the days of Al Capone. I do not believe I have ever failed to prosecute a case in

Alabama when a person had an automatic weapon, a machine gun.

We did not need these new laws to prosecute that. But if they had a weapon that looked like an M–16, they wanted to make it illegal, even though it fired one shot. That was eventually done. That was going to stop crime in America. Right?

In 1997, there were four prosecutions; in 1998, there were four prosecutions.

Look, we want to reduce crime in America. We want to reduce the incidence of illegal weapons. Children do not need to be playing with weapons. Everybody who has a weapon in their home needs to keep that weapon locked up.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator's time has expired.

The Senator from Georgia.

Mr. COVERDELL. I yield another 5 minutes to the Senator from Alabama.

Mr. SESSIONS. Mr. President, we want to do the right thing. But there is a constitutional right to keep and bear arms in this country. How far do we want to go? These laws that are not being enforced, does that suggest this administration is guilty of hypocrisy?

They said this was so important, that we had to pass it, and we were going to enforce these laws. But their prosecutions have plummeted under the administration.

I say to the people of America, and the Members of this Senate, if we replicated, throughout this country, Project Exile in Richmond, and if it were carried out under existing laws, that all these laws and those gun laws were enforced steadfastly—if criminals who are using guns are given enhanced sentences, as Federal law requires; if you carry a firearm during a drug deal, you must receive 5 years without parole consecutive to any sentence you receive for the drug offense—the word starts getting out.

It did in Mobile, AL, where I prosecuted. Drug dealers quit carrying guns because if they carried a gun, they would be taken to Federal court, and when they were prosecuted, they would be sentenced and sent off, in exile, to some Federal prison way out of the State.

It does work. It worked in Richmond. That is what we need to do. We need to be skeptical of the news media that always judges whether or not somebody is against gun violence by whether they vote for every bill the Clinton administration proposes. If you do not vote for every bill they propose, then you are for gun violence.

I was a prosecutor. I prosecuted a lot more cases, firearms cases, than the Clinton administration did and my brother U.S. attorneys did. So that offends me. I do not believe it is right.

This amendment that has been proposed, this sense of the Senate, is just a political deal. I worked hard with Senator HATCH, and others on the Judiciary Committee, to pass a juvenile crime bill that I believe will work to reduce crime in America. It has some gun amendments on it that restrict gun use in America. It makes it a felony to sell one of these assault weapons to a young person. And there are other offenses we added to that. But they are not going to really affect crime in America, frankly. Certainly, they will not if they do not get enforced.

I suggest that what we need to do is to enforce the laws we have. I know Mr. Wayne LaPierre, the executive director of the National Rifle Association, made the comment that the President wanted violence in America, and that is why he would not enforce these laws. He got so mad about it, he said he thought it was deliberate. I do not agree with that.

But I will say to you right now what I said in the hearings before my committee: There have been good and decent people all over America who are dead today because this administration will not enforce and carry out a proven program such as Project Exile in Richmond, VA, to target criminals who are using guns to kill people.

They claim they have had a 30-percent reduction in murder in Richmond. Think what would happen if every city in America could achieve that by carrying out such a program. It could be done if the Attorney General would direct it, if the President would insist on it, and we would get about that business—instead of just talking about guns, talking about some new esoteric law, some wording in some transaction at a gun show, as if that is going to make a difference.

Trust me. I have been there. I prosecuted these cases. I care about this issue. I believe we need to quit playing politics. We need to pass that juvenile crime bill. It is a good bill. It is being held up because we will not go as far as the President wants to go on gun show legislation. The House voted it down substantially, with some Democratic opposition. We need to get that legislation passed, quit playing politics with this issue, and get on with the business of the Senate.

I thank the Chair and yield the floor.

Mr. REID. Mr. President, from the resolution, I yield 5 minutes to the Senator from Rhode Island, the sponsor of the legislation which is the subject matter of this discussion.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. I thank the Senator from Nevada.

My resolution is very clear. It asks that the conferees return the report back to us on the juvenile justice bill so we can vote up or down on the measures we passed on May 20 of last year, in response to Columbine, which provide for safety locks on handguns, ban large clips for automatic weapons, and would also close the gun show loophole. All of these measures are supported by an extraordinary majority of Americans.

Nearly 90 percent of Americans favor requiring child safety locks on all new handguns, including 85 percent of the gun owners who were surveyed. In addition, 89 percent also favor background checks on all sales at gun shows. This is what the American people want. It is not what the gun lobby wants. That is why we have waited 1 year, not in principles compromise and debate but essentially trying to strangle this measure we passed so that it won't come back to the floor.

There has been one meeting of the conferees, which is just trying to kill it off by indifference, hoping we will forget about Columbine, that we will forget about the violence that is plaguing the country.

Anyone who is suggesting that these measures are designed to end crime in America is being slightly hyperbolic. What it might do is prevent those hundreds, perhaps thousands, of deaths a year by handguns through accidents, through suicides, through the mishandling of weapons. That in itself will be a great achievement.

I had the opportunity this morning to talk about some of the incidents involving children, young people, who might have been deterred, not from criminal activity but gun accidents, gun violence. I was particularly shocked in my home community of Providence by a bunch of young people, 16-, 17-year-olds, horsing around, getting into a little bit of an ego contest. What happened? They were in a place where, when they turned around, somebody in the crowd had a gun. Not the two young people wrestling but somebody had a gun. They got the weapon. One person, out of a sense of just total irrationality, fired, hitting the other young man in the head, critically wounding the young man, and was so distraught by remorse for what he had done that he ran into a backyard and killed himself.

That is what we are talking about in terms of gun violence. There is no law that would prevent that.

Mr. SESSIONS. Will the Senator yield?

Mr. REED. I would like to finish my remarks.

We can do much more, and we should do much more. I have heard people say all weapons should be secured in the home, if they are stored there. The child safety lock will ensure that takes place.

On the gun show loophole, the GAO has done a report that suggested, under the Brady instant check, 73 percent of these background checks are finished almost immediately, conducted almost simultaneously with the request, that 95 percent of all checks are completed within 2 hours. It is only those checks that raise serious questions that go beyond 2 hours, which will in no way interfere with the operation of a gun show. It is in those checks where the most likely violations occur in terms of getting a weapon which you should not have. In fact, those people are 20 times more likely to be unable to acquire a weapon.

In the nature of a gun show, many of the dealers at gun shows are licensed gun dealers. They are subject to the Brady law. They have to do the background check. We can't abandon reason when we come to the floor. If you are looking for a weapon and you know you are going to face a Brady check when you go to a gun show, where are you going to go? You will go not to the licensed gun dealer but someone who is selling guns and doesn't have to do a background check. Then you will hope, if any check is done, it will be done so arbitrarily that you won't be caught. That is what the statistics show in the GAO report.

Mr. SESSIONS. Will the Senator yield on one point?

Mr. REED. I would like to finish. My colleagues want to speak on other matters. Let me say something about this mantra about enforcement: You just have to enforce the laws.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. REED. I ask for 2 additional minutes.

Mr. REID. Two minutes under the resolution.

Mr. REED. The NRA, the gun lobby, talks about enforcement. They have persistently, over decades, frustrated real enforcement. For 10 years they refused to support the Brady bill and told their members it would effectively destroy the right to bear arms in America, resulting in total, strict gun control on all Americans.

With respect to the operation of inspections, in 1986 the McClure-Volkmer Act was supported strongly by the NRA—$1.5 million of lobbying activity. That legislation limits ATF's ability to conduct unannounced inspections. If you want to enforce the law, that is fine. Then why does the gun lobby go ahead and try to constrain the law so that we can't effectively enforce laws that are on the books already? If you look at the number of ATF agents, it has declined. Fortunately, they have increased over the last year. As a result, we have more prosecutions, more referrals.

The Wall Street Journal suggests, based upon evidence from a Chicago investigation:

> While firearm-rights enthusiasts argue that there are enough gun laws on the books, and the problem is merely lax enforcement, the Chicago case illustrates that in some areas, the gun laws have holes and enforcement is harder than one might think.

That is the Wall Street Journal, not some radical newspaper in this country.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. REID. Mr. President, I am going to yield time now to Senator GRAHAM of Florida. Senator GRAHAM and some of his colleagues—Senator BAYH, Senator EDWARDS, Senator LANDRIEU—have a very important education amendment they have been waiting to offer. They will not be able to offer it now, but they will offer it at some subsequent time. The 25 minutes remaining under this amendment are going to be divided among them to speak on this very important education amendment. I yield 5 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. DOMENICI. Mr. President, I have a Senator who wants to speak on the actual amendment itself, Mr. HATCH.

Mr. HATCH. I will be happy to wait for 5 minutes.

Mr. REID. We have other people to speak. We will hear from Senator GRAHAM and then go to you. How much time do you wish to take?

Mr. HATCH. How much time do we have left on this side?

Mr. DOMENICI. Do we have 6 minutes remaining on our side?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. I will yield Senator HATCH 4 minutes of that.

Mr. REID. Senator GRAHAM is going to speak for 5 minutes, and then Senator HATCH is going to speak on the Reed amendment. Then we will go back to the other individuals.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, I will be offering an amendment, which is described as Graham amendment No. 1, in which I am joined by Senators LIEBERMAN, BAYH, LANDRIEU, LINCOLN, BREAUX, ROBB, and EDWARDS, which relates to a new approach to the Federal role in primary and secondary education.

This is the first major legislative initiative of the Senate New Democrats. We are a group of Democrats who feel passionately about the importance of a partnership between the Federal Government and the State and local school districts for the benefit of our children, but we feel pragmatic as to the means by which we can achieve that appropriate partnership.

We are going to advocate that that partnership has several fundamental principles. One of those is accountability for student results. A second is additional resources.

If I could put it in a common form, we believe you will not make the cow bigger by just weighing the cow every day; that you have to provide the resources in order to be able to achieve the goals, the high goals, and to meet the accountability standards we believe are necessary to set for our children in order to achieve our national objectives.

We also are believers in the principle of greater flexibility at the State and local levels; that our Federal programs should be more focused and concentrated. We believe the primary focus of Federal programs should be on the children in the greatest need, the at-risk children, the children who too often fall through the cracks of current American education.

Individual members of our group will speak to the various principles of this legislation. I want to use the remainder of my time to talk about the issue of accountability because, in my opinion, that is a central and fundamental issue. It is a word that has many different meanings. Some people define accountability in the context of an accountant—that accountability is to be certain you have properly accounted for all of those things that were input into the education system; that you have the appropriate number of books in the school library, as an example. We believe those are important.

We do not believe that is the accountability the Federal Government should be looking for from States and local school districts. We also do not believe that accountability is accountability for student performance alone. We recognize that student performance is heavily influenced by many factors, particularly the socioeconomic circumstances of the family of the student. The challenge, rather, is an accountability that focuses on those aspects of the experience in the school and the classroom that has contributed to the students' educational growth and development.

So we will be attempting to present an accountability that is school based, school focused, but is determined by how much educational value the school experience has added to the students' progress.

I ask unanimous consent to have printed in the RECORD an opinion article that appeared in the Tallahassee Democrat entitled ''Bush Plan Grades Students Poverty Levels,'' as illustration of these different approaches to the concept of accountability.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Tallahassee Democrat, Aug. 16, 1999]

BUSH PLAN GRADES STUDENTS POVERTY LEVELS

(By Walter Tschinkel)

The Bush administration and the legislature, after months of lobbying, wrangling, dealing and agonizing, has given us the A+ Plan with its school accountability report (www.firn.edu/doe/schoolgrades/account.htm). Upon analysis, it turns out to be merely an elaborate and expensive way to grade schools on the poverty or affluence of their students.

The Bush/Brogan report assigns each school a grade primarily on its raw, overall standardized test scores. Because standardized test performance is reliably predicted by poverty, the poverty-level of a school is by far the strongest predictor of that school's grade from the governor. In fact, if you tell me the percent of a school's students who are on supported lunch (an indicator of low family income). I will tell you its Bush/Brogan grade with 80 percent accuracy.

If you think I'm bluffing, let me show you that it's true. Let us simply classify schools by their affluence/poverty makeup—very affluent, moderately affluent, moderately poor, very poor—with the most affluent schools get an A, the next group getting a B, and so on. The table shows how closely the grades based on poverty correspond to those assigned by the Bush/Brogan School Accountability Report. Simply by considering

school/affluence/poverty, we are able to assign the same grade as the Bush/Brogan 'performance-based' system with 26 out of 33 schools in Leon County. And we did this without looking at a single test score.

SCORES DON'T TELL US ABOUT PERFORMANCE

Is this a fair, or even a sensible, way to grade our schools? Only if you think poverty should be punished. Does the Bush/Brogan grade tell us anything new about a schools' educational performance? Of course it does not. It tells us what proportion of the student body comes from poor families.

It is not my purpose to dwell on the poverty-performance link. But no school grading system that does not take this socioeconomic factor into account is useful in telling us how well our schools are really doing. Would it not be much fairer to adjust school performance for poverty before grading them?

I think it would, and hereby offer the Prof. Walter's Level-Playing-Field School-Grading System as an alternative to the Bush/Brogan School Accountability Report.

We begin with a so-called regression analysis of the school performance data (three standardized tests) against the poverty level of the student body. This statistical method shows about 80 percent of the test scores are predicted by the poverty level of the student body. I detailed this relationship in a March 14 My View column (also found on my website at www.fsu.edu/biology/faculty/wrt.html). For every percent that poverty increases, the school's scores drop by an average of 1.6 points. The most affluent schools, those with fewer than 15 percent poor students, have scores higher than 230, while the poorest, with more than 75 percent poor students, have scores below 120, less than about half those of the most affluent schools. Next, we take the difference between each school's actual test scores and the test score predicted by the regression for a school of that socioeconomic condition. These differences tell us how much better or worse than average a school tested, given its particular level of poverty. By doing this, we have removed the effect of poverty on test scores. The result is that the maximum difference in test scores has shrunk from 175 points to only about 70 (the lost 105 points are the effect of poverty). Differences less than zero indicate that (with poverty effects removed) a school did less well than average; above zero indicate that it did better than average.

My scale assigns letter grades as follows: above 25 gets an A; between 5 and 25 gets a B; between −20 and 5 gets a C; between −35 and −20 gets a D; anything below −35 gets an F. The table below lists our elementary and middle schools in the order of the grades assigned by the Bush/Brogan Plan.

When graded according to the Level-Field system, we can recognize that schools like Riley, Hartsfield, and Woodville are doing relatively well compared to other schools of similar socioeconomic makeup. My system recognizes this and rewards them with A's and B's instead of the C's and D's assigned by the Bush/Brogan system.

On the other hand, my system also shows that schools like Swift Creek, Buck Lake and Griffin do not deserve their Bush/Brogan A's because they are only average as compared to other schools of similar socioeconomic makeup. Hence, the Level-Field system assigns them a C, because the Level-Field system does not reward schools for being lucky enough to be teaching mostly affluent students.

The case of Griffin highlights another flaw of the Bush/Brogan plan. Giffin received an A, not because of its terrific performance on standardized tests, but because (1) the percent of long absences or suspensions was below state averages; (2) greater than 95 percent of the student body was tested; (3) no subgroup fell below minimum criterion; (4) reading scores improved without a decline in math and writing over 1998.

Only the last two can actually be considered academic performance. The first two are bureaucratic tricks. It is a bit like requiring that an athlete run the 100-yard dash in 10 seconds, but you credit him with half a second if he wears the right color shorts, and another half second if she pulls her socks up before starting. Neither has anything to do with performance, and both serve to obscure real performance.

INSIST ON BETTER GRADING SYSTEM

You may ask, ''Well, how are we supposed to know how our schools are really doing?'' I suggest that we insist on a much more sophisticated analysis of school data by the state Department of Education, instead of letting it just plunk it onto their web site or onto a newspaper page so the public can worry about what it means.

At the very least, school performance needs to be adjusted for the nature of the student body. Better yet, let us not pretend that a single number can adequately assess the performance of our schools. Performance must be measured, not by any single number, but by the relationship between what goes into a school and what comes out. The large and expensive bureaucracy at DOE can reasonably be expected to explain to the public how the data are related to each other, what they mean and how our schools are really doing. This will allow us to discover what works and what doesn't work, and thus to spend money more effectively.

Mr. GRAHAM. Mr. President, this group of Senate Democrats appreciates this opportunity and accepts the challenge. We understand that education is fundamental to the growth of America today and even more fundamental to our progress tomorrow. Our willingness to invest intelligently in our children is a test of our Nation's intelligence about shaping its future. I am pleased to be joined by my colleagues in this effort and look forward to their illumination on these principles of our education proposal.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. HATCH. Mr. President, I thank Senator DOMENICI, chairman of the Budget Committee, for his outstanding leadership on the budget resolution.

Mr. President, I feel compelled to make some short remarks today because the topic has strayed away from the budget and focused once again on gun control. This topic—and many misleading statements about it—are paraded out year after year when the Senate considers the budget resolution.

This year, I hope we can see through the rhetoric and focus on what objective observers already know to be true: The statistics prove that the Clinton administration has failed to enforce federal gun laws. For example:

Between 1992 and 1998, so-called Triggerlock prosecutions—prosecutions of defendants who use a firearm in the commission of a felony—dropped nearly 50 percent, from 7,045 to approximately 3,800.

Despite over 6,000 incidents of children carrying guns into public schools last year, the Clinton Justice Department prosecuted only eight cases under the federal law against possessing firearms on school grounds in 1998, and only five such cases in 1997.

It is a federal law to transfer a firearm to a juvenile, yet the Clinton Justice Department prosecuted only six cases in 1998, and only five in 1997.

Similarly, for all its talk about the dangers of semiautomatic assault weapons, the Clinton Justice Department has an equally abysmal record for prosecuting cases under the current laws governing those weapons. The Clinton administration brought only four cases in 1998, and only four in 1997, under the federal law criminalizing the transfer or possession of semiautomatic assault weapons.

Now, Mr. President, you will not hear the Clinton administration or the gun control advocates in Congress talk about these statistics, even though it is these statistics—not a wish-list of more laws and regulations—that reveal the true story of gun misuse in America. Instead, the number that gun control advocates talk about is the 500,000 felons and other prohibited purchasers that the Brady background check prevented from buying firearms since the Brady law was enacted.

Let me point out that with the original Brady law this administration wanted was a 7-day delay once you tried to buy a weapon. We reduced it to 5 days. We knew that wasn't going to work, so we instituted an instant check system so you can find out immediately whether a person is capable of purchasing a weapon. It was our instant check system that caught these, according to the President, 500,000 people. Actually, it was about 400,000 people.

But even this statistic points out the Clinton administration's lack of commitment to enforcing federal gun laws. Every one of those 500,000 people who were thwarted in their attempts to purchase firearms violated 18 U.S.C. section 922(a)(6) by stating under oath that they were not disqualified from purchasing a firearm. How many of those 500,000 were prosecuted between 1996–1999? Only about 200 were even referred for prosecution.

Mr. President, the only thing worse than this poor enforcement record is the Clinton administration's disingenuous and concerted effort to blame the lack of federal gun prosecutions on a lack of resources. The facts demonstrate that, during the period when federal gun prosecutions decreased nearly 50 percent, the overall budget of the Department of Justice has increased by 54 percent.

The Clinton administration also tries to hide its failure to prosecute gun crimes behind its never-ending calls for more federal gun control laws. The irony of the administration's position was evident at an oversight hearing last year, when I questioned Attorney General Reno about the decline in federal firearms prosecutions. She replied

that many firearms violations have been prosecuted in state court, and she indicated that state court is the proper forum for these cases. As chairman of the board of the Federalist Society, I agree that most firearms crimes can be prosecuted in state court as well as federal court. Nevertheless, I find it ironic and hypocritical for the administration to argue that crimes involving firearms should be prosecuted in state court at the same time they are calling for more federal gun control laws. If the administration really believes that its dismal record on gun prosecutions is because gun laws are a state issue, it should be consistent and stop pressuring Congress for even more federal gun control laws that it does not intend to enforce.

The relevance of all this to the budget resolution is that there are several actions the Justice Department could take right now—with no additional laws or resources—that would have a positive impact on reducing crime in America. First, the Justice Department should use state law enforcement grants to encourage States to enact mandatory minimum sentences for firearm offenses based on 18 U.S.C. 924(c), and to prosecute such offenses in state court. The key to Project Triggerlock is the 5-year mandatory minimum prison sentence for any person who uses or carries a firearm in a crime of violence or serious drug trafficking offense. This 5-year prison sentence is in addition to the prison term for the underlying crime. As I mentioned earlier, most of these gun crimes can be prosecuted in state court as well as federal court. By encouraging States to enact stronger penalties for gun crimes, there will be less need to prosecute these cases in federal court.

Mr. President, there is a precedent for the federal government encouraging States to increase prison sentences. The Truth-in-Sentencing Grant Program provides prison construction funds to States that adopt truth-in-sentencing laws. Truth-in-sentencing laws require violent criminals to serve at least 85 percent of their sentences. Due to truth-in-sentencing grants, more than 70 percent of prison admissions last year occurred in states requiring criminals to serve at least 85 percent of their sentence.

Another positive step the Justice Department should take is using the funds provided in the budget resolution to designate at least one assistant United States attorney in each district to prosecute federal firearms violations. As the U.S. attorney's office in Richmond, Virginia has shown, federal prosecutors, in cooperation with state and local law enforcement, can help reduce violent crime. The U.S. attorney's offices should focus their efforts on federal firearms violations until the States enact stronger sentences for state firearm offenses.

Finally, the Justice Department should place mental health adjudications on the National Instant Check System (NICS). It is a federal crime for any person who has been adjudicated as a mental defective or who has been committed to a mental institution to possess or purchase a firearm. Despite this commonsense federal law, mental health adjudications are not placed on the NICS system. Consequently, mentally ill persons can buy firearms from licensed dealers because the dealers are not notified by the NICS system of the mental disqualification. The NICS system will never reach its potential until mental health adjudications are included. These commonsense ideas would go a lot further toward reducing the number of crimes committed with firearms than the administration's current practice of ignoring federal violations, asking for more gun restrictions, and blaming lack of funding for their abysmal record of prosecutions.

It is pathetic that there are 2,000 laws, rules, and regulations on the books that aren't being taken care of now, and now we have some who say let's have a political recitation here on this resolution to try to embarrass people instead of standing up and doing something about the misuse of weapons in our society.

Mr. DOMENICI. Mr. President, I want to use my 2 minutes to express to the Senate—referring to no singular Senator but all of us—this budget resolution idea has become preposterous. Any kind of sense of the Senate is in order, including one to instruct the committee that is in conference. We are going so far overboard that we are making this floor much like a circus. Actually, I am hopeful it won't be too long from now that the Parliamentarian will reverse himself. I don't know how we will do it. Maybe we will instruct him to do it himself. A Parliamentarian ruled that senses of the Senate were in order on budget resolutions even if they did nothing to the resolution.

Now we are dreaming them up. We have a gun amendment on a budget resolution. We have instructions to a committee in conference on a Budget Committee. I don't know what kind of points people are making, but if anybody thinks they are effective just because they win one of these sense of the Senates, let me say, constituents and politicians don't believe they are effective because they do nothing.

So if you want to run a TV ad that you got something passed in a sense of the Senate, I hope the other guy is smart enough to say that is baloney; it did nothing. We would be out of here if we didn't have these—out of here as far as substantive amendments. It is getting worse, not better, on both sides. On our side, we have 20 sense-of-the-Senate resolutions. I am going to ask them to file them pretty soon and see how many have the courage to call them up and have votes on those.

I yield the floor.

Mr. REID. Mr. President, I yield 5 minutes to the Senator from Indiana to speak on the education amendment that will be offered at a subsequent time.

Mr. BAYH. Thank you, Mr. President. I thank my colleagues. I particularly express my appreciation to Senator GRAHAM, and my colleagues, Senators EDWARDS, LANDRIEU, LIEBERMAN, LINCOLN, and others, who are also speaking on the issue that has been near and dear to my heart for many years. It is the cause of improving the public education system in this country and the opportunity that we give to schoolchildren across the United States of America.

Mr. President, for more than 100 years, our Republic has been dedicated to the proposition that every child growing up in our country—every child, not just a few, not just the privileged and the elite—should have access to a quality public education.

In the 1960s, there was a growing recognition, particularly for those children in our country who are less fortunate, that the dream of a good education was a promise unfulfilled, and the Elementary and Secondary Education Act was born.

We gather here today to say that for too many of our young people the dream of a good education is still a promise unfulfilled, the status quo is not good enough, that we must do better, that we must have a significant rethinking and rededication to the principle that a good education is essential for opportunity and for every child growing up in our country.

That is what the Graham amendment is really all about. It begins with resources in the recognition that if we don't give our public schools the tools with which to get the job done, we can't possibly expect them to succeed.

The Graham amendment calls for setting aside an additional $15 billion in resources for reform and improvement in public education over the next 5 years. This is about one-tenth of the size of the tax cut included in the budget resolution before us.

While I favor cutting taxes, and in fact have sponsored and supported several of the measures that would reduce taxes in our country, I believe investing in education is just as important to the future well-being of this Nation.

I don't think a Member of the Senate can possibly say that cutting taxes is 10 times more important than putting quality public school teachers in every classroom in this country, or 10 times more important than ensuring that the latest educational technology is available to our students, or 10 times more important than ensuring that remedial help is available to our young people who need to do better reading, writing, and basic science.

Making these investments is vitally important to the important challenge of improving public education for every child. But Senator GRAHAM's approach does not just throw money at the problem. It deals with fundamental reform and starts with accountability and a

recognition that we need to focus not just upon how much money is spent but, instead, how much our children learn.

We need to focus on outcomes of the process, just as we add inputs necessary to achieving additional success. We need to also focus on high academic standards that are important to the success of all of our children. This is important because there is a growing gap between the haves and have-nots in our society, and there is just as much gap in knowledge and learning as in anything else.

We must ensure that every child gets good access to education and is held to these high educational standards to ensure that for the first time in the history of our Nation we don't experience the creation of an underclass characterized by people who do not have enough knowledge and learning to participate in the opportunities of the 21st century.

Just briefly, this approach is targeted on things that are important, such as adding good teachers, the latest technology, and focusing upon students who are at greatest risk, which is at the heart of the challenge we face as a country.

In closing, let me say this: The cause of educating our children is, by definition, the cause of shaping our future. But in doing so, we stay in touch with the fullest wellsprings of our past. It was Thomas Jefferson, the third President of the United States, who, after his public career, founded the University of Virginia and dedicated his life to the cause of education, who once said that, ''a society that expects to be both ignorant and free is expecting something that never has been and never shall be.''

As we debate this amendment, I urge my colleagues to support it because, in doing so, we not only ensure the future well-being of our economy, not only what kind of society we will one day have, but the vitality of our democracy itself.

I thank my colleagues for their forbearance.

I yield the floor.

Mrs. FEINSTEIN. Mr. President, last May, in the wake of the Columbine massacre, this Senate took action, passing a comprehensive juvenile justice bill that would begin the long process of addressing the problems that plague the youth in this country.

Parts of the bill addressed our crisis of violence.

These provisions included: A comprehensive package of measures I authored with Senator HATCH to fight criminal gangs; increased penalties for adults who recruit children into criminal activity or provide them with firearms; the James Guelff Body Armor Act, an amendment I authored, which contains reforms to take body armor out of the hands of criminals and put it into the hands of police; and other provisions related to juvenile confinement, juvenile record-keeping, and countless other important issues.

Parts of the bill addressed our crisis of guns: a ban on juvenile possession of assault weapons and high capacity ammunition magazines; a provision to close the gun show loophole; a requirement that safety locks be included with every handgun sold in America; and my provision to ban the importation of large capacity ammunition magazines.

But the crisis in leadership remains.

Despite passage by both Houses of Congress almost one year ago, the conference committee on this bill has met only once—in early August of last year. No real issues have been discussed. No progress has been made. The bills sit in legislative purgatory, apparently never to see the light of day again.

It now seems clear that these bills will die a quiet death at the end of this short session. As a result, all of the important issues we debated will remain un-addressed. Gang violence, juvenile detention, firearm regulation reform, and a host of other problems will remain unsolved.

And nobody within the walls of this Chamber or elsewhere has any doubt why this stalemate persists. This bill would have passed months ago were it not for those four, simple, targeted gun measures buried within the text of the bill.

This, Mr. President, demonstrates just how deeply this Congress is dominated by just one special interest group—these people who fervently resist any regulations on firearms, no matter how mild, no matter how targeted, and no matter how much the American people want it.

Some argue that we don't need more gun control laws—enforcing our current laws would be enough. But those arguments miss the point entirely.

Of course we should be enforcing our current laws. And we are. The evidence clearly shows that gun prosecutions are up. In fact; since 1992, the total number of federal and state prosecutions has increased sharply—about 25 percent more criminals are sent to prison for state and federal weapons offenses now than in 1992 (from 20,681 to 25,186).

The number of higher-level federal firearms offenders sent to prison (those sentenced to five or more years) has gone up more than 34 percent (from 1049 to 1406) in six years.

The number of inmates in federal prisons on firearm or arson charges (the two are counted together) increased 51 percent from 1993 to 1998, to 8,979.

And we are working to improve this situation.

Just last week, my colleague Senator KOHL and I introduced legislation that would expand Project Exile to 50 cities and provide law enforcement with ballistics technology that will make it far easier to identify and to punish the perpetrators of gun violence.

Early last year, I wrote the Secretary of the Treasury several times to demand greater attention to those who violate the Brady Law. I asked why so few violators had been prosecuted, and I was told that the resources just aren't there.

That is why I support the President's request to fund at least 500 additional ATF agents and 1,000 new prosecutors to focus on guns.

But enforcing our current laws has been made tougher by the concerted efforts of the NRA to disparage and to destroy the very people tasked with enforcing those laws. The NRA called AFT agents ''jack-booted thugs,'' in a letter that was completely contradictory to what they are saying they want now.

In fact, every time the opportunity arises to increase federal law enforcement capabilities by increasing ATF investigatory ability, the NRA fights it tooth and nail:

The NRA fought the Brady bill for 10 years.

They successfully defeated all attempts to allow the Consumer Products Safety Commission to regulate the safety of firearms.

In 1986, the NRA got legislation passed which restricts ATF inspection of gun dealers to once per year. Even dealers who are the source for hundreds of crime guns cannot be routinely inspected more than once a year without a special court warrant.

For years, the NRA has successfully blocked ATF computerization of gun sale records from gun dealers that have gone out of business. As a result, when a gun is traced as part of a criminal investigation, the files must often be retrieved manually from warehouses where the old records are kept. This can add days or even weeks to the time it takes to start tracking down the perpetrators of gun violence. By the time the records are found, the trail may already be cold.

And most importantly, the NRA fights against funding our law enforcement agencies at levels adequate to enforce our current laws. As former New York City Police Commissioner William Bratton has said, ''The NRA has strenuously opposed increased financing for the [ATF] and has successfully lobbied against giving it the authority to quickly investigate the origins of guns sales.''

The ATF has been left underfunded, understaffed, and unable to adequately enforce our current gun laws.

And the simple fact is that our current laws—even if fully enforced—are just not enough. Those laws are riddled with NRA-induced loopholes. Guns are still too easy to get. And too many children die every day for us to ignore the problem. The Columbine incident shocked this nation and this Congress to its core—as did the school shootings in Jonesboro, Arkansas; West Paducah, Kentucky; Pearl, Mississippi; Springfield, Oregon; and Edinboro, Pennsylvania. And in my own state of California, we saw a hateful bigot kill a

postal worker and then wound five others at the North Valley Jewish Community Center in Granada Hills.

Those incidents were tragic. But countless incidents go relatively unreported, but with equally tragic results. Every day in this country, another dozen children die of gunshot wounds.

A new study published in the April issue of the American Journal of Public Health found that over a third of American children live in a home where there is also a gun—in 43% of those homes, the firearm is stored unlocked.

Who knows how may lives could be saved if trigger locks were made available to gun owners?

The pictures of those young children in Granada Hills being led away from the scene of the tragedy were not only heart-wrenching but also clearly depicted the trickle-down of gun crimes in this country. The victims of gun violence get younger, and younger.

We must close the gun law loopholes for those children.

We must pass the juvenile justice bill so that we can at least begin the process of solving some of these problems.

We must pass this bill for the fifth grader from San Francisco who wrote me that ''One day I saw a neighbor of mine get shot on her way to the candy house. She got shot 4 times. She got shot 3 times in her side and once in her leg. Now she's paralyzed for life. That really hurt me and a lot of other people. She was only 12 years old and she was a nice little girl.''

We should pass this bill for the other fifth grader who told me ''every year I hear at least 20 gunshots. I am scared at night because I think it's going to be a drive-by. I even sometimes can't go outside to recess because gunshots are heard.''

We must pass this bill for the little girl who wrote me that ''I do not like to be locked in my room just because my mom feels I can't be safe in my own neighborhood and I think everybody deserves to live just like human beings.''

We must pass this bill so that the next six year old child who decides to seek revenge on a classmate is not able to find a gun so easily.

And so that the next kindergartner who gets a timeout from the teacher and tries to bring his grandfather's gun to school the next day to get revenge is likewise left without a weapon.

I say, enough is enough. The least this Congress can do is turn to the juvenile justice bill and move forward with the Senate-passed gun provisions. These provisions are no-brainers. And there is no excuse for inaction.

Before I conclude, I want to talk briefly about the problem of gang violence in this country. This is a problem that I have taken seriously for many years—every since my days on the San Francisco County Board of Supervisors and as Mayor for 9 years when I worked to create the city's first anti-gang task force after the infamous gang massacre at the Golden Dragon Restaurant in 1977. In those shooting, gang members killed five people, including two tourists, and injured 11 others.

For the last 4 years in the Senate, I have worked with Senator HATCH to craft national legislation giving law enforcement the tools they need to fight gang crime and gang violence.

Criminal youth gangs have become a national problem, extending their virulent reach and bringing with them murder, drive-by shootings, drug sales, intimidation, and destruction of theft of property.

Gangs plague more than 4,700 cities in all 50 states.

There are some 25,000 gangs with over 650,000 members, and the problem continues to spread.

In Los Angeles, for example, there are currently 408 gangs with more than 64,000 members. This is 15,000 more members than 10 years ago.

That means that there are currently more gang members in L.A. alone than there are people in most of America's cities and towns. For instance, the number of gang members in L.A. is almost double the population of the largest city in Vermont.

And these gang members do not stay in California. The state ''exports'' more gang members than any other state.

For instance, two of the largest gangs, the Bloods and Crips—with more than 60,000 members—are based in Southern California, but operate in more than 119 cities in the West and Midwest. In fact, one recent survey found gangs claiming affiliation with the Bloods and/or Crips in 180 cities in 42 states. (Department of Justice)

The mere existence of gangs is a terrible social problem. Gang members are far more likely to commit crimes than non-gang youths, even those who may have grown up under similar circumstances.

This is especially true for homicides; drive-by shootings; using, selling, and stealing drugs; auto theft; carrying concealed weapons in school; and intimidating or assaulting victims and witnesses.

In fact, the Los Angeles Police Department has told me that almost half of violent crime in the city is committed by gang members.

And the problem is just as acute in other cities, big and small. Just a few months ago in my home city of San Francisco, for example, an innocent bystander was caught in the crossfire between two warring gangs in the Mission District. He was shot through both legs and may be crippled for life. A brave witness assisted police in apprehending the perpetrators. But gang members later cornered the witness, held a automatic gun to his head and threatened to blow his head off if he continued to help the police.

Also, recently in San Francisco, gang members stuck an assault weapon in the face of a victim in an attempted robbery. When the victim resisted, he was shot 17 times. The victim survived but will never walk again.

Let me give some specifics about gang-sponsored violent crime.

Killings: Around the country, every year, gang members kill over 3,000 people. Last year in Los Angeles alone, there were 136 gang-related killings.

Drugs: A survey of law enforcement agencies suggests that about 75% of gang members are involved in illegal drug sales; that about one-third of gangs are organized specifically for the purpose of trafficking in drugs; and that gangs make over 30% of crack cocaine and marijuana sales. (Department of Justice)

Guns: Ninety percent of gang members report that their fellow gang members carry concealed weapons and 80% report that those members had taken guns to school. Worse, the study showed that gang members favor powerful, lethal weapons over smaller caliber handguns. (Ohio State University study).

The Senate-passed juvenile justice bill includes a number of key measures to address this complex problem. The bill:

Provides $100 million annually in federal aid for certain intense gang activity areas, so those communities can afford to create joint task forces with federal and local law enforcement and to support community gang prevention efforts;

Increases sentences for interstate drug gang activity;

Makes it a Federal offense to recruit youngsters into a gang;

Enables Federal law enforcement to prosecute gangs who cross state lines to commit gang crimes such as drive-by shootings; and

Increases penalties for transferring handguns to minors.

Since we passed the juvenile justice bill last May, an estimated 30,000 people have died from gunshot wounds, including 3,700 children.

If history is any judge, millions of large capacity ammunition feeding devices have been approved for import—in the year preceding the juvenile justice bill, more than 11 million of those clips were approved.

All of the commonsense gun, gang, and other provisions in the juvenile justice bill are now at risk of disappearing without a trace, and I urge the majority to proceed with the conference and come to a compromise.

The compromise should preserve intact the Senate-passed gun control legislation, which represents the bare minimum we should do this year to stem the gun violence that is increasingly common on our streets and in our schools.

I also urge this body to pass the President's gun enforcement initiative. That initiative, which will fund more than 500 new ATF agents and 1,000 new prosecutors, is vital to the enforcement of our current gun laws.

The crisis of leadership has come to a head. It is time for this Congress to take serious and bipartisan steps to stem the tide of youth and gun violence that continues to plague this nation.

I thank the Chair and yield the floor.

Mr. REID. Mr. President, I yield 10 minutes off the resolution to the ranking member of the Budget Committee, Senator LAUTENBERG, to speak on the Reed amendment.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I will try to consolidate my remarks because I know everybody is anxious to complete work on the budget resolution.

I am compelled, as I listen to the discussion here, to talk to the Reed amendment and to talk to those who would disparage our efforts to have sensible gun violence control in this society.

I heard it said that what we need in law enforcement is more enforcement; that what we need is a more sincere effort, as if to imply that President Clinton and his administration want to let criminals wander the streets. It is somewhat akin to the argument we hear from those who are NRA spokespersons who say President Clinton is looking for more killings to make his political case. It is an outrageous thing. We hear that all we have to do is note how many laws are on the books.

I ask the question: Is the deciding factor how many laws we have on the books?

I heard someone say today we have 20,000 laws on the books related to guns. But in this country we kill more than 20,000 a year with guns. We kill over 30,000. That is only a page per victim, if you want to judge it on that basis. It is outrageous.

That is not the problem. The problem is that people here don't believe guns kill. People here don't believe a gun is a lethal weapon. People here don't believe we ought to know who it is who buys a gun at a gun show. That is the problem.

This morning, I had the privilege of standing with Senator REED and the head of the State police department from Maryland. What he was advocating was more law enforcement, more laws to give them the tools to work with.

We had police officers from the area around Providence, RI. They were asking the same thing. They said, give us the tools. It is said, you have enough tools, like the weight of the number of the bills, the numbers of pieces of legislation that you have—again, as if that were the yardstick by which we measure the performance of the society.

Go tell the parents of the kids who were killed in Columbine or those who stood in prayer in Fort Worth, TX, or the kids who attended the school in Los Angeles who ran away in fear of a gunman's weapon or in Conyers, GA. Tell those families we have enough laws on the books. Tell them we don't enforce the laws sufficiently—that they will accept that as OK. Well, then I can understand the sacrifice that was made in my family, my home, and the school.

I said earlier today that we have a Million Mom March headed for Washington on May 14 this year—a million women from across the country. What are they saying to us? They are saying to us, if you really want to protect women's rights, then tell us our children can go to school, enter the school safely, and leave in the same condition at the end of the day.

These are hollow arguments.

I hear that we don't prosecute enough.

In 1996, there were 22 percent more criminals behind bars for weapons offenses than in 1992. Firearms crimes put 25,000-plus in jail in 1996 compared to 20,681 in 1992.

Prosecutions were up 16 percent in 1996 compared to 1992.

In 1992, there were 4,754 Federal firearm prosecutions; 1999, 5,500.

The argument misses the point when it comes to talking about law enforcement, when in some cases there is no law to enforce. Anybody can walk up at a gun show, go to an unlicensed dealer—an unlicensed dealer can operate in most gun shows, and he is kind of the piggy bank for those who want to escape identity—put their money on the table, and he won't ask them a question. He just gives them as many guns as they can carry, or maybe more than they can carry, in one trip if they want to buy them. Whether you are on the Ten Most Wanted list or you are Osama bin Laden, a terrorist who took refuge in Afghanistan, it doesn't matter; you can buy a gun.

We are trying to defend in some peculiar way the right of people to buy guns anonymously. We don't know who they are; we don't know where they are taking the guns. We do know in the Columbine killing, a young woman related to that killing testified before the Colorado Legislature. Robyn Anderson testified she and the two boys, Eric Harris and Dylan Klebold who killed the other students, went to the Tanner gun show on a Saturday. She testified:

> I remember this as being November or December of 1998. When Eric and Dylan had gone the previous day, a dealer told them they needed to bring someone back who was 18. They were both 17 at the time. This was a private—not a licensed dealer. While we were walking around Eric and Dylan kept asking sellers if they were private or licensed. They wanted to buy their guns from someone who was private—and not licensed—because there would be no paperwork or background check.
>
> They bought guns from three sellers. They were all private. They paid cash. There was no receipt. I was not asked any questions at all. There was no background check. All I had to do was show my driver's license to prove I was 18. Dylan got a shotgun. Eric got a shotgun and a black rifle that he bought clips for.

The rest, unfortunately, is history. She says:

> I don't know if Eric and Dylan could have been able to get guns from another source, but I would not have helped them. It was too easy. I wish it had been more difficult. I wouldn't have helped them to buy the guns if I faced a background check.

We may need a couple more laws. Despite the fact there are some 20,000 on the books, that hasn't protected approximately 33,000 who lose their lives every year. There are 13,000 homicides, a bunch to suicides, a bunch to accidents.

I think the ultimate example of carelessness with guns in our society was when the 6-year-old killed the 6-year-old in Michigan. The gun was left out casually where the child could reach it. Shouldn't we have laws that say a person who owns a gun is responsible for keeping it out of the hands of children? I certainly think so.

We are finding the NRA has a broad reach. It reaches into this Chamber. The hand of the NRA muffles sound. It muffles the sound of tearful parents—not necessarily those who lost children but those who are afraid their children might get lost. Those are the sounds we hear, the parents and the grandparents who are saying, in poll after poll: For crying out loud, close that loophole; close that gun show loophole.

It is common sense. It doesn't make sense to the gun lobby because they are afraid one inch is a yard. It is ridiculous when we are talking about human lives.

I agree with the Senator from New Mexico that we are doing some silly things. But the silliest is to defend against some sensible gun legislation. Ask the people around the country. I know what they want to see. They want their kids protected, their households protected, their communities protected.

One thing we have yet to try in this country is to know who owns guns and where the guns will be. We had an incredible battle some years ago when we tried to put the Brady law into place. It is demonstrated on this placard: Gun show loophole goes right through the Brady law. Under Brady, 400,000 people, judged not fit to own a gun, were denied gun permits. We still argue about whether or not there is enough time to check applicants' backgrounds sufficiently to make sure they are not unfit to own a gun. They want to reduce the time from 3 business days to 24 hours. The FBI will tell you; they are out there hunting for 1,500 guns that were sold improperly because they didn't have time to check the information.

As we near the close of this debate on a budget resolution, citizens across this country should be aware not only did we work on the numbers, not only did we work on the resources, not only did we work on the guns, we also worked on protecting your children when they go to school. We know the costs that guns have exacted on our society. Yet we cannot pass sensible gun legislation.

I commend the Senator from Rhode Island for his amendment. I sincerely hope we can get past the partisan discussion and look into the faces of the families, distant though they are, listen to the pleas of the mothers, the fathers, the grandfathers, grandmothers,

brothers, and sisters and say we have done the right thing—we have tried to reduce gun violence in our society.

I yield the floor.

Mr. DOMENICI. Mr. President, I thank the distinguished minority whip for his tremendous cooperation. Without his help and cooperation, we wouldn't be where we are. We might, indeed, get this budget resolution finished. Many thanks for that go to Senator REID.

In the interest of orderliness, I ask consent that all first-degree amendments to the pending budget resolution be submitted at the desk by 7 p.m. this evening.

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

Mr. DOMENICI. Members, for first-degree amendments, walk up and file them. You don't have to stand on the floor. Just give them to the clerk so we can have a list of all of them filed and they will have a number and we can work with them in an orderly fashion to finish this task.

I also ask any subsequent second-degree amendments offered from the floor must be relevant to the first-degree amendment that they are amending.

Mr. REID. It would be tremendously helpful, especially to the staff, if after the amendment is filed at the desk there be a copy left with both managers.

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

Mr. DOMENICI. I think that is an excellent suggestion. We will understand where we are.

On behalf of the leader, let me one more time say any Member who has not submitted their first-degree amendment at the desk must do so by 7 p.m. in order for it to be available to be called up for consideration during the remainder of the budget resolution.

Mr. REID. Mr. President, under the time on the Reed amendment, I offer 10 minutes to the Senator from North Carolina to speak about his education amendment or on whatever else he chooses to speak.

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

Mr. DOMENICI. Will the Senator yield?

Mr. EDWARDS. I yield the floor.

Mr. DOMENICI. I note the presence of the Senator from California, Mrs. BOXER.

During the debate on this ANWR amendment, the distinguished Senator stated this was the first budget resolution that ever addressed ANWR, and in the meantime called it an anti-environment resolution.

I clarify, and I think she agrees, that in 1996 in the budget resolution we not only referred to ANWR but we reconciled the ANWR instruction to the Energy and Natural Resources Committee. I wonder if the Senator would acknowledge that.

Mrs. BOXER. I absolutely acknowledge it and state that was one of the reasons the President vetoed that legislation and we beat it back. We will have this fight again. My friend is absolutely right. It is the second time that ANWR was put into a budget resolution. He is correct.

Mr. LAUTENBERG. Since we are clarifying the record, could I ask the Senator from California whether or not she discussed the photograph that she displayed on the floor?

Mrs. BOXER. Yes, we have gotten confirmation. This has to do with Senator MURKOWSKI. We have gotten confirmation from the biologist who took that photo, that that photo is in the proposed ruling area, and he has sent us chapter and verse of exactly where he was.

Senator DOMENICI is correct, this is the second time we had this in. We beat it back the last time, and I hope we can beat it back this time.

Mr. REID. Senator EDWARDS, the Senator from North Carolina, is to be recognized for 10 minutes.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. EDWARDS. Mr. President, first I would like to speak on the Graham amendment. The single most important thing we do as a country is educate our children. What we should be doing in this debate is talking about making this decade the education decade. We have great roads, great technology, great airports, a great economy in this country. We should be working toward making our schools the envy of the world. Instead, we have children who go to the local mall and go to beautiful, shiny buildings and stores and then the next morning go to schools that are falling down, with roofs leaking, with floors that are covered over with patchwork carpet. We have to do better.

We need to send a clear and unmistakable signal to the American people that we are committed and dedicated to doing what is necessary to improve our public schools. I have filed a sense-of-the-Senate amendment that provides for two things: First, that the level of education spending will be maintained at the current level, taking inflation into account over the next 10 years. Second, that we commit a minimum of 10 percent of the non-Social Security surplus to spending on education.

It is a very simple resolution. It is intended to signal our commitment to do what is necessary to support our public schools. I also, though, want to speak about the Graham amendment which does some very important things that need to be done in our public schools. There are basically five components to the Graham amendment.

No. 1, it invests the resources that are so desperately needed in our education system; resources that can be used to rebuild crumbling schools; resources that can be used to modernize schools where the roof is leaking, where kids have to go outside to get to the restroom, where kids are going to school in mobile classrooms. Those resources are desperately needed. We need to show our commitment, and the Graham amendment does that.

No. 2, it provides for local control. Those of us supporting this amendment believe very strongly that the school system should not be run from Washington, DC; that, instead, our schools should be run at the local level. It is local folks who know what is needed in the local schools. That is where the control should be. That is what the Graham amendment provides. That is what the American people believe in and support.

No. 3, accountability. Senator GRAHAM talked about accountability. We cannot simply continue throwing money at our education system. We need to provide those systems with the resources they need for all the things we have talked about: crumbling schools, technology, afterschool programs, hiring more teachers, and reducing class size so the teachers can do their jobs.

But we need to hold these schools accountable. We need to make sure they are performing; that schools that are not doing well are improving; that kids who are going to schools that are not performing well will be getting the kind of education they need and deserve. Accountability is absolutely crucial to making our public education system work. The Graham amendment provides for accountability. It is a critical component of what needs to be done in our education system in this country.

No. 4, this amendment targets those kids who are most in need, the kids in this country who are having the most problems in the poorest areas, in the rural areas, particularly in places such as rural North Carolina, rural eastern and western North Carolina—chronically economically disadvantaged areas where the kids are not on a level playing field. They do not have a chance. They do not have self-esteem. They don't feel as if they can compete with kids who go to school in richer, urban areas.

We need to give these children a chance. We need to put them on the launching pad with all other children so they can compete. That is what this amendment does. It targets the money to those kids who most need the help.

Finally, it takes the resources that we are providing them and focuses those resources in the places where they will do the most good.

So these five components are things that all will go toward improving our public school system: more resources; local control where we want the control to be; accountability, holding school systems responsible for performing; making sure the resources are focused; and making sure they are targeted at those kids who are most in need.

We need to show, in this body, that we are committed to the single most important thing we do in this country, which is educating our kids.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I yield to the Senator from Arkansas, Mrs. LINCOLN, 5 minutes off the resolution; and yield 5 minutes off of the amendment to the Senator from Louisiana, Ms. LANDRIEU.

The PRESIDING OFFICER. The Senator from Arkansas.

Mrs. LINCOLN. Mr. President, I am proud to rise in strong support of the amendment by my good friend, Senator BOB GRAHAM. There are several of us in this body who have come together to build a consensus of a commonsense, result-oriented solution to educating our children in this Nation. This amendment combines two concepts that are essential to improving our system of public education—greater investment and tough accountability standards.

Now Mr. President, before I get into the details of why this amendment is so important, I think we have to take a minute to consider the current state of education in this country.

I am not sure how the rest of my colleagues feel, but I think it is difficult to deny that the status quo in our education system is simply not acceptable. It is not working, and we are not doing a good enough job in educating our children. We are certainly not doing the best job we could be doing.

And if we think things are bad now, we should stop and look 10 or 15 years into the future. I continue to be amazed at the pace of high-tech development in this country and the incredible advancements that take place every day. This progress is only going to continue, and our children are the ones who will be left behind in the global high-tech world.

If we do not do something to change the way we approach education, if we do not increase our Federal investment and demand more accountability from our system and our educators, then we are only fooling ourselves, and we are cheating our children.

Our children are our greatest national resource, and their education is worthy of a significant investment. Unfortunately, the budget resolution before us today once again falls short of our responsibility to make quality education a top priority in this Nation.

Under the budget resolution before us, Arkansas would receive $6.6 million less in title I funds than it would under the administration's plan. That means more than 10,000 students in my home State would be denied the critical support this program provides.

In addition to the annual budget, we in the Senate have the difficult task before us this year of passing legislation that reauthorizes the Elementary and Secondary Education Act.

Quite frankly, we need a bold new approach that targets resources to the neediest areas, puts decisions in the hands of local educators, and maintains national priorities like school safety and educational technology.

I have joined with a group of my moderate Democratic colleagues in the Senate to promote a ''Third Way'' on ESEA, one that synthesizes the best ideas of both sides into a whole new approach to federal education policy.

Like our ''Three Rs'' bill, the additional funding contained in this amendment would allow schools to raise student achievement, implement effective professional development programs for teachers, improve English language instruction and encourage innovation in the classroom.

This investment is especially important to rural school districts, like many of those in Arkansas, that cannot afford to meet all of their needs with limited local resources.

We must do more than just throw more money at the problem of underachievement in the classroom. We also must demand results.

To qualify for additional funding under this amendment, educational proposals authorized by the Elementary and Secondary Education Act would have to contain greater accountability; incentives to set high student achievement standards; an emphasis on education for disadvantaged students; and funding targeted to our neediest, most impoverished schools.

Congress must do all it can to help our schools meet the challenges they face today and will face in the future.

Our most important responsibility is to help States and local school districts raise academic achievement and deliver on the promise of equal opportunity for all students.

I believe in the children of this country. I believe that through this amendment, we can truly make a difference by making a bigger investment and setting our children's education as one of our top national priorities. I urge the support of this amendment, and I thank my colleagues for their attention. I yield back any remaining time I may have to the Democratic leader.

The PRESIDING OFFICER (Mr. BENNETT). Who yields time?

Mr. REID. Mr. President, we still have time left under our amendment. We have 8 more minutes before the other side can offer an amendment. I yield 3 minutes to the Senator from Connecticut to speak on the amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, with deference to my friend and colleague from Louisiana, I am going to be brief.

Mr. President, I rise today in support of the amendment offered by my colleague, Senator GRAHAM. This amendment would set aside and protect $15 billion over the next five years, holding funds in reserve so that resources are available once legislation reuathorizing ESEA is enacted. The amendment adds that to qualify for funds, ESEA reauthorization must contain a few fundamental elements: (1) increased accountability; (2) the ability of States and localities to set high student performance standards; (3) the targeting of funds to the most impoverished areas and schools most in need of improvement; and (4) the concentration of Federal resources on key national goals of compensatory education for disadvantaged children, teacher quality, innovative education strategies, serving limited English proficient students, student safety, and educational technology.

During the upcoming debate on ESEA, I will join with several of my colleagues in offering a new approach that meets these qualifications. It is an approach that would refocus our national policy on helping States and local school districts raise academic achievement for all children, putting the priority for Federal programs on performance instead of process, and on delivering results instead of developing rules. Our approach calls on States and local districts to enter into a new compact with the Federal Government to work together to strengthen standards and improve educational opportunities, particularly for America's poorest children. It would provide States and local educators with significantly more Federal funding and significantly more flexibility in targeting aid to meet the specific needs. In exchange; it would demand real accountability, and for the first time impose consequences on schools that continually fail to show progress.

In order to implement effective educational policy, we have to first recognize that there are serious problems with the performance of many public schools, and that public confidence in public education will continue to erode if we do not acknowledge and address those problems soon. While student achievement is up, we must realize the alarming achievement gap that separates minorities from whites and low-income students from their more affluent counterparts. According to the State-by-State reading scores of fourth graders on the National Assessment of Educational Progress, the achievement gap between African American and white students grew in 16 States between 1992 and 1998. The gap between Hispanic and white students grew in nine States over the same period of time. Most alarmingly, student data reveals that the average African-American and Latino 17-year-old has about the same reading and math skills as the average white 13-year-old.

We must also question whether our schools are adequately preparing our youth to enter the globally competitive market place when, as one report states, ''Students are being unconsciously eliminated from the candidate pool of Information Technology (IT) workers by the knowledge and attitudes in their K-12 years. Many students do not learn the basic skills of reasoning, mathematics and communication that provide the foundation for higher education or entry-level jobs in IT work.''

We also have to acknowledge that we have done a very good job in recent years in providing every child with a well-qualified teacher, a critical component to higher student achievement. We are failing to deliver teachers to the classroom who truly know their subject matter—one national survey found that one-fourth of all secondary school teachers did not major in their core area of instruction, and that in the school districts with the highest concentration of minorities, students have less than a 50 percent chance of getting a math or science teacher who has a license or a degree in their field.

While more money alone will not solve our problems, we cannot honestly expect to reinvent our schools without it either. The reality is that there is a tremendous need for additional investment in our public schools, not just in urban areas but in every kind of community. Not only are thousands of crumbling and overcrowded schools in need of modernization, but a looming shortage of two million new teachers to hire and train lurks on the horizon. Add to this, billions in spiraling special education costs to meet.

We also have to recognize the basic math of trying to raise standards at a time of profound social turbulence that we will need to expend new sums to reach and teach children who in the past we never asked to excel, and who in the present will have to overcome enormous hurdles to do so. At the same time that schools are trying to cope with new and complex societal changes, we are demanding that they teach more than they ever have before. Employers and parents alike what better teachers, stronger standards, and higher test scores for all students, as well as state-of-the-art technology and skills to match.

It is a tribute to the many dedicated men and women who are responsible for teaching our children that the bulk of our schools are as good as they are, in light of these intensifying pressures. I believe any child can learn—any child—and that has been proven over and over again in the best schools in both my home state of Connecticut and in many of America's cities.

There are, in fact, plenty of positives to highlight in public education today, which is something else that we have to acknowledge, yet too often do not. I have made a concerted effort over the last few years to visit a broad range of schools and programs in Connecticut, and I can tell you that there is much happening in our public schools that we can be heartened by, proud of, and learn from.

There is the exemplary John Barry Elementary School in Meriden, CT, which has to contend with a high-poverty, high-mobility student population, but through intervention programs has had real success improving the reading skills of many of its students. In addition, there is the Side by Side Charter School in Norwalk, one of 17 charter schools in Connecticut, which has created an exemplary multiracial program in response to the challenge of Sheff v. O'Neill to diminish racial isolation. Side by Side is experimenting with a different approach to classroom assignments, having students stay with teachers for two consecutive years to take advantage of the relationships that develop, and by all indications it is working quite well for those kids.

And there is the BEST program, which, building on previous efforts to raise teacher skills and salaries, is now targeting additional state aid, training, and mentoring support to help local districts nurture new teachers and prepare them to excel. The result is that Connecticut's blueprint is touted by some, including the National Commission on Teaching and America's Future, as a national model for others to follow.

A number of other States, led by Texas and North Carolina, are moving in this same direction—refocusing their education systems not on process but on performance, not on prescriptive rules and regulations but on results. More and more of them are in fact adopting what might be called a ''reinvest, reinvent, and responsibility'' strategy, by (1) infusing new resources into their public education systems; (2) giving local districts more flexibility; and (3) demanding new measures and mechanisms of accountability, to increase the chances that these investments will yield the intended return, meaning improved academic achievement for all students.

To ensure that more States and localities have the ability to build on these successes and prepare student to succeed in the classroom, we must invest more resources. That is why we would boost ESEA funding by $35 billion over the next five years. But we also believe that the impact of this funding will be severely diluted if it is not better targeted to the worst-performing schools and if it is not coupled with a demand for results. That is why we not only increase Title I funding by 50 percent, but use a more targeted formula for distributing these new dollars to schools with the highest concentrations of poverty. And that is why we develop a new accountability system that strips federal funding from states that continually fail to meet their performance goals.

We also agree with those concerned with the current system that federal education programs are too numerous and too bureaucratic. That is why we eliminate dozens of federally microtargeted, micromanaged programs that are redundant or incidental to our core mission of raising academic achievement. But we also believe that we have a great national interest in promoting broad national educational goals, chief among them delivering on the promise of equal opportunity. It is not only foolish, however, but irresponsible to hand out federal dollars with no questions asked and no thought of national priorities. That is why we carve out separate titles in those areas that we think are critical to helping local districts elevate the performance of their schools.

The first would enhance our longstanding commitment to providing extra help to disadvantaged children through the title I program, while better targeting $12 billion in aid—a 50 percent increase in funding—to schools with the highest concentrations of poor students. The second would combine various teacher training and professional development programs into a single teacher quality grant, increase funding by 100 percent to $1.6 billion annually, and challenge each state to pursue the kind of bold, performance-based reforms that my own state of Connecticut has undertaken with great success.

The third would reform the Federal bilingual education program and hopefully defuse the ongoing controversy surrounding it by making absolutely clear that our national mission is to help immigrant children learn and master English, as well as achieve high levels of achievement in all subjects. We must be willing to back this commitment with essential resources required to help ensure that all limited English proficient students are served.

Under our approach, funding for LEP programs would be more than doubled to $1 billion a year, and for the first time be distributed to states and local districts through a reliable formula, based on their LEP student population. As a result, school districts serving large LEP and high poverty student populations would be guaranteed federal funding, and would not be penalized because of their inability to hire savvy proposal writers for competitive grants.

The fourth would respond to the public demands for greater choice within the public school framework, by providing additional resources for charter school start-ups and new incentives for expanding local, intradistrict choice programs. And the fifth would radically restructure the remaining ESEA and ensure that funds are much better targeted while giving local districts greater flexibility in addressing specific needs. We consolidate more than 20 different programs into a single High Performance Initiatives title, with a focus on supporting bold new ideas, expanding access to summer school and after school programs, improving school safety, and building technological literacy. We increase overall funding by more than $200 million, and distribute this aid through a formula that targets more resources to the highest poverty areas.

The boldest change we are proposing is to create a new accountability title. As of today, we have plenty of rules and requirements on inputs, on how funding is to be allocated and who must be served, but little if any attention to outcomes, on how schools ultimately perform in educating children. This bill would reverse that imbalance

by linking Federal funding to the progress States and local districts make in raising academic achievement. It would call on State and local leaders to set specific performance standards and adopt rigorous assessments for measuring how each district is faring in meeting those goals. In turn, States that exceed those goals would be rewarded with additional funds, and those that fail repeatedly to show progress would be penalized. In other words, for the first time, there would be consequences for poor performance.

In discussing how exactly to impose those consequences, we have run into understandable concerns about whether you can penalize failing schools without also penalizing children. The truth is that we are punishing many children right now, especially the most vulnerable of them, by forcing them to attend chronically troubled schools that are accountable to no one, a situation that is just not acceptable anymore. This bill minimizes the potential negative impact of these consequences on students. It provides the States with three years to set their performance-based goals and put in place a monitoring system for gauging how local districts are progressing, and also provides additional resources for States to help school districts identify and improve low-performing schools. If after those three years a State is still failing to meet its goals, the State would be penalized by cutting its administrative funding by 50 percent. Only after 4 years of under performance would dollars targeted for the classroom be put in jeopardy. At that point, protecting kids by continuing to subsidize bad schools becomes more like punishing them.

I must address another concern that may be raised that this is a block grant in sheep's clothing. There are substantial differences between a straight block-grant approach and this streamlined structure. First, in most block-grant proposals the accountability mechanisms are vague, weak and often non-existent, which is one reason why I have opposed them in the Senate. Our bill would have tangible consequences, pegged not just to raise test scores in the more affluent suburban areas, but to closing the troubling achievement gap between students in poor, largely minority districts and their better-off peers.

It is a commonsense strategy—reinvest in our public schools, reinvent the way we administer them, and restore a sense of responsibility to the children we are supposed to be serving. Hence the title of our bill: the Public Education Reinvention, Reinvestment, and Responsibility Act, or the Three Rs for short. Our approach is humble enough to recognize there are no easy answers to turning around low-performing schools, to lifting teaching standards, to closing the debilitating achievement gap, and that most of those answers won't be found here in Washington anyway. But it is ambitious enough to try to harness our unique ability to set the national agenda and recast the federal government as an active catalyst for success instead of a passive enabler of failure.

I am pleased to support the Graham amendment which will ensure we have the necessary resources in reserve to provide for the kind of education reform that I have outlined. Reauthorization of the status quo is not the answer. We need real reform that concentrates resources around central national goals, targets those resources to the most impoverished areas and schools in greatest need, and holds States and localities to a new, higher standard of accountability for results in raising student academic achievement.

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I am very grateful for the strong statements that have been made by my colleagues in support of this amendment by Senator GRAHAM. This amendment is, in a sense, our first statement of support for a major reform of the Elementary and Secondary Education Act, which we intend to offer when that act comes before the Senate in May.

There are two facts to state about the Federal role in education and what is happening throughout the country.

The first is that we have not achieved what the ESEA was adopted to achieve in 1965, and that is to close the academic achievement gap between advantaged and disadvantaged children. The proposal that I will offer, along with Senators BAYH, LANDRIEU, LINCOLN, KOHL, GRAHAM, ROBB, and BREAUX, is aimed at investing more money in the education of disadvantaged children while giving local authorities the flexibility to set achievement goals and decide what they think is the best way to achieve them, and then to hold them accountable for producing measurable results. It will reward those who succeed and, for the first time ever, impose real consequences on those who do not.

The second reality in American education today is that there are also cases of magnificent reform happening at the local and State level, which we must recognize. These success stories include many of the same elements—more accountability, more innovation, more public school choice, higher teaching standards, and superb work by great teachers and school administrators.

Our proposal will streamline more than 40 current ESEA programs into five performance-based grants that will support and expand these reform efforts that are occurring at the grassroots level in America. It is a common sense proposal built upon the core principles of reinvestment, reinvention, and responsibility that will finally provide the full, decent, and equal education we want for all our children, and the educational reform that our children need.

I thank my friend and colleague from Florida for offering this amendment. We have a very strong working group in favor of reform. We hope this proposal not only represents innovation and change that will be a catalyst for broad-scale national education reform, but that it will constitute a bridge on which Members of both parties can meet in the Senate to accomplish the most sweeping reform of the Elementary and Secondary Education Act in its 35-year history.

I thank the Chair and my friend from Nevada, and particularly my patient and learned friend from Louisiana. I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I rise in support of the Graham amendment. I acknowledge the very helpful comments made by my colleague from Connecticut and others who have spoken about this amendment.

I realize my time is short. I would like to begin by saying that in 1965, when President Lyndon Johnson first signed the Elementary and Secondary Education Act, it was 32 pages long with 5 program titles. Today, the bill is over 1,000 pages and contains over 60 programs. We need to get back to basics, and that is what the Graham amendment is about.

If these 1,000 pages of rules, regulations were working. If micromanagement of these 60 programs is the answer, then we should be satisfied with the status quo. A few minutes ago, my colleague from Arkansas spoke about what the status quo means for our children. I rise to urge my colleagues, Republicans and Democrats, to say no to the status quo.

As the Senator from Connecticut, our leader on this issue, has acknowledged, there are many wonderful schools and many wonderful teachers, and some wonderful superintendents and active parents. The problem is they are becoming the exception rather than the rule. Let me just share just a few startling and disturbing statistics.

In many school districts, 40-, 50-, or 60-percent failure rates are the rule, not the exception to the rule.

Every day in America, 2,806 children drop out of the school system because it is not working for them.

According to the National Education Goals Report, 80 percent of our fourth graders scored below proficient in math and 70 percent scored below proficient in reading.

For every 100 children who start kindergarten each year, only 27 percent eventually graduate from college.

If you are happy with these statistics, then do not vote for the Graham amendment. I, for one, cannot live with these numbers and am here to insist on change for our kids.

Let me say that although we are all talking about change, there is right change and there is wrong change. There is change that gets us on the right road, and there is change that takes us further away from where we want to go.

Some Republican leaders offer vouchers as the solution to the dilemma I just outlined. Those same Republican leaders also talk about block grants, minimal accountability, and then waiting 5 years for results. I personally do not think that is the solution.

On the Democratic side, unfortunately, there are many leaders who just want to talk about more programs, more money, more strings, more pages, and more micromanagement. But more money and more programs are not the answer.

The Graham amendment is about a clean break away from the old ways. Away from sort of the ''romance,'' if you will, of vouchers, which really are an abandonment of our public schools and the children who need them the most.

The Graham amendment says we need to talk about performance and outcomes. We need to minimize the paperwork, the redtape, the regulations. We need to help our schools set high performance standards, reward them when they meet those performance standards, and make sure there are serious consequences when they fail to do so.

We cannot have a system any longer that fails a third of our children. It is important for us to break with the past. That is what this amendment attempts to do.

It does not do it all. There are many other steps we have to take. But it is an important step. A bold step. It talks about real accountability. It requires that States and local districts set and meet targets for boosting student performance. It will offer awards to those who meet their goals and withhold funding from those who repeatedly fail to do so.

The amendment suggests greater flexibility. It acknowldedges that the local level has the tools necessary to make these decisions and gives them the power to do so. While it does not call for consolidation specifically, it does call for us to concentrate our resources around broad titles, including teacher quality, professional development, smaller classroom sizes

Finally—I know I am getting to the end of my time—it increases funding because it is time that we truly invest in our children's future. Derek Bok, Former President of Harvard once said, ''If you think Education is expensive . . . try ignorance.''

I am proud to stand here and support the Graham amendment because it is the only way for our Nation to build the kind of foundation we need for the future.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I yield to the Senator from Florida, Mr. GRAHAM, 3 minutes off the resolution.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, I express my appreciation to my colleagues in the Senate, our new Democrats, for having so eloquently outlined the goals of our amendment and what those goals represent in our vision of American public education.

We believe American public education is fundamental to our Nation's progress. We are going to be faced with enormous economic challenges from around the world. The only way America will be able to maintain its current standard of living and improve that standard for the next generation is by an investment in our people, which means an investment in public education.

We believe passionately in the importance of that. We recognize that the States and local school districts have the primary responsibility, but we think the Federal Government should be a meaningful and constructive partner and that the principles in this amendment and the principles we will be offering when we debate the Elementary and Secondary Education Act are critical to achieving that constructive partnership.

The most obvious thing this amendment will do—since we are talking about an amendment to a budget resolution—is to reserve an additional $15 billion, over the next 5 years, for the purposes of the Federal Elementary and Secondary Education Act.

We do that because we believe that additional amount of Federal contribution, particularly with the flexibility, targeted at the most in-need students, with an accountability system that relates to student performance in the classroom, that that investment is going to be a necessary part of lifting the performance of our American students, especially those who are most in need.

If we fail to do that, if we fail, at the Federal level, to make that additional commitment to their education, I am afraid we are consigning the next decade of American public education to the same critique we hear so much of today—that we are not doing an adequate job of preparing our children for the future, that we are contributing not just to a digital divide but to a socioeconomic divide among our children, and that those children who do not have the kind of support we have traditionally associated with the family's contribution to child development will continue to fall further and further behind their fellow students who are more advantaged.

We believe this is a pragmatic approach to a passionately held goal of improved American education.

Mr. President, I urge the adoption of this amendment.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Off the resolution, I yield to the Senator from Minnesota 15 minutes. Also, I say the Senator from Minnesota and the Senator from South Dakota, Mr. JOHNSON, have an outstanding amendment to be offered at a subsequent time. I applaud and commend them for their diligence in allowing us to hear the debate on this issue.

I yield Senator WELLSTONE 15 minutes.

Mr. WELLSTONE. I thank my colleague from Nevada.

Mr. President, I hope Senator JOHNSON—I have contacted his office—will be down here because I am really joining Senator JOHNSON who has taken the lead on this amendment and has been very involved, going back to his work on the Budget Committee.

Let me, first of all, give credit where credit is due. Over the last several years, we have been fighting what is called the flatline budget.

Last year, the administration presented to the Congress a veterans budget that was woefully inadequate. This year, they have really significantly increased their investment. It is an additional $1.4 billion over where they were. The Budget Committee has stuck with that. That is a huge help.

But Senator JOHNSON and I have had the honor and the opportunity to work with a lot of veterans organizations—the VFW, the Paralyzed Veterans of America, the Disabled American Veterans—who have put together an independent budget. They did this, starting last year, and did a lot of good grassroots organizing around the country.

It went way beyond just veterans coming to Washington, DC, and testifying because the message from the Congress to the veterans was: We are not just interested in what you are opposed to or what you say you need more money for. We want to see a careful outline.

This independent veterans budget is just such a budget proposal. What Senator JOHNSON has done—and I am pleased to join him—is called for an additional $500 million above and beyond the $1.4 billion increase from the Senate Budget Committee that would be an investment, especially in veterans' health care.

We have a real challenge in veterans' health care. We talked about this in our millennium bill. What we have authorized is essentially decent care for a veterans population that is an aging population. We have many veterans who are 75, 80 years old. What we have said—and we should be looking at the whole population in this country in the same way—is this is a population where there are some huge gaps, some

huge needs. We need to get serious about it.

How can we pass legislation saying, veterans, we are going to make a commitment to long-term care. We are especially going to make a commitment to making sure you are not forced into nursing homes. We will make a commitment to making sure that there is the support for you to stay at home and live at home in as near a normal circumstance as is possible with dignity.

I was in the VA medical center about a month ago. It was very poignant. Quite often the men are World War II veterans. They have had a hip operation, a knee operation. If you spend any time out there in the lounge and talk to their wives, they are scared to death about when their husbands come home because they can't take care of them any longer without help. They don't know what they are going to do. Whether it be respite care, whether it be public health nurses within the VA health care system, we have to get serious about this.

The $500 million doesn't do the job, but it goes in the direction of having a veterans budget that is an honest-to-God response to the needs of veterans in this country.

In my State of Minnesota, I think the real heroes and heroines are the county veterans' service officers. They are not a part of the VA, but they are on the front lines of veterans' health care. They are on the front lines of meeting the needs of veterans and their families. I have had several meetings with these county veterans' service officers—lots of people come; a lot of veterans come—who are advocates for the veterans. In our State, the medical center in Minneapolis is really a flagship place, but veterans wait for up to 18 months for some of the specialized care they need. That is too long a wait. We have too long a waiting list. We have staff that are overworked, sometimes having to work one shift after another.

We have an aging veterans population. We have made the commitment in the millennium bill, but we have not backed it up with the investment of resources. We have too high a percentage of the veterans population that is a part of the homeless population. Too many of them are Vietnam vets, still struggling with posttraumatic stress syndrome.

If my colleagues have had any meetings with these vets, they know they are the most poignant meetings. Quite often, veterans will be sitting in a room with you. People will get up and leave and come back and get up and leave. They are struggling; you can see it. Quite often, you have substance abuse that occurs with this as well. We are not providing the treatment.

This amendment is a terribly important amendment. I yield the rest of my time to my colleague from South Dakota, Senator JOHNSON, who took the lead on the Budget Committee. He is the one who introduced the amendment. I am proud to be on the floor with him in partnership pushing for this.

Mr. STEVENS. Will the Senator yield for a parliamentary inquiry?

Mr. JOHNSON. Yes.

Mr. STEVENS. Mr. President, I have the right to call for regular order, but how much more time is left on this amendment?

Mr. WELLSTONE. I say to my colleague, I think about 7 minutes.

The PRESIDING OFFICER. The Senator from Minnesota has 6 minutes 7 seconds.

Mr. STEVENS. I thank the Chair.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON. Mr. President, I commend my colleague, Senator WELLSTONE of Minnesota, for his extraordinary work on this issue. He has long been a champion of veterans in our Nation. I have enjoyed the opportunity to work with him on this and many other issues.

I am appreciative of Chairman DOMENICI's effort to secure a $1.4 billion increase in outlays in the budget. We have come a considerable distance from a year ago, when I was offering on this floor a $3 billion increase in veterans' health care appropriations which was necessary at that time to catch up after 3 years of frozen VA budgets. Of the $3 billion that was passed, ultimately, by the time the Appropriations Committee was done, we had about $1.7 billion. Even so, it was a significant increase. It has done a lot to breathe additional viability into our VA health care system.

This year, Senator DOMENICI has proposed a $1.4 billion increase. That is encouraging. However, the Authoritative Independent Budget produced by 40 different veterans groups and medical societies—including Amvets and Disabled American Vets, Paralyzed Veterans of America, and the VFW—reminds us that even then we still need an additional $500 million in outlays over the Budget Committee's level to raise the funding level to the point where it is requested in the independent budget of a $1.9 billion increase for fiscal 2000. This amendment pays for this. This amendment would get us to that needed level.

We need to make a fundamental decision in this body about where our priorities lie. We are talking now about multibillion-dollar surpluses in the Federal budget over the coming years. We ought to be cautious about whether they materialize or not, but certainly we can be optimistic that we will be in black ink in the coming years.

The question then is, Are we going to fully fund the veterans' health care programs at the level the veterans organizations themselves contend—I think rightfully so—is necessary? Are we going to put them as a first priority honoring those people who put their lives on the line and made our liberties possible or are we going to fall back to the point where, again, we only use the dollars that are left over after other things have been done?

To me, this ought to be a first-priority item. We have an opportunity on the floor this evening to make it very clear to our colleagues in the other body that, in fact, veterans' health care is a first priority item and that we will take care of that. When we are done with dealing with veterans' health care issues, we will then move on to whatever our other priorities might be, whether they be tax cuts, education, health care, or other matters facing the country. This ought to be at the top or near the top of our agenda as we debate the look of the Federal budget in this coming year.

I applaud the constructive steps that have been taken on veterans' health care. I certainly am appreciative of the work of Senator WELLSTONE in helping to raise the visibility of this issue. At this juncture, as we shape this budget resolution which creates a roadmap, which creates the parameters for where the appropriations committees will go next, we need to send them this kind of message that, in fact, we want full funding for veterans' health care.

This is our opportunity to make that statement. We should not let this opportunity go by without making it clear that we are committed to this reasonable level of funding, after those many years of frozen VA budgets, that the VA requires.

Mr. President, I yield back my time.

AMENDMENT NO. 2931

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, what is the regular order.

The PRESIDING OFFICER. The regular order is the Stevens amendment No. 2931.

Mr. STEVENS. Mr. President, this is the first of a series of three amendments that deals with points of order in the budget resolution, as it was reported to the Senate.

I have the feeling that this is deja vu because every year we face the same kind of concept. In the current budget resolution, for instance, that we are operating on for this fiscal year, there is, in fact, a point of order against emergency spending that requires 60 votes for emergency spending of a nondefense character. The resolution that was reported to the floor extends that to cover defense spending also.

It also has what we call a firewall that covers both budget authority and outlays for defense and nondefense. And it has a series of two other points of order that deal with delayed obligations and advance appropriations. Those make the management of the 13 bills our subcommittees work on annually and the supplemental and emergency bills that we face extremely difficult.

We have had a long series of conversations. I told someone I sort of feel like Houdini. Every year, I get a different set of chains and the configuration of the box I am put in before I am

put in the water differs, but everybody expects me to get out of it. I must say to the Senate, before this year is over, you might find some new approaches that help me get out of the chains. But these mechanisms, primarily for enforcement, ought to apply to the Senate as a whole, not only to the Appropriations Committee.

In fact, if you examine the rules, as I did early this morning when I got up and started thinking about these amendments, I think you will find it very interesting. We have a series of rules that govern the Senate, and if we ever really followed them, we would not have the trouble that we have once in a while here on the floor. The interesting thing is that those rules do not apply to the appropriations process in most instances because the framers of those rules understood the real complexities of the appropriations process and the fact that we do deal with emergencies and with various extraordinary circumstances in the course of each year's consideration of these 13 bills.

We were prepared to offer three amendments to delete these three sections: 208, 210, and 211. I have had long discussions with my good friend, Senator DOMENICI, the manager of the bill, chairman of the Budget Committee, and he has made an offer to us, which I am reluctant to agree to, but I have no alternative because no committee needs the budget resolution more than the Appropriations Committee. The points of order that are in the Budget Act apply to the Senate Appropriations Committee. They don't even apply to the House bill because the House controls its access to the floor and amendments through the rules process.

We, therefore, have to negotiate with the Budget Committee to obtain the best possible regime under which to present the appropriations bills for the fiscal year 2001. I am going to yield to my friend. It is my understanding that he will offer an amendment and that the amendment will be debated here. It is my intention, if it is what I believe it to be—as I said, I am reluctantly going to agree to support it, primarily because we need this budget resolution, and also because I have great trust and faith in the chairman of the Budget Committee. He is seeking to get his job done, and I am seeking to be able to do the job that has been assigned to our committee.

Mr. President, I yield to my friend to carry on the discussions. He will yield to the Senator from Texas and others. How much time do I have on this amendment?

The PRESIDING OFFICER. The Senator has 49 minutes.

Mr. STEVENS. If I have 49 minutes, I yield 45 minutes to my friend, and I will reserve 4 minutes in case I have to come back into this discussion at some point. It is my understanding that he has the authority, then, to yield to other Members on this side who might wish to discuss the matter, is that correct?

The PRESIDING OFFICER. That is correct.

Mr. REID. Mr. President, parliamentary inquiry: It is my understanding that the Senator from Alaska offered an amendment to which he has 1 hour, is that correct?

The PRESIDING OFFICER. There was not enough time for 1 hour, so it is 54 minutes to each side.

Mr. REID. Who is in opposition to the Stevens amendment other than the Democrats?

Mr. DOMENICI. Nobody here is in opposition.

The PRESIDING OFFICER. The minority leader controls the time.

Mr. REID. So we have 54 minutes?

The PRESIDING OFFICER. That is correct.

Mr. STEVENS. I will retain 4 minutes of the time and yield the rest of the time to the Senator from New Mexico. He will yield time to my friend from Virginia, as well as the Senator from Texas.

The PRESIDING OFFICER. The Senator from New Mexico has control of the 45 minutes.

Mr. DOMENICI. Mr. President, I want to talk with Senator STEVENS for a moment. First of all, let me say that there are a couple of Senators who want to speak for 2 or 3 minutes on my side. Since I have almost an hour, I will yield to them. We haven't been able to have any time because of the way things are. Senator GORTON wishes to speak. How much time would Senator GORTON take?

Mr. GORTON. Two minutes.

Mr. DOMENICI. I yield 2 minutes to Senator GORTON.

Mr. GORTON. Mr. President, I ask unanimous consent that the current amendment be set aside and we call up, first, amendment No. 2942, and then 3011, both of which have been agreed to by both sides.

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

AMENDMENT NO. 2942

(Purpose: To express the sense of the Senate regarding the establishment of a national background check system for long-term care workers)

Mr. GORTON. Mr. President, 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 Washington [Mr. GORTON], for Mr. KOHL, for himself, Mr. REID, and Mr. GRASSLEY, proposes an amendment numbered 2942.

Mr. GORTON. 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. . 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.

Mr. GORTON. Mr. President, this is an amendment by Senator KOHL of Wisconsin regarding the establishment of a national background check system for long-term care workers. It has been agreed to, and I think we can take it directly to a vote.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 2942) was agreed to.

AMENDMENT NO. 3011

(Purpose: To express the sense of the Senate concerning the price of prescription drugs)

Mr. GORTON. Mr. President, 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 Washington [Mr. GORTON], for himself and Mr. JEFFORDS, proposes an amendment numbered 3011.

Mr. GORTON. 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. ___. SENSE OF THE SENATE CONCERNING THE PRICE OF PRESCRIPTION DRUGS IN THE UNITED STATES.**

(a) FINDINGS.—The Senate makes the following findings:

(1) Today, two-thirds of senior citizens in the United States have access to prescription drugs through health insurance coverage.

(2) However, it is difficult for many Americans, including senior citizens, to afford the prescription drugs that they need to stay healthy.

(3) Many senior citizens in the United States leave the country and go to Canada or Mexico to buy prescription drugs that are developed, manufactured, and approved in the United States in order to buy such drugs at lower prices than such drugs are sold for in the United States.

(4) According to the General Accounting Office, a consumer in the United States pays

on average ⅓ more for a prescription drug than a consumer pays for the same drug in another country.

(5) The United States has made a strong commitment to supporting the research and development of new drugs through taxpayer-supported funding of the National Institutes of Health, through the research and development tax credit, and through other means.

(6) The development of new drugs is important because the use of such drugs enables people to live longer and lead healthier, more productive lives.

(7) Citizens of other countries should pay a portion of the research and development costs for new drugs, or their fair share of such costs, rather than just reap the benefits of such drugs.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this resolution assume that the cost disparity between identical prescription drugs sold in the United States, Canada, and Mexico should be reduced or eliminated.

Mr. GORTON. Mr. President, this amendment relates to the discrimination in the price for prescription drugs on the part of American companies between drugs sold in the U.S. and drugs sold for less overseas, and it expresses the concern of the Senate about that discrimination and the desire that it be reduced or eliminated.

Mr. REID. Mr. President, I ask my friend from Washington, Senator GORTON, has this been approved by the majority and minority, signed off on; is that true?

Mr. GORTON. Yes.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3011) was agreed to.

Mr. DOMENICI. Now, Mr. President, Senator ALLARD wishes to speak. Can he do what he wanted to do in 3 minutes?

Mr. ALLARD. I can.

Mr. DOMENICI. I yield 3 minutes on the amendment.

Mr. ALLARD. Thank you. Mr. President, frankly, I had no intention to come to the floor today, as I received a generous amount of time yesterday to debate my amendment concerning the national debt. I appreciate the chairman of the Budget Committee giving me some time to speak momentarily. After listening to the dialog today and reading the content of the sense-of-the-Senate amendment by the Senator from Rhode Island, I felt a sincere need to come and speak to you all this evening.

Since last April's tragic events in my home State at Columbine High School, the town of Littleton, it seems as though the students and community of the Columbine High School have been mentioned almost on a daily basis on the floor of the Senate in Washington, DC. This tragic event has become a new flag to be waved by those in this body who seek to further politicize the issues of crime, law enforcement, and the second amendment. I ask you, Mr. President, what has this politicking done to help heal the wounds in my home State? I have staff from Littleton. I have staff in Littleton, and I have staff in my State offices who will go home this very night in Littleton, CO.

This tragic event shocked the people in that community, and to date I fail to see any benefit to those in Littleton from the continued publicity and polarization coming from this Chamber.

I have with me two articles published this week: Denver Rocky Mountain News editorial documenting the April 12 visit of President Clinton to Littleton:

It would be utterly tasteless for any politician—from the President to local state representative—to attempt to make political hay over Columbine on the brink of its anniversary.

Washington Post Article ''Columbine, Reflections of a Painful Past'':

Students, parents and school officials here are viewing this anniversary with trepidation. They are apprehensive about the emotions it may rekindle—and about the crush of journalists and curiosity seekers expected to arrive.

A Columbine Senior said, ''It is not the kind of thing that really falls away very quickly. We're healing. But it is always in people's emotions. There is always a hint of it in the background.''

I am ashamed that part of background noise that disturbs the healing of these tender wounds in a Colorado community is the increasing effort by some to make this event the driving force behind their own policy goals.

As the chairman of last year's Juvenile Justice Task Force I worked closely with a number of members of this body to determine causes and solutions for America's juvenile justice problems. The causes are intricate and many. We made our recommendations and we contributed to the juvenile justice bill currently in conference committee.

We are here today to work on a budget resolution for the coming fiscal year. We have had, and will have again, policy debates on the many issues this amendment addresses. We should have those debates in the realm of sensible, comprehensive policy. What we should not do is continue painful rhetoric that inflames the wounds of the Littleton community.

I ask unanimous consent that the Denver Rocky Mountain News article and the Washington Post article mentioned in my statement be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 6, 2000]

AT COLUMBINE, REFLECTIONS ON A PAINFUL PAST

(By Amy Goldstein)

LITTLETON, COLO., April 5.—One of Matt Varney's best friends is Pat Ireland, a Columbine High School student who, last April 20, was captured on television tumbling, shot and bleeding, out a school window. A year later, Varney said that his friend inspires and sobers him still.

''Watching him heal—his everlasting pursuit to get better—has healed me,'' said Varney, a Columbine senior. Yet, he said, ''I have trouble seeing him, knowing these two guys took away so much from him.''

Varney had left Columbine for lunch two minutes before a pair of fellow students rampaged through the building, murdering 13 people and wounding two dozen others before killing themselves. Tonight, Varney was one of two dozen Columbine students and staff members who volunteered to sit on a stage for a town meeting to describe how the nation's deadliest school shooting has influenced their school and themselves.

For nearly two hours, they talked of friendships that have tightened. The solidarity of teachers willing to fill in for one another on a difficult day. The solace they draw from faith and family and writing poetry.

They talked too, of sadness that endures. ''Sometimes, I just want to shout out at night, 'I don't know why it was us,'" said Sergio Gonzales, a senior. ''It isn't the regular life of a teenager.''

The strains that linger, mental health and school officials say, are mounting in the days leading to the first anniversary of the massacre. The community is responding with a series of events intended to commemorate the occasion and, at the same time, minimize the disruption to a community still striving for equilibrium.

Tonight's town meeting was the opening event and the first time that the Jefferson County school district has convened students and staff to speak publicly about the shooting and its aftermath. ''Columbine'' suddenly became known worldwide as a synonym for school violence on a late Tuesday morning when a pair of juniors, Eric Harris and Dylan Klebold, crossed a soccer field and entered the building with guns blazing, fatally shooting a dozen students and a science teacher before turning their guns on themselves in the high school library. They had also laced the building with bombs, most of which never went off.

Like other commemorative events that will take place this month, tonight's 90-minute forum, ''Conversations With Columbine,'' was tightly controlled, with reporters allowed to request individual interviews with participants afterward only by handing their business cards to school system representatives. Reporters and television crews who want a glimpse inside the school may have one—but only in small, guided tours arranged for them early this Sunday, when the building will otherwise be vacant.

Students, parents and school officials here are viewing this anniversary with trepidation. They are apprehensive about the emotions it may rekindle—and about the crush of journalists and curiosity-seekers expected to arrive.

Based on the crowd that thronged Oklahoma City one year after the 1995 bombing of a federal office building there, and the proximity of the Littleton anniversary to Easter vacations, school officials have predicted that perhaps 100,000 people will arrive here later this month. Community leaders also have heard reports that members of the National Rifle Association may turn out in force to try to counteract welling support here for tighter gun control measures being debated in the Colorado legislature.

''We don't want the masses, but we have to be prepared for the masses,'' Rick Kaufman, a school system spokesman, said this week.

Outwardly, Littleton has recovered a sense of normalcy. Adjacent to the Columbine campus, the grass has grown back in Clement Park, which last spring became a muddy encampment for dozens of television satellite trucks and a makeshift shrine for students bringing flowers and placards to memorialize the dead. This week, the park was filled with young boys playing lacrosse after school in the spring sunshine.

The police tape was removed long ago from the school, a sprawling beige brick structure near the entrance to a quiet residential neighborhood. But there are reminders and frailties, still. The student who walks into class and tells a teacher he had a flashback and ended up crashing a car. The unfailing shivers from the sound of a helicopter whirring overhead. The sight of a few students still propelling themselves down the school's corridors in wheelchairs.

''It is not the kind of thing that really falls away very quickly,'' said senior Peter Forsberg, who hid last April 20 in the school's Spanish office for hours. ''We're healing. But it is always in people's emotions. There is always a hint of it in the background.''

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[From the Denver Rocky Mountain News]

THE TIMING OF CLINTON'S VISIT

Would Bill Clinton politicize the anniversary of Columbine? Perish the thought! Why, didn't the president wait three whole days after the Columbine shootings last year before he publicly linked them to a lack of gun control? And didn't he cool his heels a full week before he introduced a package of gun measures that the White House described as ''the most comprehensive gun legislation any administration has put forward in 30 years''? There's sensitivity for you.

Yes, this president has been the very model of self-control in resisting the temptation to exploit the Columbine tragedy to advance a long-held political agenda. Most impressive of all, he waited a whole month after Columbine—think of the forbearance!—before he called for a Federal Trade Commission probe into the marketing of violent video games and other products.

That's why we are so shocked that anyone would suggest that Clinton might actually try to politicize the anniversary of Columbine when he visits Colorado on April 12 to campaign for a state initiative that would mandate background checks at gun shows. What on Earth in the president's record raises that unworthy suspicion?

It would be utterly tasteless for any politician—from the president to a local state representative—to attempt to make political hay over Columbine on the brink of its anniversary. President Clinton, whose tastefulness in all matters is legendary, would be just about the last person we'd expect to resort to such a crude maneuver.

So by all means, let the public accept the assurances of SAFE Colorado, the gun-control group pushing the ballot initiative, that the timing of the president's visit so close to the Columbine anniversary of April 20 is a mere coincidence and meant to signify nothing. Of course that's true. There are only 52 weeks in a year, after all, and this paltry number puts a terrific strain on the schedule of such a busy world leader. If you wonder why Clinton would come to Colorado barely a week before the Columbine anniversary to attend a political rally on gun control, blame the burdens of the presidency if you must blame something, but please do not blame this man whose very career is a tribute to discretion and respect for private grief.

As impressed as we are with Clinton's sensitivity, we are also pleased to see that his upcoming visit is evoking the usual carefully reasoned rhetoric from gun-rights advocates. ''I just think (Clinton's) just doing what he always does, wading through the blood of the victims to push his agenda,'' said Bill Dietrick, legislative director of the Colorado State Shooting Association. Dietrick's thoughtful analysis is yet another enlightened contribution to the debate over guns, and it follows a series of equally diplomatic comments last month by the executive vice president of the National Rifle Association.

Among other things, the NRA's Wayne LaPierre claimed that President Bill Clinton ''needs a certain level of violence in this country. He's willing to accept a certain level of killing to further his political agenda and his vice president's, too.''

It is heartening to see, as the Columbine anniversary approaches, so much evidence of maturity and mutual respect on both sides in the gun-control debate. Now you see why we're so confident that the exploitation of Columbine is the furthest thing from the minds of Clinton, those who arranged his visit and those who will protest it.

After all, how could anyone possibly complain about their behavior up till now?

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank the distinguished manager, Senator DOMENICI.

Senator STEVENS and I have an amendment at the desk calling for a $4.1 billion increase in total defense spending.

We recognize that the House of Representatives is taking similar action. This would be parallel action.

At no time in contemporary history have there been more threats and more challenges affecting the security of this country. At the same time, at no time in my memory—I have been associated with the military as far back as World War II—has there been really less incentive for the young men and women of the Nation to join and proudly wear the uniform and incentives for those in the middle grades of our military to stay in after enormous expenses for the taxpayers to train them. When they finish their obligated period and first-term enlistments—the first term for officers and oftentimes pilots is 6 to 8 years—they are highly sought after by the private sector in our magnificent expanding economy.

We have this coincidence of pressures being put on the military today.

I urge my colleagues to vote favorably on the current version of the Stevens-Warner amendment of $4 billion for extra defense spending to meet the threats worldwide and to provide the proper benefits and care for the men and women of the Armed Forces and their families; to provide for the increase in procurement for the modernization they need with the additional dollars for training.

This Nation has witnessed the deployment of the men and women of the Armed Forces beyond our shores in the last 6 or 8 years, more times than any other President has sent them out into harm's way. For too many years, the size of our defense budget has been based on constrained funding, not on the threats facing our country or the military strategy necessary to meet those threats. We began to make some progress last year when, for the first time in 14 years, we had a real increase in the authorized level of defense spending. We must continue the momentum we started last year in an effort to correct the most critical readiness, modernization, and recruiting and retention problems in our military.

Any analysis of our defense budget should begin with an analysis of the worldwide threat that our military faces—both now and in the future. The world remains complex and dangerous, and the United States is continually called upon to provide the requisite leadership to resolve the many conflicts which continue to erupt in this rapidly changing world. The negative impact that the large number of contingency operations in which our military is engaged worldwide is having on the readiness of our military forces concerns me. We have had troops in the Persian Gulf—engaged in active military operations against Iraq—for over a decade, in Bosnia for over four years, and now in Kosovo—with no end in sight for any of these operations.

The Joint Chiefs of Staff have testified that they still have a shortfall in funding of $9.0 billion for this fiscal year—fiscal year 2000; a requirement for an additional $15.5 billion above the budget request to meet shortfalls in readiness and modernization for fiscal year 2001; and a requirement for an additional $85.0 billion over the next five years. These were requirements identified by the Service Chiefs as their unfunded, validated requirements—not a set of ''wish lists.''

As the elected representatives of the American people, we have no higher responsibility than ensuring the safety and security of our people by maintaining a strong and capable military. As chairman of the Armed Services Committee, I cannot sit idly by—knowing of the many shortfalls in defense funding that currently exist—without at least trying to address the many urgent needs of our military.

The Administration's budget request for fiscal year 2001 took some positive steps forward. The Budget Committee added an additional $500 million, but more needs to be done.

While the fiscal year 2001 defense budget request does reach the $60 billion modernization goal set in fiscal year 1995, this goal has not kept pace with requirements and has never been adjusted for inflation. Estimates from the Congressional Budget Office (CBO) have more accurately placed the funding necessary to meet modernization requirements at $90.0 billion annually, with other organizations stating that even larger increases are necessary.

We must continue the momentum we started last year when the Congress provided the personnel incentives necessary to reverse the negative trends in recruiting and retention. The Secretary of Defense, the Chairman of the Joint Chiefs, and the Service Chiefs have all said that fulfilling our commitment for healthcare to our military retirees will be among the highest priorities this year. I believe, there is overwhelming support in the Senate to correct many of the shortfalls in the military healthcare system for our service members, their families, and our military retirees. it is critical to

enact the important initiatives contained in the bipartisan healthcare legislation introduced by the Senate and the Armed Services Committee leadership. Adding the funds in this amendment makes it possible to fund this important initiative for military retiree healthcare.

The increase of $4.0 billion contained in our amendment will allow us to bring defense spending to a more appropriate level and address some of the urgent unfunded requirements of the military chiefs. By adding the funding in this amendment, we will not be forced to fund needed increases for defense using emergency spending. Adding these funds now, allows the Senate to follow the normal procedures of authorization first, and not to forced to deal with added spending as an emergency.

The challenges that this country will face in the new millennium are diverse—new threats, new battlefields, and new weapons. It is important that we remain vigilant, forward thinking, and prepared to address these challenges.

Mr. Tenet, the Director of Central Intelligence, concluded his excellent opening statement at a very sobering hearing before the Armed Services Committee in January by saying:

> The fact that we are arguably the world's most powerful nation does not bestow invulnerability; in fact, it may make us a larger target for those who don't share our interest, values, or beliefs.

We must ensure that our military forces remain ready to meet present and future challenges.

I want to express my appreciation again to the distinguished chairman of the Appropriations Committee and the chairman of the Budget Committee for assisting us on this amendment. I want to also thank the highly professional staff members of the Appropriations Committee and the Budget Committee for their assistance for working out this amendment.

I also want to thank Senator DOMENICI and his staff in assisting me last evening in working out a solution which will provide for the implementation of a Thrift Savings Plan for the active and reserve components of our military.

I urge adoption of this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

AMENDMENT NO. 2931, AS MODIFIED

Mr. STEVENS. Mr. President, I send a modification to the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 2931) as modified is as follows:

On page 4, line 22, increase the amount by $4,000,000,000.

On page 5, line 7, increase the amount by $2,000,000,000.

On page 5, line 15, decrease the amount by $2,000,000,000.

On page 9, line 6, increase the amount by $4,000,000,000.

On page 9, line 7, increase the amount by $2,000,000,000.

On page 27, line 7, decrease the amount by $4,000,000,000.

On page 27, line 8, decrease the amount by $2,000,000,000.

Strike page 41, line 5 and all that follows through page 45, line 22; and insert the following:

(g) EXCEPTION FOR DEFENSE SPENDING.—Subsection (b) shall not apply against an emergency designation for a provision making discretionary appropriations in the defense category.

**SEC. 209. RESERVE FUND PENDING INCREASE OF FISCAL YEAR 2001 DISCRETIONARY SPENDING LIMITS.**

(a) FINDINGS.—The Senate finds the following:

(1) The functional totals with respect to discretionary spending set forth in this concurrent resolution, if implemented, would result in legislation which exceeds the limit on discretionary spending for fiscal year 2001 set out in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985. Nonetheless, the allocation pursuant to section 302 of the Congressional Budget and Impoundment Control Act of 1974 to the Committee on Appropriations is in compliance with current law spending limits.

(2) Consequently unless and until the discretionary spending limit for fiscal year 2001 is increased, aggregate appropriations which exceed the current law limits would still be out of order in the Senate and subject to a supermajority vote.

(3) The functional totals contained in this concurrent resolution envision a level of discretionary spending for fiscal year 2001 as follows:

(A) For the discretionary category: $600,579,000,000 in new budget authority and $592,326,000,000 in outlays.

(B) For the highway category: $26,920,000,000 in outlays.

(C) For the mass transit category: $4,639,000,000 in outlays.

(4) To facilitate the Senate completing its legislative responsibilities for the 106th Congress in a timely fashion, it is imperative that the Senate consider legislation which increases the discretionary spending limit for fiscal year 2001 as soon as possible.

(b) ADJUSTMENT TO ALLOCATIONS.—Whenever a bill or joint resolution becomes law that increases the discretionary spending limit for fiscal year 2001 set out in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, the appropriate chairman of the Committee on the Budget shall increase the allocation called for in section 302(a) of the Congressional Budget Act of 1974 to the appropriate Committee on Appropriations.

(c) LIMITATION ON ADJUSTMENT.—An adjustment made pursuant to subsection (b) shall not result in an allocation under section 302(a) of the Congressional Budget Act of 1974 that exceeds the total budget authority and outlays set forth in subsection (a)(3).

**SEC. 210. CONGRESSIONAL FIREWALL FOR DEFENSE AND NON-DEFENSE SPENDING.**

(a) DEFINITION.—In this section, for fiscal year 2001 the term ''discretionary spending limit'' means—

(1) for the defense category, $310,819,000,000 in new budget authority and $297,050,000,000 in outlays; and

(2) for the nondefense category, $289,760,000,000 in new budget authority and $327,583,000,000 in outlays.

(b) POINT OF ORDER IN THE SENATE.—

(1) IN GENERAL.—After the adjustment to the section 302(a) allocation to the Appropriations Committee is made pursuant to section 208 and except as provided in paragraph (2), it shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report that exceeds any discretionary spending limit set forth in this section.

(2) EXCEPTION.—This subsection shall not apply if a declaration of war by Congress is in effect.

(c) WAIVER AND APPEAL.—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.

**SEC. 211. MECHANISMS FOR STRENGTHENING BUDGETARY INTEGRITY.**

(a) DEFINITION.—For purposes of this section, the term ''budget year'' means with respect to a session of Congress, the fiscal year of the Government that starts on October 1 of the calendar year in which that session begins.

(b) POINT OF ORDER WITH RESPECT TO ADVANCED APPROPRIATIONS.—

(1) IN GENERAL.—It shall not be in order in the Senate to consider any bill, resolution, amendment, motion or conference report that—

(A) provides an appropriation of new budget authority for any fiscal year after the budget year that is in excess of the amounts provided in paragraph (2); and

(B) provides an appropriation of new budget authority for any fiscal year subsequent to the year after the budget year.

(2) LIMITATION ON AMOUNTS.—The total amount, provided in appropriations legislation for the budget year, of appropriations for the subsequent fiscal year shall not exceed $23,000,000,000.

(c) POINT OF ORDER WITH RESPECT TO DELAYED OBLIGATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), it shall not be in order in the Senate to consider any bill, resolution, amendment, motion, or conference report that contains an appropriation of new budget authority for any fiscal year which does not become available upon enactment of such legislation or on the first day of that fiscal year (whichever is later).

(2) EXCEPTION.—Paragraph (1) shall not apply with respect to appropriations in the defense category; nor shall it apply to appropriations reoccuring or customary or for the following programs provided that such appropriation is not delayed beyond the specified date and does not exceed the specified amount:

Mr. DOMENICI. Mr. President, will the Senator yield?

Mr. STEVENS. Yes.

Mr. DOMENICI. Let me suggest that this modification is supported by Senator STEVENS, Senator DOMENICI, Senator GRAMM, and Senator WARNER, and I understand on the Democrat side Senator INOUYE has told Senator STEVENS he supports it.

We are obviously trying tonight to complete our work and get a budget resolution that we can take to conference with the House of which we are proud.

Frankly, we came out of committee with $595.6 billion available in program authority for defense and domestic accounts.

In addition, we said in that budget resolution that we were reinstating what we had used for 3 years: The first 3 years of the balanced budget agreement between the President and the

Congress—to wit, a firewall—so the defense money couldn't be used for domestic spending or vice versa.

In this amendment, we retain that, but we have added $4 billion in program authority to defense.

There will be no mingling of that money with domestic and no mingling of domestic money with defense.

That firewall stays in this modification offered by Senator STEVENS on behalf of himself and other cosponsors.

In addition, the budget resolution had a 60-vote point of order for emergencies.

With this amendment, we have returned to the law as it was before this budget resolution; that is, last year we had in the budget resolution that 60-vote point of order which would apply to domestic spending. That is retained, not modified, and it is not expanded to include defense.

In addition, the House of Representatives adopted in the budget resolution a limitation on advanced appropriations, a technicality often used but not always used by Presidents and Congress as they complete their appropriations work. It is a legitimate tool of appropriating. The House, in their resolution, has $23 billion as the maximum amount allowed in program authority to be advanced.

Then there is a point of order, if you do more. We are agreeing here to do what the House did.

Senator STEVENS has negotiated with us, and we are going to the House level on that number. That means for those who are concerned, we are keeping some very rigid discipline, but we are going to the House number, and the number that was very much discussed in the Budget Committee, we are back to that number.

Senator GRAMM of Texas has agreed with their compromise, and he was one who wanted to lower the number.

We are beginning to develop a package that looks to have consensus on our side. I wasn't sure any Democrats were going to vote for our budget resolution. I hope they do with these modifications. We have Senator INOUYE agreeing with these modifications. It doesn't mean he is committed to the budget resolution.

There are no nondefense delayed obligations except for those listed in the budget and those that are ordinary and historic.

Senator STEVENS made two commitments to us. Frankly, I have committed to him. We worked together. He is going to make every effort to stay within the limitations in this budget.

That means there is $289 billion in budget authority, and $327.6 billion in outlays for the nondefense part of this budget.

Depending on how you figure it, it is anywhere from a 3.35-percent increase—looking at it another way, it may be as much as 6, or 6½, depending upon a couple of things such as a $4.3 billion budget authority that is going to be made available when we pass a certain bill that was required by the Budget Act of 1997.

The distinguished chairman is committing to do everything in his power to live within the budget resolution. That is all anybody ever asked. He has agreed not to violate the $23 billion in advanced funding. There would be no reason to put it in the budget resolution if we weren't going to do it.

I express my extreme gratitude to the distinguished Appropriations Committee chairman for working with me, working with Senator GRAMM, and working with Senator LOTT and others on our side, and the distinguished Senator WARNER who carved out this budget enforcement compromise. I think it is an excellent one.

I think we ought to adopt it.

From what I can understand, all segments of the Republican Party that had diverse views on this budget resolution ought to be in concurrence on this. I believe it does precisely what most of us would like.

I remind those who are thinking about domestic spending that we have increased the advanced appropriations amounts from $13 billion to $23 billion. That is a pretty good one that will allow flexibility of management, which is what the appropriators are looking for. But it is not too high because the House has accepted it also as something they can live with based on this year's levels and the levels of last year.

I think overall it is a good compromise. It is now the pending business, as Senator STEVENS indicated in his submission to the desk as a modification of his original amendment.

We still have some additional time. The distinguished Senator from Texas, who is a valued Member of the Senate and of the Budget Committee, with whom I worked very hard to carve the budget resolution, is here. I yield 7 minutes to the distinguished Senator from Texas.

Mr. GRAMM. Mr. President, I would hate to have to make a living negotiating with Senator STEVENS. In the dull moments when we sit here and listen to some droning speech and look at the names written in our desk drawers—many of which we do not even recognize and never heard of—my guess is that someday people will see Senator STEVENS' name in one of these drawers and they will know who he was.

I believe we have a stronger budget as a result of this agreement. I think we have a stronger enforcement process as a result of this agreement because Senator DOMENICI and I had words written on paper, but we didn't have a consensus in the majority party to enforce those words. We have that consensus today.

I take the word of the distinguished senior Senator from Alaska to be more powerful and worth more than points of order. When he says he will lead the effort to the best of his ability to live within the nondefense discretionary numbers of this budget and to stay with the limit we have agreed to on advanced appropriations, I believe that is the strongest enforcement mechanism we can have.

We have preserved our 60-vote point of order for emergencies that are nondefense in nature. Senator STEVENS raised the point that in an emergency for defense, you could require a supermajority, and if you had a partisan issue on defense, you could deny the ability to meet the defense needs of the Nation. A point well made and a point well taken.

But we have the enforcement mechanism that prevents the piling of items of a nondefense nature into bills and designating them as emergencies when, in fact, they are not emergencies.

We kept the firewalls so when we get money for defense, it stays in defense. We have adjusted the advanced appropriation level to the level we had last year, the level that is in the House, with a strong 60-vote point of order to hold it in place. We prohibit nondefense delayed obligations, which is an important new power in the budget process. We have a unified Republican commitment to live within a discretionary budget written here and to stay with that number through the process.

This has been a long and difficult negotiation. We are dealing with people who have jobs to do. I think as a result of this agreement we can move forward together to do that job. I thank Senator DOMENICI. I thank Senator STEVENS. I believe we have a good product. I believe it is worthy of support. I believe we have a fighting chance to hold it through the appropriations process. If we do, the Nation will be the big beneficiary.

I reserve the remainder of my time.

Mr. THURMOND. Mr. President, as the Senate debates the Fiscal Year 2001 Budget Resolution, I want to again bring to the attention of my colleagues the testimony by General Shelton, the Chairman of the Joint Chiefs of Staff, before the Senate Armed Services Committee on September 29, 1998.

''It is the quality of the men and women who serve that sets the U.S. military apart from all potential adversaries. These talented people are the ones who won the Cold War and ensured our victory in Operation Desert Storm. These dedicated professionals make it possible for the United States to accomplish the many missions we are called on to perform around the world every single day.''

It has been glaringly evident to me, and I suspect to some of my colleagues, that there has been little or no mention of national security issues during this debate on the budget resolution. Maybe it is because defense does not rank very high in the polls which reflect the concerns of the American people. Or maybe it is because everyone assumes that the defense budget is adequate and there is no reason to debate it. I am here today, along with the Chairman of the Armed Services Committee, Senator WARNER, and members

of the Armed Services Committee, to tell you that the level of defense spending proposed by the President and this budget resolution is inadequate.

To highlight the problem let me point out that despite the two percent increase in the President's budget over fiscal year 2000 and another $500 million increase in the budget resolution, the Joint Chiefs of Staff have identified a requirement for an additional $15 billion to meet shortfalls in readiness and modernization for fiscal year 2001.

Mr. President, we have the best soldiers, sailors, airmen and Marines, however, all their professionalism is for naught if they do not have the equipment, weapons and supplies to carry out their mission. Since the end of Operation Desert Storm, which reflected both the professionalism and material quality of our Armed Forces, the defense budget has declined by $80 billion. Yet the pace of the military operations has not declined, in fact the pace of operations exceeds that of the Cold War era. Not only are the men and women of our military stretched to the limits, but also their equipment. The $4 billion increase in the Defense Budget proposed by Chairman WARNER's amendment will not resolve the shortfall identified by the Nation's most senior military commanders, it will however provide the necessary funding to improve recruiting, retention, health care, and most important readiness.

Mr. President, I urge the adoption of Senator WARNER's amendment to ensure we meet the Nation's security needs. We must not leave the false impression that the increase in the President's budget and the additional funding proposed in the budget resolution will result in increased security for our Nation.

Mr. DOMENICI. How much time remains on the amendment as modified?

The PRESIDING OFFICER. The Senator has 26 minutes.

Mr. DOMENICI. I yield 4 minutes to Senator SMITH from New Hampshire.

Mr. SMITH of New Hampshire. I thank my colleague for yielding this time.

I have an amendment, No. 3031, called prescription drug amendment, along with my colleague, Senator ALLARD. Three or four minutes does not give much time to explain a complicated amendment, but I say to my colleagues on the other side of the aisle it meets the criteria of the Democrat plan with a couple of additions for improvement.

It is revenue neutral. It eliminates the need to spend $40 billion in the budget. It takes effect as early as 2001, and there is no premium increase for seniors. It is voluntary. It is accessible to all Medicare beneficiaries. It is designed to provide meaningful protection. It is affordable for all beneficiaries. It is administered using the private sector. It is consistent with broader Medicare reform. It is revenue neutral. It does not increase premiums. It provides full prescription drug benefits as early as 2001.

The cost to the trust fund under Smith-Allard is zero; the cost to the trust fund under the Clinton proposal is $203 billion over the next 20 years.

It is supported by Mr. King, the former HCFA Administrator, in a letter.

Monthly premiums under the Clinton plan, $51; Smith-Allard, zero for drugs; Part B, $45.50, versus $45.50; Medigap, $134 versus $88.

The total is $230 versus $133. The Smith-Allard premium savings is $96.83 a month. It works simply. The annual deductible under Clinton is $876—$776 plus $100. Under Smith-Allard, the combined deductible is $675. And prescription drugs are in part going toward the deductible.

In conclusion, this is a very good approach. It saves $40 billion out of this budget resolution, with which we could do a lot of things. It is revenue neutral. It takes effect as early as 2001. There is no premium increase for seniors.

I encourage my colleagues to support my amendment. I yield the floor.

Mr. DOMENICI. Senator CHAFEE has been asking for time. I yield 2 minutes to Senator CHAFEE.

Mr. L. CHAFEE. Mr. President, I am sending amendment No. 2944 to the desk for immediate consideration.

The PRESIDING OFFICER. The clerk will report.

Mr. L. CHAFEE. I ask unanimous consent reading of the amendment be dispensed with.

Mr. REID. Mr. President, it is my understanding this is not the time to offer amendments.

The PRESIDING OFFICER. It would require unanimous consent to offer the amendment.

Mr. REID. Objection.

The PRESIDING OFFICER. The objection is heard.

Mr. DOMENICI. The Senator from Rhode Island understands the amendment is not in order unless agreed upon on the other side, but I yield time for him to speak.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. L. CHAFEE. Mr. President, I am pleased to be joined by a bipartisan group of cosponsors, including Senators MIKULSKI, SNOWE, and GRASSLEY, in offering this amendment.

In 1990, Congress passed legislation to authorize the Centers for Disease Control to pay for screening tests to detect breast and cervical cancer on low-income and uninsured women. Regrettably, this legislation did not authorize the treatment for those screening tests tragically indicating cancer. I cannot believe any legislator would not want to correct this omission.

Diagnosis without treatment is leaving women with the life-threatening disease nowhere to turn. Screening must be coupled with treatment to reduce mortality. Specifically, the sense of the Senate mirrors legislation introduced by Senator John Chafee which would give States the option to provide treatment through the Medicaid program for women diagnosed with breast or cervical cancer under the CDC screening program. I truly believe this is a corrective measure.

Yes, this program costs $315 million over 5 years. However, the House included funding for this program in its budget 2 weeks ago, and the House leadership has committed to a vote on this bill by Mother's Day, May 14. This is not a permanent entitlement. Women would only be eligible for Medicaid during the duration of treatment. The coverage would continue only until the treatment and followup visits are completed. Without Medicaid coverage, we are leaving these women to an unreliable, fragile, and deteriorating system of charity care where they are often unable to get the treatment they need. Only about 6,200 women nationwide would be eligible for Medicaid under this legislation. This small investment stands to save lives for low-income and uninsured women with breast and cervical cancer all over America. Since we have already made the commitment in Congress to diagnose these women, we owe it to them to provide followup treatment.

I urge my colleagues to join me in supporting this amendment. We must finish the job we started in 1990 by filling this gap in a vital Federal program.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GRASSLEY. Mr. President, I am happy to join Senator CHAFEE in introducing the sense-of-the-Senate amendment to urge the Senate to pass S. 662, the Breast and Cervical Cancer Treatment Act.

This bill was originally introduced by the late Senator John Chafee, who dedicated much time and energy to this important legislation. It is with great honor that we carry with his efforts for passage of this critical legislation.

I would like to submit for the RECORD a letter I received from an Iowan. Her story illustrates the urgent need for passage of this bill.

Barbara Morrow of Evansdale, Iowa, was diagnosed in January 1995 with breast cancer after being screened by the CDC Early Detection Program. Because she had no insurance and no money, she had little hope of finding medical care to treat her disease.

After exhaustive efforts, she was able to secure medical treatment from doctors willing to perform charity care.

Unfortunately, in January 1999, she learned that her breast cancer had spread to her lungs. She returned to the same doctor who treated her earlier. For 14 months, she has been receiving chemotherapy and is alive today.

Ms. Morrow owes more than $70,000 for treatment she has received. She pays what she can each month to the hospital where she receives her care. The bills cause great worry and she considers stopping treatment to stop the bills.

She is a mother and a grandmother and she wants to live.

It is urgent that Congress pass S. 662 to allow women to receive the treatment they need to beat this disease. We have an opportunity to make a real difference in the lives of thousands of women and mothers across the Nation.

I urge your support for this amendment.

I ask unanimous consent that the letter sent to me by Barbara Morrow be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Hon. CHARLES GRASSLEY,
*444 N. Capitol Street, NW, Washington, DC.*

DEAR SENATOR GRASSLEY: I am writing to urge you to pass S. 662, The Breast and Cervical Cancer Treatment Act. In January 1995 I was diagnosed with breast cancer after receiving a mammogram through the Center for Disease Control Breast and Cervical Cancer Early Detection Program (CDCBCCEDP). I had no insurance and no money to pay for treatment. I have been struggling ever since.

My struggles began when the results of my CDC mammogram suggested breast cancer. Initially two doctors refused to perform a biopsy because I had no insurance. Finally, Dr. Gerrelts in Waterloo agreed to take me as a patient and perform a biopsy for free. The biopsy was malignant and three to four days later Dr. Gerrelts performed a lumpectomy. Dr. Gerrelts made an appointment for me with Dr. Nadipuram, a Waterloo oncologist. Dr. Nadipuram agreed to provide chemotherapy treatment and a radiologist provided 8 weeks of radiation without charge. I needed a surgically implanted cath-a-port for administration of the chemotherapy. Dr. Gerrelts did this surgery for free. I received six months of chemotherapy ending in September 1995.

Even though my initial treatment for breast cancer was complete without a lot of bills, the expenses began to mount from then on. I needed a cath-a-port flush every 6 weeks, check ups every six months, and a bone scan every time I had an ache. In January 1999, Dr. Gerrelts sent me for an x-ray of my lungs. It was found the breast cancer had spread to my lungs.

Dr. Gerrelts once again sent me to Dr. Nadipuram. Dr. Nadipuram sent me to the University of Iowa Hospitals and Clinics in Iowa City for treatment. At the University of Iowa I had many biopsies, scans, and tests. Recurring breast cancer was found in my brain also. University of Iowa told me I did not fit the criteria for their stem cell transplant program and all they could offer me is chemotherapy that would keep me alive for six months.

I returned to my home in the Waterloo area devastated, with no money, no insurance, and no hope. I once again asked Dr. Nadipuram to treat my recurring breast cancer. He has been treating me with chemotherapy ever since and I am still alive 14 months later.

I applied for Social Security disability benefits after my diagnosis for recurring breast cancer. Over a year later, I will finally begin to receive benefits April 19, 2000. However, my medical bills have accumulated and these bills must still be paid by me. I owe over $70,000. I send what I can each month to Allen Hospital, Covenant Hospital, Covenant Clinic, a radiologist, and Dr. Nadipuram all of Waterloo. I also send money to the University of Iowa Hospitals and Clinics and the doctors at the University of Iowa. In spite of this I continue to be hounded by all of these institutions and doctors asking me to pay more. My bills are so high I often wonder if I should quit treatment so I will not saddle myself and my family with so much debt.

But, my grandson was diagnosed with cancer at age 9. He is now 16 and my daughter and I continue to care for him. I must stay alive to help my daughter and grandson.

Breast cancer and it's treatment are overwhelming. Being unable to pay for treatment is devastating. Please pass S. 662 so that women who are diagnosed with breast cancer through the CDCBCCEDP can receive treatment.

Sincerely,

BARBARA MORROW.

Mr. STEVENS. Mr. President, using my time, I would be honored if the Senator would let me be a cosponsor of the amendment.

Mr. WARNER. Likewise, I ask the Senator if I might be a cosponsor. My father was a medical doctor and devoted much of his career to the very subject the Senator addressed in his amendment.

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

The Senator from New Mexico.

Mr. DOMENICI. I reserve 2 minutes of our time. How much time do we have left?

The PRESIDING OFFICER. The Senator from New Mexico has 18 minutes. The Senator from Alaska has 3 minutes.

Mr. DOMENICI. I yield myself 4 minutes.

Mr. President, I say to the Senate, I am not sure I will have a chance later tonight to summarize this budget resolution that I hope sometime tomorrow we are going to adopt, with an amendment that the distinguished Senator from Alaska, Mr. STEVENS, and others put together, that we have been discussing and of which I was a part.

Let me first say this budget resolution has the right priorities. It increases defense at the same time it increases spending for such things as education—at least the equivalent amount of increase the President has.

We leave how the education program is to be structured up to the appropriate authorizing committees and the appropriators, but we give them plenty of resources to have an increase. With some reform, we may be able to do better at education than we have done in the past.

In addition, we have extra funding for the National Institutes of Health—not as much as some people would want but a very substantial increase—$1.1 billion. I know some would like more than that, but I remind everyone, for the last 3 years we have increased the National Institutes of Health more than they have been increased in their entire history, year over year. That is why they are doing such remarkable things and that is why in a few more years of increases we may find breakthroughs in cancer and many other diseases that beset mankind.

In addition, we have reduced the debt of the United States in this budget resolution by $177 billion. It was not too many years ago, perhaps Lyndon Johnson's budget, that the whole budget was $177 billion. This year we are reducing the deficit—the debt owed to the public—by $177 billion.

For those who think our tax relief in this budget is too much, let me remind you: In the first year, if we accomplish them, they are $13 billion. That is $13 billion compared to $177 billion in debt reduction. It is pretty good, Americans, pretty good. If we end up in that way for the next 7 or 8 years, we will indeed leave a stronger and better America with more prosperity than we have today. In addition, if you take the whole 5 years, we have eight times as much debt reduction, to wit, $1.1 trillion debt reduction, $8 for every $1 in tax relief.

The tax relief we dream of, and we hope the Finance Committee will enact—and we can do nothing more than give them our best advice; they will do what they want in the public interest, and it will be right—we have the marriage tax penalty. Married couples, new ones and those who have been married for a long time, will not have an average penalty of $1,200 to $1,400 for having been married and working and filing one return as a husband and a wife. They are now punished. We say reform the Tax Code now—not 10 years from now. We are putting plenty of money on the debt. We ought to put some money on reforming the Tax Code for the marriage penalty, for small business changes, and a few other things such as that. That is what this budget is going to provide for Americans, so I am proud we have it here.

For the appropriated accounts, all the rest of Government, when you take the fact that there were $9 billion last year in items that are not recurring, and you take the increase that we have in this budget, and $4.1 billion they will get when they pass another bill that we ought to pass because it is in the balanced budget amendment with reference to Social Security and veterans—it merely changes pay dates as required by the balanced budget agreement—they will have a rather significant increase that can be done in this very difficult political year.

I wrap my argument up by saying it will be tough, appropriators and all of us, because the President has submitted a political budget. Why is it political? Because it is a 14-percent increase in domestic spending. Really, nobody thinks you can do that big an increase. He put it in. It could only be for one reason—to present us with a political budget. Then we are going to have to have to match our wits with getting something done while he tells the Americans he did more.

Of course you do more, but if you added 14 percent every year on this budget on only domestic spending, you would consume all of the surpluses that are accumulated and you would dip into the Social Security trust fund to a huge extent, just by adding the amount the President offered as an increase this year. So he clearly must not have intended it to go on forever. So what was it? It was a submission to try to either embarrass us or make us spend precisely what he wants, which is way too much.

So we will be busy doing that. It will be tough. But if we can get out of here tomorrow, leave the Senate and say we did some good work, we have a budget resolution, let's go to conference—we are pretty close with the House—then the appropriators can start their work.

My final comments go to Senator STEVENS. Senator STEVENS and I have become friends. I have been here a long time. He has been here longer. I am chairman of the Budget Committee; he is chairman of Appropriations. I think neither of us thought—at least he waited a long time for his chairmanship. Might I say, I believe when we are finished today everybody will be thankful he was willing to sit down with us and work this out.

I thank the distinguished majority leader for his help, Senator LOTT, and I thank the Senator from Texas, Mr. GRAMM, and all Members who have participated in getting us this far.

There are many more amendments, there is no doubt about that, in the vote-arama and otherwise, but I think we will come out with a budget resolution we can confer upon that will be very close.

I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. L. CHAFEE). The assistant minority leader.

Mr. REID. I yield to the distinguished Senator from West Virginia, Mr. BYRD, 25 minutes.

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

Mr. BYRD. Mr. President, let me preface my remarks by saying I had joined with Senator STEVENS in two amendments that were at the desk earlier, one dealing with section 208, and one dealing with section 210.

I understand both of those have been modified. I still want to speak, however, to the subject matter here. In doing so, may I say I have no closer friend in this body than Senator STEVENS. It has been that way, and it is going to continue to be that way. He is chairman of the Appropriations Committee, and I think I have supported him throughout all the time he has been chairman, and he has certainly been a great supporter of mine. He is the chairman; I am not. He carries some responsibilities that I do not carry at this moment. So what I have to say is not to be perceived as any criticism of TED STEVENS. I hope no one will perceive it as that, and I hope he will not. I merely want to speak to the subject matter of the two sections we were about to strike and to say why I am opposed to those two sections. I want to make that case for at least my side of the aisle, and I want to make it for the people out there who are watching. I do not bear any rancor toward anyone on the other side of the aisle, but I think these things ought to be said.

I rise, Mr. President, to speak about the two amendments we would have offered. The first of our amendments would have stricken section 208 of the budget resolution. That section would establish a 60-vote point of order in the Senate against the use of an emergency designation in any spending or revenue legislation.

Senators will recall that last year's Senate budget resolution contained a simple majority point of order against any emergency designations on all discretionary spending—both defense and nondefense. But, when the budget resolution last year came out of the conference with the House, the Senate provision had been changed. The conference agreement on last year's budget resolution did away with the simple majority point of order and replaced it with a 60-day point of order on nondefense discretionary spending only! The conferees chose to eliminate the point of order for defense emergency spending altogether. When the conference agreement on last year's budget resolution came back to the Senate, there was no way to attack that particular provision. Budget resolution conference reports are limited as to time and, therefore, filibuster proof. The Budget Act sets a time limit on their consideration, after which a final vote will occur. The majority had the votes to adopt that conference agreement, and did so. That is why, for fiscal year 2000, we have the ridiculous and totally unjustifiable requirements on emergency spending.

Let me say that again, Mr. President. When the budget resolution last year was acted upon by the Senate, it had a simple majority vote point of order, but when it went to conference with the Members of the other body, it came back to us with a 60-vote point of order. The House conferees had a voice in changing that point of order by which the Senate has had to live in the intervening time.

I think our Members ought to be fully aware of that. It did not leave the Senate floor last year with a 60-vote point of order. It went to the conference with the other body, and they helped to change the rules, if I may use that term, by which we have to live. They are not bound by the 60-vote point of order, but we are. It came back to us in the conference report which we could not change.

We ought to be aware of those things when we send these resolutions to the other body. I do not blame the other body. I am not criticizing them. They may actually have had nothing to do with it, but it was changed in conference.

Here is the perfectly ridiculous aspect of this 60-vote point of order requirement under which we have to live here. If your constituents suffer from any of the myriad natural disasters that can occur at any time, such as droughts, floods, hurricanes, tornadoes, earthquakes, or any other catastrophe—maybe an act of God—emergency spending for the relief of those constituents is subject to a 60-vote point of order in the Senate. The House has no such supermajority point of order.

In the Senate for fiscal year 2000, if any Senator wishes to raise a point of order against emergency spending in the nondefense area, it will take 60 votes, or that emergency spending will be deleted from any appropriations bill or conference report thereon.

For example, if the Senator from Hawaii, Mr. INOUYE, has a catastrophe, if there is an act of God that is visited upon his State, he may be perfectly justified in asking for an emergency appropriation to deal with that catastrophe. But in the Senate, a 60-vote point of order will lie against that funding for the relief of his State, and 41 Members of the Senate can deny him and deny his people relief. God forbid that any catastrophe should hit his State, or the State of the Senator from Nevada who is sitting before me. If his State is suddenly hit by a catastrophe and they need disaster relief, 41 Members, a minority in the Senate, can say no, and the people of Nevada would be denied that relief.

In other words, we can send our brave men and women in uniform around the world, whether it be to Bosnia or to Kosovo or to Iraq or anywhere else, and provide emergency funding to pay for those operations, regardless of the costs, without facing a point of order against such spending. But when it comes to helping the people at home, the constituents who send us here, when it comes to helping them in their dire extremities that have been brought on by an act of God, no, a point of order can be made against that funding, and it would take 60 votes for those people in that disaster-stricken State to get relief.

That is preeminently unfair. One can say what one wants, but that is unfair. I cannot understand why anyone would want to insist on a point of order that would require 60 votes when it comes to helping the people who send us here, the people who pay the taxes.

We should not unduly hamstring spending intended to cover either defense or nondefense emergencies. While we have discretionary spending caps in the law, provisions must be made to deal with the unexpected. And we should not encumber the flexibility to answer those emergency needs with parliamentary devices which make responding to them difficult.

I should point out, Mr. President, that, as chairman of the Appropriations Committee during the time of the 1990 budget summit and as a participant in that summit, I worked very hard to include the exemption for emergency spending that is now contained in section 251(b)(A) of the Balanced Budget and Emergency Deficit Control Act. That 1990 budget summit between the Bush administration and Congress was necessary in order to avoid huge across-the-board sequesters of Federal spending that would have otherwise occurred under Gramm-Rudman. Those sequesters, or automatic across-the-board cuts, were in the magnitude of 40 percent, and could have

devastated the Nation. And so, we had no choice but to reach an agreement. In the end, after months of negotiations both here in Congress and at Andrews Air Force Base, an agreement was finally reached and subsequently enacted by Congress and signed by President Bush.

An important feature of the 1990 budget agreement was that, for the first time, statutory caps were placed on discretionary spending. As a participant in those negotiations, I was intimately involved in the setting of those discretionary spending caps and the other budgetary enforcement provisions contained in the 1990 budget summit agreement. In order to agree to those caps, I felt that it was critical that the Appropriations Committees be held ''harmless'' for economic and technical miscalculations that occur in each year's budget projections. In other words, if discretionary appropriations were to be held to a specific spending cap each year, that discretionary spending should not be automatically cut because of technical or economic miscalculations by either the Office of Management and Budget or the Congressional Budget Office.

Another critical exception was the allowance of emergency spending to be included in annual appropriations acts, without having the cost of those emergencies charged against the discretionary spending caps. No human being can determine what nature has in store for the Nation in terms of natural disasters, such as, hurricanes, tornadoes, drought, floods, fire, or military emergencies around the world. So, we had to have some way to address those needs outside of the very stringent budgetary caps that were being placed on discretionary spending. The result was the enactment of section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act. That Section of the Budget Act has by and large worked well since its enactment in 1990. However, in recent years, without going into detail, there have been a number of instances where such emergency designations might not have been fully justified. Therefore, I would support the inclusion in the budget resolution, criteria such as those set forth in section 208(a)(2). Those criteria read as follows:

(A) In general, the criteria to be considered in determining whether a proposed expenditure or tax change is an emergency requirement are:

(i) necessary, essential, or vital (not merely useful or beneficial);

(ii) sudden, quickly coming into being, and not building up over time;

(iii) an urgent, pressing, and compelling need requiring immediate action;

These are real emergencies.

(iv) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(v) not permanent, temporary in nature.

(B) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

So, Mr. President, what I object to is not that any emergency requirement should have to meet those criteria. What I object to is the creation of a 60-vote point of order against all—against all—emergency designations in any appropriations bill, whether they meet the criteria or not. In other words, Section 208 of the budget resolution would allow any Senator to make a point of order against any emergency designation, even if it met the criteria set forth in section 208. That point of order could then be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members duly chosen and sworn.

In other words, a minority of 41 could thwart the efforts of Senators or a Senator to deal with a catastrophe that had stricken his State. A minority, a minority of 41, could thwart the effort. It takes 60 votes, a supermajority.

Mr. President, this onerous section should be stricken from the budget resolution.

Mr. President, Alexander Hamilton had something to say about supermajorities. Let's see what he had to say about supermajorities.

In the Federalist No. 75, here is what Hamilton said:

. . . all provisions which require more than the majority of any body to its resolutions have a direct tendency to embarrass the operations of the government and an indirect one to subject the sense of the majority to that of the minority.

That is Alexander Hamilton speaking.

What did Madison have to say about supermajorities? In the Federalist No. 58, here is what James Madison said about supermajorities:

It has been said that more than a majority ought to have been required for a quorum; and in particular cases, if not in all, more than a majority of a quorum for a decision.

That is what we are talking about here. We are talking about the need for more than a majority—60 votes for a decision.

That some advantages might have resulted from such a precaution cannot be denied. It might have been an additional shield to some particular interests, and another obstacle generally to hasty and partial measures. But these considerations are outweighed by the inconveniences in the opposite scale. In all cases where justice or the general good might require new laws to be passed, or active measures to be pursued, the fundamental principle of free government would be reversed.

That is what we are talking about here. Let's read that again. Madison said:

In all cases where justice—

Any Senator whose State has been hit by a catastrophe would feel it is only justice—only justice—that his State receive some disaster relief.

Madison said:

In all cases where justice or the general good might require new laws to be passed, or active measures to be pursued—

We are talking about an active measure here. That is what Madison had in mind.

In all cases where justice or the general good might require new laws to be passed, or active measures to be pursued, the fundamental principle of free government would be reversed.

He is talking about the requirement of supermajorities now. He is saying that the fundamental principle of free government would be reversed. It would be no longer the majority that would rule. The power would be transferred to the minority. In this instance, in this legislation, the power to rule is going to be transferred to a minority.

This is a democratic republic. A lot of people say it is a democracy. It is not a democracy. It is a republic. All legislative bodies that abide by democratic principles, all republics that abide by democratic principles, have as the basis of those principles the principle that the majority rules. That is not the case here. If Senator INOUYE's State needs help because of a typhoon, the majority won't necessarily rule. It won't in the State of New Mexico. It won't in the State of Senator REID. It won't in my State. A minority can rule. Forty-one votes can come between justice and the people of our States.

I am against the 60-vote point of order when it comes to nondefense or defense spending. That is what we were trying to do in the amendments that were originally sent to the desk.

Madison again is speaking:

It would be no longer the majority that would rule: the power would be transferred to the minority. Were the defensive privilege limited to particular cases, an interested minority might take advantage of it to screen themselves from equitable sacrifices to the general weal, or, in particular emergencies, to extort unreasonable indulgences.

Madison foresaw that in situations where supermajorities were required, there could be situations in which the minority would extort unreasonable indulgences in return for their support.

So much for Hamilton and Madison for today. They are certainly not going to be listened to, I would anticipate.

Its adoption would severely curtail the ability of Congress to respond to the unforeseen urgent needs of the people of this country who have suffered devastation caused by floods, severe droughts, tornadoes, hurricanes, and earthquakes.

Under section 208, a minority of just 41 Senators could prevent the enactment of the spending to address all of these needs. What would happen under this provision in the case of regional emergencies which may only affect one State, such as an earthquake in California or a hurricane in North Carolina or floods in North Dakota, or drought conditions in Texas? Funding for disasters such as these, which affect only one area of the country, could be in danger. If a point of order is made by any Senator who may have his nose out of joint for some reason—he may just not want to help another Senator to help his people—those emergency funding provisions for particular States or regions would need 60 votes or funding for disaster assistance would not be forthcoming.

The PRESIDING OFFICER. The time that has been yielded to the Senator from West Virginia has expired.

Mr. REID. How much time does the minority have on this, Mr. President?

The PRESIDING OFFICER. Twenty-nine minutes.

Mr. REID. I yield the Senator 9 minutes.

Mr. BYRD. I thank the distinguished minority whip.

This point of order is an unwise and cumbersome device that could prevent the committee from responding to the urgent needs of our Nation. Now, why do we want to do that?

The second amendment, which I joined in offering, would have stricken section 210 from the budget resolution. That section would reinstitute a congressional firewall on defense and nondefense discretionary spending for fiscal year 2001. This section of the budget resolution would set defense spending for fiscal year 2001 at $306,819,000,000 in new budget authority and $295,050,000,000 in outlays. For the nondefense category, the cap would be set at $289.7 billion in new budget authority and $327.5 billion in outlays.

In other words, this budget resolution would cap defense spending at a level that is $9 billion above what it would take to maintain this year's level of spending adjusted for inflation. But the cap for nondefense spending would be set at a level requiring a cut. The cap for nondefense spending—hear me now—the cap for nondefense spending would be set at a level requiring a cut of $19 billion in budget authority below this year's spending level. In other words, section 210 of the budget resolution now before the Senate would take away from the Appropriations Committee the ability to determine, through their committee markups, what the appropriate levels of defense spending or domestic spending should be.

Imagine that. How silly can we get? The Appropriations Committee is being prevented from using the judgment of its members, their expertise, to decide even the most basic levels of defense and domestic spending for this Nation. Instead, this budget resolution sets that figure. I have been on the Appropriations Committee now going on 42 years. That is longer than anybody has ever served. The budget resolution sets that figure for the Appropriations Committee prior to their even having finished their hearings. The Budget Committee will have usurped all of those decisions with the construction of these firewalls.

I believe this is unwarranted and unacceptable micromanagement on the part of some Members. I don't blame all of the members of the Budget Committee. I know they have their problems. I have great respect for the chairman of the Budget Committee. He has always been very fair to me. He sits on the Appropriations Committee likewise. He knows what this does to the Appropriations Committee. He is trying to do a good job and he does a splendid job. But a lot of these things, those who are in the driver's seat at a particular given moment have the votes, and those who would do otherwise, such as Senator STEVENS, in other cases, or Senator DOMENICI, they have to look at the votes.

I thought we had all learned our lesson about substituting structural devices for human judgment with the Gramm–Rudman experience. Setting up procedural barricades often creates more problems than are solved when it comes to funding real priorities for a vast and complex nation. Autopilot politics amounts to an abdication of our responsibility to debate and weigh reasonable alternatives, as we are expected to do and as we are elected to do by the people.

The distinguished chairman of the Appropriations Committee, my good friend, Senator STEVENS, is one of the most knowledgeable experts in the history of the Senate when it comes to the funding needs of the Department of Defense. Do we have to squander his experience and the accumulated expertise of the members of the Appropriations Committee? Here sits one on my left, Senator INOUYE. He is on the Defense Appropriations Subcommittee of the Senate.

Do we have to squander their experience, their accumulated expertise, by constructing these mindless, artificial firewalls which attempt to game the funding process before it is even begun? Well, these sections, I assure you, my fellow Senators, will greatly increase the difficulty faced by the Appropriations chairman in marking up and presenting to the Senate the 13 fiscal year 2001 appropriations bills. The speed and efficiency sought by all of us to get this essential work done will not be aided by these unwise and irresponsible budget barnacles. Let us scrape them off before they do their damage.

Mr. President, how much time do I have left of my 9 minutes?

The PRESIDING OFFICER. One minute.

Mr. BYRD. I thank the Chair. I know that my remarks tonight will result in no favorable action that will override the die that has already been cast. I am confident of that. And to that extent, they were remarks made in futility. But for the record they were not futile.

I think that we should let the people know what is being done here. The people out there want us to use our best judgment in the Appropriations Committee and to have our hands free when it comes to appropriating funds for disaster. We can't foresee those. They may strike my State next. They may strike the State of any Senator who sits within the sound of my voice; they may be the next. In all my years, I have never voted against a dollar for any State that has been hit with a disaster, and I don't expect to ever do that.

I don't think we ought to be handcuffed and gagged and bound foot and hand when it comes to dealing with emergencies. Now we are going to have a supermajority thrust upon us. We have been laboring under that process. I had hoped that we could rid ourselves of those shackles—not for ourselves but for our people. Well, Mr. President, the wheel goes around and some day perhaps we will come to our senses and throw off these shackles and get back to where we are free agents and can act in the best interests of our constituents, without having to overcome supermajorities such as are being imposed upon us here.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. STEVENS. Will the Senator from Nevada yield so I may make one comment? I will use 1 minute of my time.

Mr. REID. Yes.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I want the Senator from West Virginia to know I appreciate the restraint that he has used in coming out on the procedure we followed. In my judgment, there was no alternative. I agree with much of what the Senator from West Virginia has said. But the necessity for obtaining a budget resolution soon so we can get on with our business on appropriations motivated me to join with my good friend from New Mexico. I think the Senator understands that problem, and I do thank him for his restraint in commenting upon my behavior here today.

Mr. BYRD. Mr. President, if I may retain a minute. I wasn't commenting on the behavior of my distinguished friend. I understand his situation, and I have no quarrel with him, no complaint; I only have admiration for him. I am sorry for the circumstances with which he has to deal. I hope those circumstances will change.

Mr. REID. Mr. President, I have spoken to the staff of the minority leader, and we are going to be here forever tomorrow if we don't get copies of the amendments. Both sides should make sure that the other side has copies of the amendments. We are now up to 153 amendments that will be voted on or disposed of in some manner. We hope they are disposed of. So I hope the majority will do everything they can to make sure the minority staff has copies of the amendments so we can move on.

At this time, I yield 5 minutes to the Senator from New York, who has been so instrumental in all matters before the Senate during his term.

Mr. DOMENICI. Will the Senator from New York yield for a unanimous consent request first?

Mr. SCHUMER. I am happy to yield.

Mr. DOMENICI. Mr. President, I ask unanimous consent that votes relative to the following amendments be scheduled to occur at the expiration of time on the budget resolution, they occur in the sequence listed, with no second-degree amendments in order, and there be 2 minutes prior to each vote for explanation, and all votes after the first

vote in the sequence be limited to 10 minutes. The amendments are as follows: the Stevens amendment, No. 2931; the Robb amendment, No. 2965 and, if not tabled, then votes in relation to the Reed of Rhode Island amendment, No. 3013; and the Coverdell amendment, No. 3010.

Mr. REID. We have no objection.

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

Mr. DOMENICI. Therefore, several votes will occur beginning at approximately 8:15, is that correct?

Mr. REID. That is right.

Mr. DOMENICI. This evening, in a stacked sequence, as just agreed upon by the Senate.

I yield the floor.

Mr. REID. Mr. President, I yield 5 minutes to the Senator from New York, hoping that next year he will be with the majority.

Mr. SCHUMER. I thank the Senator from Nevada. I would love to call him majority whip, a job he would perform as admirably well as he does the job minority whip. I thank him for his friendship and leadership. I also thank my friend from West Virginia. It is always a pleasure to sit on the floor and listen to his words and his wisdom.

I rise in support of the amendment of Senator REED, my good friend from Rhode Island, who has done such a fabulous job with his leadership on this budget, on closing the gun show loophole, the Lautenberg amendment, which passed this body a while back. I will address one point. My colleagues laid out very well the many reasons to be for the Reed amendment. I want to add an additional reason.

The only argument that we have heard from the National Rifle Association, and others, against closing the gun show loophole is that allowing for a 3-day waiting period would effectively shut down gun shows because they are weekend operations. They argue if somebody bought a gun on Saturday morning and it took 72 hours to check, by then it would be Tuesday morning and the gun show, which predominates on the weekend—something that I stipulate is true—would be closed.

Fortunately, one of our colleagues—somebody with whom I disagree, Senator CRAIG THOMAS of Wyoming—asked the GAO to do a report on purchases at gun shows. This is what the report said, and I urge my colleagues to read it. It didn't get much publicity, but I think it is dispositive in this debate. The report debunks the myth that the 3-day waiting period will shut down gun shows. This is what the report showed, colleagues, and I hope people will listen because I think it is important: ''Seventy-eight percent of all the instant checks are completed within 3 minutes.'' That means 78 percent of those guns checked at gun shows—because we believe they would be no different than others—would be purchasable within 3 minutes. And 95 percent are completed within 2 hours. So the person would go to a gun show and be able to buy the gun in 2 hours. That is 19 of every 20 purchases. And only 5 percent take more than 1 day to complete.

Now, you say, what about those 5 percent? Why should we hold them up? Well, let me tell you why, my colleagues. Those 5 percent are far and away the most likely Brady checks to turn up a felon. In fact, it is 20 times more likely that the 5 percent of the checks that take more than 1 day will show up a felon than in the 95 percent where the check takes 3 minutes or 2 hours.

The background check won't affect gun shows more than a pittance. Ninety-five percent of all guns will be able to be purchased by people who have the right to purchase those guns having passed the Brady check within 2 hours.

My colleagues, there is no reason why we can't pass the Lautenberg amendment, as the Reed amendment exhorts us to do, because very simply it is not going to close down gun shows.

Will it stop a good number of felons from receiving guns? By all means. That is the purpose. I don't think anybody in this body would challenge the fact that we don't want felons to receive guns.

Second, perhaps tomorrow, probably in the vote-arama, the Senator from Illinois and I will offer an amendment on enforcement. I know he will address that at great length. But that amendment does just what many who disagree with us on gun control have asked us to do. They said: Why don't we enforce the present law?

The fact is, that every time we try to increase enforcement by adding ATF agents and giving those agents more authority, we have been opposed by the very people who are asking us for enforcement.

But there is real hope. Something called Project Exile, supported by the NRA and by CHUCK SCHUMER, has now sprung up and has done well in three cities, including Rochester in my State.

Last year on this floor, when we debated the budget, we added some $50 million to Project Exile. And now four cities in my State of New York—Buffalo, Rochester, Syracuse, and Albany—will get the advantage of Project Exile.

The NRA and gun control advocates such as myself have agreed on this issue. Perhaps we can agree on more. I hope we will get universal support for the Durbin-Schumer amendment.

Getting back to the other Reed amendment, I hope my colleagues will listen to the facts that I gave out. If we would agree to the Reed amendment, we would ratify the Lautenberg amendment as passed out in the conference, and we would move forward on an issue that is so vital for the safety of Americans and for the future of our country.

Mr. President, I thank the Senator from Nevada for his generosity.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, how much time do I have?

The PRESIDING OFFICER. Eleven minutes.

Mr. DOMENICI. I yield 4 minutes to the distinguished Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I thank my colleague from New Mexico, especially for his leadership on the Budget Committee and for his efforts in 1997 which greatly contributed to the fiscal policy that has led this country from an era of deficits to an era in which we anticipate budget surpluses for the foreseeable future.

He has had a challenging job crafting budget resolutions that balance the many real and competing needs of the Nation. He has been a strong advocate for education and an even stronger advocate for funding IDEA. In fact, last year, I joined him in calling for an increase in education funding of $40 billion over five years. Regrettably our colleagues on the House Budget Committee did not share this commitment.

This year he has, once again, taken up the challenge of balancing the competing needs. The budget resolution that he has brought before us is a product of difficult negotiations between competing viewpoints.

Because of my deep respect for him, I do not come to the floor with an amendment lightly. I come to the floor with an amendment only because of my conviction that there is a Federal obligation that must now be met in full.

This amendment, which I will offer tomorrow, has been cosponsored by Senators DODD, STEVENS, KENNEDY, COLLINS, FEINGOLD, SNOWE, CHAFEE, HARKIN, LEAHY, KOHL, and MIKULSKI, among others.

I will begin my remarks with a question to which I will time and time again return. In 1974 we made a commitment to fully fund IDEA. If 25 years later we cannot meet this commitment in an era of unprecedented economic prosperity and budgetary surpluses, when do we plan to keep this pledge.

The American people have a right to ask us—If not now, then when?

In the early years, when we were running large budget deficits, it was understandable that we couldn't meet those commitments.

During those same years this body, by almost unanimous votes, voted—99 Members sometimes—that ''when feasible'' we would fully fund our commitment to our States and our school districts. That time has come. We now have large surpluses with more than enough resources to meet our commitment now and well into the future.

I have behind me a chart which compares the funding levels in my amendment with the funding levels in this budget resolution and with the levels that will be required to fully fund IDEA. This shows where full funding is.

This shows the bipartisan amendment I will be offering and how it will take us to full funding. And this is where we will be if we do nothing but live within this budget that is before us. Make no mistake. The budget resolution before us does not fully fund IDEA. Despite the repeated pledges we have made to fully fund IDEA, this budget resolution sends a clear message that this body has no intention of fulfilling this commitment anytime in the next five years.

I was one of the few, now in this body, that were present at the time that P.L. 94–142, The Education of all Handicapped Act was passed. As a freshman Member of Congress, I was proud to sponsor that legislation and to be named as a member of the House and Senate conference committee along with then Vermont Senator Bob Stafford.

At that time, despite a clear Constitutional obligation to educate all children, regardless of disability, thousands of disabled students were denied access to a public education. Passage of the Education of All Handicapped Act offered financial incentives to states to fulfill this existing obligation. Recognizing that the costs associated with educating these children was more than many school districts could bear alone, we pledged to pay 40% of the costs of educating these students.

We pledged to pay 40% of these costs but we never have. We have continuously claimed that we couldn't afford to. We started in 1976 with 12.5%. Then we slipped to 6%. Those were tough budget deficit times. Lately we have come up to 13 percent—still less than ⅓ of our pledge.

Today, however, instead of making good on our promise now, those who object to my amendment cry, that would be mandatory spending—that's bad. How can it be bad policy to fund this vital program that we have guaranteed to fully fund—over and over again? It is now feasible. It is now painlessly possible and it must be done.

We must pay our share of educating children with disabilities. No more excuses. The time is now.

I know that there is some disagreement about whether or not a commitment was made. I want to tell you as someone that was there at the time that we made a pledge to fully fund this program.

The time is now.

I didn't have to ask my constituents in Vermont whether the Federal government made a commitment. I will show you what I got when I was home. This is a petition from every school district in the State of Vermont that says: Do what you promised to do; fund IDEA; fund special education. The chart behind me shows you what those petitions look like.

Vermonters know that we made that commitment. Passing this amendment will do more to help our school districts meet their obligation to improve education in this country than nearly anything else we can do. Our amendment will triple what they presently receive. We promised. We should deliver it. The time to make good on this promise is now.

Now some of you may think that because you were not here in 1975 that you were not party to a pledge to fully fund IDEA.

In 1997 Congress once again took up this landmark legislation. This is a complex bill that has profound impact on classrooms across the Nation. With the strong leadership of Senator LOTT, Senator FRIST, Senator GREGG, Senator KENNEDY, Senator DODD, Senator HARKIN, Senator COLLINS and others on my Committee, we passed the first reauthorization of IDEA in 22 years. It is an accomplishment that we are all very proud of.

At that time, we reaffirmed our commitment to pay 40% of the costs of educating these children. We made this pledge to families, to school boards, and to the Governors of our States. Over the past three years, with the leadership of my colleague from New Hampshire, Senator GREGG, we have made some progress.

But as he has pointed out several times over the past year, we are only supporting 13 percent of these costs. In 1975, we made a pledge which we did not keep. In 1997 we made that same pledge once again when we reauthorized IDEA.

I say to my colleagues on both sides of the aisle; If not now, then When?

In the 105th Congress we felt it important to reaffirm our commitment to full funding for IDEA. We added language to the FY 1999 Budget that stated that IDEA should be fully funded as soon as feasible. This language was adopted unanimously by the Senate. At that time, we still faced budget deficits and it was argued that full funding was not feasible. Today, however, in an era of unprecedented economic prosperity and with budget surpluses projected far into the future, full funding is within our grasp.

If not now, then when?

In the 106th Congress we continued to press for full funding for IDEA. The FY 2000 budget resolution made room for about a $500,000,000 increase in funding for IDEA. Once again, the Senate adopted language that I advocated with Senator GREGG calling for full funding of IDEA as soon as feasible. The House of Representatives adopted a bipartisan free standing resolution that called for full funding.

The budget resolution that is before us assumes that funding for IDEA will increase by $1 billion in FY 2001 and $2.5 billion in FY 2002. If there is time remaining, I will take time later on to discuss my concerns about whether these assumptions require cuts in other programs that we will not have the will to make at the end of the day. What is very clear, however, is that this budget resolution does not claim to fulfill our obligation to fully fund IDEA. The budget resolution assumes that the Federal government will never fund more than about 20% of the costs of educating disabled students. One half of what we have promised over and over again.

If our amendment fails, adoption of this budget resolution will state clearly to the Nation that this Congress does not intend to fulfill its commitment any time in the next five years.

Our amendment is simple. It provides a path by which we will achieve full funding for IDEA in fiscal year 2005. It sends a clear message to the Nation that we, as a body, make good on the commitments we make.

I want to tell you that I am tired of being party to promises that this body hasn't kept. The time is now.

I urge you to ask your people back in your state. Ask parents, teachers, and education administrators. Ask your governors. ''What would you prefer—the possibility of a future tax cut, or fully funding IDEA so you can have more money for education, and pay less property taxes?''

Fulfill the pledge that you made to your people. I tell you that if you want a hero's welcome, you will vote in favor of this. If it wins, let me tell you that they will be out on the streets marching to meet you when you come home. If you do not, I wouldn't want to go home.

Tomorrow morning I will have a chance to drive this point home once again. Tonight I want to close by thanking my cosponsors for their stalwart commitment to fully funding IDEA. Senator STEVENS, Chairman of the Appropriations, has been a strong advocate for IDEA. Senator FEINGOLD has worked closely with me on this amendment and has been instrumental to getting us to the place we are today. Senator COLLINS has worked long and hard to persuade members of this body that we should fully fund IDEA. I also want to thank Senators DODD and KENNEDY and HARKIN with whom I have worked for many many years to improve educational opportunities for disabled students. Similarly, I am grateful for the efforts of Senator SNOWE and Senator CHAFEE. I feel confident that with their efforts, our amendment will prevail.

Thank you.

Mr. REID. Mr. President, I yield to the Senator from New Jersey 5 minutes.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. TORRICELLI. Mr. President, I thank Senator REID of Nevada for giving me the time earlier in the debate.

My colleague from North Carolina, Mr. EDWARDS, rose to remind our colleagues that while the flooding earlier in the year may be over and not in the headlines of our newspapers, Hurricane Floyd is still a reality for many communities around our country.

Towns such as Bound Brook, NJ—and, as indeed Mr. EDWARDS pointed out, Princeville, NC—Florida to Maine, Hurricane Floyd left a path of destruction so large that FEMA declared it to

be the eighth worst disaster of the decade. In New Jersey by comparison, it was worse:

Two-hundred and fifty-three municipalities in New Jersey, the populations of 4.2 million people, were stricken.

More than 43,000 structures, including homes, schools, and businesses, suffered severe damage.

Over 20,000 residents of New Jersey alone applied for Federal assistance, and municipalities submitted over 2,000 requests for public assistance to remove debris or to repair damages.

While FEMA has led an effort of providing assistance to homeowners, the greatest problem is how to rebuild their own economic infrastructure.

Bound Brook, NJ, alone, a community that was entirely inundated by this flooding, lost 7 percent of its annual revenue and 37 percent of its property value. A month after Floyd, the New Jersey government appropriated $80 million for disaster relief.

The reality is that the magnitude of the loss is so overwhelming that, without Federal aid, these communities will not simply suffer—some will actually cease to exist.

Main Streets were inundated, businesses lost, local governments lost revenues.

They will close their doors and no longer be the communities where people live and work.

The amendment I have offered with Mr. EDWARDS provides needed resources by increasing funding for communities in a regional development by $250 million. It includes $150 million for community development block grants; $50 million for the EDA; $50 million for community facilities block grants.

This, my colleagues, is not an unusual approach. In 1997 the supplemental disaster bill provided flood aid for the upper Midwest of $500 million for communities in desperate need in North and South Dakota and Minnesota.

In 1998, the disaster supplemental bill provided $250 million for community development block grants in Alabama, Florida, Louisiana, Mississippi, Puerto Rico, and the Virgin Islands as they recovered from Hurricane George.

Now we return to those States damaged from Florida to Maine, particularly in North Carolina, Delaware, Maryland, New York, and New Jersey. Hurricane Floyd destroyed many of our communities. We need this Congress to respond again.

Tomorrow this amendment will be offered. I hope in this budget resolution we can make room for this $250 million to respond to the need of these communities.

I thank the Senator from Nevada for yielding and I yield the floor.

Mr. EDWARDS. Mr. President, I would like to discuss very briefly the Torricelli-Edwards amendment on hurricane relief. First of all, let me say what is happening in North Carolina, 7 months after the hurricane hit. We still have more than 8,000 people who live in trailers that have been provided by FEMA. We have many other people who are living with families and friends. We have roads and bridges that were washed out by the flood that are still not repaired. We have, literally, towns that have been wiped out, places such as Princeville, Tarboro, all smaller towns in eastern North Carolina, that were devastated.

The people whose lives have been destroyed in North Carolina as a result of Hurricane Floyd are completely innocent. They are people who for generations have been law-abiding, taxpaying citizens, and for the first time in their lives, instead of writing tax checks to go to Washington, they are asking for something in return. If our Government cannot respond to a crisis such as Hurricane Floyd, we serve absolutely no purpose.

Our people in North Carolina are hurting and they need help. This amendment provides for $250 million for those programs that would best address the needs of the people in 13 States, not only North Carolina, that were devastated by Hurricane Floyd.

These are the components. First, $50 million for economic development. These communities that have been destroyed need long-term relief plans, and they need the resources to develop and implement those plans. Places such as Princeville and Tarboro that were literally completely wiped out by the hurricane have lost wastewater treatment plants, plants that have to be replaced. We have to provide the resources for that.

There is $150 million in community block grants. North Carolina has imminent emergency housing needs. Our State has responded by providing millions and millions and millions of dollars in State money to help with these needs. These are people who were in rental housing who have no place to live now. That rental housing will never be replaced if we do not provide the resources to do it. It is going to leave literally thousands of North Carolinians with no place to live, without a home—families totally wiped out.

Finally, there is $50 million for community facilities in a grant program which is specifically designed to address the needs of individual communities. For example, Princeville lost its fire station; the town of Windsor lost its library. These are things that need to be replaced, and these folks need help.

My people in North Carolina do not ask this Senate for a handout. They are doing everything they know how to do. The people of North Carolina have responded heroically to this tragedy. The State of North Carolina has responded by providing hundreds of millions of dollars—unprecedented in the history of this country. All they are saying now is that it is time for the Federal Government in Washington to respond in a responsible way, and to provide these folks whose lives have been devastated, whose communities have been completely wiped out, with the help they so desperately need.

They are not asking for a handout. They are asking us to do what any responsible Federal Government would do under these circumstances, which is to provide them with the resources to put themselves back on their feet.

The PRESIDING OFFICER. The Chair recognizes the Senator from New Mexico.

Mr. REID. I yield 1 minute to the Senator from Maine.

Mr. DOMENICI. I yield 2 minutes.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. I thank the chairman of the Budget Committee. He has done a terrific job. I thank Senator REID as well for yielding me time so I can discuss this very important matter.

I am very pleased to be a cosponsor of Senator JEFFORDS' amendment to finally start on the path toward paying the share of special education costs that the Federal Government promised to pay when the legislation was passed 25 years ago.

During the last recess of the Senate, I met with more than 70 superintendents and principals from northern and eastern Maine to discuss education issues. Originally, my thought was to discuss the reauthorization of the Elementary and Secondary Education Act, but the No. 1 issue on their minds was the escalating costs of meeting the needs of children with special needs, the costs of special education.

If the U.S. Government kept the promise it made back in 1975, it would mean an additional $60 million to the schools in the State of Maine. That is money that would free up other money so that schools could meet their own needs—whether this is hiring more teachers, improving their libraries, upgrading their science labs or providing special professional development—whatever the need of that particular school and that particular community.

If we take this step of starting to meet our obligations under the special education law, it will make a tremendous difference not only to the schools in Maine but to schools throughout our country. The Jeffords-Collins amendment would mean an additional $155 million to the schools of Maine over the next 5 years.

I am very pleased to be an original cosponsor. This has been one of my priorities since my election to the Senate. I know it is the No. 1 priority of the school districts in the State of Maine.

I thank my colleagues for making the time available to me. If I have additional time, I yield it back to the chairman of the Budget Committee. I yield the floor.

The PRESIDING OFFICER (Mr. ENZI). The Senator from Alaska.

AMENDMENTS NOS. 2932 AND 3009 WITHDRAWN

Mr. STEVENS. Mr. President, I wish to use the remaining time to withdraw amendment 2932 and amendment 3009. I ask unanimous consent they be withdrawn.

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

The amendments (Nos. 2932 and 3009) were withdrawn.

Mr. STEVENS. Mr. President, I thank those who listened regarding the appropriations process and the actions we have taken to try to assure we will have the ability to meet the needs of the Nation. It is a very trying process. I think the compromise we have worked out will be enough for us to do our work. I am indebted to the chairman of the Budget Committee and all who have worked on this matter.

Mr. DOMENICI. Mr. President, I have two observations.

I wish Senator BYRD were on the floor. He spoke about the 60-vote point of order in terms of history, and what great Americans have said about supermajority being applicable in the year we are in, and the 60-vote point of order on emergencies. We have passed very large emergency appropriations for agriculture. In fact, I think it might have been as much as $8 billion. Nobody raised a point of order. There was no point of order voted upon.

We had hurricane assistance; we had Y2K emergency assistance, all of which fell within the purview of meeting 60 votes. Nobody raised it. Had they raised it, it would have gotten 60 votes.

I don't believe what is being predicted will happen. I believe when there are real emergencies, they will get adopted on the floor of the Senate and nobody will even raise that 60 votes. If they do, they will get 60 votes.

My last observation is we have lots of 60 vote points of order in the Budget Act, some of which the distinguished Senator from West Virginia has supported in the past. We entered into a 5-year agreement with the President, bipartisan, both Houses, with a firewall on defense for the first 3 of the 5 years. We lived with it in exactly the way that has served the distinguished Senator tonight. But it succeeded. The cap on defense was high enough for defense, and none of the defense was used for domestic for the first 3 years of the agreement to balance the budget.

I think it will work again, especially with the modifications we have added tonight.

I yield whatever time I had remaining.

Mr. REID. I miscalculated the time when I spoke earlier, and I still have 7 minutes. I yield 5 minutes to Senator DURBIN on the Reed amendment.

Mr. DOMENICI. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I thank the Senator from Nevada. April 20, 1999, is a day we will remember for a long time in America. That was the day of the Columbine High School shooting. Remember when you first heard about it? You remember the first time you saw the scenes on television, with the high school kids running away from the school? There was one poor young man who had been shot, dragging himself out of a window, trying to escape the shooting taking place.

America was stunned. Colorado was stunned. This Congress was stunned. We responded by passing legislation, with the help of Vice President GORE, which did three things to try to reduce gun violence in America.

First, a background check at gun shows so that the people who buy guns at those shows would be subject to the same questions and inquiries as those who go to gun dealers. We don't want to sell guns to criminals. We don't want to sell them to kids. We certainly don't want to see gun shows as a loophole for selling guns to those who shouldn't own them.

Second, trigger locks so if guns are going to be stored they are stored safely and securely so a young child can't pick it up and hurt himself or others.

Third, the prohibition against those high capacity ammo clips that were being brought in from overseas that turn an ordinary gun into a dangerous, murderous weapon. Three very sensible changes for gun safety in America. It only passed because Vice President GORE showed up on the floor to break the tie. But we thought the Congress had learned a lesson from Columbine, not just for the Members of Congress and families across America, but for the students who go to school across America and want to be in safe buildings.

That bill passed the Senate, and it has been sitting over in the House of Representatives in a conference committee that refuses to call it for consideration. My colleague, Senator JACK REED of Rhode Island, believes that on the anniversary of Columbine we owe it, not only to the families in Colorado but across the Nation, to consider this important legislation. I support him completely. Close the loopholes, keep guns out of the hands of criminals and kids.

Second, tomorrow I will be offering an amendment which addresses the gun issue from a different perspective. There are some who say: Oh, you don't need to close the loopholes. I disagree with them. I think we need to close them. They say, instead, we need more enforcement. Let's have people who are going to investigate and prosecute gun criminals. Put them in jail.

Do you know what? I agree with them. But I think we need both. Close the loopholes and make sure we have the resources for enforcement of gun laws. The amendment I will offer tomorrow, with Senator SCHUMER of New York, my seatmate here on the floor of the Senate, provides the President's initiative: 500 new ATF investigators to look after the gun dealers across America, to make certain they are not selling guns to the wrong people.

Are they? You bet they are. Out of 80,000 gun dealers across America, we have traced gun crimes and found that the guns for 57 percent of the criminals in America come from 1,000 gun dealers out of 80,000. What it tells us is the overwhelming percentage of gun dealers across America are obeying the law. But there are bad people out there who are licensed gun dealers who are breaking the law and giving guns to criminals who commit crimes with those guns and harass us in our neighborhoods and our schools. My amendment creates more enforcement authority to keep those gun dealers from breaking the law.

Next, more prosecutors. It is not enough to arrest somebody. You need a prosecuting attorney at the State, local, or Federal level, who is going to put that person behind bars. I say to the National Rifle Association and all the people who speak for them, if we are going to have enforcement, vote for the Durbin amendment so you have the resources at ATF and across the Nation to make sure gun laws are enforced.

It is a complementary approach: Close the loopholes, increase the enforcement, and let us hope in the near term, in the near future, we can say this Congress responded in a way that answers to American families that we heard the cries of the parents and the families at Columbine and we responded to them. We should not leave ourselves in a position where we back off from our responsibility because of any special interest group.

I yield the floor.

The PRESIDING OFFICER. The time has expired.

Mr. STEVENS. How much time do we have remaining?

The PRESIDING OFFICER. The Senator from Alaska has 1 minute. The Senator from New Mexico has 3 minutes. The Senator from Nevada has 2 minutes.

Mr. DOMENICI. I yield my time.

Mr. REID. I yield the time of the minority.

VOTE ON AMENDMENT NO. 2931, AS MODIFIED

Mr. STEVENS. I yield back my time and ask for a vote on my amendment.

The PRESIDING OFFICER. All time has been yielded back.

The question is on agreeing to amendment No. 2931, as modified.

The amendment (No. 2931), as modified, was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2965

Mr. DOMENICI. Mr. President, parliamentary inquiry. Is it not correct that the Robb amendment, No. 2965, is now pending for a vote?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. There are 2 minutes? I waive my minute if the minority will waive its minute.

Mr. REID. We waive our minute.

Mr. DOMENICI. Mr. President, I move to table the Robb 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. 2965. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

Mr. NICKLES. I announce that the Senator from Alabama (Mr. SESSIONS) is necessarily absent.

The result was announced, yeas 54, nays 45, as follows:

[Rollcall Vote No. 62 Leg.]

YEAS—54

| | | |
|---|---|---|
| Abraham | Fitzgerald | McCain |
| Allard | Frist | McConnell |
| Ashcroft | Gorton | Murkowski |
| Bennett | Gramm | Nickles |
| Bond | Grams | Roberts |
| Brownback | Grassley | Roth |
| Bunning | Gregg | Santorum |
| Burns | Hagel | Shelby |
| Campbell | Hatch | Smith (NH) |
| Chafee, L. | Helms | Smith (OR) |
| Cochran | Hutchinson | Snowe |
| Collins | Hutchison | Specter |
| Coverdell | Inhofe | Stevens |
| Craig | Jeffords | Thomas |
| Crapo | Kyl | Thompson |
| DeWine | Lott | Thurmond |
| Domenici | Lugar | Voinovich |
| Enzi | Mack | Warner |

NAYS—45

| | | |
|---|---|---|
| Akaka | Edwards | Levin |
| Baucus | Feingold | Lieberman |
| Bayh | Feinstein | Lincoln |
| Biden | Graham | Mikulski |
| Bingaman | Harkin | Moynihan |
| Boxer | Hollings | Murray |
| Breaux | Inouye | Reed |
| Bryan | Johnson | Reid |
| Byrd | Kennedy | Robb |
| Cleland | Kerrey | Rockefeller |
| Conrad | Kerry | Sarbanes |
| Daschle | Kohl | Schumer |
| Dodd | Landrieu | Torricelli |
| Dorgan | Lautenberg | Wellstone |
| Durbin | Leahy | Wyden |

NOT VOTING—1

Sessions

The motion was agreed to.

Mr. LOTT. Mr. President, I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LOTT. Mr. President, that was a 35-minute vote. I apologize for letting it go on that long. You can see how hard it is going to be to get through a vote-arama if we do that. Our plan now is to have two more votes tonight. If Senators would stay in the Chamber or close to the Chamber, we could do those votes in no more than 15 or 20 minutes. Maybe we could cut the second one down to 10. That would certainly help.

We are now ready to go into the period for the votes on the number of amendments that are pending, the so-called vote-arama.

Having said that, any Senator who has timely filed their amendment at the desk can call it up for Senate consideration. However, there is no allotted time for debate.

Therefore, I ask unanimous consent that, as we did last year, in a way that I think is the fairest to try to explain what the amendments are, in that brief period of time, there be 2 minutes equally divided prior to each vote for explanation, and all votes in the vote-arama be limited to 10 minutes each after the first vote.

Mr. DASCHLE. Reserving the right to object, I just suggest that we also ensure that either side has at least a block of five amendments that are going to be offered so we can look at them ahead of time. Nobody knows, on either side, what the amendments are. If we can at least take them five by five, we can analyze them and decide whether we will table them, second degree them, or whatever. I think it is very important to do that. I suggest that as well.

Mr. LOTT. I think that is obviously a good suggestion. Let me add to this, if I could, Mr. President, that we are going to go forward with two more amendments tonight, one on each side—the Bond amendment on our side and the Reed amendment on their side. After that, we are going to stop for tonight because we still have a large number of amendments that have not been able to be worked through. I am going to ask the managers on both sides to get all these amendments lined up and to get the first five on each side ready for in the morning so we won't have to wait until we come in. Also, we will come in at 9 o'clock so we can get an early as possible start. Some would like to be able to go home or do commitments as early as possible. But as it now stands, because of the number of amendments and the fact that we haven't had an opportunity to line up all the amendments in order, the managers requested we do it this way.

I emphasize that as soon as we finish the votes on amendments that are offered, and a vote is required, when we finish those, we will be through. So you may want to take that into consideration as to whether or not you insist on your amendment tomorrow. We can finish at 10 or 11 o'clock, or 12, but we need to go ahead and complete that.

Having said that, I am looking that way, but I could more easily be looking our way. A lot of amendments are still pending on both sides that really could be handled in some other way. I hope Senators will consider doing that. I thank the managers for the time they spent and the cooperation we have been getting from Senator DASCHLE and Senator REID doing his usual good job. But our managers need this time tonight and early in the morning to start getting amendments racked up so we can vote on the first five.

Mr. DASCHLE. Mr. President, I wonder if the majority leader might entertain having a 10-minute vote on the first vote now. We have all come to vote. It seems we can accelerate that process.

Mr. LOTT. I will accept that suggestion.

Mr. LAUTENBERG. Mr. President, I would like to ask this. Can't we limit the clock and keep the promise to 10 minutes instead of having 1 or 2 persons cause the other 98 to be here?

Mr. LOTT. We can do that. It requires that Senators stay here and that we stay attentive and say ''turn it in.'' We are trying to be considerate of both sides. Obviously, we need to stop. If we get unanimous consent for it to be 10 minutes, we will stop it. I amend the UC so that we may have 2 minutes equally divided on each amendment and that this vote and the next vote be 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. With that, I yield the floor.

AMENDMENT NO. 2913

(Purpose: To express the sense of Senate against the Federal funding of smoke shops)

Mr. BOND. Mr. President, 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 Missouri [Mr. BOND] proposes an amendment numbered 2913.

Mr. BOND. 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 title III, add the following:

**SEC. ___. SENSE OF THE SENATE AGAINST FEDERAL FUNDING OF SMOKE SHOPS.**

(a) FINDINGS.—The Senate makes the following findings:

(1) Smoking begun by children during their teen years and even earlier turns the lives of far too many Americans into nightmares decades later, plagued by disease and premature death.

(2) The Federal Government should leave a legacy of more healthy Americans and fewer victims of tobacco-related illness.

(3) Efforts by the Federal Government should seek to protect young people from the dangers of smoking.

(4) Discount tobacco stores, sometimes known as smoke shops, operate to sell high volumes of cigarettes and other tobacco products, often at significantly reduced prices, with each tobacco outlet often selling millions of discount cigarettes each year.

(5) Studies by the Surgeon General and the Centers for Disease Control and Prevention demonstrate that children are particularly susceptible to price differentials in cigarettes, such as those available through smoke shop discounts.

(6) The Department of Housing and Urban Development is using Federal funds for grants to construct not less than 6 smoke shops or facilities that contain a smoke shop.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budget levels in this resolution assume that no Federal funds may be used by the Department of Housing and Urban Development to provide any grant or other assistance to construct, operate, or otherwise benefit a smoke shop or other tobacco outlet.

Mr. BOND. Mr. President, this amendment simply says the Department of HUD should stop using community development block grant funds to build discount cigarette stores known as smoke shops.

A year ago, a doctor called up and said there was a new discount smoke shop in his neighborhood and it was funded by Federal dollars. I didn't know what the sign said, so I sent staff out. Here it is: Smoke Shop, Discount Tobacco. Our policy is supposed to discourage cigarette smoking. Inside, we found wall-to-wall cigarettes, 25 percent or more off. These are your tax dollars at work.

Instead of funding what we could have funded, $4.2 million went to six of these in the last 3 years—instead of building a water tower or elders' wellness centers.

I wrote to HUD and said stop funding them. The letter I got back from the assistant said: You haven't proven that discount cigarettes encourage smoking. Well, it is about time we taught HUD some common sense. The Secretary of Housing now says: If you tell me to stop funding it, if you stop me from funding them, I will stop.

I urge colleagues to vote aye.

Mr. INOUYE. Mr. President, I am against smoking, but this amendment picks on Indians. Why don't we include all discount tobacco stores? Why don't we include Wal-Mart, Kmart, and all these places that sell discount tobacco? Why just pick on Indians?

Mr. BOND. Mr. President, the amendment says we should not fund any discount smoke shops. It doesn't say Indians.

Mr. INOUYE. The Senator's sense of the Senate mentions Indians, Indian smoke shops.

Mr. BOND. It does not.

Mr. INOUYE. Mr. President, I am against this sense-of-the-Senate resolution, and I hope we will vote it down.

Mr. CAMPBELL. Mr. President, in 1997 this body considered wide-sweeping tobacco legislation and the Indian Affairs Committee held several hearings on the issue and in fact reported a bill to reduce smoking in Native communities.

The rate of smoking in Native communities is the highest in the country and Natives suffer emphysema, lung cancer, and related problems as a result of that smoking.

The resolution we are now considering would as a practical matter apply to smoke-shops that offer ''discount tobacco'' products without defining that term.

There are ''discount cigarette'' stores right across the river in Virginia, there are ''discount tobacco'' outlets in airports around the country, and there are ''discount stores'' on Indian lands.

Now, if this resolution were to apply to all tobacco outlets, I would support it. I am dismayed that Secretary Cuomo would support the amendment given that it would not affect Community Development Block Grant funds for non-Indian tobacco outlets.

As a practical matter only Indian outlets are affected and there are no potential non-Indian tobacco sellers that would be affected. Though it may not be the preferred economic activity of some in this chamber, many Indian tribes rely on selling tobacco, which is a legal commodity, to generate revenues.

The targeted nature of this resolution as well as the economic hardships created by it led me to support the Vice Chairman of the Committee on Indian Affairs, Senator INOUYE, and his Motion to Table the Bond Amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2913.

Mr. INOUYE. Mr. President, I move to table the 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 amendment No. 2913.

Mr. LOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. 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. LOTT. Mr. President, I ask that we proceed to the vote.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 2913. The yeas and nays have been ordered. The clerk will call the roll on the motion to table.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 19, nays 81, as follows:

[Rollcall Vote No. 63 Leg.]

YEAS—19

| | | |
|---|---|---|
| Akaka | Hollings | Robb |
| Biden | Inouye | Rockefeller |
| Campbell | Levin | Stevens |
| Cleland | Moynihan | Warner |
| Daschle | Murkowski | Wellstone |
| Edwards | Murray | |
| Helms | Reid | |

NAYS—81

| | | |
|---|---|---|
| Abraham | Durbin | Lautenberg |
| Allard | Enzi | Leahy |
| Ashcroft | Feingold | Lieberman |
| Baucus | Feinstein | Lincoln |
| Bayh | Fitzgerald | Lott |
| Bennett | Frist | Lugar |
| Bingaman | Gorton | Mack |
| Bond | Graham | McCain |
| Boxer | Gramm | McConnell |
| Breaux | Grams | Mikulski |
| Brownback | Grassley | Nickles |
| Bryan | Gregg | Reed |
| Bunning | Hagel | Roberts |
| Burns | Harkin | Roth |
| Byrd | Hatch | Santorum |
| Chafee, L. | Hutchinson | Sarbanes |
| Cochran | Hutchison | Schumer |
| Collins | Inhofe | Sessions |
| Conrad | Jeffords | Shelby |
| Coverdell | Johnson | Smith (NH) |
| Craig | Kennedy | Smith (OR) |
| Crapo | Kerrey | Snowe |
| DeWine | Kerry | Specter |
| Dodd | Kohl | |
| Domenici | Kyl | |
| Dorgan | Landrieu | |
| Thomas | Thurmond | Voinovich |
| Thompson | Torricelli | Wyden |

The motion was rejected.

The question is on agreeing to the amendment.

The amendment (No. 2913) was agreed to.

Mr. BOND. I move to reconsider the vote.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2964

(Purpose: To express the sense of the Senate regarding the need to reduce gun violence in America)

Mr. REED. Mr. President, I call up amendment No. 2964.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island (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, proposes an amendment numbered 2964.

Mr. REED. I ask unanimous consent 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 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.

Mr. KENNEDY. Mr. President, several weeks ago, the Treasury Department and HUD made a significant announcement on Smith and Wesson's willingness to make guns safer and keep them out of the hands of criminals.

Momentum is building for Congress to break the stranglehold of the National Rifle Association. It is appalling that this Republican Congress refuses to respond to the urgent need for responsible gun control. Our Republican colleagues should stop listening to the National Rifle Association and start listening to the American people. The American people and America's children are calling on Congress to move

forward on commonsense gun provisions.

The National Rifle Association continues to talk about Second Amendment rights. But we say what about the right to live of the 12 children a day, every day, who die because of firearms in this country? What about the right of citizens to be free from crime, when criminals can go to gun shows and purchase weapons without a background check? What about the right of law-abiding citizens to live peaceably in their neighborhoods? It is time for Congress to stop kowtowing to the NRA. It is long past time for Congress to act responsibly, and adopt sensible measures to close the loopholes in our current gun laws.

That means—closing the gun show loophole—requiring the sale of child safety locks with firearms—prohibiting juveniles from possessing semiautomatic assault weapons—banning imports of large capacity ammunition clips—expanding the number of cities that participate in gun tracing—giving ATF and other federal law enforcement agencies the resources they need for more effective enforcement of our gun laws.

Nothing we do will interfere with the rights of responsible gun owners. But, it has everything to do with the rights of men, women, and children to live peacefully in their communities.

Ninety percent of the American people support background checks at gun shows; 88% favor child-proofing guns. But every attempt we make to act is met by a stonewall of resistance from our Republican colleagues. And every day, we learn of more tragedies of families who lose loved ones to senseless gun violence because we fail to act.

Congress must end its obstruction and enact critical reforms that have been pending for too long. If this Congress won't act, the American people will elect a Congress in November that will act.

It has been almost a year since the tragic shooting at Columbine High School. In literally dozens of cases since then, children have brought guns to schools, and there have been at least seven school shootings since Columbine.

According to the Department of Education, over 6,000 students were expelled in the 1996–1997 school year for bringing guns to public schools. According to a study by the Centers for Disease Control, 8% of all students reported bringing a gun to school in a 30-day period.

It is time for Congress to finish the job we began last year and pass the gun control provisions in the juvenile justice legislation. Students, parents and teachers across America are waiting for our answer.

We need to help teachers and school officials recognize the early warning signals and act before violence occurs.

We need to assist law enforcement officers in keeping guns away from criminals and children.

We need to close the gun show loophole.

Above all, we need to require child safety locks on firearms, so that we can do all we can to prevent senseless shocking shootings like the first grade gun killing that occurred a few weeks ago in an elementary school in Michigan.

The Senate passed this needed legislation last year. It is time for House and Senate conferees to write the final bill and send it to the President, so that effective legislation is in place as soon as possible.

The lack of action is appalling and inexcusable. Each new tragedy is a fresh indictment of our failure to act responsibly.

We have a national crisis, and commonsense approaches are urgently needed. If we are serious about dealing with youth violence, the time to act is now. There is no reason why this Congress cannot enact this needed legislation now. The citizens of this country deserve better than what this kow-tow-to-the-NRA Congress has given them so far.

Mr. REED. Mr. President, on April 20 of last year, America and the world was shocked by the gun violence and carnage at Columbine High School. Shortly thereafter, on May 20, this Senate passed legislation within the juvenile justice bill that provided for sensible gun control measures, including safety locks for handguns, background checks on all guns at gun shows and the ban on the importation of large clips for automatic weapons. Since our vote on May 20, the measure has languished in the conference committee that has met only once—last August.

My amendment is very straightforward and simple. It asks that the conferees send to the House this measure so we can vote so we can do what the American people want. Over 90 percent of the American people want gun locks on weapons. A large number of them want to close all the loopholes in the gun shows. We must do that to respond to America, not just with respect to Columbine, but for the 12 young children each day that die in America because of gunfires.

I urge passage of this amendment.

The PRESIDING OFFICER. The Chair recognizes the Senator from Utah.

Mr. HATCH. The juvenile justice bill provides $450 million in accountability in block grants for all kinds of problems; $547.5 million in prevention grants for juveniles, $75 million in grants to update felony records, et cetera, none of which basically will pass as long as we stay in the gunfight.

A majority of Republicans and Democrats in the House will not support the Lautenberg amendment. A majority of the Republicans and Democrats in the Senate will not support the Dingell amendment. So we are stuck with one of the most important anticrime juvenile justice bills in history because we can't resolve the gun process.

The best thing we can do is strip it out, fight that another day, and do it this way. We cannot get a conference report and call a conference when all we will do is polarize the situation and divide people even more. I think we have to come to a conclusion and pass the juvenile justice bill, regardless of what happens. I hope we can vote down this amendment. It is not helping.

Mr. CRAIG. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 2964. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 47, as follows:

[Rollcall Vote No. 64 Leg.]

YEAS—53

| | | |
|---|---|---|
| Abraham | Feingold | Lugar |
| Akaka | Feinstein | McCain |
| Bayh | Fitzgerald | Mikulski |
| Biden | Graham | Moynihan |
| Bingaman | Harkin | Murray |
| Boxer | Hollings | Reed |
| Breaux | Inouye | Reid |
| Bryan | Johnson | Robb |
| Byrd | Kennedy | Rockefeller |
| Chafee, L. | Kerrey | Roth |
| Cleland | Kerry | Sarbanes |
| Conrad | Kohl | Schumer |
| Daschle | Landrieu | Smith, (OR) |
| DeWine | Lautenberg | Torricelli |
| Dodd | Leahy | Warner |
| Dorgan | Levin | Wellstone |
| Durbin | Lieberman | Wyden |
| Edwards | Lincoln | |

NAYS—47

| | | |
|---|---|---|
| Allard | Frist | McConnell |
| Ashcroft | Gorton | Murkowski |
| Baucus | Gramm | Nickles |
| Bennett | Grams | Roberts |
| Bond | Grassley | Santorum |
| Brownback | Gregg | Sessions |
| Bunning | Hagel | Shelby |
| Burns | Hatch | Smith (NH) |
| Campbell | Helms | Snowe |
| Cochran | Hutchinson | Specter |
| Collins | Hutchison | Stevens |
| Coverdell | Inhofe | Thomas |
| Craig | Jeffords | Thompson |
| Crapo | Kyl | Thurmond |
| Domenici | Lott | Voinovich |
| Enzi | Mack | |

The amendment (No. 2964) was agreed to.

Mr. REED. I move to reconsider the vote.

Mr. LAUTENBERG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MINERAL RECEIPT SHARING ADMINISTRATIVE COSTS

Mr. BINGAMAN. Mr. President, I wish to engage in a colloquy with the Chairman of the Budget Committee regarding the reserve fund for stabilization of payments to counties in support of education contained in section 203.

Mr. DOMENICI. I will be pleased to speak with my colleague regarding this issue. This reserve fund will accommodate legislation recently reported by the Energy and Natural Resources Committee that will correct a very large problem for counties across the

country which have historically shared receipts taken in by the Forest Service and BLM. The decline in those receipts over the last ten years has had devastating effects on many rural school districts, especially in the rural West, and the Budget Committee has provided $1.1 billion over the next five years to stabilize the flow of resources to these counties.

Mr. BINGAMAN. I know that Senator DOMENICI is aware of another situation that has had a negative impact on States' share of Federal mineral receipts. Subtitle C of Title X of the Omnibus Budget Reconciliation Act of 1993 put in place a system for allocating mineral revenues between the States and the United States that is complicated and difficult to administer. It has resulted in confusion and conflict between States and the Federal Government, and the Inspector General of the Department of the Interior has noted that the agencies' budgeting processes and accounting systems were not designed to accumulating costs in the detail required for administering the system. The system is criticized by both the States and the Federal agencies charged with administering it, and it is time for it to be changed.

Mr. DOMENICI. Senator BINGAMAN is correct, and I understand he has introduced legislation to correct that provision. We now have a CBO preliminary estimate of the budgetary impact of that bill.

Mr. BINGAMAN. In that regard, I ask the Chairman of the Budget Committee if the amount available in the section 203 reserve fund would accommodate this legislation, and if it could be included within the intent of this reserve fund.

Mr. DOMENICI. As we are considering this resolution, I cannot say for sure that the reserve fund would accommodate Senator BINGAMAN's bill, since the estimate of the budgetary impact of the recently reported legislation is not yet complete. It is my hope, however, that when we convene the conference on this resolution, we will have estimates on the impacts of both bills. It is my intention to move in that conference that the House recede to the Senate position with an amendment to accommodate both the Forest Service receipt stabilization legislation, and the mineral receipt sharing legislation.

Mr. BINGAMAN. I thank the Chairman for taking the time to clarify this point for us. I can assure you that this issue is very important to our States, and we look forward to working with you and the rest of our colleagues to address this situation in the near future.

THRIFT SAVINGS ACCOUNTS

Mr. WARNER. Mr. President, in the National Defense Authorization Act for Fiscal Year 2000, the Congress authorized active and reserve members of the uniformed services to participate in the Thrift Savings Plan now available for federal civil service employees. This was an important part of the recruiting and retention package which the Senate passed, and which was enacted into law last year.

Under that authority, provided in last year's Defense Authorization Act, service members would be eligible to deposit up to five percent of their basic pay, before tax, each month. The government is not required to match the service member's contributions. In addition, service members would be permitted to directly deposit special pays for enlistment, reenlistment and the lump-sum for electing to remain in the ''Redux'' retirement program—pretax—up to the extent allowable under the Internal Revenue Code of 1986, into their Thrift Savings account.

Last year's legislation required the President to identify sufficient offsets in order to implement this important program. Unfortunately and inexplicably, the President failed to identify the offsets in the budget he submitted to the Congress in February. Mr. President, we must adjust the outlays and revenues in the Budget Resolution to permit the Thrift Savings Plan to be extended to members of the uniformed services. This Thrift Savings Plan does not cause the loss of revenues, but defers the tax due until the service member retires. This is an important point—there are no lost revenues, and the cost of this initiative is cheaper than losing our most qualified military personnel.

Making the Thrift Savings Plan available to military personnel would come at a critical time for the military services. Participating in a Thrift Savings account would encourage personal savings and enhance the retirement income for service members, who currently do not have access to a 401k savings plan. Under current Thrift Savings Plan regulations, participants may borrow from Thrift Savings accounts for such worthy purposes as college tuition and purchasing a home. When implemented, military personnel would be able to join federal workers in a savings program that would enhance the value of their retirement system and permit them to improve their quality of life.

The Armed Services Committee continues to receive testimony strongly supporting a Thrift Savings Plan for military personnel as a strong incentive for both recruiting and retention. Testimony from the Joint Chiefs of Staff, Service Secretaries and the military personnel chiefs confirm that the Thrift Savings Plan would be an important incentive for recruiting military personnel and retaining highly trained military personnel on active duty or in the Ready Reserve. The Service Chiefs have indicated that this plan, combined with the pay raise, the repeal of the Redux retirement system, and the increased bonuses in the FY 2000 bill, would alleviate the hemorrhage of trained and experienced military personnel we are now experiencing.

This critical initiative was not included in the President's budget request, but it is necessary to assist in retaining our military service personnel. We must correct this shortcoming in the President's budget.

The Senate has supported extending the Thrift Savings Plan to military personnel on three previous occasions. It is time that we complete the process and provide the necessary funding that would permit military personnel to join the federal workforce in the Thrift Savings Plan.

Mr. DOMENICI. The Chairman of the Armed Services Committee has crafted an important provision that can improve retention in our Armed Services. The cost effectiveness of the provision is particularly notable. It is regrettable that the Administration's lack of compliance has caused the delay of an entire year in the effective date of this provision of last year's Department of Defense Authorization bill. Servicemen and women have lost out because of the Administration's failure to act.

I understand that you also have a problem with moving forward on legislation that permits military personnel to participate in the Thrift Savings Plan because deferred revenue or a ''revenue loss'' is attributable to such legislation and this makes the legislation potentially vulnerable to a Budget Act point of order.

As my friend from Virginia knows, our budget resolution, S. Con. Res. 101, as well as the budget resolution passed by our colleagues in the House of Representatives, H. Con. Res. 290, last week, provides for up to $150 billion in revenue reductions over the next five years. It is my understanding that the revenue loss in the form of deferred revenue associated with your TSP provision is $10 million in 2001 and $321 million over the next five years.

Let me assure my colleague, the Chairman of the Armed Services Committee, that the revenue assumptions in the budget resolution can accommodate the revenue loss associated with your TSP statute. Moreover, let me say that I will happily make it clear in the statement of managers on the conference report on this year's budget resolution that the revenue assumptions will permit your TSP provision to move forward and to be implemented without the threat of a Budget Act point of order.

Mr. WARNER. I thank my friend for his commitment to correct this shortcoming in the President's budget and his help in reducing the hemorrhage of trained and experienced military personnel. I also want to express my appreciation to the highly professional staff of the Budget Committee for their assistance in working out a solution to this vital issue.

Mr. L. CHAFEE. Mr. President, I voted against the amendment offered by Senator ROBB, which would use the tax code to provide assistance to school districts to build and renovate school facilities. There is no doubt that many states and local school districts need help to address the dilapidated conditions of their schools. However, I do

not believe that the approach presented by Senator ROBB, which has been repeatedly defeated by the Senate, is the best solution.

Earlier this year, I was pleased to cosponsor legislation known as BRICKS—the Building, Renovating, and Constructing Schools Act—which Senator SNOWE introduced. Senator SNOWE's bill authorizes the use of $20 billion for school construction and repairs. She pays for her proposal by borrowing from the Exchange Stabilization Fund (ESF).

According to the Snowe proposal, states would receive funds only at the request of the Governor. They would be distributed in accordance with the formula prescribed under Title I, which provides federal assistance to the lowest achieving, low income students. I believe this is a far better approach with potential for bipartisan support.

Mr. President, it will be regrettable if the outcome of the vote on the Robb amendment prevents a vote on an amendment by the senior Senator from Rhode Island, Senator REED. I am an original cosponsor of the Reed amendment which simply expresses the sense of the Senate that gun safety provisions approved by the Senate last year should be brought before the Senate for final action. As a cosponsor of the Reed amendment and a strong supporter of gun safety laws, particularly those which are intended to keep guns out of the hands of children, my vote against the Robb amendment should in no way be considered a vote against the Reed amendment.

Mr. WELLSTONE. Mr. President, I rise to address a serious problem with one of the obscure assumptions both of this budget resolution and the President's budget. Both the Administration's submission and this budget resolution contain an assumption that $350 million of anticipated Medical Care Cost Recovery Fund (MCCF) receipts will be remitted to the Treasury from the VA. I strongly oppose this assumption. It flies in the face of current policy—and all logic—since it would result in a $350 million decrease in VA health care funding at the same time that Congress proposes an increase. The budget resolution is essentially assuming the VA is being given a ''loan'' from Treasury which it must pay back.

The VA has historically had difficulty in meeting their projected third party collection goals as it is, using the projected collections as a means to pad the budget on paper. By substantially reducing the incentive for aggressive collections by the VA, the MCCF receipts are even less likely to reach projected levels—meaning fewer funds for veterans health care.

This proposal is nothing more than an obscure, cynical maneuver to give extra scoring room on the appropriations bills later in this year at the expense of veterans. However, this provision will require legislation to be put into effect, and I want my colleagues to know that I will strongly oppose any efforts to pass such legislation as that process moves forward this year.

Mrs. FEINSTEIN. Mr. President, as we debate the priorities for spending in the federal budget for the next fiscal year, I am pleased to have voted yesterday for the Bingaman education amendment. Unfortunately, the Senate tabled this amendment yesterday by a 54 to 46 vote. This amendment begins to address some of the critical needs of our schools. But more importantly, it says, ''We think education is important. We think education is a priority. We think education should be nourished, not starved.''

This amendment adds important resources in several ways:

It supports the $4.5 billion or 12.6 percent increase for education that the President proposed for FY 2001 over the previous year.

It adds $1 billion for Title I, the program that helps school districts educate disadvantaged students. If Congress follows through with FY 2001 appropriations, this would bring total Title I funding next year to $9.9 billion, up from $8.5 billion in FY 2000.

It adds $2 billion to train new teachers and current teachers.

It provides $1.75 billion to continue to reduce class sizes in the early grades.

It increases funds for afterschool programs to give students extra help.

It provides $1.3 billion to repair schools in high-need areas.

It adds $1 billion for special education, programs to help disabled students.

It raises the maximum Pell Grant, aid for needy college students, from $3,500 to $3,700.

This amendment is timely because the federal share of elementary and secondary education has declined from 14 percent in 1980 to 6 percent in 1999–2000. Hopefully, this amendment will begin to reverse that decline.

The schools in my state face huge challenges—low test scores, crowded classrooms, teacher shortages, growing enrollments, decrepit buildings. In short, they are overwhelmed.

California has 5.8 million students, more students in school than 36 states have in total population and one of the highest projected enrollments in the country.

California will need 300,000 new teachers by 2010. Eleven percent or 30,000 of our 285,000 teachers are on emergency credentials.

California has 40 percent of the nation's immigrants; we have 50 languages in some schools. Children from these families need special attention, not just in English language learning but in dealing with huge adjustments of learning to live in a new country.

California's students lag behind students from other states. Only about 40 to 45 percent of the state's students score at or above the national median, on the Stanford 9 reading and math tests.

For school construction, modernization and deferred maintenance, California needs $21 billion by 2003 or 7 new classrooms per day. Two million California children go to school today in 86,000 portable classrooms.

California's Head Start programs serve only 13 percent of eligible children.

For higher education, the University of California has the most diverse student body in the US. Federal programs provide nearly 55 percent of all student financial aid funding that UC students received. Our colleges and universities are facing ''Tidal Wave II,'' the demographic bulge created by children of the baby boomers who will inundate California's colleges and universities between 2000 and 2010 because the number of high school graduates will jump 30 percent.

California's schools are in crisis. The needs of my state are huge.

While these needs cry out for resources, the federal government is contributing only 6 percent of total education funding. Funds are so short in my state that California teachers are spending around $1,000 a year out of their own pockets to pay for books, magic markers, scissors and other school supplies, according to the San Diego Tribune, August 16, 1999.

Why should we be increasing funds for education? Let me answer that question by giving you an example of the state of our schools, as expressed by a young student. I would like to read a letter from Hannah Wair, a 14-year-old from Santa Rosa, California, who graphically describes her school:

SANTA ROSA, CA,
*December 13, 1999.*

DIANE FEINSTEIN,
*Hart Senate Office Building,*
*Washington, DC.*

DEAR MS. FEINSTEIN: My name is Hannah Wair, and I am 14 years old and I attend Rincon Valley Middle School in California. I am writing you this letter because I am concerned about the amount of money that is given to the Santa Rosa City Schools. It seems as though far too many kids attend these schools without enough supplies, computers, books, and sports equipment. On top of that, most of the schools (with an exception of a few new ones) are in need of extreme repairs. Many schools have trashy, dirty, bathrooms and locker rooms that have not been repaired or updated in about 20 years. The fields and tracks are invaded with weeds and rocks, and there have been many injuries because of this. Many of the classes are over-populated, with an average of 30 or 35 students per class. This gives the students less attention, which makes it harder to learn.

Although there are many aspects that need to be improved about our schools, they are all still great schools, and I'm sure that you could change all of this in only a matter of time. Thank you so very much for your time. I hope to hear from you soon!

Sincerely,

HANNAH WAIR.

The Clinton-Gore Administration has proposed to increase education funding in FY 2001 by 12.6 percent, to $40.1 billion. Yet the budget before us does not add, it cuts the President's education request by $4.7 billion. I submit, Mr. Chairman, that this is no time to be cutting education:

American students lag behind their international counterparts in many ways. American twelfth grade math students were outperformed by students from 21 other countries, scoring higher than students from only two countries, Cyprus and South Africa.

Three-quarters of our school children cannot compose a well-organized, coherent essay, says the National Assessment Governing Board in September.

U.S. eighth graders score below the international average of 41 other countries in math. U.S. twelfth graders score among the lowest of 21 countries in both math and science general knowledge.

Three-quarters of employers say that recent high school graduates do not have the skills they need to succeed on the job. Forty-six percent of college professors say entering students do not have the skills to succeed in college, according to a February Public Agenda poll.

These statistics speak for themselves. Our schools are failing many of our youngsters. It is not the students' fault. It is our fault. We need to be nourishing education, not starving it, especially at a time of budget surpluses when the needs of our children are so stark.

I am especially pleased that this amendment increases funds for Title I, adding $1 billion to the program.

Title I provides grants to help disadvantaged children, grants designed by Congress in 1965 to provide supplementary services to low-achieving children in areas with high concentrations of poverty. Title I reaches virtually every school district and is very important in my state. Schools serving disadvantaged populations of students receive fewer resources than other schools, according to the Public Policy Institute of California in a new report.

With 18 percent of the country's Title I students, California only receives 11.4 percent of Title I funds. At least, 775,000 eligible Title I students are not getting services in my state.

It is my hope that when Congress takes up the Elementary and Secondary Education Act reauthorization and the FY 2001 appropriations bill, we will rectify the long-standing inequities in the funding formula to give fast-growing states like mine their fair share of Title I and other funds.

In 1994, Congress included in the Title I law a requirement to annually update the number of poor children so that the allocation of funds would truly reflect the most up-to-date number of poor children. This is a very important provision to growing states like mine. However, despite my opposition, a ''hold harmless'' provision has been included in annual appropriations bills, effectively overriding the census update requirement and locking in historic funding amounts for states despite the change in the number of poor children.

As Secretary of Education Riley said last year, ''a basic principle in targeting should be to drive funds to where the poor children are, not to where they were a decade ago.'' While today's amendment includes an assumption that Title I would go up $1 billion and does not address the ''hold harmless'' one way or another, I want to make it clear that a ''hold harmless'' should not be part of our final funding bill.

I am also pleased that the amendment adds $2 billion for teacher training. What are the needs? For starters, my state has 30,000 teachers on emergency credentials. That is 11 percent of our 285,000 teachers. We have high teacher turnover. We face a severe teacher shortage. California will need 300,000 new teachers by 2010.

Not only do we face a serious teacher shortage, we need to beef up training of current teachers in order to improve student learning. There is no substitute for a good teacher. A good teacher can make a lifetime of difference in a student, especially a struggling or low-performing student. Teacher quality has more impact on student achievement than any other single factor, including family income and parent education, according to a Texas study by Ronald Ferguson of Harvard University. Studies show that the teacher's qualifications account for more than 90 percent of the variation in student achievement in reading and math.

Another disturbing statistic in my state is this: In California, the lowest-scoring students are five times more likely than high-scoring children to be placed in a classroom with under qualified teachers, concluded a study by the Center for the Future of Teaching and Learning last December. ''More than a million children in California go to school where they have particularly high concentrations of teachers who are under prepared to teach them,'' the study said. Similarly, the National Commission on Teaching and America's Future noted,

> In the nation's poorest schools, where hiring is most lax and teacher turnover is constant, the results are disastrous. Thousands of children are taught throughout their school careers by a parade of teachers without preparation in the fields they teach, inexperienced beginners with little preparation and no mentoring, and short-term substitutes trying to cope with constant staff disruptions. It is more surprising that some of these children manage to learn than that so many fail to do so.

Without strong teachers, our children suffer. We must enhance teacher training.

The National Commission on Teaching and America's Future found that teacher training has suffered for years saying it has been ''historically thin, uneven and poorly financed.'' That commission has called for strengthening teacher training requirements and better rewarding teaching knowledge and skill.

I welcome the additional funds in this amendment to train more teachers and to strengthen teacher training.

This debate today is not just about raw numbers, this increase or that decrease. This debate is about the future of our nation. We must ask some fundamental questions about our spending priorities. Why it is important to increase spending on education? Here are some reasons:

The economy of my state is transitioning from manufacturing toward a more higher-skilled, service and technology jobs. Since 1980, jobs in the ''new economy'' (services and trade) have jumped nearly 60 percent.

Over the next 10 years, nationally, computer systems analyst jobs will grow by 94 percent; computer support specialists, by 102 percent; computer engineers, 108 percent. Jobs for the non-college educated are stagnating.

High tech employers say they cannot find qualified people. They plead for Congress to expand visas to bring in employees from abroad.

Low literacy levels are powerful predictors of welfare dependency and incarceration. More than half the adult prison population has literacy levels below those required by the labor market.

Near 40 percent of adjudicated juvenile delinquents have treatable learning disabilities that went untreated in school.

Seventeen years ago, the nation's attention was jolted by a report titled A Nation at Risk. In April 1983, the Reagan Administration's Education Secretary, Terrell Bell, told the nation that we faced a fundamental crisis in the quality of American elementary and secondary education. The report said:

> Our nation is at risk. If an unfriendly foreign power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war.

The report cited declines in student achievement and called for strengthening graduation requirements, teacher preparation and establishing standards and accountability.

Today, we still face mediocrity in our schools. While there are always exceptions and clearly there are many excellent teachers and many outstanding schools, we can do better. To those who say we cannot afford to spend more money on education, I say we cannot afford to fail our children. Our children do not choose to be illiterate or uneducated. It is our responsibility and we must face up to it.

I urge adoption of the education amendment.

Mr. JOHNSON. Mr. President, the Senate yesterday approved my amendment to the fiscal year 2001 budget resolution that establishes a reserve fund which creates room in the Senate budget resolution for military retiree health care improvements. I thank Budget Committee Chairman DOMENICI for working with me and supporters of my amendment. I also want to recognize the driving force behind this issue: the thousands of military retirees and

their dependents across this country who have established an impressive grassroots effort. Their work, in conjunction with the efforts of the Retired Enlisted Association, the National Association of Uniformed Services, the National Military and Veterans Association, and the Retired Officers Association, have brought military health care to the forefront.

My amendment would allow the Senate Armed Services Committee to increase spending on military retiree health care while considering the fiscal year 2001 Department of Defense Authorization bill. It is important to note that my amendment must also be approved by the House and Senate conference committee on the budget resolution in order for the Senate Armed Services Committee to use the reserve fund.

A promise of lifetime health care has been broken. Testimony from military recruiters themselves, along with copies of recruitment literature dating back to World War II, show that health care was promised to active duty personnel and their families upon the personnel's retirement.

However, the creation on June 7, 1956, of space-available care for military retirees at military hospitals has led to a broken promise of health care coverage for these men and women and their families. Post-cold-war downsizing of military bases and their medical services have left many retirees out in the cold. A final insult is the fact that military retirees and their dependents are kicked off of the military's health care system, Tricare, upon turning age 65.

Chairman of the Joint Chiefs of Staff, Gen. Henry Shelton, testified before the Senate Armed Services Committee and said: ''Sir, I think the first thing we need to do is make sure that we acknowledge our commitment to the retirees for their years of service and for what we basically committed to at the time that they were recruited into the armed forces.''

Defense Secretary William Cohen testified before the Senate Armed Services Committee and said: ''We have made a pledge, whether it's legal or not, it's a moral obligation that we will take care of all those who served, retired veterans and their families, and we have not done so.''

My oldest son, Brooks, served as a peacekeeper with the United States Army in Bosnia, and he was recently deployed to Kosovo. I know how important ''quality of life'' issues are to military personnel and their families. Our country asks young men and women to willingly work in combat zones and receive minimal pay compared to the private sector. As compensation, military personnel have been promised that their health care needs and those of their families will be taken care of now and upon retirement. Despite the best efforts of many talented health care providers in the military, this promise has been broken, and it is impacting a young man or woman's decision to make a career of the military.

The question is whether Members of Congress want to make military retiree health care a priority instead of an afterthought. I am hopeful that, working on a bipartisan approach similar to that seen with my reserve fund amendment, we in Congress can choose military retiree health care as a priority this session.

The PRESIDING OFFICER. The Chair recognizes the Senator from Alabama.

Mr. SESSIONS. Mr. President, in order to make some logic out of this vote-arama process, on behalf of the leader, I ask unanimous consent that the first 10 amendments to be voted on tomorrow be the following and that as stated earlier all votes after the first vote be limited to 10 minutes, with 2 minutes for explanation prior to each vote. The amendments are: the Santorum amendment on military/vets benefits; the Conrad amendment on lockbox; the Abraham amendment on SOS lockbox; the Johnson amendment on veterans; the Ashcroft amendment on SOS Social Security investment; the Mikulski amendment on digital divide; the Bob Smith amendment on RX; the Graham of Florida amendment on education; the Voinovich amendment on strike tax reconciliation; and the Kennedy amendment on Pell grants.

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

## MORNING BUSINESS

Mr. SESSIONS. Mr. President, on behalf of the leader, I now ask unanimous consent that there be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

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

## HONORING THE GOOD WORKS OF THE SOCIETY FOR MATERNAL-FETAL MEDICINE

Mr. THURMOND. Mr. President, I rise to recognize the vital work performed by a group of tireless and dedicated professionals: The members of the Society for Maternal-Fetal Medicine (SMFM). I congratulate the Society for its outstanding achievements, and note this year they celebrated their 20th annual meeting.

It is often said that the United States is home to the finest pool of health care professionals in the world. I could not agree more. Each and every day, these professionals provide cutting edge care for millions across the country. Treatments that did not exist just ten years ago are now saving lives on a routine basis. I am hopeful that we never take this high level of care for granted.

The Society for Maternal-Fetal Medicine is one group that demonstrates the tremendous talent we have in our country. For many of us, ''maternal-fetal medicine'' may not be an everyday term. However, we all acknowledge that mothers experiencing complicated pregnancies require and deserve the best care possible. Maternal-fetal specialists provide care or consultation during complicated pregnancies. In addition, they provide education and research concerning the most recent approaches to the diagnosis and treatment of obstetrical problems. As a result, these specialists promote awareness of the diagnostic and therapeutic techniques for optimal management of these complicated pregnancies. In addition, it should be noted that maternal-fetal medicine specialists are complementary to obstetricians in providing consultations, co-management or direct care before and during pregnancy.

Mr. President, I urge my colleagues to join me in congratulating the members of the Society of Maternal-Fetal Medicine for their outstanding work. I also want to acknowledge the fine work of Dr. Peter Van Dorsten, President of the SMFM, who resides in my home state of South Carolina. There is no doubt that Americans across the country join me in thanking these unique individuals.

Mr. KENNEDY. Mr. President, seven months have elapsed since the House of Representatives passed the bi-partisan Norwood-Dingell bill to end insurance company and HMO abuses, and more than six months have passed since House and Senate conferees were appointed to prepare the final version of this important measure.

Today, I am releasing a new study by the Minority Staff of the Health, Education, Labor and Pensions Committee that documents how devastating this long delay has been for millions of Americans and their families, and how urgent it is for the House-Senate conference to complete its work as soon as possible.

Drawing on data gathered by the University of California School of Public Health and the Harvard School of Public Health, the report documents unacceptably high numbers of patients who are denied needed care, who suffer increased pain, or whose health has seriously declined because too many HMOs and insurance companies put profits ahead of patients.

According to the study, 59,000 patients each day—22 million patients a year—report added pain and suffering as the result of the actions of their health plans. Large numbers of patients have specialty referrals delayed or denied. Others are forced to change doctors. Still others are forced to take prescription drugs that are different from the drugs their doctor prescribed.

In addition to patients' reports of significant problems as the result of actions of their health plans, thousands of physicians report seeing patients every day whose health has seriously declined as the result of abuses

such as the failure to cover recommended prescription drugs, denial of needed diagnostic tests and procedures, and unwillingness to allow referrals for specialty care.

This study provides powerful new evidence of the need for Congress to move promptly to pass a strong Patient's Bill of Rights. Millions of families are suffering because of the failure of Congress to act. Families across America deserve protection, and it is time for Congress to fulfill its responsibility and see that they get it.

I ask unanimous consent the study be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE IMPACT ON PATIENTS OF DELAYS IN PASSING A PATIENTS' BILL OF RIGHTS: A SENATE HEALTH, EDUCATION, LABOR AND PENSIONS COMMITTEE MINORITY STAFF STUDY

Delays in passing legislation to curb insurance company abuse result in injury to thousands of patients daily and millions of patients annually. Drawing on two prior studies on the incidence of abusive health plan practices, this report looks at the number of patients affected daily, weekly, monthly and yearly.

The estimates are based on patient self-reports of experiences with health plans and on physicians' reports of the frequency of various abuses and the seriousness of injuries sustained by the patients they see in their own practices.

*Highlights*

According to patient reports, every day, as the result of actions of their health plan: 59,000 patients experience added pain and suffering; 41,000 patients experience a worsening of their condition; 35,000 patients have needed care delayed; 35,000 patients have a specialty referral delayed or denied; 31,000 patients are forced to change doctors; and 18,000 patients are forced to change medications.

According to physician reports, every day: 14,000 physicians see patients whose health has seriously declined because an insurance plan refused to provide coverage for a prescription drug; 10,000 physicians see patients whose health has seriously declined because an insurance plan did not approve a diagnostic test or procedure; 7,000 physicians see patients whose health has seriously declined because an insurance plan did not approve referral to a medical specialist; 6,000 physicians see patients whose health has seriously declined because an insurance plan did not approve an overnight hospital stay; and 6,000 physicians see patients whose health has seriously declined because an insurance plan did not approve a referral for mental health or substance abuse treatment.

Table 1 shows the incidence of plan restrictions on care and patient injuries resulting from plan actions by day, week, month, and annually, as reported in the survey of patients. Table 2 shows the number of physicians seeing plan abuses that result in serious declines in patient health each day, month, week, and year.

TABLE 1.—PATIENT SURVEY

| Health plan abuse | Number of patients affected per year | Number of patients affected per month | Number of patients affected per week | Number of patients affected per day |
|---|---|---|---|---|
| Delay in Needed Care | 12,880,000 | 1,073,000 | 247,000 | 35,000 |
| Delay or Deny Specialty Referral | 12,880,000 | 1,073,000 | 247,000 | 35,000 |
| Forced to Change Doctors | 11,270,000 | 939,000 | 216,000 | 31,000 |
| Forced to Change Medications | 6,440,000 | 537,000 | 124,000 | 18,000 |
| Results of Health Plan Abuse: | | | | |
| Added Pain and Suffering | 21,638,000 | 1,803,000 | 415,000 | 59,000 |
| Worsening of Condition | 14,876,000 | 1,240,000 | 285,000 | 41,000 |

Source: Committee Analysis Based on Helen H. Schauffler's "California Managed Health Care Improvement Task Force Survey of Public Perceptions and Experiences with Health Insurance Coverage." U.C. Berkeley School of Public Health and Field Research Corporation, September, 1997, reported in Improving Managed Health Care in California, Findings and Recommendations, Volume Two, January 1998, tables 4 and 19, projected to the national level.

TABLE 2.—PHYSICIAN SURVEY

| Health plan abuse | Number of doctors each year seeing patients with serious decline in health plan abuse | Number of doctors each month seeing patients with serious decline in health from plan abuse | Number of doctors each week seeing patients with serious decline in health from plan abuse | Number of doctors each day seeing patients with serious decline in health from plan abuse |
|---|---|---|---|---|
| Denied coverage of recommended prescription drug | 137,000 | 111,000 | 71,000 | 14,000 |
| Denied coverage of needed diagnostic test | 149,000 | 100,000 | 51,000 | 10,000 |
| Denied referral for needed specialty care | 122,000 | 76,000 | 37,000 | 7,000 |
| Denied overnight hospital stay | 110,000 | 65,000 | 29,000 | 6,000 |
| Denied referral for mental health or substance abuse treatment | 116,000 | 63,000 | 30,000 | 6,000 |

Source: Committee Analysis Based on Kaiser Family Foundation and Harvard School of Public Health, "Survey of Physicians and Nurses," July, 1999.

METHODOLOGY

The data presented in this report was drawn from two sources. Patients' self-reports on difficulties with their health plans and illness and injury caused by actions of their health plans was drawn from a random sample survey of individuals in California with private health insurance conducted by the Center for Health and Public Policy Studies, School of Public Health, University of California at Berkeley. Helen Schauffler, Ph.D., was the principal investigator. The survey was conducted during September, 1997 for the Managed Care Improvement Task Force of the State of California, and reported in Improving Managed Health Care in California, Findings and Recommendations, Volume Two, January, 1998, Tables 4 and 19.

The survey asked whether the respondent experienced specific difficulties with a health plan. Those who experienced difficulties were asked about the impact of the difficulty on their health. The figures presented in this report assume that the incidence of such events is the same among the total U.S. population of privately insured individuals as it is among the privately insured population in California. Daily, weekly, and monthly figures were derived by dividing annual rates by 365, 52, and 12, respectively. All figures in the tables are rounded to the nearest 1,000 patients.

Data on physicians' reports of health plan practices and serious declines in health experienced by patients as the result of health plan actions were drawn from the 1999 Survey of Physicians and Nurses by the Kaiser Family Foundation and the Harvard School of Public Health. The survey was conducted between February 11 and June 5, 1999. Physicians were asked how frequently a set of plan practices occurred (weekly, monthly, every six months, yearly, never, or not applicable to my practice). Physicians who reported that the practice occurred were asked for the impact on the health of their patients.

The figures reported in the survey were converted into daily, weekly, monthly, and annual totals by adding the proportions seeing the specified event during the specified time period. For example, to derive a weekly total, the numbers of doctors reporting seeing such patients weekly was added to one-fourth of the doctors reporting seeing such patients monthly plus one-fifty-second of the doctors reporting seeing such patients annually. The proportion was then multiplied by the size of the sampling universe of 470,364 physicians. All figures reported in the table are rounded to the nearest 1,000 patients.

Note that the tables are not comparable, since one reports on numbers of patients affected, while the other reports on numbers of doctors seeing affected patients. Many doctors saw numerous affected patients. Moreover, judgments of doctors who attribute health declines to specific plan practices may not coincide with patients' own conclusions. Also, the doctor survey reports on patient injuries due to specific plan practices which are not identical with the problems identified in the patient survey.

## SMITH AND WESSON AGREEMENT

Mr. LEVIN. Mr. President, for the first time in the United States, a gun manufacturer has agreed to make major changes to the design, distribution and marketing of its products. In a historic settlement reached by Smith & Wesson, the Administration, and cities and states around the country, Smith & Wesson will make sweeping changes to its business practices.

Under the terms of the agreement, several cities and counties will drop lawsuits filed against Smith & Wesson in exchange for reforms designed to make guns safer and limit access to them by unauthorized users. Specifically, Smith & Wesson agreed to increased safety standards, such as the

inclusion of external locking devices on all of its guns immediately, and internal safety locks on its pistols within two years; more stringent performance standards for its handguns, including rigorous drop tests; and a commitment to include ''smart gun'' technology in its newly designed handguns within three years.

In addition, Smith & Wesson agreed to revamp the way it distributes and sells firearms. Smith & Wesson will conduct business transactions only with authorized distributors and dealers who abide by a code of conduct. The distributor or dealer must agree in writing to perform and complete a background check for all sales, including those at gun shows; impose limits on the bulk purchase of guns; implement a security plan to prevent firearm and ammunition theft; require juveniles to be accompanied by a parent or guardian where guns and ammo are stored or sold. Other parts of the voluntary agreement include a trust fund for a public service campaign about the risk of firearms in the home and lessons for proper home storage. Also, Smith & Wesson made assurances that their guns will not be marketed to appeal to children or criminals and will not be advertised in the vicinity of schools, high crime zones, or public housing.

Finally, with this agreement, a firearm manufacturer has agreed to the basic demands of the American people: to keep guns out of the hands of children and criminals. I hope other gun manufacturers will follow their lead and work to reduce the level of gun violence in America.

## THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, April 5, 2000, the Federal debt stood at $5,758,940,935,120.58 (Five trillion, seven hundred fifty-eight billion, nine hundred forty million, nine hundred thirty-five thousand, one hundred twenty dollars and fifty-eight cents).

One year ago, April 5, 1999, the Federal debt stood at $5,662,955,000,000 (Five trillion, six hundred sixty-two billion, nine hundred fifty-five million).

Five years ago, April 5, 1995, the Federal debt stood at $4,878,158,000,000 (Four trillion, eight hundred seventy-eight billion, one hundred fifty-eight million).

Ten years ago, April 5, 1990, the Federal debt stood at $3,093,268,000,000 (Three trillion, ninety-three billion, two hundred sixty-eight million).

Fifteen years ago, April 5, 1985, the Federal debt stood at $1,737,241,000,000 (One trillion, seven hundred thirty-seven billion, two hundred forty-one million) which reflects a debt increase of more than $4 trillion—$4,021,699,935,120.58 (Four trillion, twenty-one billion, six hundred ninety-nine million, nine hundred thirty-five thousand, one hundred twenty dollars and fifty-eight cents) during the past 15 years.

## ADDITIONAL STATEMENTS

### NATIONAL STUDENT EMPLOYMENT WEEK

• Mr. CRAIG. Mr. President, I rise today in honor of National Student Employment Week. I would like to show appreciation for the good work that the past and present interns in my office have done, and say a few words about the mutual benefits of a congressional student internship program.

These days, as people turn to government more frequently for answers, it is especially important for young people to learn about government. If is crucial that they know how it affects their lives and the lives of others and what they can do to improve it. There is no better way for a student to discover how government works than by participating in the legislative process. Real-world experience helps a student develop optimistic, practical expectations of government.

An internship is often a student's first brush with the professional world. The congressional office gives them an opportunity to develop their professional skills. Each year, after working on Capitol Hill or in a state or district office, thousands of former student interns commit themselves to public service or choose a career path in the private sector. These young people bring the high standards with which they were trained to their first job.

Internships also allow students to gain experience specific to jobs in a congressional office. They allow students to try out different tasks, which gives them the chance to discover jobs they are well suited for and would not know about without hands-on office experience.

Many of us who hold office today credit a student internship as the inspiration for our commitment to public service. In fact, I believe that right now there are many young people who are planning to devote part of their careers to public service because of their student internships. Although not all former interns pursue a public service career, these young people are usually left with an ongoing interest in politics. The result of a student intership, is at the very least, an informed and thoughtful citizen.

I have the great fortune to work with some of the sharpest and most eager minds to come out of our colleges and universities. Among them this spring are Melissa Simpson of Blackfoot and Boise State University, Richard Andrus of Rexburg and Utah State University, Sarah Bonzer of Boise and Boise State University, Laura Atchely of Ashton and the University of Idaho, Melynda Topelian of Herndon High, Herndon, Virginia, and Holly Sonneland of Hailey and The Community School in Sun Valley, in my personal office in Washington, DC. The interns in my Republican Policy Committee office include Elisha Tiplett from Woodbridge, Virginia, and James Madison University, Nathan Johnson of Lewiston, Maine, and Brigham Young University, Carolyn Laird of Edmonton, Alberta Canada and the University of Alberta. The interns in my state offices are: Jose Melendez, a student from Northwest Nazarene University in the Boise office; Angela Nyland of Idaho State University and Mark H. Liedtke of Century High School in the Pocatello office; Kjersta Baum of Ricks College and Kristina Pack of Skyline High School in the Idaho Falls office. Past interns in the Idaho Falls office whom I would like to recognize include Pricilla Giddings of Salmon River, Jr./Sr. High School and Jared Lords of Idaho State University.

These interns are a welcome addition to my Idaho and Washington, DC, offices. They have brought their energy and scholastic ability with them and helped make my office more responsive to constituents at home.

In return for their effort, these students gain the satisfaction of helping their fellow citizens, the reward of being a well-trained worker, and the opportunity to make lifelong political contacts. Some have incorporated their study into their curriculum and will receive academic credit for their endeavors.

For these reasons, I will continue to provide internship opportunities to Idaho students. Student internship programs are an excellent example that student employment is pivotal in the continuation of a well-trained work force.

I commend my colleagues who have done their part by opening their offices to interns. I hope that they have seen, as I have, that student internships offer numerous benefits to both the congressional office and the student.

I thank the students who have participated in an internship. Their time as interns has made them knowledgeable citizens on the subject of government, and their participation has enriched our nation's legislative process.•

### 16TH ANNUAL TUFTONIA'S WEEK CELEBRATION AT TUFTS UNIVERSITY

• Mr. KENNEDY. Mr. President, this month marks the 16th annual observance of Tuftonia's Week by Tufts University in Medford, Massachusetts. As part of this impressive celebration, large numbers of the 80,000-plus Tufts alumni from around the world return to honor their outstanding university. We are fortunate to have many distinguished Tufts alumni working on Capitol Hill, so many of us are well aware of the high quality of these graduates.

This celebration always has special meaning for me. My daughter, Kara, is a graduate of Tufts, and I've also worked closely with many Tufts scholars on a wide range of public policy

issues. I am proud to count myself as a member of the Tufts family, and to add my congratulations to the official proclamations by Governors and Mayors across the country.

For the past 148 years, Tufts has trained many of our nation's outstanding scholars and distinguished political leaders. Tufts has provided outstanding leadership in medicine, engineering, nutrition and education. In addition to Tufts' strong academic tradition, it is a national leader in emphasizing service learning and providing opportunities for students to combine community service with their academic life. This program called ''TuftServe'' was highlighted when President Clifton held his Summit for America' Future in 1997, and it continues to be a model for the country. Campus Compact, housed at Tufts, has assisted Massachusetts colleges in participating in America Reads and America Counts, two initiatives that continue to improve the lives and futures of children in public schools.

I commend Tufts for the wide range of opportunities that it continues to offer to its students and alumni, and I also commend Tufts' President, John DiBiaggio, and all the members of the Tufts community for their impressive accomplishments in enhancing education and contributing so effectively to Massachusetts, the nation, and the world.●

## 232ND ANNIVERSARY OF THE CHAMBER OF COMMERCE

● Mr. GRAMS. Mr. President, April 5th marked the 232nd anniversary of the founding of the first Chamber of Commerce in the United States. A full eight years before the colonies declared their ''independence'' from English rule, New York City business owners banded together to create a unified voice. Today, there are thousands of local Chambers from Anchorage, Alaska to Zumbrota, Minnesota.

Over the past eight years, I have had to honor to work with these grassroots organizations on a wide variety of issues. Whether its been estate tax relief or permanent normalized trade with China, Minnesota's chambers have been there, working for Minnesota's job providers, every step of the way. That is why I was so proud to receive the Chamber's Spirit of Enterprise award earlier this year.

When Washington talks about our strong economy, debating what to do with the billions in federal surplus dollars, it sometimes appears as though Congress wants to take all the credit. Policy makers focus on the innovations, the increased productivity, the ''globalization'' of today's marketplace as proof of their good work. I don't need to remind my colleagues that the only thing Government can do is to remove the barriers to competition and provide a level playing field. The rest is a direct result of the entrepreneurial spirit of the men and women who've sacrificed to build businesses around Minnesota and around the country. Employers and employees, working hand in hand and with their chamber of commerce, have helped to turn this nation around.

So Mr. President, while our chamber members are taking care of business back home, we must recognize they are looking to the Congress for leadership to stem the tide of burdensome regulations and oppressive taxes. I believe working together, we can create an environment where all can thrive. And as we mark the anniversary of the first chamber of commerce, let us celebrate the contributions of all our chambers.●

## IN RECOGNITION OF CHARLES STEWARD MOTT COMMUNITY COLLEGE AND MR. PETER LEVINE, MPH

● Mr. LEVIN. Mr. President, I rise to congratulate Mott Community College and Mr. Peter Levine, MPH on being selected as the 1999 Corporate and Individual Health Advocates of the Year by the American Lung Association of the Michigan-Genesee Valley Region. Mott Community College and Mr. Levine are being honored by the Lung Association for their efforts to encourage, promote and raise awareness about improving the health of the Genesee Valley Region.

Mott Community College (MCC) is a dynamic community institution serving the needs of all the residents of Genesee County. This commitment to community service is manifested in the school's efforts to promote public health on campus and in the community. MCC has implemented a pro-active lung health program that not only eliminates smoking in all campus buildings, but also assists smokers in their efforts to ''kick the habit''. MCC provides counseling for employees who desire to quit smoking, and its health insurance providers offer educational programs to support employees who desire to quit smoking.

In addition, MCC has become a leader in community service. The college encourages faculty and staff to serve on local boards for community-based, nonprofit organizations, and the school allows employees to fulfill these commitments on company time, if necessary. The school also serves as a gathering place for community health special events. The annual MCC Health Fair brings community and health officials together, and Tipper Gore chaired a recent mental health town meeting on campus. MCC students and faculty in the health sciences share their expertise by assisting school groups, churches and the Genesee County Public Health Department with a variety of community health initiatives.

Peter Levine has served his community, state, and country in countless ways. He serves as the Executive Director of the Genesee County Medical Society. The Society is a progressive organization which seeks to be pro-patient and pro-physician. During Mr. Levine's tenure, the Medical Society has grown from a small association employing a few people into a set of four corporations serving the medical and general community with approximately 80 employees. The Society focuses on medical, social, bioethics, environmental health and resource allocation issues.

Mr. Levine has been on the faculty of Michigan State University since 1985, where he is currently an Associate Adjunct Professor in the College of Human Medicine. He has published extensively about health issues in scholarly and popular journals. In 1992, Health Care Weekly Review cited him as one of the eight most influential health care policy individuals or organizations in the State of Michigan. Peter Levine was a founding Board Member and volunteer for the Genesee County Free Medical Clinic. He also serves on the board of numerous civic and professional organizations. Currently he is the Chair of the Michigan Council of County Medical Society Executives.

Mr. President, I have mentioned only a small sampling of the many ways in which Charles Steward Mott Community College and Mr. Peter Levine have used their creativity, hard work and unflagging commitment to public service to make this community and our nation a better place to live. I know my colleagues will join me in honoring Mott Community College and Peter Levine for service on behalf of the Genesee Valley Region and State of Michigan.●

## FORTIETH ANNIVERSARY OF THE DEATH OF CHARLIE MOHR

● Mr. MOYNIHAN. Mr. President, I rise today to pay tribute to the memory of Charles ''Charlie'' Joseph Mohr, the University of Wisconsin's last 165-pound collegiate boxing champion. In April 1960, Charlie was badly beaten in a NCAA championship bout against San Jose State's Stuart Bartell. Minutes later he began convulsing in the locker room and lost consciousness. A week afterward, Charlie died without regaining consciousness.

Charlie grew up in Merrick, NY, and learned to box in nearby Long Beach. At age 18, he reached the semifinals of the prestigious New York City Golden Gloves amateur boxing tournament. In 1955, Charlie wrote a letter to Wisconsin's boxing Coach John Walsh asking about the possibility of receiving a scholarship. Coach Walsh eagerly obliged.

At the university, he excelled in all aspects of campus life. He was a good student who helped other's study for their exams. Charlie was very involved with the local parish St. Paul's Church and even thought about becoming a priest.

However, it was in the ring where he gained his notoriety. In his freshman

year, he won two university tournaments despite not being able to compete on the varsity team. The next year he won seven of his nine fights. As a junior, he captured the NCAA's 165-pound championship after defeating Jesse Klinkenberg.

The cause of Charlie's death is still in question. Doctors dispute whether the brain hemorrhaging that led to his untimely passing was caused by a blow at the hands of Bartell or an aneurysm. No one can dispute the profound impact his death had on the University and the intercollegiate sport. A couple of weeks after Charlie's death the faculty decided to disband the school's boxing program. Soon after, the NCAA followed suit, abolishing boxing as a sanctioned sport.

On January 19, 1999, I proposed S. 143, the Professional Boxing Safety Act Amendments of 1999 in order to try to protect fighters from lasting and debilitating head injuries in the ring. The bill passed, as an amendment to S. 305, the Muhammad Ali Boxing Reform Act, on July 27 of last year. The bill will require fighters to undergo a computer axial tomography (CAT) scan before a fighter can renew their professional license. Hopefully, the lesson taught to us by Charlie Mohr will not be forgotten.●

## IN RECOGNITION OF BETH DANIEL

● Mr. HOLLINGS. Mr. President, it is a pleasure for me to recognize one of South Carolina's most outstanding athletes, Beth Daniel, who was recently inducted into the Ladies Professional Golf Association (LPGA) Tour Hall of Fame—only the 16th woman to claim this prestigious honor.

A native of Charleston, SC, Daniel moved to Greenville to attend Furman University and play collegiate golf. While a student at Furman, she captured the U.S. Women's Amateur title twice, in 1975 and 1977. She was a member of the 1976 and 1978 U.S. Curtis Cup teams and the 1978 World Cup team. Since joining the LPGA Tour in 1979, she has collected an impressive 32 career victories and seven LPGA awards, including the 1979 LPGA Rookie of the Year award.

Beth had a phenomenal year in 1990, winning seven tournaments, including a major—the Mazda LPGA Championship—and setting a record for consecutive rounds in the 60s with nine. Also in 1990, she was named the Rolex Player of the Year and the United Press International Female Athlete of the Year. In 1995, she entered the South Carolina Golf Hall of Fame and, in 1996, became the third player in LPGA history to cross the $5 million mark in career earnings. She was also a member of the victorious 1996 U.S. Solheim Cup team.

Beth Daniel's accomplishments on the LPGA Tour and her many contributions to women's golf make her an excellent addition to the LPGA Hall of Fame. She is a credit to her sport, to Charleston, and to the State of South Carolina.●

## TRIBUTE TO MICHAEL DOBMEIER

● Mr. CONRAD. Mr. President, I rise today to pay tribute to Michael Dobmeier and to recognize him as a member of a distinguished group of North Dakotans who have demonstrated extraordinary leadership in their military careers and civilian life.

Michael was recently elected National Commander of the million-member Disabled American Veterans, a group with a historic tradition of advocating responsible legislation to assist disabled veterans, their families and survivors. Speaking of the DAV recently Michael said, ''I soon discovered the critical role the DAV serves in the lives of disabled veterans and their families in my community and communities nationwide.'' I wholeheartedly agree with this statement and attest to the fact that Michael has exemplified through his many significant achievements the great importance of the Disabled American Veterans.

Michael Dobmeier is a native of Grand Forks, North Dakota. After graduating from high-school, he enlisted in the navy in 1969. Following boot camp in San Diego, he trained as an engine man in Great Lakes, IL, attended Submarine School in New London, CT, and, later, Diver's School in San Diego.

While serving off the coast of Washington in April 1972 aboard the USS *Trigger*, Michael was severely burned when an engine crankcase oil heater exploded. It sprayed him with flaming oil and caused him 2nd and 3rd degree burns over more than 30 percent of his body.

Following this accident, Michael received a military discharge and joined the Grand Forks' Disabled American Veterans Chapter 2. Since then, he has held almost every local, state, and national leadership position in the organization and has held all chapter and department leadership positions. At the 1994 DAV National Convention, Michael was chosen to serve on the National Executive and Finance Committee, was elected 4th and 3rd Junior Vice Commander consecutively at the 1995 and 1996 DAV National Conventions, and at the 1997 National Convention was elected 1st Junior Vice Commander. In 1998, Michael was elected Senior Vice Commander at the National Convention in Las Vegas, NV. He was also the president of the North Dakota Veterans Home Foundation and was chosen the 1985 DAV Outstanding Member of the Department of North Dakota.

Michael Dobmeier resides in Grand Forks with his wife Sandra Jo and their two children. As owner and President of Dobmeier, Inc., an independent insurance company, Michael has also found success in the business world.

I am proud to honor Michael Dobmeier as a person who has served his country with distinction and accepted the challenges and risks associated with this service. As Michael recently stated, ''Taking risks means moving forward while others are waiting for better times, while others are waiting for proven results, and while others are waiting for applause for their past performance. The greatest risk of all, however, is to take no risks * * * make no changes.'' We thank Mr. Dobmeier today for taking those risks. The world is truly a better place because of him.●

## IN RECOGNITION OF BURTON H. BOYUM

● Mr. LEVIN. Mr. President, I rise today to recognize Burton H. Boyum, who is being honored on April 13th for his significant contributions to the preservation of the history of mining in Michigan's Upper Peninsula.

Burton H. Boyum was born in Minneapolis, Minnesota in 1919 and moved to the Upper Peninsula in 1941. He quickly learned to love the beauty of the U.P. and the outstanding character of its people. He worked as a mining engineer for one of the U.P.'s largest employers at the time, Cleveland Cliffs International, from his arrival in the U.P. until his retirement in 1984. Mr. Boyum's experience with Cleveland Cliffs inspired him to teach the public about the geology, mineralogy and mining heritage of his adopted home.

Mr. Boyum has contributed greatly to the preservation of the U.P.'s mining heritage throughout the years. In 1961, he was a founding Board Member of the Quincy Mine Hoist Association and was named its first Secretary. He served as President of the Board of the Association from 1973 until 1998, when he was named the first Chairman of the Board. Mr. Boyum has also served on the Advisory Commission of the Keweenaw National Historical Park, served as President of the Historical Society of Michigan, helped gain State approval for the Michigan Iron Industry Museum, and helped to create the Marquette Range Iron Mining Heritage Theme Park. He has written two books about the mining experience in the U.P., Saga of Iron Mining in Michigan's Upper Peninsula and The Mather Mine, and has also produced two videos about the history of U.P. mining.

As important as the mining experience has been to the U.P., Mr. Boyum also embraced the U.P.'s love for the outdoors and outdoor sports. He successfully campaigned for the creation of the National Ski Hall of Fame in Ishpeming, Michigan, and served as its first President and Curator. He also helped to organize the Great Lakes Olympic Training Center Association and served as its President for 10 years.

Mr. President, the history of Michigan's Upper Peninsula is deeply intertwined with the iron and copper mining industries. Burton H. Boyum has served the people of the U.P. well by dedicating himself to the preservation of its mining heritage. I know my colleagues will join me in wishing him well and in thanking him for his efforts.●

## IN MEMORY OF MARY BODNE

• Mr. HOLLINGS. Mr. President, last month a former Charleston, SC resident and longtime friend, Mary Bodne, passed away at the age of 93. She and her husband, Ben, a Charleston native, owned and operated the Algonquin Hotel in New York City for over 41 years. In honor of their dedication to historic preservation and their service to all of those who had the pleasure of staying at the Algonquin, I ask that the attached article from the New York Times be printed in the RECORD.

The article follows:

[From the New York Times, Mar. 4, 2000]

MARY BODNE, EX-OWNER OF ALGONQUIN HOTEL, DIES AT 93

(By Douglas Martin)

Mary Bodne, who with her husband, Ben, fell in love with the Algonquin Hotel on their honeymoon and later owned it for 41 years, died on Monday at Lenox Hill Hospital in Manhattan. She was 93.

She lived at the elegant Midtown hotel, the literary hangout of the Jazz Age, from 1946 until her death, spending most afternoons in her lobby armchair greeting regulars.

It all began when the Bodnes, newly married, lunched at the Algonquin in the early 1920's and sighted Will Rogers, whom they had seen the night before at the Ziegfeld Follies; Douglas Fairbanks Sr., Sinclair Lewis, Eddie Cantor, Gertrude Lawrence and Beatrice Lillie. The bride joked to her husband, an oil distributor in Charleston, S.C., that after he bought the baseball team he dreamed about, he should get her the hotel.

Although Mr. Bodne toyed with buying the Pittsburgh Pirates, he never bought a ball club. But in 1946 he paid around $1 million for the 200-room hotel at 59 West 44th Street, between Fifth Avenue and the Avenue of the Americas. The couple promptly moved in.

For the former Mary Mazo, the Algonquin was the final address in an odyssey that began in Odessa, Ukraine, where she was the second child in a large Jewish family that fled the pogroms when she was an infant. A family story has it that the baby Mary began to cry in an attic while Cossacks rampaged below, but that she miraculously hushed up before it was too late. It is said that Mrs. Bodne's later loquaciousness was compensation for that momentary silence.

The Mazo family immigrated to Charleston, where the father, Elihu, opened the city's first Jewish delicatessen. When George Gershwin and DuBose Heyward were working on ''Porgy and Bess,'' they were frequent customers. They would also discuss the creation of the show at dinners in the Mazo family home.

Decades later, the Mazo tradition of hospitality would continue at the Algonquin. Mrs. Bodne cooked chicken soup for an ailing Laurence Olivier. She baby-sat for Simone Signoret, who called her ''one of my three truest friends.''

Mrs. Bodne had a gift for acquiring house seats for sold-out Broadway shows for desperate friends. Ella Fitzgerald was so grateful that she regularly sang to Mrs. Bodne whenever she stayed at the hotel.

The Irish writer Brendan Behan was so touched by a courtesy that he declared, ''Mary, your son will live to be pope,'' even though Mrs. Bodne was Jewish and had two daughters.

The daughters, Renee Colby Chubet and Barbara Anspach, both live in Manhattan. Mrs. Bodne is also survived by four sisters: Annie Rabin and Celie Weissman, both of Manhattan, and Minnie Meislin and Norma Mazo, both of Charleston.

The Bodnes bought the Algonquin, built in 1902 in the French Renaissance style, from Frank Case, who had catered to writers and editors from The New Yorker and other nearby publications. Among them were Dorothy Parker, Robert Benchley, Franklin P. Adams, Edna Ferber and Alexander Woollcott. They gathered around several tables before settling on the round one that became famous, not least because of Mr. Case's knack for publicity.

When he bought the hotel, Mr. Bodne, who enjoyed promoting boxing matches, said he would not attempt to recreate Mr. Case's role as boniface of the literati. But he said he regarded the Algonquin as an investment and, as such, had no intention of changing its essential character. So he kept the mahogany panels and deep-pile carpeting, while adding such amenities as color television and air-conditioning.

The Bodnes ended up playing host to a new generation of literary and show business celebrities, like the writer John Henry Faulk when he was blacklisted and exiled from Hollywood. Alan Jay Lerner and Frederick Loewe made so much noise working on a musical that the other guests complained; the show was the hugely successful ''My Fair Lady.''

Mr. Bodne, who died in 1992, had vowed that he would sell the charmingly dowager hotel the day it needed self-service elevators. He sold it in 1987 to the Aoki Corporation, the Brazilian subsidiary of a Japanese corporation, which in a 1991 renovation installed self-service elevators.

In 1997, Aoki sold the hotel to the Camberley Hotel Company, which promptly did its own $4 million renovation, promising no major changes. In an article in The New York Times, Julie V. Iovine noted that the newsstand had been sacrificed for space to sell coffee mugs, and that door numbers had been replaced by plaques featuring remarks by the famed Algonquin wits. The impression, she wrote, was ''self-consciousness verging on kitsch.''

At a party celebrating the makeover, Mrs. Bodne sat on the new velvet chair that had replaced her beloved old sagging one. ''What I've seen looks very nice, but it will never look like my old Algonquin now,'' she said. ''No, darling, I know it will never be the same.''

Except for the cat. Each owner of the Algonquin, including the Bodnes, has kept a lobby cat. The current one is named Matilda•.

## TRIBUTE TO SARAH DAHLIN

• Mr. JOHNSON. Mr. President, I rise today to strongly commend and honor Sarah Dahlin of Vermillion, South Dakota. Sarah has been a highly-valued member of my legislative staff for approximately eight years, and I wanted to take this opportunity to publicly thank her for years of hard work and dedication to the people of South Dakota. Sarah will no longer be working on my staff after this week, and I, along with my entire staff, will miss her greatly. I have had the pleasure of knowing Sarah and her family for years, as we are both residents of Vermillion.

Fortunately for us and for Congress, Ms. Dahlin will not be leaving Capitol Hill, as she will be joining the office of Representative KAREN MCCARTHY. Sarah is truly a public servant, as demonstrated by her efforts in my office since 1992, when she joined my staff in the House of Representatives as a legislative correspondent. Sarah quickly earned my trust and confidence, as well as that of my senior staff, and she soon became a legislative assistant covering my Natural Resources Committee assignment, as well as a whole range of issues, from energy and environment, to defense and education, issues that are critically important to South Dakota. Issues and projects that Sarah has worked on for me and the people of South Dakota are too numerous to list, but Sarah has left a lasting contribution in many ways, from helping rural transit-providers receive a fair share of federal transit funds to helping South Dakota recover from devastating blizzards and flooding. Sarah's efforts over a number of years have helped make the Springfield bridge over the Missouri River a reality, with the Vermillion bridge not far behind. Sarah is the staff person who worked with me to pass an amendment to secure federal funds for the ongoing rehabilitation of the James River in South Dakota, an effort that will have a longstanding positive impact on the James River valley. She has helped create a new National Park Service facility to preserve a missile silo site, as well as help preserve important historical sites known as Spirit Mound and Blood Run.

After working on my House staff for more than four years, Sarah moved over to my Senate staff where she became a Senior Legislative Assistant. As well as staffing my Energy and Natural Resources Committee assignment during the last three plus years I have served in the Senate, most recently Sarah has also been responsible for staffing my Senate Budget Committee assignment. During consideration of the fiscal year 2000 and 2001 budget resolutions, Sarah has been instrumental in the passage of my amendments to increase funding for veterans health care, as well as the passage of an amendment to create a reserve fund for military retirees health care.

I know Sarah's parents, family, friends and colleagues are all very proud of her. She has a wonderful career and life in front of her, and I know she will continue to succeed at whatever she chooses to do. Hopefully she will have an opportunity to one day again serve the people of South Dakota. Mr. President, on behalf of my wife Barbara and I, and my entire staff, I want to thank Sarah Dahlin for her dedication and years of hard work for the people of South Dakota.•

## REGISTRATION OF MASS MAILINGS

The filing date for 2000 first quarter mass mailings is April 25, 2000. If your office did no mass mailings during this period, please submit a form that states ''none.''

Mass mailing registrations, or negative reports, should be submitted to

the Senate Office of Public Records, 232 Hart Building, Washington, D.C. 20510–7116.

The Public Records office will be open from 8:00 a.m. to 6:00 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office at (202) 224–0322.

## 2000 APRIL QUARTERLY REPORTS

The mailing and filing date of the April Quarterly Report required by the Federal Election Campaign Act, as amended, is Saturday, April 15, 2000. All Principal Campaign Committees supporting Senate candidates in the 2000 races must file their reports with the Senate Office of Public Records, 232 Hart Building, Washington, D.C. 20510–7116. You may wish to advise your campaign committee personnel of this requirement.

The Public Records office will be open from 12:00 noon until 4:00 p.m. on April 15th, to receive these filings. For further information, please do not hesitate to contact the Office of Public Records on (202) 224–0322.

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

## THE FISCAL YEAR 1998 ANNUAL REPORT OF THE NATIONAL ENDOWMENT FOR THE ARTS—MESSAGE FROM THE PRESIDENT—PM 99

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 on Health, Education, Labor, and Pensions.

*To the Congress of the United States:*

In accordance with the provisions of the National Foundation on the Arts and Humanities Act of 1965, as amended (20 U.S.C. 959(d)), I transmit herewith the annual report of the National Endowment for the Arts for 1998.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *April 6, 2000.*

## MESSAGE FROM THE HOUSE

At 12:10 p.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. 3660. An act to amend title 18, United States Code, to ban partial-birth abortions.

H.R. 3671. An act 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.

### ENROLLED BILLS SIGNED

The message also announced that the Speaker has signed the following enrolled bills:

H.R. 1374. An act to designate the United States Post Office building located at 680 U.S. Highway 130 in Hamilton, New Jersey, as the ''John K. Rafferty Hamilton Post Office Building.''

H.R. 3189. An act to designate the United States post office located at 14071 Peyton Drive in Chino Hills, California, as the ''Joseph Ileto Post Office.''

The enrolled bills were signed subsequently by the President pro tempore (Mr. THURMOND).

## MEASURE REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 3671. An act 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; to the Committee on Environment and Public Works.

## 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–8363. A communication from the Director, Cash Management Policy and Planning, Financial Management Service, Department of the Treasury transmitting, pursuant to law, the report of a rule entitled ''Federal Government Participation in the Automated Clearing House'' (RIN1510–AA81), received April 5, 2000; to the Committee on Finance.

EC–8364. A communication from the Secretary of the Interior, transmitting a draft of proposed legislation entitled the ''Coalfields Security Act of 2000''; to the Committee on Finance.

EC–8365. A communication from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury transmitting, pursuant to law, the report of a rule entitled ''Extension for Johannisberg Riesling; Additional Grape Varieties'' (RIN1512–AB80), received April 3, 2000; to the Committee on Finance.

EC–8366. A communication from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury transmitting, pursuant to law, the report of a rule entitled ''Yountville Viticultural Area'' (RIN1512–AA07), received April 3, 2000; to the Committee on Finance.

EC–8367. A communication from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury transmitting, pursuant to law, the report of a rule entitled ''Chiles Valley Viticultural Area'' (RIN1512–AA07), received April 3, 2000; to the Committee on Finance.

EC–8368. A communication from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury transmitting, pursuant to law, the report of a rule entitled ''Increase in Tax on Tobacco Products and Cigarette Papers and Tubes'' (RIN1512–AB88), received April 3, 2000; to the Committee on Finance.

EC–8369. A communication from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury transmitting, pursuant to law, the report of a rule entitled ''Floor Stocks Tax for Cigarettes'' (RIN1512–AB95), received April 3, 2000; to the Committee on Finance.

EC–8370. A communication from the Director, Office of Personnel Management, transmitting a draft of proposed legislation entitled ''Omnibus Federal Human Resources Administrative Improvements Act of 2000''; to the Committee on Governmental Affairs.

EC–8371. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Prevailing Rate Systems; Abolishment of the King, WA, Nonappropriated Fund Wage Area'' (RIN3206–AI75), received April 4, 2000; to the Committee on Governmental Affairs.

EC–8372. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Government National Mortgage Association management report for fiscal year 1999; to the Committee on Governmental Affairs.

EC–8373. A communication from the Chief of Staff/Acting Director, Office of Surface Mining, Department of the Interior transmitting, pursuant to law, the report of a rule entitled ''New Mexico Regulatory Program'' (SPATS No. NM–037–FOR, Part III), received April 4, 2000; to the Committee on Energy and Natural Resources.

EC–8374. A communication from the Chief of Staff/Acting Director, Office of Surface Mining, Department of the Interior transmitting, pursuant to law, the report of a rule entitled ''New Mexico Regulatory Program'' (SPATS No. NM–037–FOR, Part III), received April 4, 2000; to the Committee on Energy and Natural Resources.

EC–8375. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Planning and Management Program; Integrated Resource Planning Approval Criteria'' (RIN1901–AA84), received April 4, 2000; to the Committee on Energy and Natural Resources.

EC–8376. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury transmitting, pursuant to law, the report of a rule entitled ''Amendments to the Bank Secrecy Act Regulations—Requirement that Money Transmitters and Money Order and Traveler's Check Issuers, Sellers, and Redeemers Report Suspicious Transactions'' (RIN1506–AA20), received April 3, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–8377. A communication from the Chairman, National Credit Union Administration, transmitting, pursuant to law, the 1999 annual report; to the Committee on Banking, Housing, and Urban Affairs.

EC–8378. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC–8379. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the annual report on the National Institutes of Health Loan Repayment Program for Research Generally for fiscal year 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–8380. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Polymers'' (Docket No. 97F–0157), received April 4, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–8381. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Polymers'' (Docket No. 97F–0246), received April 4, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–8382. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Paper and Paperboard Components'' (Docket No. 93F–0132), received April 4, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–8383. A communication from the Assistant Secretary of the Army, Civil Works transmitting, pursuant to law, the report of a rule entitled ''Final Rule Establishing an Administrative Appeal Process for the Regulatory Program of the Corps of Engineers'' (RIN0710–AA41), received April 4, 2000; to the Committee on Environment and Public Works.

EC–8384. A communication from the Chairman, The Morris K. Udall Foundation transmitting a draft of proposed legislation entitled ''Native Nations Institute for Leadership, Management and Policy Act of 2000''; to the Committee on Environment and Public Works.

EC–8385. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans Georgia: Approval of Revisions to the Georgia State Implementation Plan: Transportation Conformity Interagency Memorandum of Agreement'' (FRL # 6573–5), received April 4, 2000; to the Committee on Environment and Public Works.

EC–8386. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Antelope Valley Air Pollution Control District and Mojave Desert Air Quality Management District'' (FRL # 6570–9), received April 4, 2000; to the Committee on Environment and Public Works.

EC–8387. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; Allegheny County, Pennsylvania; Control of Emissions from Existing Hospital/Medical/Infectious Waste Incinerators'' (FRL # 6571–5), received April 4, 2000; to the Committee on Environment and Public Works.

EC–8388. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plans; California-South Coast'' (FRL # 6570–7), received April 4, 2000; to the Committee on Environment and Public Works.

EC–8389. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Mississippi'' (FRL # 6574–3), received April 4, 2000; to the Committee on Environment and Public Works.

EC–8390. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''EPA Review and Approval of State and Tribal Water Quality Standards'' (FRL # 6571–7), received April 4, 2000; to the Committee on Environment and Public Works.

EC–8391. A communication from the Administrator, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report relative to cabin air quality research; to the Committee on Commerce, Science, and Transportation.

EC–8392. A communication from the Acting Assistant Administrator for Fisheries, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States and in the Western Pacific; Western Pacific Pelagic Fisheries; Hawaii-Based Pelagic Longline Fishery Line Clipper and Dipnet Requirement; Guidelines for Handling of Sea Turtles Brought Aboard Hawaii-Based Pelagic Longline Vessels'' (012100C), received April 4, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8393. A communication from the Acting Assistant Administrator for Fisheries, Office of Sustainable 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'' (RIN0648–AK79), received April 4, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8394. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species Fisheries; Swordfish Quota Adjustment'' (I.D. 102299B), received April 4, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8395. A communication from the Director, Office of Sustainable 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; Opens Directed Fishing for Several Groundfish Species in the Central Regulatory Area in the Gulf of Alaska'', received April 4, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8396. A communication from the Acting Director, Office of Sustainable 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-Pollock Closure in the West Yakutat District of the Gulf of Alaska'', received April 4, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8397. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Closure of Fishery for Logio Squid'', received April 4, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8398. A communication from the Deputy Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration, Department of Commerce transmitting, pursuant to law, the report of a rule entitled ''Coastal Ocean Program Supplemental Notice of Funds Availability for the Coastal Ecosystem Research Project in the Northern Gulf of Mexico'' (RIN0648–ZA78) (Docket No. 0002023–0023–01), received April 4, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8399. A communication from the Deputy Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration, Department of Commerce transmitting, pursuant to law, the report of a rule entitled ''Coastal Ocean Program Supplemental Notice of Funds Availability for the South Florida Ecosystem Restoration Prediction and Modeling Program and the South Florida Living Marine Resources Program'' (RIN0648–ZA79) (Docket No. 0002024–0024–01), received April 4, 2000; to the Committee on Commerce, Science, and Transportation.

EC–8400. A communication from the Deputy Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration, Department of Commerce transmitting, pursuant to law, the report of a rule entitled ''Coastal Ocean Program Supplemental Notice of Funds Availability for the Global Ocean Ecosystem Dynamics (GLOBEC) Research Project'' (RIN0648–ZA77) (Docket No. 000127019–0019–01), received April 4, 2000; to the Committee on Commerce, Science, and Transportation.

## REPORT OF COMMITTEE

The following report of committee was submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1936. A bill to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other National Forest System land in the State of Oregon and use the proceeds derived from the sale or exchange for National Forest System purposes (Rept. No. 106–256).

## EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. CAMPBELL for the Committee on Indian Affairs:

Thomas N. Slonaker, of Arizona, to be Special Trustee, Office of Special Trustee for

American Indians, Department of the Interior.

(The above nomination was reported with the recommendation that it 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. FRIST:

S. 2368. A bill to authorize studies on water supply management and development; to the Committee on Environment and Public Works.

By Mr. KERRY:

S. 2369. A bill to amend title 49, United States Code, to waive federal preemption of State law providing for the awarding of punitive damages against motor carriers for engaging in unfair or deceptive trade practices in the processing of claims relating to loss, damage, injury, or delay in connection with transportation of property in interstate commerce; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER (for himself, Mr. ROTH, Mr. SMITH of New Hampshire, Mr. BAUCUS, Mr. VOINOVICH, Mr. HATCH, Mr. DASCHLE, Mr. LOTT, Mr. AKAKA, Mr. BAYH, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. BREAUX, Mr. BRYAN, Mr. BYRD, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. HARKIN, Mr. INOUYE, Mr. KENNEDY, Mr. KERRY, Mr. KERREY, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. REID, Mr. ROBB, Mr. ROCKEFELLER, Mr. SARBANES, Mr. TORRICELLI, Mr. WELLSTONE, Mr. WYDEN, Mr. BENNETT, Mr. BOND, Mr. L. CHAFEE, Mr. COCHRAN, Mr. COVERDELL, Mr. CRAIG, Mr. DEWINE, Mr. GRAMM, Mr. HELMS, Mrs. HUTCHISON, Mr. JEFFORDS, Mr. NICKLES, Mr. SANTORUM, Mr. THOMAS, Mr. THOMPSON, Mr. WARNER, Mr. FITZGERALD, Mr. GORTON, and Mr. GRAMS):

S. 2370. A bill to designate the Federal Building located at 500 Pearl Street in New York City, New York, as the ''Daniel Patrick Moynihan United States Courthouse''; to the Committee on Environment and Public Works.

By Mr. HELMS:

S. 2371. A bill to suspend temporarily the duty on Cibacron Red LS–BHC; to the Committee on Finance.

By Mr. HELMS:

S. 2372. A bill to suspend temporarily the duty on Cibacron Brilliant Blue FN–G; to the Committee on Finance.

By Mr. HELMS:

S. 2373. A bill to suspend temporarily the duty on Cibacron Scarlet LS–2G HC; to the Committee on Finance.

By Mr. HELMS:

S. 2374. A bill to suspend temporarily the duty on certain TAED chemicals; to the Committee on Finance.

By Mr. HELMS:

S. 2375. A bill to suspend temporarily the duty on a certain polymer; to the Committee on Finance.

By Mr. HELMS:

S. 2376. A bill to suspend temporarily the duty on isobornyl acetate; to the Committee on Finance.

By Mr. HELMS:

S. 2377. A bill to suspend temporarily the duty on sodium petroleum sulfonate; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. LIEBERMAN, Mr. KERREY, and Mr. BRYAN):

S. 2378. A bill to amend titles XVIII and XIX of the Social Security Act to improve the safety of the medicare and medicaid programs, and for other purposes; to the Committee on Finance.

By Mr. HARKIN (for himself, Mr. L. CHAFEE, and Mr. GRAHAM):

S. 2379. A bill to provide for the protection of children from tobacco; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LAUTENBERG (for himself, Ms. SNOWE, Mrs. BOXER, and Mrs. MURRAY):

S. 2380. A bill to provide for international family planning funding for the fiscal year 2001, and for other purposes; to the Committee on Foreign Relations.

By Mr. KENNEDY (for himself, Mr. REID, Mr. STEVENS, Mr. KERRY, Mr. AKAKA, Ms. LANDRIEU, Mr. DURBIN, Mr. BINGAMAN, Mr. ASHCROFT, Mr. BIDEN, Mr. COCHRAN, Mr. INOUYE, Mr. FEINGOLD, Mr. LEVIN, Mr. GRAHAM, Mr. DEWINE, Mr. THURMOND, Mr. ABRAHAM, Mr. LIEBERMAN, Mr. SANTORUM, Mr. WARNER, Mrs. MURRAY, Mr. ROBB, Mr. BURNS, Mr. HOLLINGS, Mr. MOYNIHAN, Mr. CONRAD, Mr. SESSIONS, and Mrs. FEINSTEIN):

S.J. Res. 44. A joint resolution supporting the Day of Honor 2000 to honor and recognize the service of minority veterans in the United States Armed Forces during World War II; to the Committee on the Judiciary.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY:

S. 2369. A bill to amend title 49, United States Code, to waive federal preemption State law providing for the awarding of punitive damages against motor carriers for engaging in unfair or deceptive trade practices in the processing of claims relating to loss, damage, injury, or delay in connection with transportation of property in interstate commerce; to the Committee on Commerce, Science, and Transportation.

MOVING COMPANY RESPONSIBILITY ACT

• Mr. KERRY. Mr. President, I rise today to introduce the Moving Company Responsibility Act of 1999 to improve the protections afforded to consumers who hire moving companies to carry their possessions from one state to another. Under current law, consumers whose goods are lost or stolen during transit have no redress against moving companies that deceive or mistreat them during the claims process.

This problem was first brought to my attention by my constituents, Jane Rini and John Pucci. In 1990, Ms. Rini hired a moving company to transport her household goods from South Carolina to Massachusetts to attend Smith College's Ada Comstock Program. Among Ms. Rini's possessions were valuable original paintings and art objects that had been passed down through her family. When her belongings were delivered by the driver employed by the moving company, Ms. Rini noticed that the boxes containing the works of art were missing. Although the company's driver was not able to locate the boxes, he demanded that Ms. Rini sign inventory sheets indicating that her goods had been properly delivered and refused to leave her house until she signed for the delivery. Under pressure, Ms. Rini signed the inventory sheets, noting on them that boxes containing the works of art were missing. She was not informed by the company that she should note missing boxes on the bill of lading, nor was she given the pamphlet containing this information, as required by federal law. The next day, Ms. Rini and her family unpacked the boxes that had been delivered and determined conclusively that eleven works of art were missing. They have never been recovered.

From that point on, Ms. Rini did everything to obtain redress that reasonably could be expected of a consumer. She filed her claim with the moving company in a timely manner, and she went to great lengths to supply the moving company's claims adjusters with all the information they needed to process her claim. However, her efforts to recover damages for the lost artwork were met with abusive and deceptive tactics seemingly designed to discourage her claim.

At the beginning of the claims process, the company demanded that Ms. Rini provide it with documentation such as canceled checks, recent appraisal information, insurance riders, or cash receipts. Ms. Rini had no recent information on the works because they had been handed down through her family for generations, but she was able to supply the company with photographs of most of the missing pieces, and she even paid for professional appraisals of the works based on the photos. She also provided the company with a letter from 1929 which reflected the authenticity of some of the pieces.

Mr. President, this should have been more than enough to satisfy the company as to the validity of Ms. Rini's claim, but the company refused to accept appraisals unless they were based upon actual examination of the objects. Meanwhile, Ms. Rini was told by a company representative that a thorough investigation of her claim would be conducted, but the representative negligently failed to interview or take written statements in a timely manner from any of the employees involved in the move who might have been able to substantiate the claim.

Almost nine months later, the company denied Ms. Rini's claim on the grounds that all items were delivered and signed for on the bill of lading without a notation indicating missing items; that the company had not received adequate documentation to substantiate Rini's claims; and that the company had not uncovered any evidence that the works had not been delivered to Northampton.

Ms. Rini finally took her case to a District Court in Massachusetts. During the trial, the moving company's own expert witnesses testified that reliable and fair estimates of the value of works of art are commonly obtained through examination of photographs, but the company maintained that Ms. Rini's documentary proof was insubstantial and denied that it had a duty to settle the claim. Upon hearing the testimony, the court found Ms. Rini's documentation provided sufficient evidence upon which the moving company should have settled her claim. It further characterized the company's tactics as ''unfair,'' ''unethical,'' and ''deceptive,'' and found that Ms. Rini was entitled to recover damages for injury she suffered as a result of the company's negligence and misrepresentation throughout the claims process. However, the District Court's decision, which was based on Massachusetts law, was overturned by the First Circuit Court of Appeals, which found that state law providing relief to Ms. Rini is preempted by the federal law establishing uniform liability for motor carriers.

Mr. President, Ms. Rini's story is just an illustration of the larger problem. Under current law, irresponsible, unethical moving companies are allowed to mistreat those who depend on them for service, and there is no recourse for consumers who are the victims of negligence or deception. Consumers who place their trust in moving companies should have a reasonable expectation that they will be treated with consideration and respect at all times; and when a company fails to deliver on its promise to transport household goods in good condition, consumers' efforts to recover damages should not be met with the kind of abuse and deception that Ms. Rini experienced. No consumer should have to suffer that sort of treatment.

Unfortunately, current law provides little or no incentive for moving companies to make sure that customer claims are handled fairly. In fact, under current law, moving companies can act irresponsibly and unfairly with impunity. According to the Department of Transportation, well over 2,500 complaints were filed against moving companies in 1998, the most recent year for which this information is available. That's more than 2,500 consumers who believe they were treated unfairly—and those are just the consumers who actually took the time to file complaints. The time for Congress to act to protect consumers is now, and passage of the Moving Company Responsibility Act is the first step.

The Moving Company Responsibility Act would provide customers with a means of redress against unethical companies by allowing them to pursue claims under state law. The penalties and fines available under state laws would serve as an incentive to companies to treat customers fairly throughout the business relationship. This is a simple bill, but it is needed to ensure that consumers are adequately protected when they contract with moving companies.

I would like to thank my constituents, Ms. Rini and Mr. Pucci, for bringing this important consumer protection matter to my attention.

This bill will provide important protections to consumers, and I hope my colleagues on both sides of the aisle will join me in supporting it so that we can pass it quickly.

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. 2369

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

**SECTION 1. STATE COURT AWARDS OF PUNITIVE DAMAGES FOR UNFAIR OR DECEPTIVE PRACTICES OF MOTOR CARRIERS IN CONNECTION WITH CLAIMS FOR LOSS, DAMAGE, INJURY, OR DELAY OF TRANSPORTED PROPERTY.**

(a) PUNITIVE DAMAGES AUTHORIZED.—Section 14706 of title 49, United States Code, is amended by adding at the end the following:

''(h) PUNITIVE DAMAGES FOR UNFAIR OR DECEPTIVE PRACTICES.—Nothing in this section limits the liability of a carrier for punitive damages authorized under applicable State law for any act or omission of the carrier in connection with the investigation, settlement, adjudication, or other aspect of the processing of a claim under this section that constitutes an unfair or deceptive trade practice under such State law.''.

(e) RETROACTIVE EFFECTIVE DATE AND APPLICABILITY.—Subsection (h) of section 14706 of title 49, United States Code (as added by subsection (a)), shall take effect as of January 1, 1990, and shall apply with respect to receipts and bills of lading referred to in subsection (a)(1) of such section that are issued on or after that date.●

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By Mr. SCHUMER (for himself, Mr. ROTH, Mr. SMITH of New Hampshire, Mr. BAUCUS, Mr. VOINOVICH, Mr. HATCH, Mr. DASCHLE, Mr. LOTT, Mr. AKAKA, Mr. BAYH, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. BREAUX, Mr. BRYAN, Mr. BYRD, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. HARKIN, Mr. INOUYE, Mr. KENNEDY, Mr. KERRY, Mr. KERREY, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. REID, Mr. ROBB, Mr. ROCKEFELLER, Mr. SARBANES, Mr. TORRICELLI, Mr. WELLSTONE, Mr. WYDEN, Mr. BENNETT, Mr. BOND, Mr. L. CHAFEE, Mr. COCHRAN, Mr. COVERDELL, Mr. CRAIG, Mr. DEWINE, Mr. GRAMM, Mr. HELMS, Mrs. HUTCHISON, Mr. JEFFORDS, Mr. NICKLES, Mr. SANTORUM, Mr. THOMAS, Mr. THOMPSON, Mr. WARNER, Mr. FITZGERALD, Mr. GORTON, and Mr. GRAMS):

S. 2370. A bill to designate the Federal Building located at 500 Pearl Street in New York City, New York, as the ''Daniel Patrick Moynihan United States Courthouse''; to the Committee on Environment and Public Works.

LEGISLATION S. 2370 TO NAME THE FEDERAL COURTHOUSE AT 500 PEARL STREET IN NEW YORK CITY FOR SENATOR DANIEL PATRICK MOYNIHAN

Mr. SCHUMER. Mr. President, I rise today with 61 of my colleagues to introduce a bill to name the beautiful Federal Courthouse located at 500 Pearl Street in Manhattan, after my esteemed colleague and champion of this project, Senator DANIEL PATRICK MOYNIHAN.

When I think about the many accomplishments of the distinguished Senator or the numerous accolades that he has received, I am left with very big shoes to fill and very few words that have yet to be used to describe the man and his legacy. His roles throughout his 47-year career in public service include legislator, scholar, reformer, teacher and last, but definitely not least, builder. In New York, PAT MOYNIHAN has taught us the value of beautiful public works.

It is especially for his role as builder that we honor PAT MOYNIHAN today. The Federal Courthouse at 500 Pearl Street embodies the same spirit as his previous architectural endeavors—an extraordinary work of art, inside and out. Completed in 1994, the Courthouse was designed by the distinguished architectural firm of Kohn Pederson Fox with a dignity worthy of the weighty judicial matters considered within its walls. It is a magnificent structure of solid granite, marble, and sturdy oak, built to last 200 years, adorned with public art from notable contemporary artists Ray Kaskey and Maya Lin.

Not coincidentally, the Courthouse's presence and elegance befit the man who was most responsible for its creation—Senator DANIEL PATRICK MOYNIHAN, who has been an enduring champion of excellence in public architecture, both here in Washington and at home in New York. Senator MOYNIHAN toiled for nearly a decade prodding the Congress, General Services Administration, three New York City mayors, and anyone else he needed, to see this spectacular Courthouse built.

Senator MOYNIHAN has always been an important force for architecture in New York. He was responsible for the restoration of the spectacular Beaux-Arts Custom House at Bowling Green in Lower Manhattan and beloved in Buffalo for reawakening that city's appreciation for its architectural heritage, which includes Frank Lloyd Wright houses and the Prudential Building, one of the best-known early American skyscrapers by the architect Louis H. Sullivan—a building which MOYNIHAN helped restore and then chose as his Buffalo office. MOYNIHAN has also spurred a powerful popular movement in Buffalo to build a new signature Peace Bridge over the Niagara River.

But the project for which he is best known is his beloved Pennsylvania Station. In 1963, PAT MOYNIHAN was one of

a group of prescient New Yorkers who protested the tragic razing of our City's spectacular Penn Station—a glorious public building designed by McKim, Mead & White, the Nation's premier architectural firm of the time.

It was PAT MOYNIHAN who recognized years ago that across the street from what is now a sad basement terminal that functions—barely—as New York City's train station, sits the James A. Farley Post Office Building, built by the same architects, in much the same grand design, as the old Penn Station. PAT MOYNIHAN recognized that we could use the Farley Building to once again create a train station worthy of our great City. I, along with many of my colleagues, offered a bill last year to name that new train station after him, but Senator MOYNIHAN, with characteristic modesty, asked that the station keep the Farley name.

Fortunately, the Courthouse at 500 Pearl Street will serve as an equally fitting tribute and provide an enduring monument in the heart of the City that PAT MOYNIHAN and I both love so dearly, a monument for the millions of New Yorkers and their fellow Americans who love and admire Senator DANIEL PATRICK MOYNIHAN.

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. 2370

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

**SECTION 1. DESIGNATION OF DANIEL PATRICK MOYNIHAN UNITED STATES COURTHOUSE.**

The Federal building located at 500 Pearl Street in New York City, New York, shall be known and designated as the ''Daniel Patrick Moynihan United States Courthouse''.

**SEC. 2. REFERENCES.**

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the Daniel Patrick Moynihan United States Courthouse.

Mr. LAUTENBERG. Mr. President, I commend Senator SCHUMER for submitting this resolution. I, too, have had the privilege of working with Senator PAT MOYNIHAN on the Environment and Public Works Committee for almost 18 years. There are few people who have a better knowledge of history, design, and concept than does our friend, PAT MOYNIHAN.

I join Senator SCHUMER in his comments about Senator PAT MOYNIHAN. I am very familiar with the railroad station. Many people from New Jersey, and people from all over the country, will get to see this station and the contributions Senator MOYNIHAN has made to our national well-being.

I urge passage of the bill.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, as has the distinguished Senator from New Jersey, I have had the privilege of serving with our friend, Senator MOYNIHAN, for many years on the Environment and Public Works Committee. If I may say with some little immodesty, I have been sort of a silent partner with Senator MOYNIHAN, not so much on this project—this was entirely his, I say to the junior Senator—but the Ronald Reagan Airport, for example, and the completion of the Federal Triangle are major, significant landmarks which will go forward for future generations. But for this quiet, modest, knowledgeable man—I doubt if he would ever be a cosponsor of this resolution—it is most befitting that this be done to recognize a man who stands for the rule of law.

I thank the Senator.

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By Mr. GRASSLEY (for himself, Mr. LIEBERMAN, Mr. KERREY, and Mr. BRYAN):

S. 2378. A bill to amend titles XVIII and XIX of the Social Security Act to improve the safety of the Medicare and Medicaid programs, and for other purposes; to the Committee on Finance.

STOP ALL FREQUENT ERRORS (SAFE) IN MEDICARE AND MEDICAID ACT OF 2000

• Mr. GRASSLEY. Mr. President, I am pleased to introduce this important legislation today with my colleagues, Senator LIEBERMAN, Senator KERREY, and Senator BRYAN. This bill represents an important step toward ensuring patients receive safe, quality health care in our nation's hospitals and healthcare facilities.

The Institute of Medicine (IOM) Report released last fall indicates that nearly 44,000 to 98,000 people die or are seriously hurt in hospitals every year. That is equivalent to having three jumbo jets filled with passengers crash every two days. Should we be safer flying in an airplane than going to a hospital for routine surgery?

Take the case of Gary Masiello, who lost his daughter when her breathing tube was accidentally disconnected. Nine months later he lost his wife in another hospital when she choked on her medication. He no longer has the confidence that he or his family are safe when entering the hospital.

The case of Betsy Lehman, a Boston Globe health reporter, is yet another example of how medical mistakes can lead to death. She received a drug overdose in 1994 during her chemotherapy treatment.

Ironically, even one of the contributors to the IOM report was touched by a medical error. Mary Wakefield, while she was preparing the report, discovered that her 83 year old mother was operated on the wrong hand.

Today, Senator LIEBERMAN, Senator KERREY, Senator BRYAN, and I are introducing a bipartisan bill to make patient safety a national healthcare priority. We recognize that mistakes happen, and that in our complex healthcare system, problems will occur. But in a country that is the leader in healthcare research, technology, and advancement, we should be able to do much, much better when it comes to patient safety.

We are not here today to point the finger or to blame. We are here to provide a solution to this disturbing problem—a problem we think is preventable.

Our legislation establishes a reporting and patient safety program for hospitals and other healthcare providers that participate in the Medicare and Medicaid programs, which would include virtually every healthcare facility in the United States. Billions of federal tax dollars go to these programs. The taxpayers deserve to know that the healthcare system they invest in provides safe, high-quality care.

This bill extends confidentiality protections to ensure that providers will report without risk of retaliation by trial lawyers. By creating a safe environment, this bill will foster reporting and corrective action plans in hospitals and healthcare facilities across the country.

Our legislation will improve patient safety and give providers the tools they need to address medical mistakes before patients are harmed. These errors are not intentional by any means, but they are preventable. So, I ask that my colleagues on both sides of the aisle to support this bill to ensure that medical errors become a thing of the past.

I ask unanimous consent that a summary of the bill be printed in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION OF THE STOP ALL FREQUENT ERRORS (SAFE) IN MEDICARE AND MEDICAID ACT OF 2000

Section I. Title and Table of Contents.

Section II. Purpose—This section describes the intent of the legislation which is to create a non-punitive medical error reduction program under the Medicare and Medicaid programs through identification of medical errors, extension of confidentiality with limited disclosure, and implementation of systems and processes to reduce the number of adverse events that occur.

Section III. Improvement of Patient Safety under the Medicare Program—This section establishes the guidelines for the medical error reduction program in the Medicare and Medicaid programs as a condition of participation.

Facilities that choose to participate in the Medicare and Medicaid programs including hospitals, critical access hospitals, skilled nursing facilities, comprehensive outpatient rehabilitation facilities, home health agencies, hospice, renal dialysis facilities, and ambulatory surgery centers would have to meet the requirements of this Act.

Hospitals would be required to participate one year after the date of enactment of this Act. The other institutions would be phased-in on a timetable to be determined by the Secretary of Health and Human Services.

Providers would have to implement a patient safety program to reduce medical errors. The program will target both sentinel events and additional events associated with injury as targeted by the Secretary, or local providers. The program shall utilize active investigation to discover health care errors and achieve measurable improvement in the rates of health care errors.

In addition, providers would be required to report sentinel events and additional designated errors to the following: (1) their state health department; (2) a national accrediting organization when applicable, i.e. the Joint Commission on the Accreditation of Healthcare Organizations (JCAHO); and (3) the Medicare peer review organizations. The facility would be responsible for performing a root-cause analysis and implementing a corrective action plan that reduces the risk of such event happening in the future. Providers can designate which agency or entity described above to approve their compliance with the reporting and correction program. Aggregated reports without identifiers would be submitted to the Secretary by the agency or entity.

Confidentiality and privacy protections based on current peer review protections would be extended to ensure that institutions would be encouraged to report and to implement effective patient safety programs. Information would also be protected for the purposes of conducting peer review activities and root cause analysis.

A definition of poor performance is complying with the reporting and correction program will be specified by the Secretary, JCAHO, the Agency for Healthcare Research and Quality (AHRQ), the peer review organizations, providers and consumer organizations. When a facility has a pattern of poor performance, this information is reported to the Secretary and the Secretary shall then release this information to the public. This would occur if the pattern of poor performance continues for more than two years, and a provider fails to report sentinel events and implement corrective actions to address safety problems.

Section IV. Improvement of Patient Safety Under the Medicaid Program—This section extends the Medicare provisions above to congregate care providers in the Medicaid program. Congregate care provider is defined as facilities in the Medicaid program that provide hospital services, nursing facility services, services of intermediate care facilities for the mentally retarded, hospice care, residential treatment centers for children, services in an institution for mental diseases, and inpatient psychiatric hospital services for individuals under age of 21.

Section V. Establishment of the Center for Patient Safety—This section establishes a Center for Patient Safety (Center) within HHS. The mission of the Center is to improve patient safety and reduce the incidence of medical errors. The Center would establish national goals for patient safety and mechanisms to track such goals. In addition, the Center would prepare and submit an annual report to the President and Congress with recommendations concerning patient safety. Among some of its duties, the Center would develop a national health care patient safety research agenda, disseminate information and evaluate mechanisms to improve patient safety, and conduct pilot projects to conduct new or innovative patient safety reporting systems.

Section VI. Grants to Establish Patient Safety Programs—This section authorizes the Center to award grants to providers and health professionals affiliated with such providers for the establishment and operation of patient safety programs.

Section VII. Authorization of Appropriations—This section authorizes the following amounts:

(1) For fiscal year 2001, $30,000,000.
(2) For fiscal year 2002, $35,000,000.
(3) For fiscal year 2003, $40,000,000.
(4) For each fiscal year thereafter, such sums as may be necessary.●

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By Mr. HARKIN (for himself, Mr. L. CHAFEE, and Mr. GRAHAM):

S. 2379. A bill to provide for the protection of children from tobacco; to the Committee on Health, Education, Labor, and Pensions.

KIDS DESERVE FREEDOM FROM TOBACCO ACT OF 2000

Mr. HARKIN. Mr. President, I am pleased today to be joined by Senators CHAFEE and GRAHAM to introduce the ''KIDS Deserve Freedom from Tobacco Act of 2000.''

Just over 2 years ago, on March 31, 1998, Senators HARKIN, CHAFEE and GRAHAM teamed up to introduce the first comprehensive bipartisan legislation to reduce teen smoking. Today, I am pleased to announce that Senators HARKIN, CHAFEE and GRAHAM are teaming up again with the same goal. This bill is the first bipartisan Senate effort to restore the Food and Drug Administration's authority to protect our kids from tobacco.

We feel it is absolutely critical to show bipartisan support for picking up the ball the Supreme Court dropped in our lap just two weeks ago. We hope that our announcement today will be the beginning of a bipartisan push to get this type of common sense legislation passed.

The need is clear. As the Supreme Court recognized, tobacco use among children and adolescents is probably the single most significant threat to public health in the United States. A new study released just yesterday shows how the tobacco industry continues to successfully target our children. Seventy-three percent of teens reported seeing tobacco advertising in the previous two weeks, compared to only 33% of adults. And 77% of teens say it is easy for kids to buy cigarettes.

That is why 3,000 kids start smoking every day and fully 1,000 of them will die prematurely because of it. That's the equivalent of 3 jumbo jets packed with kids crashing every day. And that is why cigarette smoking among high school seniors is at a 19-year high. There is no question we face a public health crisis of unmatched proportions and we have the opportunity this year to stop it.

Passing comprehensive legislation that would dramatically reduce the number of American children hooked on this deadly habit is a once and a lifetime opportunity. Unfortunately, though, the tobacco debate in Washington has so far been largely partisan. That's why we've joined arms across party lines behind the KIDS Deserve Freedom From Tobacco Act, the KIDS Act. We hope and believe that the introduction of our bipartisan bill will change the debate and significantly increase the odds that reforms will be made this year.

Let me be clear. Nicotine is an addictive product and cigarettes kill. Even the tobacco companies are starting to admit it. In fact, Big Tobacco has known this for so long, they deliberately manipulate the nicotine in cigarettes to get more people addicted.

The FDA regulations, struck down by the Supreme Court two weeks ago, were about stopping kids from smoking. These regulations were an investment in the future of our kids.

Our legislation will re-affirm the FDA's authority over tobacco products. It will classify nicotine as a drug and tobacco products as drug delivery devices. It will allow FDA to implement a ''public health'' standard in its review and regulation of tobacco products. By codifying FDA's regulation of 1996, our legislation will also allow for continuation of the critically important youth ID checks. It will provide needed youth access restrictions such as requiring tobacco products to be kept behind store counters and ban vending machines. It will also include sensible advertising limits as well as other important provisions of the original FDA rule designed to reduce teen access to tobacco.

For the sake of our kids and the public health, we have a responsibility to act quickly on this. Today, we begin that important effort.

Mr. President, I urge my colleagues to examine our legislation and give us their comments. We should not leave this year without taking this type of common sense step to protect our kids.

Mr. L. CHAFEE. Mr. President, I am pleased to join Senators HARKIN and BOB GRAHAM in introducing the Kids Deserve Freedom From Tobacco Act of 2000, which would give the Food and Drug Administration the authority to regulate the manufacture and sale of tobacco. This legislation is a commonsense and bipartisan approach to ensure that tobacco products do not get into the hands of minors, especially in light of the Supreme Court's recent decision that the FDA does not have the authority to regulate tobacco products.

The Supreme Court's recent decision is disappointing. This judgment, while following the letter of the law, will cause unnecessary harm to millions of people unless Congress acts quickly to stem its affects. We must ensure that the FDA regulations are enacted into law.

Not only does tobacco pose a significant risk to the individual smoker, but it reaps a high cost from the American public. The widespread use of tobacco is eating away at our society's physical and financial health. Tobacco's physical toll in deaths and diseases is well-documented. However, the financial weight that tobacco places on America's overburdened health care system is often overlooked. As the single most preventable cause of premature death, disease and disability facing our nation, tobacco use is also the single biggest preventable expense to our nation's health care system.

America's publicly financed health care system has also suffered. Nearly half the costs of treating tobacco related illnesses—approximately $25 billion in 1993, according to the Centers for Disease Control—fall to state and federal governments through such programs as Medicare and Medicaid. This

unnecessary fiscal burden has hit the health care industry hard, increasing the cost of health care, while driving millions into the ranks of the uninsured. As Congress struggles to pull the Medicare program back from the brink of insolvency, it is clear that the huge costs of the preventable illnesses caused by tobacco need to be addressed. We have a clear choice: attack the problem of preventable disease, or place a greater burden on our already financially strapped health care system.

The Supreme Court did not argue the scientific evidence: nicotine is a drug and cigarettes are drug delivery devices. Nicotine is addictive, it lures children, kills adults, and drives up our nation's health care costs. In fact, the Court's majority opinion admitted that tobacco use was ''perhaps the single most significant threat to public health in the United States.''

The only thing the FDA lacks, they said, was explicit authority to regulate tobacco products. Fine! Today, we propose to give them that authority. This bipartisan measure will abide by the intent of the Court's ruling by granting the FDA explicit authority to regulate these deadly and addictive products as it does for all other drugs.

Congress cannot afford to wait. The three thousand children who get hooked on tobacco each day cannot afford to wait. Our overburdened health care system cannot afford to wait. I hope my colleagues in both Houses of Congress will come together in a bipartisan spirit to grant the FDA authority to stop the spread of the tobacco contagion.

Mr. GRAHAM. Mr. President, for far too long, the health and welfare of America's children have been jeopardized by a relatively unregulated tobacco industry.

''The Food and Drug Administration (FDA) has amply demonstrated that tobacco use, particularly among children and adolescents, poses perhaps the single most serious threat to public health in the United States.''

These words aren't mine. They are Justice Sandra Day O'Connor's, the author of the majority opinion in Food and Drug Administration v. Brown and Williamson—the recent case which prevents the FDA from effectively regulating tobacco.

We have worked hard to protect our children from the perils of tobacco, but we clearly have not done enough.

A study recently released by the Substance Abuse and Mental Health Services Administration (SAMHSA) shows that over 18 percent of youth between the ages of 12 and 17 are smokers.

That translates into 4.1 million kids. And, every day, another 3,000 children join the ranks of their smoking peers.

Not only are these children exposing themselves to the long-term health risks that we know tobacco to pose, they are increasing the likeliness that they will develop other harmful addictions.

SAMHSA's study has revealed that children who smoke are over 11 times more likely to use illicit drugs and 16 times more likely to drink heavily than are their nonsmoking peers. Specifically, children who smoke are 100 times more likely to also smoke marijuana and 32 times more likely to use cocaine than nonsmoking children.

Today, of the 4.1 million children who currently smoke, approximately: 35% smoke marijuana; 8% take hallucinogenic drugs; 5% use cocaine; and 4% sniff inhalants.

The Supreme Court has placed the burden of protecting not only these children, but all children from tobacco squarely on the shoulders of the Congress. This is indeed a heavy weight to bear, but it is one from which we cannot afford to shy away.

We are here today to announce that we have accepted this charge, and are introducing legislation that will provide America's children with real protections from tobacco.

Currently, the FDA has the authority to regulate virtually all products which we consume or apply to our skin—food, drugs, cosmetics and medical devices—protecting Americans by ensuring that these products meet certain health standards.

Yet, today, FDA authority—and thus, FDA protection—does not apply to tobacco.

Congress can extend these protections by giving the FDA the authority to truly regulate tobacco products.

Our legislation would do just that. It would give the FDA authority to: (1) reduce harmful components—such as nicotine—in tobacco products; (2) impose appropriate advertising and marketing restrictions to reduce teenage tobacco use; (3) require manufacturers to submit information about the health effects of their product to the FDA; (4) require strong warning labels; and (5) regulate health claims and ''Reduced Risk'' products.

Mr. President, we are all in agreement that it is our responsibility to promote a healthier America. This legislation will help us achieve that collective goal, by giving the FDA the authority to regulate the tobacco industry. I urge my colleagues to support this important measure.

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By Mr. LAUTENBERG (for himself, Ms. SNOWE, Mrs. BOXER, and Mrs. MURRAY):

S. 2380. A bill to provide for international family planning funding for the fiscal year 2001, and for other purposes; to the Committee on Foreign Relations.

SAVING WOMEN'S LIVES THROUGH INTERNATIONAL FAMILY PLANNING ACT OF 2000

• Mr. LAUTENBERG. Mr. President, I rise today to introduce the Saving Women's Lives through International Family Planning Act of 2000. I would like to thank Senator SNOWE, Senator BOXER, and Senator MURRAY for joining me as cosponsors and I invite others to join us. Congresswoman MALONEY introduced this legislation in the House in February, and it has gained the support of 94 cosponsors on both sides of the aisle in that body.

Mr. President, while global population growth has slowed, the world's population reached 6 billion in 1999 and is expected to rise to 8.9 billion by 2050. Nearly all of this growth is occurring in developing nations. High population density puts tremendous strain on water and other resources and takes an increasing toll on the quality and length of human life.

Each year, more than 585,000 women die from complications related to pregnancy and childbirth. And millions of women suffer serious health problems following childbirth.

International family planning programs are our best hope to slow population growth and decrease mortality rates, and that's why the legislation I'm introducing today is so important.

Tomorrow is World Health Day, an appropriate occasion to remember that international family planning programs save the lives of millions of women all over the world. Providing reproductive health care and health education results in safer pregnancies and safer motherhood.

Yet this country is paying hundreds of millions of dollars less on international family planning programs today than it did five years ago. We need to restore this country's commitment to helping those in developing countries raise their standards of living, and family planning must be an important part of that assistance. Without this renewed commitment, high fertility rates and rapid population growth will prevent people in the poorest countries from rising out of poverty.

The Saving Women's Lives through International Family Planning Act of 2000 authorizes $541.6 million—the funding level requested by President Clinton—for bilateral family planning programs and related assistance abroad. It also provides $35 million for the United Nations Population Fund, known as UNFPA. This would return our level of international family planning assistance to where it was in fiscal 1995. This is a sound investment that will bring returns for decades to come.

This bill would also reverse the so-called ''gag rule'' that restricts USAID grants to non-governmental organizations abroad that use their own funds to advocate a woman's right to choose or to perform legal medical procedures. Under this bill, the requirements we apply to NGOs would not be more restrictive that the requirements on foreign governments that receive similar assistance.

I have fought for years, as a member of the Foreign Operations Appropriations subcommittee, for adequate funding for international family planning programs without restrictions which would limit the reach or effectiveness of our aid.

Last year, we were forced to accept the gag rule in exchange for congressional agreement to pay U.S. arrears to the United Nations. It was a bitter pill to swallow and we must eliminate this provision now. It's unfair and undemocratic. By restricting the freedom of organizations to engage in public policy debates, the gag rule undermines a central goal of U.S. foreign policy, the promotion of democracy—which has at its core the principles of free and open debate and citizen involvement in government decisions. And this restriction is a serious impediment to our efforts to bring global population levels under control and to protect the lives of millions of women by letting them choose to have only as many children as they can care for responsibly.

Mr. President, family planning is even more critical to the health of people in developing countries than it is here in America. Many developing countries lack the hospitals and clinics and doctors and other health-care professionals to provide women with the advice and care they need to have a safe pregnancy. Many lack the facilities and expertise to provide obstetrical and prenatal care women need to deliver healthy babies.

Sometimes, a pregnancy can be dangerous, especially if the woman is too young or too old to bear a child. In many poor societies, families have many children because so many die before they reach adulthood and children provide the only support in their parents' later years. As a result, families too often have more children than they can realistically support and face malnutrition or even starvation. Finally, there are those who do not properly consider the potential transmission of deadly diseases such as AIDS or who do not have access to contraceptive devices.

For many poor women abroad, family planning clinics offer the only general health care available. Without the critical funding provided in this bill, many of these women will unnecessarily suffer and even die. With this assistance, women and children will have a better chance of living longer, healthier lives.

We need this legislation to reduce mortality rates, to combat the spread of HIV/AIDS and other diseases, and to give the poorest nations an opportunity to meet their social, environmental, and economic needs by making family planning available worldwide.

Mr. President, I urge my colleagues to join in support of the Saving Women's Lives through International Family Planning Act of 2000. We all have a stake in helping people in the worlds poorer nations plan their families and helping control the impact of population growth on the planet we share.●

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By Mr. KENNEDY (for himself, Mr. REID, Mr. STEVENS, Mr. KERRY, Mr. AKAKA, Ms. LANDRIEU, Mr. DURBIN, Mr. BINGAMAN, Mr. ASHCROFT, Mr. BIDEN, Mr. COCHRAN, Mr. INOUYE, Mr. FEINGOLD, Mr. LEVIN, Mr. GRAHAM, Mr. DEWINE, Mr. THURMOND, Mr. ABRAHAM, Mr. LIEBERMAN, Mr. SANTORUM, Mr. WARNER, Mrs. MURRAY, Mr. ROBB, Mr. BURNS, Mr. HOLLINGS, Mr. MOYNIHAN, Mr. CONRAD, Mr. SESSIONS, and Mrs. FEINSTEIN):

S.J. Res. 44. A joint resolution supporting the Day of Honor 2000 to honor and recognize the service of minority veterans in the United States Armed Forces during World War II; to the Committee on the Judiciary.

MAY 25—''DAY OF HONOR 2000''

Mr. KENNEDY. Mr. President, today Senator DANIEL AKAKA, Senator DANIEL INOUYE, Senator TED STEVENS, and I, along with 24 other Senators, are introducing a Senate Joint Resolution to designate May 25, 2000, as a national Day of Honor for minority veterans of World War II. Representative SHEILA JACKSON-LEE of Texas is introducing an identical resolution in the House of Representatives.

Forty-five years ago, the bloodiest war in our history came to an end and millions of American service men and women returned to the United States to rebuild their lives after fighting so courageously and successfully to defend our country.

These brave veterans included large numbers of minorities. More than 1.2 million African Americans, more than 300,000 Hispanic Americans, more than 50,000 Asian Americans, more than 20,000 Native Americans, more than 6,000 Hawaiians and Pacific Islanders, and more than 3,000 Native Alaskans risked their lives to preserve our democracy.

On land, sea and air, far from their homes, they fought brilliantly to defeat fascism and protect our freedom. And large numbers of them did so in spite of the racism and injustice they had suffered in our society, and even in their military service.

Too often, when they returned to America and raised the question of freedom and equal justice here at home, the answer came back, ''no.'' Too often, when fundamental issues of equality and respect of their service in the war arose, Jim Crow and racial discrimination replied with a resounding ''no.''

Even during the war itself, these brave men and women in uniform had faced racial discrimination and violent and cruel treatment from their fellow citizens—and often from their fellow American service men and women. Even here on American soil during the war, German prisoners of war were allowed to go to places in the United States where black Americans were not allowed to go.

Last December, President Clinton dealt at long last with one example of these injustices when he pardoned Freddie Meeks, one of 50 African-American sailors who were convicted of mutiny and sentenced to prison and hard labor in 1944 for refusing to continue loading ammunition after a deadly explosion at the Port Chicago naval facility new San Francisco. That explosion of 10,000 tons of ammunition at the loading dock resulted in the deaths of 320 persons, two-thirds of whom were black.

As President Clinton noted, Meeks had participated in the ''extraordinarily difficult job of picking up human remains'' following the blast. White sailors were given 30-day leaves after the blast, but black sailors were ordered back to work. Meeks and 257 others were court-martialed after they refused to continue loading the ammunitions, because the order was so blatantly racist and the danger was so great. The pardon, granted by the President, was eminently justified. The Navy had agreed in a 1994 review of the case that the sailors had been victims of racial discrimination, but it had not overturned their convictions.

Historians feel that the Port Chicago case was a major factor in convincing President Harry Truman to issue his famous Executive order in 1948, banning segregation in the armed forces.

Japanese Americans were also subjected to shameful discrimination during the war. The Supreme Court upheld the internment of tens of thousands of U.S. citizens of Japanese ancestry during the war, because the government was fearful that their allegiance might to be to Japan. In recent years, reparations have been paid as amends for these shameful deeds against Japanese Americans, but no reparations can ever fully compensate for such gross violations of human liberties.

As a nation, we have long since recognized the unfair treatment of minorities as a travesty of justice. The landmark decisions of the Supreme Court and the enactment of fundamental civil rights laws by Congress over the past half century have remedied the worst of these injustices and made our nation a freer and fairer land. But we have yet to give adequate recognition to the service, struggles and sacrifices of these brave Americans who fought so valiantly in World War II for our future.

Veterans of that war are now dying at a rate of more than 1,000 a day. It is especially important, therefore, for Congress and the Administration to do their part now to pay tribute to these men and women who served so valiantly in that conflict. This Day of Honor Resolution is part of The Day of Honor Celebration being planned for communities across the country, which is being organized by the Massachusetts-based Day of Honor 2000 Project. Our goal is that the nation will have an opportunity to pause on that day to express our gratitude to the veterans of all minority groups who served the nation so well.

Included in that group of honored veterans are two of our outstanding colleagues in the Senate, Senator AKAKA of Hawaii and Senator INOUYE of Hawaii, and my former colleague from

Massachusetts, Senator Edward W. Brooke. Senator INOUYE and Senator Brooke both speak eloquently and passionately of their World War II experiences in the film, ''The Invisible Soldiers: Unheard Voices,'' which is a part of the Day of Honor events in local communities.

By recognizing May 25th as a national Day of Honor in tribute to these extraordinary men and women, we can help to remedy the many wrongs inflicted on them in years gone by, and we can take another step toward true justice in this country. These men and women are part of what has been called America's greatest generation. In a very real sense, we owe them our liberty today and we shall never ever forget them.

I urge all members of the Senate to join in sponsoring this resolution.

ADDITIONAL COSPONSORS

S. 459

At the request of Mr. BREAUX, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 459, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on private activity bonds.

S. 514

At the request of Mr. COCHRAN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 514, a bill to improve the National Writing Project.

S. 805

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 805, a bill to amend title V of the Social Security Act to provide for the establishment and operation of asthma treatment services for children, and for other purposes.

S. 1006

At the request of Mr. TORRICELLI, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1006, a bill to end the use of conventional steel-jawed leghold traps on animals in the United States.

S. 1017

At the request of Mr. MACK, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 1017, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on the low-income housing credit.

S. 1163

At the request of Mr. ASHCROFT, his name was added as a cosponsor of S. 1163, a bill to amend the Public Health Service Act to provide for research and services with respect to lupus.

S. 1345

At the request of Mr. LAUTENBERG, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 1345, a bill to amend title 18, United States Code, to prohibit certain interstate conduct relating to exotic animals.

S. 1448

At the request of Mr. HUTCHINSON, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1448, a bill to amend the Food Security Act of 1985 to authorize the annual enrollment of land in the wetlands reserve program, to extend the program through 2005, and for other purposes.

S. 1638

At the request of Mr. ASHCROFT, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 1638, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend the retroactive eligibility dates for financial assistance for higher education for spouses and dependent children of Federal, State, and local law enforcement officers who are killed in the line of duty.

S. 1762

At the request of Mr. COVERDELL, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 1762, a bill to amend the Watershed Protection and Flood Prevention Act to authorize the Secretary of Agriculture to provide cost share assistance for the rehabilitation of structural measures constructed as part of water resources projects previously funded by the Secretary under such Act or related laws.

S. 1800

At the request of Mr. GRAHAM, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1800, a bill to amend the Food Stamp Act of 1977 to improve onsite inspections of State food stamp programs, to provide grants to develop community partnerships and innovative outreach strategies for food stamp and related programs, and for other purposes.

S. 1822

At the request of Mr. ASHCROFT, his name was added as a cosponsor of S. 1822, a bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a minor child's congenital or developmental deformity or disorder due to trauma, infection, tumor, or disease.

S. 1921

At the request of Mr. CAMPBELL, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor 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. 1939

At the request of Mr. HELMS, the names of the Senator from North Carolina (Mr. EDWARDS), and the Senator from Michigan (Mr. ABRAHAM) were added as cosponsors of S. 1939, a bill to amend the internal revenue code of 1986 to allow a credit against income tax for dry cleaning equipment which uses reduced amounts of hazardous substances.

S. 1941

At the request of Mr. DODD, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 1941, a bill to amend the Federal Fire Prevention and Control Act of 1974 to authorize the Director of the Federal Emergency Management Agency to provide assistance to fire departments and fire prevention organizations for the purpose of protecting the public and firefighting personnel against fire and fire-related hazards.

S. 1961

At the request of Mr. JOHNSON, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1961, a bill to amend the Food Security Act of 1985 to expand the number of acres authorized for inclusion in the conservation reserve.

S. 1988

At the request of Mr. DASCHLE, the names of the Senator from Kansas (Mr. ROBERTS), and the Senator from Iowa (Mr. GRASSLEY) 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. 1993

At the request of Mr. THOMPSON, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 1993, a bill to reform Government information security by strengthening information security practices throughout the Federal Government.

S. 2018

At the request of Mrs. HUTCHISON, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2018, a bill to amend title XVIII of the Social Security Act to revise the update factor used in making payments to PPS hospitals under the medicare program.

S. 2060

At the request of Mrs. FEINSTEIN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2060, a bill to authorize the President to award a gold medal on behalf of the Congress to Charles M. Schulz in recognition of his lasting artistic contributions to the Nation and the world, and for other purposes.

S. 2068

At the request of Mr. GREGG, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 2068, a bill to prohibit the Federal Communications Commission from establishing rules authorizing the operation of new, low power FM radio stations.

S. 2073

At the request of Mr. LEAHY, the name of the Senator from Nebraska (Mr. KERREY) was added as a cosponsor of S. 2073, a bill to reduce the risk that innocent persons may be executed, and for other purposes.

S. 2231

At the request of Mr. COVERDELL, the names of the Senator from Kansas (Mr.

BROWNBACK), and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. 2231, a bill to provide for the placement at the Lincoln Memorial of a plaque commemorating the speech of Martin Luther King, Jr., known as the ''I Have A Dream'' speech.

S. 2265

At the request of Mrs. HUTCHISON, the name of the Senator from Colorado (Mr. CAMPBELL) was added as a cosponsor of S. 2265, a bill to amend the Internal Revenue Code of 1986 to preserve marginal domestic oil and natural gas well production, and for other purposes.

S. 2280

At the request of Mr. MCCONNELL, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 2280, a bill to provide for the effective punishment of online child molesters.

S. 2293

At the request of Mr. SANTORUM, the names of the Senator from Tennessee (Mr. FRIST), the Senator from Nebraska (Mr. HAGEL), and the Senator from Kentucky (Mr. BUNNING) were added as cosponsors of S. 2293, a bill to amend the Federal Deposit Insurance Act and the Federal Home Loan Bank Act to provide for the payment of Financing Corporation interest obligations from balances in the deposit insurance funds in excess of an established ratio and, after such obligations are satisfied, to provide for rebates to insured depository institutions of such excess reserves.

S. 2307

At the request of Mr. DORGAN, the names of the Senator from New Mexico (Mr. BINGAMAN), and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. 2307, a bill to amend the Communications Act of 1934 to encourage broadband deployment to rural America, and for other purposes.

S. 2314

At the request of Mr. SMITH of New Hampshire the names of the Senator from Arizona (Mr. KYL), and the Senator from Oklahoma (Mr. NICKLES) were added as cosponsors of S. 2314, a bill for the relief of Elian Gonzalez and other family members.

S. 2321

At the request of Mr. ROCKEFELLER, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 2321, a bill to amend the Internal Revenue Code of 1986 to allow a tax credit for development costs of telecommunications facilities in rural areas.

S. 2323

At the request of Mr. MCCONNELL, the names of the Senator from Maine (Ms. COLLINS), and the Senator from Kentucky (Mr. BUNNING) 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. 2336

At the request of Mr. BINGAMAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2336, a bill to authorize funding for networking and information technology research and development at the Department of Energy for fiscal years 2001 through 2005, and for other purposes.

S. 2344

At the request of Mr. BROWNBACK, the names of the Senator from Iowa (Mr. HARKIN), and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors 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. 2353

At the request of Mr. AKAKA, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 2353, a bill to amend the Higher Education Act of 1965 to improve the program for American Indian Tribal Colleges and Universities under part A of title III.

S. 2363

At the request of Mr. CRAPO, the names of the Senator from Idaho (Mr. CRAIG), the Senator from Wyoming (Mr. ENZI), and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 2363, a bill to subject the United States to imposition of fees and costs in proceedings relating to State water rights adjudications.

S. 2366

At the request of Mr. FRIST, the names of the Senator from Oklahoma (Mr. NICKLES), and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. 2366, a bill to amend the Public Health Service Act to revise and extend provisions relating to the Organ Procurement Transplantation Network.

S. RES. 248

At the request of Mr. ROBB, the names of the Senator from Missouri (Mr. BOND), the Senator from West Virginia (Mr. BYRD), the Senator from Washington (Mrs. MURRAY), the Senator from Alabama (Mr. SHELBY), and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S.Res. 248, A resolution to designate the week of May 7, 2000, as ''National Correctional Officers and Employees Week.''

S. RES. 260

At the request of Mr. BOND, the names of the Senator from Georgia (Mr. CLELAND), and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. Res. 260, A resolution to express the sense of the Senate that the Federal investment in programs that provide health care services to uninsured and low-income individuals in medically under served areas be increased in order to double access to care over the next 5 years.

S. RES. 268

At the request of Mr. HAGEL, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. Res. 268, A resolution designating July 17 through July 23 as ''National Fragile X Awareness Week.''

AMENDMENT NO. 2911

At the request of Mrs. BOXER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of amendment No. 2911 intended to be 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.

AMENDMENT NO. 2924

At the request of Mr. JEFFORDS, the names of the Senator from Ohio (Mr. DEWINE), and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of amendment No. 2924 intended to be 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.

AMENDMENT NO. 2931

At the request of Mr. DOMENICI, his name was added as a cosponsor of amendment No. 2931 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. WARNER, his name was added as a cosponsor of amendment No. 2931 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. GRAMM, his name was added as a cosponsor of amendment No. 2931 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.

AMENDMENT NO. 2933

At the request of Mr. BAYH, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of amendment No. 2933 intended to be 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.

AMENDMENT NO. 2934

At the request of Mr. JOHNSON, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of amendment No. 2934 intended to be 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.

AMENDMENT NO. 2940

At the request of Mr. ASHCROFT, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of amendment No. 2940 intended to be 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.

AMENDMENT NO. 2944

At the request of Mr. L. CHAFEE, the names of the Senator from California (Mrs. FEINSTEIN), and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of amendment No. 2944 intended to be 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. WARNER, his name was added as a cosponsor of amendment No. 2944 intended to be 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. STEVENS, his name was added as a cosponsor of amendment No. 2944 intended to be 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.

AMENDMENT NO. 2947

At the request of Mr. SANTORUM, the names of the Senator from Idaho (Mr. CRAIG), and the Senator from Washington (Mr. GORTON) were added as cosponsors of amendment No. 2947 intended to be 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.

AMENDMENT NO. 2951

At the request of Mr. KENNEDY, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Maryland (Ms. MIKULSKI), the Senator from Vermont (Mr. LEAHY), the Senator from Minnesota (Mr. WELLSTONE), the Senator from Rhode Island (Mr. REED), and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of amendment No. 2951 intended to be 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.

AMENDMENT NO. 2954

At the request of Mr. SCHUMER, his name was added as a cosponsor of amendment No. 2954 intended to be 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 Mrs. BOXER, her name was added as a cosponsor of amendment No. 2954 intended to be 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. LAUTENBERG, his name was added as a cosponsor of amendment No. 2954 intended to be 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 Mrs. FEINSTEIN, her name was added as a cosponsor of amendment No. 2954 intended to be 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. LEAHY, his name was added as a cosponsor of amendment No. 2954 intended to be 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. KENNEDY, his name was added as a cosponsor of amendment No. 2954 intended to be 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. REED, his name was added as a cosponsor of amendment No. 2954 intended to be 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.

AMENDMENT NO. 2958

At the request of Mr. FITZGERALD, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of amendment No. 2958 intended to be 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.

AMENDMENT NO. 2961

At the request of Mr. FITZGERALD, the names of the Senator from Georgia (Mr. COVERDELL), the Senator from Oklahoma (Mr. NICKLES), the Senator from New Hampshire (Mr. GREGG), the Senator from Ohio (Mr. VOINOVICH), the Senator from New Hampshire (Mr. SMITH), the Senator from Wyoming (Mr. ENZI), the Senator from Arizona (Mr. KYL), the Senator from Michigan (Mr. ABRAHAM), the Senator from Florida (Mr. MACK), the Senator from Texas (Mr. GRAMM), the Senator from Idaho (Mr. CRAPO), and the Senator from Pennsylvania (Mr. SANTORUM) were added as cosponsors of amendment No. 2961 intended to be 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.

## AMENDMENTS SUBMITTED

## CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2001

### GRAHAM (AND OTHERS) AMENDMENT NO. 2966

(Ordered to lie on the table.)

Mr. GRAHAM (for himself, Mr. LIEBERMAN, Mr. BAYH, Mrs. LANDRIEU, Mrs. LINCOLN, Mr. BREAUX, Mr. ROBB, and Mr. EDWARDS) 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. ____. RESERVE FUND FOR ADDITIONAL ESEA FUNDING IN THE SENATE.**

(a) IN GENERAL.—In the Senate, upon reporting of a bill, the offering of an amendment thereto, or the submission of a conference report thereon that allows local educational agencies to use appropriated funds to carry out activities under a reauthorized Elementary and Secondary Education Act that complies with subsection (b), the Chairman of the Committee on the Budget of the Senate may increase the functional totals and outlay aggregates and allocations—

(1) for fiscal year 2001 by not more than $3,000,000,000; and

(2) for the period of fiscal years 2001 through 2005 by not more than $15,000,000,000.

(b) CONDITION.—Legislation complies with this subsection if it provides—

(1) increased accountability;

(2) encouragement of State educational agencies (SEAs) and local educational agencies (LEAs) to establish high student performance standards;

(3) a concentration of resources around central education goals, including compensatory education for disadvantaged children and youth, teacher quality and professional development, innovative education strategies, programs for limited English proficiency students, student safety, and educational technology; and

(4) an allocation of funds that targets the most impoverished areas and schools most likely to be in distress.

### GRAHAM AMENDMENT NO. 2967

(Ordered to lie on the table.)

Mr. GRAHAM submitted an amendment intended to be proposed by him to the concurrent resolution, S. Con. Res. 101, supra; as follows:

On page 4, line 8, increase the amount by $42,000,000,000.

On page 4, line 17, decrease the amount by $42,000,000,000

On page 5, line 1, increase the amount by $42,000,000,000.

On page 5, line 11, increase the amount by $42,000,000,000.

On page 6, line 10, decrease the amount by $43,033,000,000.

On page 22, line 23, increase the amount by $42,000,000,000.

On page 22, line 24, increase the amount by $42,000,000,000.

On page 29, line 4, decrease the amount by $42,000,000,000.

## INHOFE (AND OTHERS) AMENDMENT NO. 2968

(Ordered to lie on the table.)

Mr. INHOFE (for himself, Mr. SESSIONS, and Mr. COCHRAN) 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.**

(a) FINDINGS.—The Senate finds that—

(1) local educational agencies are obligated to provide a free public education to all children even though Federal activity may deprive the local educational agencies of the ability to collect sufficient property or sales taxes to support the education of the children;

(2) the Impact Aid program is designed to compensate local educational agencies for the substantial and continuing financial burden resulting from tax revenue lost as a result of Federal activities;

(3) the Impact Aid program has not been fully funded since 1980 and this shortfall has caused local educational agencies to forego needed infrastructure repairs, delay the purchase of educational materials, delay the purchase of properly equipped buses for disabled children, and delay other pressing needs; and

(4) both Congress and the Administration have committed to making education a top priority.

(b) SENSE OF THE SENSE.—It is the sense of the Senate that the levels in this resolution assume that the Impact Aid Program strive to reach the goal that Section 8003(b) of the program is funded at 64% in fiscal year 2001 appropriation cycle; 76% in fiscal year 2002 appropriation cycle; 88% in fiscal year 2003 appropriation cycle; and 100% in fiscal year 2004 appropriation cycle.

## DORGAN AMENDMENT NO. 2969

(Ordered to lie on the table.)

Mr. DORGAN 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 REGARDING PAYMENTS TO RURAL PROVIDERS UNDER THE MEDICARE PROGRAM.**

(a) FINDINGS.—The Senate makes the following findings:

(1) Nearly 1 in 4 medicare beneficiaries live in rural areas.

(2) Rural medicare beneficiaries pay into the medicare program under title XVIII of the Social Security Act at the same rate as their urban counterparts, but they receive fewer benefits.

(3) Currently, 50 percent (2,525 hospitals) of the Nation's 5,070 hospitals have fewer than 100 beds, and 56 percent of the Nation's hospitals are located in rural areas.

(4) For some rural hospitals, medicare payments account for as much as 87 percent of the total revenues of the hospital.

(5) A 1999 study of the impact of Balanced Budget Act of 1997 (in this section referred to as the ''BBA'') on hospital profit margins found that hospitals with less than 100 beds, which are predominately rural hospitals, are financially hardest hit by the BBA.

(6) Left unchecked, the BBA would cause the profit margins of these predominantly rural hospitals to decrease from positive 4.2 percent in fiscal year 1998 to negative 5.6 percent in fiscal year 2002, a drop of 233 percent.

(7) On average, reimbursement for items and services under the medicare program provided in rural areas is substantially lower than in urban areas, and this inequity cannot be explained by current differences in the costs associated with providing items and services in rural and urban areas.

(8) Currently, increasing numbers of rural communities face critical losses of local health professionals through retirement or the emigration of these professionals to larger communities offering opportunities for better income.

(9) Similarly, a lack of opportunity occurs for each Medicare+Choice organization that offers a Medicare+Choice plan in a rural county because the annual Medicare+Choice capitation rate for a beneficiary enrolled in such a plan is less than ½ of the rate paid to such an organization under the medicare program on behalf of a beneficiary enrolled in a Medicare+Choice plan in an urban county.

(10) Congress took a step forward in confronting and addressing the funding crisis for medicare beneficiaries requiring hospital care, home health care, skilled nursing care, and other basic care in rural communities through the Medicare, Medicaid, and SCHIP Balanced Budget Refinement Act of 1999.

(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, during deliberations on structural reforms to the medicare program under title XVIII of the Social Security Act—

(1) Congress should ensure the viability of all health services to medicare beneficiaries residing in rural communities, including inpatient hospital care, outpatient care, skilled nursing facility and therapy services, home health care, and services provided under a Medicare+Choice plan; and

(2) the President and Congress should address the continuing inequities between payments under the medicare program to providers for items and services furnished to medicare beneficiaries residing in urban communities versus payments for such items and services furnished to medicare beneficiaries residing in rural communities, as such inequities result in a chronic shortage of providers of care for rural beneficiaries, who pay into the medicare program at the same rate as beneficiaries in urban areas.

## DORGAN (AND ROBB) AMENDMENT NO. 2970

(Ordered to lie on the table.)

Mr. DORGAN (for himself and Mr. ROBB) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the appropriate place, add the following:

**SEC. ___. SENSE OF CONGRESS REGARDING THE NEED FOR ADDITIONAL FEDERAL FUNDING AND TAX INCENTIVES FOR EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES AUTHORIZED AND DESIGNATED PURSUANT TO 1997 AND 1998 LAWS.**

(a) FINDINGS.—The Senate finds that—

(1) providing Federal tax incentives and other incentives to distressed communities across the Nation to help them rebuild and grow was one of the important goals of the Taxpayer Relief Act of 1997 and the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999;

(2) to help reach that goal, the Taxpayer Relief Act of 1997 authorized 20 additional empowerment zones, 15 urban and 5 rural, followed by 20 new rural enterprise communities authorized in 1998;

(3) the 1997 law authorizing this second round of empowerment zones (EZs) was also significant and important because it broadened empowerment zone eligibility, for the first time, to Indian tribes and rural regions suffering from massive out-migration;

(4) many of our urban and rural communities are not sharing in the benefits of the prolonged economic expansion now enjoyed by many other parts of our country;

(5) a total of more than 250 economically distressed urban and rural communities competed for the 20 new empowerment zones and 20 new rural enterprise communities, and those areas designated as zones and communities should be provided with the Federal incentives and encouragement they need to attract new businesses, and the jobs they provide, in order to stimulate economic growth and improvement;

(6) unfortunately, those areas that are designated EZs or ECs under the 1997 and 1998 laws or rural economic area partnerships (REAPs) by the Department of Agriculture, are not given the full advantage of Social Services Block Grant funds, tax credits, and some other Federal incentives that Congress provided to the first round of empowerment zones and enterprise communities authorized pursuant to 1993 budget legislation;

(7) Congress should act swiftly to provide such designated areas an equal share of tax incentives, grant benefits, and other Federal support at aggregate levels of at least that provided by Congress to distressed urban and rural empowerment zones and enterprise communities pursuant to the 1993 omnibus budget reconciliation bill; and

(8) a fully funded second round of EZs and ECs is estimated to create and retain about 90,000 jobs and stimulate $10,000,000,000 in private and public investments over the next decade.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the levels in this resolution assume that—

(1) if Congress and the President agree to a substantial tax relief measure, such measure should include full funding for the second round of empowerment zones and enterprise communities authorized in 1997 and 1998 as well as those areas currently designated rural economic area partnerships (REAPs) by the Department of Agriculture; and

(2) all such designated distressed areas, rural and urban, should equally share at least the same aggregate level of funding, tax incentives, and other Federal support that Congress provided to urban and rural empowerment zones and enterprise communities authorized by the 1993 omnibus budget reconciliation bill.

## DORGAN AMENDMENT NO. 2971

(Ordered to lie on the table.)

Mr. DORGAN 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 REGARDING THE ENFORCEMENT OF TRADE AGREEMENTS.**

(a) FINDINGS.—The Senate makes the following findings:

(1) The United States Trade Representative's 2000 National Trade Estimate Report on Foreign Trade Barriers documents numerous foreign barriers to United States exports that are not consistent with international trade rules and which are actionable under United States trade law and the World Trade Organization.

(2) Foreign barriers that impede United States exports contribute substantially to the United States merchandise trade deficit which has been expanding at an alarming rate, and which soared to $347,000,000,000 in 1999.

(3) Huge chronic trade imbalances are not in the national interest of the United States, and cannot be sustained indefinitely without harming the economic prosperity of the United States.

(4) United States lives and communities are being injured by a flood of foreign goods coming across United States borders. Many goods are being dumped unfairly below their true value.

(5) It is important to United States workers, farmers, ranchers, and businesses that the United States have sufficient tools and resources to enforce the commitments made by its trading partners.

(6) The United States merchandise trade deficit with the People's Republic of China surged to nearly $70,000,000,000 in 1999, and the burden on those who enforce our trade agreements will increase enormously under the proposed United States-China World Trade Organization accession agreement.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that—

(1) Congress should fully fund the trade enforcement initiative contained in the budget submitted by the President for fiscal year 2001 pursuant to section 1105 of title 31, United States Code, so the United States can begin to dedicate sufficient manpower and resources to matters and transactions dealing with trade monitoring and enforcement, and negotiation of trade agreements that benefit United States producers, businesses, and communities;

(2) the President and the executive branch of the Government should aggressively enforce United States trade agreements with the full range of United States trade laws, including sections 310, 201, and 301 of the Trade Act of 1974, and United States antidumping laws; and

(3) the President and executive branch of the Government should give high priority to reducing the United States trade deficit.

## DORGAN (AND WELLSTONE) AMENDMENT NO. 2972

(Ordered to lie on the table.)

Mr. DORGAN (for himself and Mr. WELLSTONE) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

On page 48, strike lines 1 through 15 and insert the following:

**SEC. 212. SENSE OF THE SENATE REGARDING BUREAU OF INDIAN AFFAIRS SCHOOL CONSTRUCTION TRUST FUND.**

It is the sense of the Senate that the levels in this resolution assume that Congress should enact legislation this year that contains the following provision:

**"SEC. ___. SCHOOL CONSTRUCTION TRUST FUND.**

''(a) SHORT TITLE.—This section may be cited as the 'School Construction Trust Fund Act of 2000'.

''(b) ESTABLISHMENT OF TRUST FUND.—There is established in the Treasury of the United States a trust fund, to be known as the School Construction Trust Fund (in this section referred to as the 'Trust Fund'). The Trust Fund shall be administered by the Secretary of the Treasury.

''(c) DEPOSITS.—Funds made available under section 7(a)(3) of the Federal Reserve Act (12 U.S.C. 289(3)), as added by this section, shall be deposited in the Trust Fund in accordance with that section.

''(d) EXPENDITURE OF TRUST FUNDS.—The Secretary of the Treasury shall make the amount in the Trust Fund available to the Bureau of Indian Affairs, annually, to remain available until expended, for the construction, expansion, improvement, or repair of Bureau funded schools (as defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026)).

''(e) SOURCE OF FUNDS.—Section 7(a) of the Federal Reserve Act (12 U.S.C. 289) is amended by adding at the end the following:

'''(3) TRANSFER OF FUNDS TO SCHOOL CONSTRUCTION TRUST FUND.—From any amount in the surplus fund of any Federal reserve bank, there shall be transferred to the School Construction Trust Fund established under the School Construction Trust Fund Act of 2000—

'''(A) a total of $300,000,000 in fiscal year 2001; and

'''(B) a total of $200,000,000 in each of fiscal years 2002 through 2005.' ''.

## GRAMM AMENDMENT NO. 2973

Mr. GRAMM 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 $1.

On page 4, line 5, decrease the amount by $1.

On page 4, line 6, decrease the amount by $1.

On page 4, line 7, decrease the amount by $1.

On page 4, line 8, decrease the amount by $1.

**FEDERAL REVENUE CHANGES**

On page 4, line 12, increase the amount by $0.

On page 4, line 13, increase the amount by $1.

On page 4, line 14, increase the amount by $1.

On page 4, line 15, increase the amount by $1.

On page 4, line 16, increase the amount by $1.

On page 4, line 17, increase the amount by $1.

**NEW BUDGET AUTHORITY**

On page 4, line 21, increase the amount by $0.

On page 4, line 22, increase the amount by $1.

On page 4, line 23, increase the amount by $1.

On page 4, line 24, increase the amount by $1.

On page 4, line 25, increase the amount by $1.

On page 5, line 1, increase the amount by $1.

**BUDGET OUTLAYS**

On page 5, line 6, increase the amount by $0.

On page 5, line 7, increase the amount by $1.

On page 5, line 8, increase the amount by $1.

On page 5, line 9, increase the amount by $1.

On page 5, line 10, increase the amount by $1.

On page 5, line 11, increase the amount by $1.

**NET INTEREST BUDGET AUTHORITY**

On page 26, line 3, increase the amount by $0.

On page 26, line 7, increase the amount by $1.

On page 26, line 11, increase the amount by $1.

On page 26, line 15, increase the amount by $1.

On page 26, line 19, increase the amount by $1.

On page 26, line 23, increase the amount by $1.

**NET INTEREST OUTLAYS**

On page 26, line 4, increase the amount by $0.

On page 26, line 8, increase the amount by $1.

On page 26, line 12, increase the amount by $1.

On page 26, line 16, increase the amount by $1.

On page 26, line 20, increase the amount by $1.

On page 26, line 24, increase the amount by $1.

**PUBLIC DEBT**

On page 5, line 22, increase the amount by $0.

On page 5, line 23, increase the amount by $1.

On page 5, line 24, increase the amount by $1.

On page 5, line 25, increase the amount by $1.

On page 6, line 1, increase the amount by $1.

On page 6, line 2, increase the amount by $1.

**DEBT HELD BY THE PUBLIC**

On page 6, line 5, increase the amount by $0.

On page 6, line 6, increase the amount by $1.

On page 6, line 7, increase the amount by $1.

On page 6, line 8, increase the amount by $1.

On page 6, line 9, increase the amount by $1.

On page 6, line 10, increase the amount by $1.

**TAX CUT**

On page 29, line 3, increase the amount by $1.

On page 29, line 4, increase the amount by $1.

**DEFICIT INCREASE**

On page 5, line 14, increase the amount by $0.

On page 5, line 15, increase the amount by $1.

On page 5, line 16, increase the amount by $1.

On page 5, line 17, increase the amount by $1.

On page 5, line 18, increase the amount by $1.

On page 5, line 19, increase the amount by $1;

and insert the following:

**SEC. . SENSE OF THE SENATE ON THE INTERNAL COMBUSTION ENGINE.**

It is the sense of the Senate that the levels in this resolution assume that the Senate will not, on behalf of Vice President Al Gore,

increase gasoline and diesel fuel taxes by $1.50 per gallon effective July 1, 2000, and by an additional $1.50 per gallon effective fiscal year 2005, as part of ''a coordinated global program to accomplish the strategic goal of completely eliminating the internal combustion engine over, say, a twenty-five year period'' since ''their cumulative impact on the global environment is posing a mortal threat to the security of every nation that is more deadly than that of any military enemy we are ever again likely to confront.''

## BIDEN (AND OTHERS) AMENDMENT NO. 2974

(Ordered to lie on the table.)

Mr. BIDEN (for himself, Mr. HATCH, and Mr. CLELAND) 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 SUPPORT FOR FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT AND FOR THE VIOLENT CRIME REDUCTION TRUST FUND.**

(a) FINDINGS.—The Senate finds the following:

(1) Our Federal, State, and local law enforcement officers provide essential services that preserve and protect our freedom and safety, and with the support of Federal assistance such as the Local Law Enforcement Block Grant program, the Juvenile Accountability Incentive Block Grant Program, the COPS Program, and the Byrne Grant program, State and local law enforcement officers have succeeded in reducing the national scourge of violent crime, illustrated by a violent crime rate that has dropped in each of the years since the fund was established.

(2) Assistance, such as the Violent Offender Incarceration/Truth in Sentencing Incentive Grants, provided to State corrections systems to encourage truth in sentencing laws for violent offenders has resulted in longer time served by violent criminals and safer streets for law abiding people across the Nation.

(3) Through a comprehensive effort by State and local law enforcement to attack violence against women, in concert with the efforts of dedicated volunteers and professionals who provide victim services, shelter, counseling, and advocacy to battered women and their children, important strides have been made against the national scourge of violence against women.

(4) Despite recent gains, the violent crime rate remains high by historical standards.

(5) Federal efforts to investigate and prosecute international terrorism and complex interstate and international crime are vital aspects of a national anticrime strategy, and should be maintained.

(6) The recent gains by Federal, State, and local law enforcement in the fight against violent crime and violence against women are fragile, and continued financial commitment from the Federal Government for funding and financial assistance is required to sustain and build upon these gains.

(7) The Violent Crime Reduction Trust Fund, enacted as a part of the Violent Crime Control and Law Enforcement Act of 1994, funds the Violent Crime Control and Law Enforcement Act of 1994, the Violence Against Women Act of 1994, and the Antiterrorism and Effective Death Penalty Act of 1996, without adding to the Federal budget deficit.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that the Federal Government's commitment to fund Federal law enforcement programs and programs to assist State and local efforts to combat violent crime, such as the Local Law enforcement Block Grant Program, the Juvenile Accountability Incentive Block Grant Program, the Violent Offender Incarceration/Truth in Sentencing Incentive Grants program, the Violence Against Women Act, the COPS Program, and the Byrne Grant program, shall be maintained, and that funding for the Violent Crime Reduction Trust Fund shall continue to at least fiscal year 2005.

## BIDEN (AND OTHERS) AMENDMENT NO. 2975

(Ordered to lie on the table.)

Mr. BIDEN (for himself, Mr. HARKIN, Mr. ROBB, Mr. SCHUMER, and Mr. CLELAND) 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 REGARDING THE COPS PROGRAM.**

(a) FINDINGS.—The Senate makes the following findings:

(1) State and local law enforcement officers provide essential services that preserve and protect our freedom and safety and, with the support of the Community Oriented Policing Service program (referred to in this section as the ''COPS program''), State and local law enforcement officers have succeeded in reducing the national scourge of violent crime.

(2) As a result of the assistance provided under the COPS program, our Nation's crime rate has reached its lowest level in more than a generation.

(3) As a result of the COPS program, State and local law enforcement agencies have received funds for more than 103,000 officers and more than 60,000 of those officers are on the beat, fighting crime, and improving the quality of life in our neighborhoods and schools.

(4) The COPS program has assisted in advancing community policing nationwide. Today, 87 percent of the Nation is served by a law enforcement agency that conducts community policing.

(5) All major national law enforcement and government organizations including the International Association of Chiefs of Police, the International Brotherhood of Police Officers, the Fraternal Order of Police, the National Sheriffs' Association, the National Troopers Coalition, the International Union of Police Associations, the Federal Law Enforcement Officers Association, the National Association of Police Organizations, the National Organization of Black Law Enforcement Executives, the Police Executive Research Forum, the Police Foundation, the Major Cities Chiefs, the United States Conference of Mayors, and the County Executives of America support the continuation and full funding of the COPS program through fiscal year 2005.

(6) The implementation of community policing as a law enforcement strategy is an important factor in the recent reduction of crime in our streets and communities. The national crime rate has fallen for an unprecedented 7½ years. The COPS program and the crime fighting strategies developed by the initiative have demonstrated the Nation's commitment to help reduce the crime rate to levels unseen for the past 25 years.

(7) Despite recent gains, crime is still too high in the United States. A violent crime is committed every 21 seconds, a woman raped every 6 minutes, and a person murdered every 31 minutes in the United States. We must continue to fight this battle against crime and violence and reinvest in the gains made by the COPS program.

(8) The COPS program has been at the forefront of addressing violence in our schools. During the past year, the COPS program has funded over 2,200 school resource officers and estimates that an additional 1,500 officers will be funded by the end of fiscal year 2000.

(9) More than $31,000,000 has been awarded to law enforcement agencies and school districts through the School Based Partnership and School Based Partnership 1999 grant programs. These funds have assisted agencies in fostering problem-solving partnerships with local communities and schools to address the catastrophic youth violence and delinquency crisis that has plagued our Nation.

(10) Communities throughout the United States desperately need the expertise and assistance that the COPS program provides through grants as well as training and technical assistance.

(11) The COPS program has experienced much success during the past 6 years, but our Nation still has a struggle ahead. The crime rate is down, but it is still too high. We must strengthen our commitment to public safety and continue the support that the COPS program provides to the law enforcement community.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume the commitment of the Federal Government to continue funding the COPS program, and that funding for the COPS program should continue at least through fiscal year 2005.

## BAYH (AND OTHERS) AMENDMENT NO. 2976

(Ordered to lie on the table.)

Mr. BAYH (for himself, Mr. DOMENICI, Mr. BINGAMAN, Mr. BREAUX, Mr. EDWARDS, Mr. SESSIONS, Mr. GRAHAM, Mr. CLELAND, Ms. LANDRIEU, Mr. JOHNSON, Mr. LIEBERMAN, Mr. LUGAR, and Mr. ABRAHAM) 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 PROMOTION OF RESPONSIBLE FATHERHOOD.**

(a) FINDINGS.—The Senate finds that—

(1) 40 percent of children who live in households without a father have not seen their father in at least 1 year and 50 percent of such children have never visited their father's home;

(2) approximately 50 percent of all children born in the United States spend at least ½ of their childhood in a family without a father figure;

(3) nearly 20 percent of children in grades 6 through 12 report that they have not had a meaningful conversation with even 1 parent in over a month;

(4) 3 out of 4 adolescents report that ''they do not have adults in their lives that model positive behaviors'';

(5) many of the United States' leading experts on family and child development agree that it is in the best interest of both children and the United States to encourage more two-parent, father-involved families to form and endure;

(6) it is important to promote responsible fatherhood and encourage loving and healthy relationships between parents and their children in order to increase the chance that children will have two caring parents to help them grow up healthy and secure and not to—

(A) denigrate the standing or parenting efforts of single mothers, whose efforts are heroic;

(B) lessen the protection of children from abusive parents;

(C) cause women to remain in or enter into abusive relationships; or

(D) compromise the health or safety of a custodial parent;

(7) children who live apart from their biological father are, in comparison to other children—

(A) 5 times more likely to live in poverty;

(B) more likely to bring weapons and drugs into the classroom;

(C) twice as likely to commit crime;

(D) twice as likely to drop out of school;

(E) twice as likely to be abused;

(F) more likely to commit suicide;

(G) more than twice as likely to abuse alcohol or drugs; and

(H) more likely to become pregnant as teenagers;

(8) the Federal Government spends billions of dollars to address these social ills and very little to address the causes of such social ills;

(9) violent criminals are overwhelmingly males who grew up without fathers and the best predictor of crime in a community is the percentage of absent father households;

(10) compared with Great Britain, Canada, Australia, Germany, and Italy, the United States has the highest percentage of single parent households with dependent children;

(11) the number of children living with only a mother increased from just over 5,000,000 in 1960, to 17,000,000 in 1999, and between 1981 and 1991 the percentage of children living with only 1 parent increased from 19 percent to 25 percent;

(12) between 20 percent and 30 percent of families in poverty are headed by women who have suffered domestic violence during the past year and between 40 percent and 60 percent of women with children who receive welfare were abused at some time in their life;

(13) responsible fatherhood should always recognize and promote values of nonviolence;

(14) child support is an important means by which a parent can take financial responsibility for a child and emotional support is an important means by which a parent can take social responsibility for a child; and

(15) because children learn by example, community programs that help mold young men into positive role models for their children need to be encouraged.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that the legislation implementing this concurrent resolution on the budget should include provisions that—

(1) encourage the Senate to take action to address the issue of fatherlessness by holding hearings and considering legislation on the Senate floor before June 18, 2000, Father's Day;

(2) encourage States in, not restrict them from, the implementation of programs that provide support for responsible fatherhood, strengthen fragile families, and promote married two-parent families; and

(3) implement programs that encourage media campaigns by States and community organizations that are targeted to promote responsible fatherhood, strengthen fragile families, and promote the maintenance of married two-parent families.

## LANDRIEU AMENDMENTS NOS. 2977–2979

(Ordered to lie on the table.)

Ms. LANDRIEU submitted three amendments intended to be proposed by her to the concurrent resolution, S. Con. Res. 101, supra; as follows:

AMENDMENT NO. 2977

At the appropriate place, insert the following:

**SEC. ___. SENSE OF THE SENATE REGARDING SPENDING FOR PROGRAMS RELATING TO CHILDREN.**

(a) FINDINGS.—The Senate finds that—

(1) only 50 percent of the children in the United States who are eligible for assistance under the Head Start Act (42 U.S.C. 9831 et seq.) receive the assistance;

(2)(A) only 10 percent of the children from families eligible for Federal child care assistance receive the assistance; and

(B) no State serves all of the families eligible for Federal child care assistance, as determined under Federal guidelines;

(3) only 49 percent of children who live in poverty, and who are eligible for food stamp assistance under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), receive the food stamps; and

(4) only 41 children out of every 100 children who live in poverty in the United States received assistance in 1998 under part A of title IV of the Social Security Act (42 U.S.C. 601), relating to temporary assistance for needy families, the lowest percent of such children receiving assistance under that part for any year since 1970.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this resolution assume that—

(1) the needs of the children in the United States are of paramount importance to the Nation's future; and

(2) programs that provide assistance for children, including assistance described in subsection (a), should be funded at their currently authorized levels.

AMENDMENT NO. 2978

At the end of title III, add the following:

**SEC. ___. SENSE OF THE SENATE REGARDING MULTIYEAR PROCUREMENTS UNDER MAJOR DEFENSE ACQUISITION PROGRAMS.**

It is the sense of Congress that the levels in this resolution assume that—

(1) the Secretary of Defense should study the utility of shifting to a multiyear procurement system for procurements under major defense acquisition programs;

(2) the Secretary of Defense should identify a major defense acquisition program and carry out a pilot project for multiyear procurement under that program; and

(3) the results of the pilot project should be used to determine the advisability of shifting to multiyear procurements for all major defense acquisition programs.

AMENDMENT NO. 2979

At the end of title III, add the following:

**SEC. ___. SENSE OF CONGRESS REGARDING FUNDING FOR THE PARTICIPATION OF MEMBERS OF THE UNIFORMED SERVICES IN THE THRIFT SAVINGS PLAN.**

It is the sense of Congress that the levels of funding for the defense category in this resolution—

(1) assume that members of the Armed Forces are to be authorized to participate in the Thrift Savings Plan; and

(2) provide the $980,000,000 necessary to offset the reduced tax revenue resulting from that participation through fiscal year 2009.

## CLELAND (AND OTHERS) AMENDMENT NO. 2980

(Ordered to lie on the table.)

Mr. CLELAND (for himself, Mr. MIKULSKI, Mr. COVERDELL, Mr. KENNEDY, Mr. BINGMAN, Mrs. MURRAY, and Mr. DURBIN) submitted an amendment intended to be proposed by them to the concurrent reslution, S. Con. Res. 101, supra; as follows:

At the appropriate place, insert the following:

**SEC. ___. SENSE OF THE SENATE CONCERNING THE CENTERS FOR DISEASE CONTROL AND PREVENTION.**

(a) FINDINGS.—The Senate finds that—

(1) as the Nation's prevention agency, the Centers for Disease Control and Prevention leads the public health response to bioterrorist attacks, infectious diseases, foodborne pathogen outbreaks, and other public health threats against our citizens;

(2) the Centers for Disease Control and Prevention's environmental health laboratory is responsible for providing critical laboratory response to potential chemical weapon terrorist attacks as well as responding to emergencies involving large-scale exposures to toxic chemicals;

(3) research on the smallpox virus, which may be used as a bioterrorist agent, is consuming one-half of the Biosafety Level 4 ''Hot Lab'' space leaving little room for research on other deadly pathogens;

(4) the Centers for Disease Control and Prevention is constantly engaged in multiple overlapping epidemic investigations, such as the West Nile-like virus in the eastern United States, the Nipah virus in Malaysia, and the Ebola virus in Africa, which require the majority of the current infectious disease fighting capacity of the Centers; and

(5) the Centers for Disease Control and Prevention is facing a potential national security and public health crisis because of its current antiquated and dilapidated infrastructure.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the level in this resolution assume that—

(1) the critical role of the Centers for Disease Control and Prevention in detecting and preventing national security-related and other threats to public health emphasizes the need for Congress to increase the current construction funding level to $175,000,000; and

(2) without adequate and safe buildings and laboratories, the Centers for Disease Control and Prevention can not recruit or retain needed scientists, ensure the safety of employees and citizens, or be sure of its ability to fulfill its goals and mission.

## CLELAND (AND OTHERS) AMENDMENT NO. 2981

(Ordered to lie on the table.)

Mr. CLELAND (for himself, Ms. MIKULSKI, and Mr. AKAKA) 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 FOR THE ESTABLISHMENT OF A LONG-TERM HEALTH CARE INSURANCE PROGRAM FOR FEDERAL EMPLOYEES, POSTAL WORKERS, MEMBERS OF THE FOREIGN SERVICE, UNIFORMED SERVICES AND RESERVE.**

(a) FINDINGS.—The Senate finds that—

(1) almost 6,000,000 Americans aged 65 years or older currently need long-term health care;

(2) the cost of nursing home care now exceeds $40,000 per year in many parts of the Nation, and home health visits for nursing care or physical therapy cost $100 per visit;

(3) 41 percent of women in caregiver roles quit their jobs or take family medical leave to care for a frail older parent or parent-in-law;

(4) many Americans mistakenly believe that Medicare and their regular health insurance cover long-term health care and assistive living needs; and

(5) by providing a Federal employer-based long-term health care program to Federal employees, postal workers, members of the Foreign Service, uniformed services, Reserve and National Guard, retirees of applicable agencies, and the spouses, parents, and parents-in-law of such employees, members, and retirees, millions of Americans will have the opportunity to buy long-term health care insurance.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that, during the 2d session of the 106th Congress, it is imperative to enact legislation to establish a Federal employer-based long-term health care program to address the long-term health care and assistive care needs of an aging America.

## FEINSTEIN AMENDMENT NO. 2982

(Ordered to lie on the table.)

Mrs. FEINSTEIN 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 SENATE ON ENVIRONMENTAL RESTORATION AT MILITARY INSTALLATIONS APPROVED FOR CLOSURE UNDER THE BASE CLOSURE LAWS.**

(a) FINDINGS.—The Senate makes the following findings:

(1) The Department of Defense has a responsibility to ensure the timely and safe completion of environmental restoration at military installations approved for closure under the base closure laws.

(2) The goal of the environmental restoration process under the base closure laws is to facilitate economic reuse and development of the property at military installations approved for closure under such laws by the communities in the vicinity of such installations.

(3) The Department of Defense has identified 2,742 sites at military installations approved for closure under the base closure laws that require additional environmental restoration.

(4) The Department of Defense has spent $3,680,000,000 for environmental restoration at military installations approved for closure under the base closure laws.

(5) The Department of Defense estimates that an additional $3,100,000,000 will be necessary to complete environmental restoration at such installations.

(6) In fiscal year 2000, Congress appropriated only $346,400,000 for environmental restoration at military installations approved for closure under the base closure laws, an amount equal to half the amount appropriated for fiscal year 1999 for environmental restoration at such installations.

(b) SENSE OF SENATE.—It is the sense of the Senate that the levels in this resolution assume that Congress should provide not less than $700,000,000 for fiscal year 2001 for environmental restoration at military installations approved for closure under the base closure laws.

## HUTCHISON (AND OTHERS) AMENDMENT NO. 2983

(Ordered to lie on the table.)

Mrs. HUTCHISON (for herself, Mr. SMITH of New Hampshire, Mr. BREAUX, and Mr. COCHRAN) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 191, supra; as follows:

At the end of title III, add the following:

**SEC. ___. SENSE OF THE SENATE REGARDING MARGINAL WELL TAX CREDITS.**

(a) FINDINGS.—The Senate finds the following:

(1) The United States now imports over 55 percent of its daily oil consumption from overseas.

(2) This level of foreign dependence represents a significant economic and strategic threat to the United States and contributes to the power of the Organization of Petroleum Exporting Countries (OPEC) and to the volatility of world oil prices and supply.

(3) The production of oil from marginal wells in the United States, those that produce less than 15 barrels of oil per day and an average of less than 3 barrels of oil per day, accounts for about 20 percent of the Nation's domestic, on-shore production, or about the same amount of oil the United States imports from Saudi Arabia.

(4) During the 1997 to 1999 oil price crash, when the price of oil fell below $10 a barrel, an estimated 150,000 marginal oil and gas wells were capped or permanently plugged because the largely small, independent producers who own these wells lost money on their operation and could no longer afford to keep the wells open.

(5) This loss of marginal well production caused a loss of between 300,000 and 400,000 barrels of daily United States oil production and significant natural gas production, caused an estimated 65,000 American jobs to be lost, and severely impacted numerous American communities in oil producing regions of the country.

(6) Despite the relatively high price of oil today, independent producers are still unable to re-activate these marginal wells because of the high cost of doing so and the lack of assurance that they will not again lose money if the price of oil again falls below the break-even range of $14 to $17 per barrel.

(7) Repeated ''boom-and-bust'' cycles like this have contributed to the continued decline of the ability of the United States to supply its own energy needs and to the resulting growing dependence on foreign oil.

(8) Supporting marginal well production during periods of low oil prices through counter-cyclical tax code policies makes sound economic sense and is a part of the long-term solution to the Nation's growing reliance on foreign oil and rapidly growing need for natural gas.

(9) Support for marginal well production does not raise significant environmental or public land use concerns since such support targets oil and gas production primarily where it already takes place.

(10) Supporting a marginal well tax credit like that proposed in S. 2265, the Marginal Well Preservation Act, represents a relatively low-cost way to support this key component of the Nation's domestic energy production and will help to preserve American jobs, schools, and communities.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that Congress provide for tax incentives to support the production of oil and natural gas from ''marginal'' wells that produce less than 15 barrels of oil per day (and a corresponding level of natural gas) by enacting a tax credit for a maximum of $3 per barrel for the first 3 barrels of daily production from an existing marginal oil well, to be fully effective when the price of oil reaches $14 per barrel (with a corresponding level and trigger for any existing marginal natural gas well).

## JEFFORDS (AND OTHERS) AMENDMENT NO. 2984

(Ordered to lie on the table.)

Mr. JEFFORDS (for himself, Mr. DODD, Mr. STEVENS, Mr. KENNEDY, Ms. COLLINS, Mr. FEINGOLD, Mr. L. CHAFEE, Mr. HARKIN, Mr. LEAHY, Mr. KOHL, Ms. MIKULSKI, and Ms. SNOWE) 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 $2,000,000,000.

On page 4, line 5, decrease the amount by $4,000,000,000.

On page 4, line 6, decrease the amount by $6,000,000,000.

On page 4, line 7, decrease the amount by $8,000,000,000.

On page 4, line 8, decrease the amount by $11,000,000,000.

On page 4, line 13, increase the amount by $2,000,000,000.

On page 4, line 14, increase the amount by $4,000,000,000.

On page 4, line 15, increase the amount by $6,000,000,000.

On page 4, line 16, increase the amount by $8,000,000,000.

On page 4, line 17, increase the amount by $11,000,000,000.

On page 4, line 22, increase the amount by $2,000,000,000.

On page 4, line 23, increase the amount by $4,000,000,000.

On page 4, line 24, increase the amount by $6,000,000,000.

On page 4, line 25, increase the amount by $8,000,000,000.

On page 5, line 1, increase the amount by $11,000,000,000.

On page 5, line 7, increase the amount by $2,000,000,000.

On page 5, line 8, increase the amount by $4,000,000,000.

On page 5, line 9, increase the amount by $6,000,000,000.

On page 5, line 10, increase the amount by $8,000,000,000.

On page 5, line 11, increase the amount by $11,000,000,000.

On page 18, line 7, increase the amount by $2,000,000,000.

On page 18, line 8, increase the amount by $2,000,000,000.

On page 18, line 11, increase the amount by $4,000,000,000.

On page 18, line 12, increase the amount by $4,000,000,000.

On page 18, line 15, increase the amount by $6,000,000,000.

On page 18, line 16, increase the amount by $6,000,000,000.

On page 18, line 19, increase the amount by $8,000,000,000.

On page 18, line 20, increase the amount by $8,000,000,000.

On page 18, line 23, increase the amount by $11,000,000,000.

On page 18, line 24, increase the amount by $11,000,000,000.

On page 29, line 3, decrease the amount by $2,000,000,000.

On page 29, line 4, decrease the amount by $31,000,000,000.

## REID (AND DURBIN) AMENDMENT NO. 2985

Mr. REID (for himself, and Mr. DURBIN) proposed an amendment to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the end of the amendment add the following:

Notwithstanding any other provisions of this resolution the following numbers shall apply:

**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.

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

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## WARNER (AND STEVENS) AMENDMENT NO. 2986

(Ordered to lie on the table.)

Mr. WARNER (for himself and Mr. STEVENS) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

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 ''$310,919,000,000''.

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## FEINSTEIN AMENDMENT NO. 2987

(Ordered to lie on the table.)

Mrs. FEINSTEIN 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 SENATE ON ENVIRONMENTAL RESTORATION AT MILITARY INSTALLATIONS APPROVED FOR CLOSURE UNDER THE BASE CLOSURE LAWS.**

(a) FINDINGS.—The Senate makes the following findings:

(1) The Department of Defense has a responsibility to ensure the timely and safe completion of environmental restoration at military installations approved for closure under the base closure laws.

(2) The goal of the environmental restoration process under the base closure laws is to facilitate economic reuse and development of the property at military installations approved for closure under such laws by the communities in the vicinity of such installations.

(3) The Department of Defense has identified 2,742 sites at military installations approved for closure under the base closure laws that require additional environmental restoration.

(4) The Department of Defense has spent $3,680,000,000 for environmental restoration at military installations approved for closure under the base closure laws.

(5) The Department of Defense estimates that an additional $3,100,000,000 will be necessary to complete environmental restoration at such installations.

(6) In fiscal year 2000, Congress appropriated only $346,400,000 for environmental restoration at military installations approved for closure under the base closure laws, an amount equal to half the amount appropriated for fiscal year 1999 for environmental restoration at such installations.

(b) SENSE OF SENATE.—It is the sense of the Senate that the levels in this resolution assume that Congress should provide not less than $700,000,000 for fiscal year 2001 for environmental restoration at military installations approved for closure under the base closure laws.

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## MCCAIN (AND OTHERS) AMENDMENT NO. 2988

Mr. MCCAIN (for himself, Mr. ROBB, and Mr. KERRY) proposed an amendment to the concurrent resolution, S. Con. Res. 101, supra; as follows:

On page 9, line 2, increase the amount by $2,500,000.

On page 9, line 3, increase the amount by $2,500,000.

On page 9, line 6, increase the amount by $10,000,000.

On page 9, line 7, increase the amount by $10,000,000.

On page 9, line 10, increase the amount by $6,000,000.

On page 9, line 11, increase the amount by $6,000,000.

On page 9, line 14, increase the amount by $4,200,000.

On page 9, line 15, increase the amount by $4,200,000.

On page 9, line 18, increase the amount by $2,800,000.

On page 9, line 19, increase the amount by $2,800,000.

On page 9, line 22, increase the amount by $2,000,000.

On page 9, line 23, increase the amount by $2,000,000.

On page 4, line 21, increase the amount by $2,500,000.

On page 4, line 22, increase the amount by $10,000,000.

On page 4, line 23, increase the amount by $6,000,000.

On page 4, line 24, increase the amount by $4,200,000.

On page 4, line 25, increase the amount by $2,800,000.

On page 5, line 1, increase the amount by $2,000,000.

On page 5, line 6, increase the amount by $2,500,000.

On page 5, line 7, increase the amount by $10,000,000.

On page 5, line 8, increase the amount by $6,000,000.

On page 5, line 9, increase the amount by $4,200,000.

On page 5, line 10, increase the amount by $2,800,000.

On page 5, line 11, increase the amount by $2,000,000.

On page 5, line 14, increase the amount by $2,500,000.

On page 5, line 15, increase the amount by $10,000,000.

On page 5, line 16, increase the amount by $6,000,000.

On page 5, line 17, increase the amount by $4,200,000.

On page 5, line 18, increase the amount by $2,800,000.

On page 5, line 19, increase the amount by $2,000,000.

## COLLINS (AND DODD) AMENDMENT NO. 2989

(Ordered to lie on the table.)

Ms. COLLINS (for herself and Mr. DODD) 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. 3___. SENSE OF THE SENATE ON DISTRIBUTION OF EXCESS FEDERAL GASOLINE TAX REVENUES.**

(a) FINDINGS.—The Senate finds that—

(1) on May 22, 1998—

(A) the Senate overwhelmingly approved the conference committee report on H.R. 2400, the Transportation Equity Act for the 21st Century, in a 88–5 roll call vote; and

(B) the House of Representatives approved the conference committee report on that bill in a 297–86 recorded vote;

(2) on June 9, 1998, the President signed that bill into law, thereby enacting Public Law 105–178;

(3) the Transportation Equity Act for the 21st Century (112 Stat. 107) is a comprehensive reauthorization of Federal highway and mass transit programs, authorizing approximately $216,000,000,000 in Federal transportation spending for fiscal years 1998 through 2003;

(4) the revenue aligned budget authority provision in section 110 of title 23, United States Code (as added by section 1105 of that Act (112 Stat. 130)) specifies that any excess Federal gasoline tax revenues shall be provided to the States in accordance with the formulas established by that Act and the amendments made by that Act; and

(5) the President's fiscal year 2001 budget request contains a proposal to distribute approximately $1,300,000,000 in excess Federal gasoline tax revenues in a manner that—

(A) is not consistent with section 110 of title 23, United States Code; and

(B) would deprive States of needed revenues.

(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 proposal in the President's fiscal year 2001 budget request to change the manner in which any excess Federal gasoline tax revenues are distributed to the States will not be implemented, but rather that those excess revenues will be distributed to the States in accordance with section 110 of title 23, United States Code.

## COLLINS (AND OTHERS) AMENDMENT NO. 2990

(Ordered to lie on the table.)

Ms. COLLINS (for herself, Mr. KENNEDY, Mr. SPECTER, Mr. JEFFORDS, Mr. LEAHY, Mr. HARKIN, Mr. BREAUX, Mr. GRAHAM, and Mr. WYDEN) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the appropriate place in title III, insert the following:

**SEC. 3___. SENSE OF THE SENATE ON HUNGER RELIEF.**

(a) FINDINGS.—The Senate finds that—

(1) a broad range of current studies by the General Accounting Office, the Department of Agriculture, numerous State agencies, churches and synagogues and other direct service providers, the United States Conference of Mayors, academics, and foundations consistently document unacceptably high rates of hunger and food insecurity within the United States;

(2) in spite of record economic expansion, hunger continues;

(3) 1,200 religious, civic, social service, and community-based organizations that are active in every State in the United States on the local, State, and national levels have urged Congress to respond to existing needs with hunger relief legislation;

(4) bipartisan coalitions have formed in both the Senate and the House of the 106th Congress to support the Hunger Relief Act, introduced in both the House and Senate (S. 1805 and H.R. 3192), and to affirm that Congress did not intend for working families and children to face hunger and food insecurity; and

(5) ensuring access to adequate nutrition is necessary as a means of protecting the public and private investments made throughout the United States in educating our children, improving health care, and maintaining a productive workforce.

(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—

(1) hunger relief is an urgent national priority that should be addressed in the levels and legislation; and

(2) Congress should enact legislation this year to enable low-income children and working families to have better access to—

(A) the food stamp program established under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), including households that own a vehicle that would not disqualify the households for assistance in their State under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); and

(B) the emergency food assistance program established under the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.).

## COLLINS (AND OTHERS) AMENDMENT NO. 2991

(Ordered to lie on the table.)

Ms. COLLINS (for herself, Mr. BOND, Mr. REED, Mr. JEFFORDS, Mr. SANTORUM, Mr. ABRAHAM, Mr. DEWINE, Mr. BAUCUS, Mrs. Hutchison, Ms. MIKULSKI, Ms. SNOWE, Mr. BINGAMAN, and Mr. HELMS) 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 REGARDING PAYMENTS TO HOME HEALTH AGENCIES.**

(a) FINDINGS.—The Senate makes the following findings:

(1) America's home health agencies provide invaluable services that have enabled a growing number of our most frail and vulnerable beneficiaries under the medicare program under title XVIII of the Social Security Act to avoid hospitals and nursing homes and to remain in the comfort and security of their own homes.

(2) A sharp rise in home health spending under the medicare program from 1989 to 1996 prompted Congress and the President, as part of the Balanced Budget Act of 1997 (in this section referred to as the ''BBA''), to initiate changes intended to slow this growth.

(3) The cuts in home health spending under the medicare program made by the BBA have been deeper and have affected more home health agencies than Congress intended.

(4) From fiscal year 1997 to fiscal year 1999, medicare home health spending dropped by almost 50 percent, from $17,800,000,000 to $9,700,000,000, surpassing the savings goals set by Congress for home health services under the BBA by a large margin.

(5) The dramatic payment cuts made by the BBA, coupled with overly burdensome new regulatory requirements, have—

(A) placed home health agencies in financial peril; and

(B) restricted the ability of these agencies to deliver much-needed care to medicare beneficiaries, particularly to those beneficiaries that are chronically ill and have complex care needs.

(6) Over 2,500 agencies (about ¼ of all home health agencies nationwide) have either closed or stopped serving medicare beneficiaries.

(7) According to a study by the Lewin Group conducted for the American Hospital Association, the spending cutbacks resulting from the enactment of the BBA have resulted in a 30.5 percent reduction in hospital-based home health services.

(8) An additional 15 percent reduction in payments to home health agencies under the medicare program is scheduled to go into effect on October 1, 2001.

(9) Implementation of an additional 15 percent reduction—

(A) would ring the death knell for low-cost, efficient home health agencies currently struggling to remain in business, thus reducing the access of medicare beneficiaries to critical home health services; and

(B) is unnecessary because we have already surpassed the savings targets set forth under the BBA.

(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—

(1) the 15 percent reduction in payments to home health agencies under the medicare program under title XVIII of the Social Security Act should not go into effect, as scheduled, on October 1, 2001; and

(2) Congress and the President should work to provide sustainable payments to home health agencies under such program.

## COLLINS (AND SCHUMER) AMENDMENT NO. 2992

(Ordered to lie on the table.)

Ms. COLLINS (for herself and Mr. SCHUMER) 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. 3___. USE OF THE STRATEGIC PETROLEUM RESERVE.**

(a) FINDINGS.—The Senate finds that—

(1) as Congress found in section 151(a) of the Energy Policy and Conservation Act (42 U.S.C. 6231(a)), the storage of substantial quantities of petroleum products will diminish the vulnerability of the United States to the effects of a severe energy supply interruption and provide limited protection from the short-term consequences of interruptions in supplies of petroleum products;

(2) the Secretary of Energy has authority under existing law to fill the Strategic Petroleum Reserve through time exchanges (''swaps'') by releasing oil from the Strategic Petroleum Reserve in times of supply shortage in exchange for the infusion of more oil

into the Strategic Petroleum Reserve at a later date;

(3) the Organization of Petroleum Exporting Countries (''OPEC'') has created a worldwide supply shortage by choking off petroleum production by anticompetitive means; and

(4) at its meetings beginning on March 27, 2000, OPEC failed to increase petroleum production to a level sufficient to rebuild depleted inventories.

(b) SENSE OF THE SENATE CONCERNING USE OF THE STRATEGIC PETROLEUM RESERVE.—It is the sense of the Senate that the levels in this resolution assume that—

(1) if the President determines that the supply of crude oil has been significantly diminished due to anticompetitive manipulation by foreign countries and a release of oil from the Strategic Petroleum Reserve under swapping arrangements would not jeopardize national security, the Secretary of Energy should, as soon as is practicable, use the authority under existing law to release oil from the Strategic Petroleum Reserve in an economically feasible way by means of swapping arrangements providing for future increases in Strategic Petroleum Reserve reserves;

(2) the Secretary of Energy should implement swapping arrangements at times when prices of fuel increase because of significant reductions in the production of crude oil and market conditions are favorable for swaps; and

(3) the President should immediately commission an interagency panel—

(A) to develop market data to increase the transparency of petroleum markets; and

(B) to determine—

(i) what quantities should be held in the Strategic Petroleum Reserve;

(ii) the appropriate uses of the Strategic Petroleum Reserve; and

(iii) whether the authority to release oil from the Strategic Petroleum Reserve should be modified to better address oil crisis like the one the U.S. faced during the winter of 1999 and 2000.

## SPECTER AMENDMENTS NOS. 2993–2994

(Ordered to lie on the table.)

Mr. SPECTER submitted two amendments intended to be proposed by him to the concurrent resolution, S. Con. Res. 101, supra; as follows:

AMENDMENT NO. 2993

On page 27, line 7, decrease the amount by $2,600,000,000.

On page 27, line 8, decrease the amount by $2,600,000,000.

On page 42, line 5, increase the amount by $2,600,000,000.

On page 43, line 14, increase the amount by $2,600,000,000.

AMENDMENT NO. 2994

On page 4, line 22, increase the amount by $1,600,000,000.

On page 5, line 7, increase the amount by $1,600,000,000.

On page 5, line 15, increase the amount by $1,600,000,000.

On page 19, line 7, increase the amount by $1,600,000,000.

On page 19, line 8, increase the amount by $1,600,000,000.

On page 27, line 7, decrease the amount by $1,600,000,000.

On page 27, line 8, decrease the amount by $1,600,000,000.

On page 42, line 5, increase the amount by $1,600,000,000.

On page 42, line 6, increase the amount by $1,600,000,000.

On page 43, line 14, increase the amount by $1,600,000,000.

On page 43, line 15, increase the amount by $1,600,000,000.

## ASHCROFT (AND OTHERS) AMENDMENT NO. 2995

(Ordered to lie on the table.)

Mr. ASHCROFT (for himself, Mr. BAUCUS, Mr. CRAIG, and Mr. DORGAN) 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 THE ENFORCEMENT OF TRADE AGREEMENTS MADE BY THE PEOPLE'S REPUBLIC OF CHINA**

(a) FINDINGS.—The Senate finds that—

(1) the budget resolution assumes enforcement of United States trade and tariff laws, and the successful negotiation of bilateral and multilateral trade agreements between the United States and other governments;

(2) Congress may soon consider legislation that grants permanent normal trade relations (PNTR) status for China in light of the fact that China is seeking accession to the World Trade Organization (WTO);

(3) individual Senators may have differing views on the specific concessions made in the bilateral U.S.-China agreement, but it is agreed that the United States must have adequate means to enforce the agreement;

(4) farmers, ranchers, workers, and businesses in the United States should receive the benefits promised to them in U.S. trade agreements;

(5) there is substantial dissatisfaction across America's heartland with the United States' inability to enforce some trade commitments on agriculture—specifically, the European Union has a long history of trying to block bananas, U.S. beef, and other farm products;

(6) China has a history of not readily complying with past trade agreements; and,

(7) the U.S. Congress (which must make the ultimate decision about U.S.-China trade relations) needs to demonstrate to the American people that trade agreements are enforceable, not only in agriculture, but also in manufactured goods, services, intellectual property, wood products, textiles and other sectors.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the functional totals in this resolution assume that—

(1) Congress will take into account the concerns of those in the agricultural community and other industry sectors as it proceeds with consideration of permanent normal trade relations (PNTR) status for China;

(2) the President will demonstrate that the United States retains sufficient leverage to enforce the WTO commitments made by China in November 1999; and,

(3) the President will devote adequate resources to monitoring and enforcing Chinese compliance with the agreements made in connection with China's accession to the WTO.

## BINGAMAN AMENDMENT NO. 2996

(Ordered to lie on the table.)

Mr. BINGAMAN 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 SENATE REGARDING ENHANCEMENT OF CAPACITY OF VETERANS BENEFITS ADMINISTRATION TO PROCESS BENEFITS CLAIMS.**

(a) FINDINGS.—The Senate makes the following findings:

(1) Veterans benefits serve to recognize service to the Nation, and also serve to mitigate economic disadvantages imposed by sacrifices made while serving.

(2) The Nation has 3,300,000 veterans or families that share approximately $18,500,000,000 in veterans pension and disability benefits annually through the Department of Veterans Affairs.

(3) Benefits have been promised to the Nation's veterans, and those promises must be honored.

(4) To remain effective, veterans benefits programs must be updated to reflect changes in hardships encountered during military service as well as changes in the economic and social circumstances of the Nation.

(5) The accurate and reliable assessment of service-connected disabilities has become an increasingly complex process, particularly with regard to evaluating the incidence and effects of Agent Orange, Persian Gulf Syndrome, and Post Traumatic Stress Disorders.

(6) The veterans benefits appeal process often involves repeated remands requiring additional processing that can occur over an extended length of time.

(7) Veterans benefits claims processing is undergoing a major technological transition from manual to electronic data filing and processing.

(8) The number of full-time equivalent (FTE) employees assigned to process veterans benefits claims has decreased significantly from 13,249 in 1995 to 11,254 in 1998.

(9) The pending workload for veterans benefits claims has increased dramatically during the same period from 378,366 cases in 1995 to 445,012 cases in 1998.

(10) Nationwide, veterans must wait an average of 159 days for their benefits claims to be resolved, and the National Performance Review has a goal of handling such claims in an average of 92 days.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that, in order to ensure the efficient and timely processing of claims for veterans benefits by the Veterans Benefits Administration, the amounts made available to the Department of Veterans Affairs for fiscal year 2001 should be increased over amounts made available to the Department for fiscal year 2000—

(1) by $139,000,000, in order to permit the hiring by the Veterans Benefits Administration of an additional 287 full-time equivalent employees to perform duties relating to claims processing; and

(2) by $2,500,000, in order to implement the Systematic Technical Accuracy Review (STAR) Program to ensure the accuracy of work performed at Veterans Benefits Administration field stations.

## BINGAMAN (AND OTHERS) AMENDMENT NO. 2997

(Ordered to lie on the table.)

Mr. BINGAMAN (for himself, Mr. DODD, Mr. KENNEDY, Mr. HARKIN, and Mr. FEINGOLD) 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 $360,000,000.

On page 4, line 5, increase the amount by $5,680,000,000.

On page 4, line 6, increase the amount by $6,960,000,000.

On page 4, line 7, increase the amount by $7,100,000,000.

On page 4, line 8, increase the amount by $7,100,000,000.
On page 4, line 13, increase the amount by $360,000,000.
On page 4, line 14, increase the amount by $5,680,000,000.
On page 4, line 15, increase the amount by $6,960,000,000.
On page 4, line 16, increase the amount by $7,100,000,000.
On page 4, line 17, increase the amount by $7,100,000,000.
On page 4, line 22, increase the amount by $7,100,000,000.
On page 4, line 23, increase the amount by $7,100,000,000.
On page 4, line 24, increase the amount by $7,100,000,000.
On page 4, line 25, increase the amount by $7,100,000,000.
On page 5, line 1, increase the amount by $7,100,000,000.
On page 5, line 7, increase the amount by $360,000,000.
On page 5, line 8, increase the amount by $5,680,000,000.
On page 5, line 9, increase the amount by $6,960,000,000.
On page 5, line 10, increase the amount by $7,100,000,000.
On page 5, line 11, increase the amount by $7,100,000,000.
On page 18, line 7, increase the amount by $7,100,000,000.
On page 18, line 8, increase the amount by $360,000,000.
On page 18, line 11, increase the amount by $7,100,000,000.
On page 18, line 12, increase the amount by $5,680,000,000.
On page 18, line 15, increase the amount by $7,100,000,000.
On page 18, line 16, increase the amount by $6,960,000,000.
On page 18, line 19, increase the amount by $7,100,000,000.
On page 18, line 20, increase the amount by $7,100,000,000.
On page 18, line 23, increase the amount by $7,100,000,000.
On page 18, line 24, increase the amount by $7,100,000,000.
On page 29, line 3, decrease the amount by $360,000,000.
On page 29, line 4, decrease the amount by $27,200,000,000.

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## BINGAMAN (AND OTHERS) AMENDMENT NO. 2998

(Ordered to lie on the table.)

Mr. BINGAMAN (for himself, Mr. BAUCUS, Mr. JOHNSON, and Mr. FEINGOLD) 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 $5,000,000.
On page 4, line 5, increase the amount by $18,500,000.
On page 4, line 6, increase the amount by $43,000,000.
On page 4, line 7, increase the amount by $50,000,000.
On page 4, line 8, increase the amount by $50,000,000.
On page 4, line 13, increase the amount by $5,000,000.
On page 4, line 14, increase the amount by $18,500,000.
On page 4, line 15, increase the amount by $43,000,000.
On page 4, line 16, increase the amount by $50,000,000.
On page 4, line 17, increase the amount by $50,000,000.
On page 4, line 22, increase the amount by $50,000,000.
On page 4, line 23, increase the amount by $50,000,000.
On page 4, line 24, increase the amount by $50,000,000.
On page 4, line 25, increase the amount by $50,000,000.
On page 5, line 1, increase the amount by $50,000,000.
On page 5, line 7, increase the amount by $5,000,000.
On page 5, line 8, increase the amount by $18,500,000.
On page 5, line 9, increase the amount by $43,000,000.
On page 5, line 10, increase the amount by $50,000,000.
On page 5, line 11, increase the amount by $50,000,000.
On page 18, line 7, increase the amount by $50,000,000.
On page 18, line 8, increase the amount by $5,000,000.
On page 18, line 11, increase the amount by $50,000,000.
On page 18, line 12, increase the amount by $18,500,000.
On page 18, line 15, increase the amount by $50,000,000.
On page 18, line 16, increase the amount by $43,000,000.
On page 18, line 19, increase the amount by $50,000,000.
On page 18, line 20, increase the amount by $50,000,000.
On page 18, line 23, increase the amount by $50,000,000.
On page 18, line 24, increase the amount by $50,000,000.
On page 29, line 3, decrease the amount by $5,000,000.
On page 29, line 4, decrease the amount by $166,500,000.

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## BURNS (AND OTHERS) AMENDMENT NO. 2999

(Ordered to lie on the table.)

Mr. BURNS (for himself, Mr. FRIST, Mr. GRAMS, Mr. HELMS, Mr. ENZI, Mr. CRAIG, Mr. ABRAHAM, and Mr. GRASSLEY) 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 REPEAL OF THE MODIFICATION OF INSTALLMENT METHOD.**

(a) FINDINGS.—The Senate finds that—

(1) on December 17, 1999, President Clinton signed into law the Ticket to Work and Work Incentives Improvement Act of 1999, which contained a provision that prohibits accrual method taxpayers from using the installment method when they sell an asset;

(2) the new law is having, and will continue to have, a dramatic negative impact on small business owners; and

(3) According to the National Federation of Independent Businesses, roughly 260,000 businesses a year are likely to be affected.

(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—

(1) the Senate should consider modifying or repealing section 536(a) of the Ticket to Work and Work Incentives Improvement Act of 1999 (relating to the repeal of the installment method for accrual method taxpayers) to ensure that the provision does not deny the ability of small businesses to use the installment method with respect to sales and other dispositions occurring on or after the date of enactment of such Act.

## TORRICELLI (AND ASHCROFT) AMENDMENT NO. 3000

(Ordered to lie on the table.)

Mr. TORRICELLI (for himself and Mr. ASHCROFT) 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 new section:

**SEC. . SENSE OF THE SENATE ON AID FOR INDEPENDENT TRUCK DRIVERS.**

(a) FINDINGS.—The Senate finds that—

(1) The price of diesel fuel in the United States is exorbitantly high, topping $2 per gallon in February, 2000;

(2) there are more than 250,000 independent truck drivers operating in the United States;

(3) independent truck drivers averaged less than $250 to fill their fuel tanks a year ago, but are paying an average of over $500 now;

(4) high diesel fuel prices are extremely harmful to independent truck drivers, who pay for their own fuel;

(5) many independent truck drivers are forced to dip into family savings to pay for fuel, and some are being forced out of business, because they can't fill their tanks;

(6) the United States is reliant upon these independent truck drivers to deliver goods to the marketplace.

(7) independent truckers who are forced to park their rigs are unable to deliver goods to marketplace;

(8) high prices are forcing independent truck drivers off the road, and have the potential to harm our economy, not to mention, cripple the trucking industry, which is responsible for the transportation of commodities across the country;

(9) despite OPEC's recent announcement that it would raise oil production by 1.7 million barrels per day, which may stabilize prices by the end of the year, independent truck drivers have felt the effects of high diesel fuel prices for months, and stabilizing prices will not allow them to recover lost income;

(10) providing direct cash grants to independent truck drivers will prevent further damage to the trucking industry, and ensure the continued transportation of goods to the marketplace.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that significant funds will be made available to the Small Business Administration (SBA) in order to enable the SBA to meet the needs of independent truck drivers through emergency loans and grant programs.

On page 4, line 4, increase the amount by $52,000,000.
On page 4, line 5, increase the amount by $63,000,000.
On page 4, line 6, increase the amount by $74,000,000.
On page 4, line 7, increase the amount by $35,000,000.
On page 4, line 8, increase the amount by $18,000,000.
On page 4, line 13, increase the amount by $52,000,000.
On page 4, line 14, increase the amount by $63,000,000.
On page 4, line 15, increase the amount by $74,000,000.
On page 4, line 16, increase the amount by $35,000,000.
On page 4, line 17, increase the amount by $18,000,000.
On page 4, line 22, increase the amount by $250,000,000.
On page 5, line 7, increase the amount by $52,000,000.
On page 5, line 8, increase the amount by $63,000,000.

On page 5, line 9, increase the amount by $74,000,000.
On page 5, line 10, increase the amount by $35,000,000.
On page 5, line 11 increase the amount by $18,000,000.
On page 17, line 6, increase the amount by $250,000,000.
On page 17, line 7, increase the amount by $52,000,000.
On page 17, line 11, increase the amount by $63,000,000.
On page 17, line 15, increase the amount by $74,000,000.
On page 17, line 19, increase the amount by $35,000,000.
On page 17, line 23, increase the amount by $18,000,000.
On page 29, line 3, decrease the amount by $52,000,000.
On page 29, line 4, decrease the amount by $242,000,000.

## MURRAY (AND OTHERS) AMENDMENT NO. 3002

(Ordered to lie on the table.)

Mrs. MURRAY (for herself, Mr. DORGAN, Mr. JEFFORDS, Mr. LEVIN, Mr. CONRAD, Mr. BURNS, Mr. MOYNIHAN, and Mr. SCHUMER) 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 Senate finds that the number of trucks and planes bringing commercial goods across the Northern Border has increased by 25% between 1998 and 1999. No new Custom Inspector positions have been authorized for the Northern Border since 1996 and only 26 percent of Immigration Inspectors are on the Northern Border;

The Senate finds that our Northern Border (excluding Alaska) extends almost 4,000 miles. But last year, this border only had about 300 agents—about one agent for every thirteen miles of border. In comparison, the Southwest Border is 2,000 miles and had 8,000 agents—four agents for every mile;

The Senate finds that many ports on the Northern Border can barely cover core operations and regular shifts without resorting to significant amounts of overtime for all inspectors. Many additional enforcement efforts aimed at specific anti-drug initiatives and outbound programs have been abandoned;

The Senate finds that border agents in Washington state apprehended a potentially dangerous terrorist entering the country from Canada this past December with bomb making equipment and explosive materials that could have caused enormous devastation;

The Senate finds that this incident led to a heightened state of alert on the Northern Border throughout the 1999/2000 holiday season requiring the redeployment of over 700 inspectors from other areas of the country; and

The Senate finds that the lack of adequate frontline Customs Inspectors and Immigration and Naturalization personnel at our ports of entry greatly increases the risk of terrorist products, illicit drugs and other dangerous contraband coming into our country and hinders legitimate trade.

1. It is the sense of the Senate that the functional totals in this resolution assume that the Senate should provide additional funding to increase U.S. Customs Service and U.S. Immigration and Naturalization Service personnel at the Northern Border.

## STEVENS (AND OTHERS) AMENDMENT NO. 3003

(Ordered to lie on the table.)

Mr. STEVENS (for himself, Mr. KENNEDY, Mr. JEFFORDS, Mr. LAUTENBERG, Mr. BOND, Mrs. MURRAY, Mr. COCHRAN, Mr. KERRY, Mr. DODD, Mr. L. CHAFEE, Mr. REED, Mr. WARNER, Mr. DURBIN, and Mr. SMITH of Oregon) 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 II, insert the following:

**SEC. . RESERVE FUND FOR EARLY LEARNING AND PARENT SUPPORT PROGRAMS.**

(a) ADJUSTMENT.—When the Committee on Education and Workforce of the House of Representatives or the Committee on Health, Education, Labor, and Pensions of the Senate reports a bill, an amendment is offered in the House of Representatives or the Senate, or a conference report is filed that improves opportunities at the local level or early learning, brain development, and school readiness for young children from birth to age 6 and offers support programs for such families, particularly those with special needs such as mental health issues and behavorial disorders, the relevant chairman of the Committee on the Budget may increase the allocation aggregates, functions, totals, and other budgetary totals in the resolution by the amount of budget authority (and the outlays resulting thereform) provided by the legislation for such purpose in accordance with subsection (b) if the legislation does not cause an on-budget deficit.

(b) LIMITATIONS.—The adjustments to the aggregates and totals pursuant to subsection (a) shall not exceed $8,500,000,000 on budget authority (and the outlays resulting thereform) for the period fiscal year 2001 and 2005.

## KENNEDY AMENDMENTS NOS. 3004–3005

(Ordered to lie on the table.)

Mr. KENNEDY submitted two amendments, intended to be proposed by him to the concurrent resolution, S. Con. Res 101, supra; as follows:

AMENDMENT NO. 3004

At the appropriate place, insert:

**SEC. . RESERVE FUND FOR MEDICARE AND MEDICAID.**

(a) IN GENERAL.—In the Senate, aggregates, allocations functional totals, and other budgetary levels and limits may be revised in an amount up to $20 billion for fiscal years 2001 through 20 for legislation to assure adequate payments to community hospitals, teaching hospitals, nursing homes, health centers, home health agencies and others who provide quality health care services to Medicare and Medicaid beneficiaries, 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 aggregations 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. 3005

On page 4, line 4, increase the amount by $5,500,000,000.
On page 4, line 5, increase the amount by $4,500,000,000.
On page 4, line 6, increase the amount by $4,000,000,000.
On page 4, line 7, increase the amount by $3,000,000,000.
On page 4, line 8, increase the amount by $3,000,000,000.
On page 4, line 13, increase the amount by $5,500,000,000.
On Page 4, line 14, increase the amount by $4,500,000,000.
On page 4, line 15, increase the amount by $4,000,000,000.
On page 4, line 16, increase the amount by $3,000,000,000.
On page 4, line 17, increase the amount by $3,000,000,000.
On page 4, line 22, increase the amount by $5,500,000,000.
On page 4, line 23, increase the amount by $4,500,000,000.
On page 4, line 24, increase the amount by $4,000,000,000.
On page 4, line 25, increase the amount by $3,000,000,000.
On page 5, line 1, increase the amount by $3,000,000,000.
On page 5, line 7, increase the amount by $5,500,000,000.
On page 5, line 8, increase the amount by $4,500,000,000.
On page 5, line 9, increase the amount by $4,000,000,000.
On page 5, line 10, increase the amount by $3,000,000,000.
On page 5, line 11, increase the amount by $3,000,000,000.
On page 20, line 7, increase the amount by $5,500,000,000.
On page 20, line 8, increase the amount by $5,500,000,000.
On page 20, line 11, increase the amount by $4,500,000,000.
On page 20, line 12, increase the amount by $4,500,000,000.
On page 20, line 15, increase the amount by $4,000,000,000.
On page 20, line 16, increase the amount by $4,000,000,000.
On page 20, line 19, increase the amount by $3,000,000,000.
On page 20, line 20, increase the amount by $3,000,000,000.
On page 20, line 23, increase the amount by $ .
On page 20, line 24, increase the amount by $ .
On page 29, line 3, decrease the amount by $ .
On page 29, line 4, decrease the amount by $ .

## CLELAND (AND OTHERS) AMENDMENT NO. 3006

(Ordered to lie on the table.)

Mr. CLELAND (for himself, Mr. ENZI, Mr. HOLLINGS, and Mr. GRAHAM) 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 TO SUPPORT THE INTEGRITY OF STATE TAX LAWS AND A LEVEL PLAYING FIELD FOR BUSINESSES.**

(a) FINDINGS.—The Senate finds that—

(1) the Constitution reserves for the States the right to collect and impose taxes;

(2) 45 States and the District of Columbia collect over 40 percent of overall revenue from sales taxes to fund vital public services, such as education, social services, emergency services, infrastructure development, and local healthcare;

(3) Internet sales are estimated to grow into the hundreds of billions of dollars in the next few years;

(4) businesses who choose not to go on-line should not be at a competitive tax disadvantage to on-line businesses; and

(5) the Advisory Commission on Electronic Commerce was unable to reach an agreement by the statutorily required minimum of two-thirds of the Commissioners for valid recommendations and findings on the treatment of retail sales transactions conducted over the Internet.

(b) SENSE OF THE SENATE.—It is the Sense of the Senate that the levels in this resolution assume that the Federal Government respects the sovereignty of States to determine their taxes and tax structures, including the taxation of goods and services sold by all businesses and the establishment of a level playing field between traditional ''brick-and-mortar'' retailers and new Internet ''e-tailers.''

## KYL AMENDMENT NO. 3007

(Ordered to lie on the table.)

Mr. KYL 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 REGARDING FREEDOM OF HEALTH CARE CHOICE FOR MEDICARE BENEFICIARIES.**

(a) FINDINGS.—The Senate makes the following findings:

(1) Beneficiaries under the medicare program under title XVIII of the Social Security Act do not have the same right to obtain health care from the provider of their choice as do Members of Congress and virtually all other Americans.

(2) As a result of the 2-year opt-out provision of the Balanced Budget Act of 1997, medicare beneficiaries must decide between the right to choose their own doctor and the right to protect their medical records.

(3) Legislation protecting health care choice is timely for the following 2 reasons:

(A) In the Health Care Financing Administration's January 1998 ''Carriers Program Memorandum'', the agency carves out a circumstance under which a physician or practitioner who has not opted-out of medicare for 2 years may not file a claim where ''the beneficiary, for reasons of his or her own, declines to authorize the physician or practitioner to submit a claim or to furnish confidential medical information to the medicare program that is needed to submit a proper claim.''.

(B) In the July 20, 1999, testimony on its current medicare report to Congress, the Comptroller General of the United States, David Walker, concluded that the Health Care Financing Administration lacks the ability to properly guard medicare beneficiaries' medical records, ''continues to have vulnerabilities in its information management systems'', and ''lacks the ability to readily provide beneficiaries with an accounting of disclosures or misuse in violation of the Privacy Act of 1974.''.

(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 Congress and the President should enact legislation that—

(1) codifies the Health Care Financing Administration's directive to provide beneficiaries under the medicare program under title XVIII of the Social Security Act permanent and unambiguous choice of their treatments, doctors, and reimbursement arrangements;

(2) goes beyond the Health Care Financing Administration's directive by specifying that, in order to prevent abuses, such an arrangement can only be entered into ''if the beneficiary and the physician or practitioner enter into a written contract that includes a statement of the beneficiary's desire to withhold such authorization.'';

(3) provides this protection for medicare beneficiaries now, whether or not the Health Care Financing Administration is able to implement the recommendations of the General Accounting Office, and also whether or not Congress enacts comprehensive medical records reform legislation;

(4) provides that medicare beneficiaries have the right to see the physician or health care provider of their choice, and not be limited in such right by the imposition of unreasonable conditions on providers who are willing to provide medicare beneficiaries with this choice; and

(5) ensures medicare beneficiaries the right of health care choice.

## KYL (AND KERREY) AMENDMENT NO. 3008

(Ordered to lie on the table.)

Mr. KYL (for himself and Mr. KERREY) 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 ESTATE TAXES.**

(a) FINDINGS.—The Senate finds that—

(1) the Internal Revenue Code allows a taxpayer to defer the recognition of capital gains earned from the involuntary conversion of property relating to theft, destruction, seizure, requisition, or condemnation, so that no tax is imposed until the property is sold;

(2) gains earned on property that is transferred by virtue of the owner's death are not eligible for such deferral as allowed for property that is involuntarily converted, and the entire value of the property is subject instead to an estate tax rate as high as 55 percent; and

(3) in order to prepare for and pay the estate tax, numerous small businesses must liquidate all or part of their assets, while others are drained of the capital they need to invest in the research and development, new equipment, and new workers that would otherwise keep them competitive in the marketplace.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that—

(1) Congress should pass legislation providing estate tax relief, and should consider replacing the Federal estate tax with a tax on the gain attributable to inherited assets due when those assets are sold;

(2) that the tax basis in such property used to determine tax liability should be the decedent's basis; and

(3) that a limited step-up in basis should be preserved for small estates so that they are not subject to a new tax burden as a result of these changes.

## STEVENS (AND OTHERS) AMENDMENT NO. 3009

Mr. STEVENS (for himself, Mr. INOUYE, and Mr. COCHRAN) proposed an amendment to the concurrent resolution, S. Con. Res. 101, supra; as follows:

On page 45, line 7 strike ''$14,200,000,000'' and all that follows through page 47, line 25 and insert in lieu thereof:

''$23,000,000,000.

''(c) SUNSET.—This section shall expire effective October 1, 2002.''

## COVERDELL AMENDMENT NO. 3010

Mr. COVERDELL proposed an amendment to amendment No. 2965 proposed by Mr. ROBB to the concurrent resolution, S. Con. Res. 101, supra; as follows:

On page 4, line 4, increase the amount by $1.

On page 4, line 5, increase the amount by $1.

On page 4, line 6, increase the amount by $1.

On page 4, line 7, increase the amount by $1.

On page 4, line 8, increase the amount by $1.

On page 4, line 13, increase the amount by $1.

On page 4, line 14, increase the amount by $1.

On page 4, line 15, increase the amount by $1.

On page 4, line 16, increase the amount by $1.

On page 4, line 17, increase the amount by $1.

On page 4, line 22, increase the amount by $1.

On page 4, line 23, increase the amount by $1.

On page 4, line 24, increase the amount by $1.

On page 4, line 25, increase the amount by $1.

On page 5, line 1, increase the amount by $1.

On page 5, line 7, increase the amount by $1.

On page 5, line 8, increase the amount by $1.

On page 5, line 9, increase the amount by $1.

On page 5, line 10, increase the amount by $1.

On page 5, line 11, increase the amount by $1.

On page 18, line 7, increase the amount by $1.

On page 18, line 8, increase the amount by $1.

On page 18, line 11, increase the amount by $1.

On page 18, line 12, increase the amount by $1.

On page 18, line 15, increase the amount by $1.

On page 18, line 16, increase the amount by $1.

On page 18, line 19, increase the amount by $1.

On page 18, line 20, increase the amount by $1.

On page 18, line 23, increase the amount by $1.

On page 18, line 24, increase the amount by $1.

On page 29, line 3, decrease the amount by $1.

On page 29, line 4, decrease the amount by $1.

On page 29, after line 5, insert the following:

In lieu of the language proposed to be inserted, insert the following:

SEC. . (a) The Senate finds that on March 2, 2000, the Senate passed S. 1134, by a vote of 61–37, the Affordable Education Act of 2000, which—

(a) authorizes up to 2.5 billion dollars a year in new bond authority to allow public-private partnerships to build new schools;

(2) allows small school districts to build more schools by providing them greater flexibility in dealing with complex IRS regulations;

(3) allows 14,000,000 families or 20,000,000 children to benefit from Education Savings Accounts, which would generate $12,000,000,000 in new resources for kindergarten through college education;

(4) allows 1,000,000 college students in State pre-paid tuition plans to receive tax relief to make college more affordable;

(5) allows 1,000,000 workers studying part-time to receive education assistance through their employers;

(6) guarantees that every college student and recent college graduate in America will receive a tax break on the interest on their student loans;

(7) gives all of our Nation's elementary and secondary school teachers needed tax relief for their professional development expenses;

(8) gives America's teachers needed tax relief by providing them a deduction for their out-of-pocket classroom expenses;

(9) allows America's classrooms to benefit from new technology by encouraging the charitable donation of computers to the classroom;

(b) Therefore, it is the Sense of the Senate that this budget resolution assumes that Congress should pass, and the President should sign significant education tax relief legislation for America's teachers and students.

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## GORTON (AND JEFFORDS) AMENDMENT NO. 3011

(Ordered to lie on the table.)

Mr. GORTON (for himself 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 CONCERNING THE PRICE OF PRESCRIPTION DRUGS IN THE UNITED STATES.**

(a) FINDINGS.—The Senate makes the following findings:

(1) Today, two-thirds of senior citizens in the United States have access to prescription drugs through health insurance coverage.

(2) However, it is difficult for many Americans, including senior citizens, to afford the prescription drugs that they need to stay healthy.

(3) Many senior citizens in the United States leave the country and go to Canada or Mexico to buy prescription drugs that are developed, manufactured, and approved in the United States in order to buy such drugs at lower prices than such drugs are sold for in the United States.

(4) According to the General Accounting Office, a consumer in the United States pays on average ⅓ more for a prescription drug than a consumer pays for the same drug in another country.

(5) The United States has made a strong commitment to supporting the research and development of new drugs through taxpayer-supported funding of the National Institutes of Health, through the research and development tax credit, and through other means.

(6) The development of new drugs is important because the use of such drugs enables people to live longer and lead healthier, more productive lives.

(7) Citizens of other countries should pay a portion of the research and development costs for new drugs, or their fair share of such costs, rather than just reap the benefits of such drugs.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this resolution assume that the cost disparity between identical prescription drugs sold in the United States, Canada, and Mexico should be reduced or eliminated.

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## SANTORUM (AND OTHERS) AMENDMENT NO. 3012

(Ordered to lie on the table.)

Mr. SANTORUM (for himself, Mr. ALLARD, and Mr. CRAIG) 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 ON DEBT REDUCTION BY SENATE OFFICES.**

It is the sense of the Senate that the levels in this resolution assume that—

(1) any amount appropriated for Senators' official personnel and office expenses for a fiscal year shall only be available for that fiscal year; and

(2) any amounts remaining after all payments are made for the expenses described in paragraph (1) shall be deposited in the Treasury to reduce the Federal debt held by the public.

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## REED (AND OTHERS) AMENDMENT NO. 3013

Mr. REID (for 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) proposed an amendment to amendment No. 2965 proposed by Mr. ROBB to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the end of the amendment add 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.

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## BAUCUS AMENDMENT NO. 3014

(Ordered to lie on the table.)

Mr. BAUCUS 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, add the following:

**SEC. 3___. SENSE OF THE SENATE CONCERNING FUNDING FOR WILDFIRE MANAGEMENT BY THE SECRETARY OF THE INTERIOR.**

(a) FINDINGS.—The Senate finds that—

(1) fire prevention in the western States is of imminent concern;

(2) more and more houses are being built on the forest interface throughout the West;

(3) more houses in those areas increase the risk of danger to lives and property from catastrophic disasters such as wildfires;

(4) local fire departments often rely on volunteers, but in many places fire departments do not exist, leaving communities dependent on Federal funding;

(5) the Federal Government should do its share in preventing losses of life and property as a result of rampant wildfires;

(6) snow pack has been below normal throughout the West increasing the chances of widespread fires;

(7) some experts point to the existence of a 6-year fire cycle that States should be prepared for; and

(8) in 1988, devastating fires raged throughout the West, and 2000 has the potential to be just as devastating.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the functional totals underlying this resolution assume that the wildlife management program delivered by the Department of the Interior should be funded above the levels in this resolution for fiscal year 2001 to ensure protection of lives and property to individuals residing in forest interface areas.

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## GREGG (AND OTHERS) AMENDMENT NO. 3015

(Ordered to lie on the table.)

Mr. GREGG (for himself, Ms. COLLINS, and Mr. VOINOVICH) 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 CONCERNING FUNDING FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.**

(a) FINDINGS.—The Senate makes the following findings:

(1) In 1975, the Federal Government made a commitment in the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) (referred to in this resolution as the ''Act'') to pay 40 percent of the programs described in part B of such Act.

(2) The Act guarantees that all children with disabilities receive a free and appropriate public education.

(3) In 1997, 1998, and 1999, Congress increased funding for such programs by 113 percent, but was unable to affect such increases without the help or support of the Administration.

(4) Despite such increases in funding, Federal funding for such programs is still far short of the nearly $15,000,000,000 required to receive the originally promised funding.

(5) The Federal Government currently pays only 12.6 percent of such funding for the programs, which represents a great disparity from the 40 percent that was originally promised under the Act.

(6) Honoring the obligation to fund such programs at the originally promised level will allow State and local governments, some of which spend up to 19 percent of the State or local budget on special education costs, to have more flexibility to spend the local resources to meet the unique educational needs of all students in the locality.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in

this resolution assume that Congress; first priority should be to fully fund the programs described under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) at the originally promised level of 40% before Federal funds are appropriated for new education programs.

## CONRAD AMENDMENT NO. 3016

(Ordered to lie on the table.)

Mr. CONRAD 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. ___. SAVE SOCIAL SECURITY AND MEDICARE LOCKBOX.**

(a) DEFINITION.—In this section, the term ''Social Security and Medicare lockbox'' includes—

(1) the amount of the Social Security surplus (as defined in section 311(b)(1) of the Congressional Budget Act of 1974), with respect to any fiscal year; and

(2) the amount of the ''Medicare surplus reserve'' defined as a minimum of one-third of the on-budget surplus as estimated by the Congressional Budget Office for each of the 3 applicable time periods, which are—

(A) the budget year;

(B) the budget year plus the subsequent 4 years; and

(C) the budget year plus the subsequent 9 years.

(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 below the levels of the Medicare surplus reserve, except for legislation that reforms the Medicare program and provides coverage for prescription drugs.

(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 below the level of the Medicare surplus reserve, except for legislation that reforms the Medicare program and provides coverage for prescription drugs.

(d) SOCIAL SECURITY OFF-BUDGET POINT OF ORDER.—It shall not be in order in the House of Representatives or 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 Budget Enforcement Act of 1990.

(e) STRENGTHENING 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.—

(1) WAIVER.—This section may be waived or suspended only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised pursuant to 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''.

On page 4, line 4, increase the amount by $2,026,000,000.

On page 4, line 5, increase the amount by $0.

On page 4, line 6, increase the amount by $5,067,000,000.

On page 4, line 7, increase the amount by $7,230,000,000.

On page 4, line 8, increase the amount by $6,620,000,000.

On page 4, line 13, increase the amount by $2,026,000,000.

On page 4, line 14, increase the amount by $0.

On page 4, line 15, increase the amount by $5,067,000,000.

On page 4, line 16, increase the amount by $7,230,000,000.

On page 4, line 17, increase the amount by $6,620,000,000.

On page 5, line 15, increase the amount by $2,026,000,000.

On page 5, line 16, increase the amount by $0.

On page 5, line 17, increase the amount by $5,067,000,000.

On page 5, line 18, increase the amount by $7,230,000,000.

On page 5, line 19, increase the amount by $6,620,000,000.

On page 5, line 23, decrease the amount by $2,026,000,000.

On page 5, line 24, decrease the amount by $0.

On page 5, line 25, decrease the amount by $5,067,000,000.

On page 6, line 1, decrease the amount by $7,230,000,000.

On page 6, line 2, decrease the amount by $6,620,000,000.

On page 6, line 6, decrease the amount by $2,026,000,000.

On page 6, line 7, decrease the amount by $0.

On page 6, line 8, decrease the amount by $5,067,000,000.

On page 6, line 9, decrease the amount by $7,230,000,000.

On page 6, line 10, decrease the amount by $6,620,000,000.

On page 29, line 3, decrease the amount by $2,026,000,000.

On page 29, line 4, decrease the amount by $20,943,000,000.

## BREAUX (AND OTHERS) AMENDMENT NO. 3017

(Ordered to lie on the table.)

Mr. BREAUX (for himself, Ms. SNOWE, and Mr. ROBB) 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 II, insert the following:

**SEC. ___. POINT OF ORDER AGAINST CONSIDERATION OF OMNIBUS APPROPRIATIONS CONFERENCE REPORTS IF NOT AVAILABLE FOR 2 DAYS.**

It shall not be in order in the Senate to consider a conference report on an Omnibus Appropriations bill (an appropriations bill containing 2 or more of the 13 regular appropriations Acts) unless that conference report has been available at least 2 days prior to consideration.

## BOND (AND OTHERS) AMENDMENT NO. 3018

(Ordered to lie on the table.)

Mr. BOND (for himself, Mr. HOLLINGS, Mr. HUTCHINSON, Mr. DEWINE, Mr. STEVENS, Mr. BREAUX, Mrs. MURRAY, Mr. JOHNSON, Mr. FEINGOLD, Mrs. LINCOLN, Mr. WELLSTONE, Mr. DODD, Mr. INOUYE, Mrs. FEINSTEIN, Mr. KENNEDY, Mr. EDWARDS, Mr. LUGAR, Mr. CLELAND, Mr. BINGAMAN, Mr. BAUCUS, Mr. KOHL, and Ms. COLLINS) 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 UNINSURED AND LOW-INCOME INDIVIDUALS IN MEDICALLY UNDERSERVED COMMUNITIES.**

(a) FINDINGS.—The Senate finds that—

(1) the uninsured population in the United States continues to grow at over 100,000 individuals per month, and is estimated to reach over 53,000,000 people by 2007;

(2) the growth in the uninsured population continues despite public and private efforts to increase health insurance coverage;

(3) nearly 80 percent of the uninsured population are members of working families who cannot afford health insurance or cannot access employer-provided health insurance plans;

(4) minority populations, rural residents, and single-parent families represent a disproportionate number of the uninsured population;

(5) the problem of health care access for the uninsured population is compounded in many urban and rural communities by a lack of providers who are available to serve both insured and uninsured populations;

(6) community, migrant, homeless, and public housing health centers have proven uniquely qualified to address the lack of adequate health care services for uninsured populations, serving over 4,500,000 uninsured patients in 1999, including over 1,000,000 new uninsured patients who have sought care from such centers in the last 3 years;

(7) health centers care for nearly 7,000,000 minorities, nearly 600,000 farmworkers, and more than 500,000 homeless individuals each year;

(8) health centers provide cost-effective comprehensive primary and preventive care to uninsured individuals for less than $1.00 per day, or $350 annually, and help to reduce the inappropriate use of costly emergency rooms and inpatient hospital care;

(9) current resources only allow health centers to serve 10 percent of the Nation's 44,000,000 uninsured individuals;

(10) past investments to increase health center access have resulted in better health, an improved quality of life for all Americans, and a reduction in national health care expenditures; and

(11) Congress can act now to increase access to health care services for uninsured and low-income people together with or in advance of health care coverage proposals by expanding the availability of services at community, migrant, homeless, and public housing health centers.

(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) appropriations for consolidated health centers under section 330 of the Public Health Service Act (42 U.S.C. 254b) should be increased by 100 percent over the next 5 fiscal years in order to double the number of individuals who receive health care services at community, migrant, homeless, and public housing health centers; and

(2) appropriations for consolidated health centers should be increased by $150,000,000 in fiscal year 2001 over the amount appropriated for such centers in fiscal year 2000.

## GREGG (AND KERREY) AMENDMENT NO. 3019

(Ordered to lie on the table.)

Mr. GREGG (for himself and Mr. KERREY) 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 ON PUBLIC EDUCATION ON THE SOCIAL SECURITY PROGRAM.**

(a) FINDINGS.—The Senate makes the following findings:

(1) Today and in the future, Social Security is the foundation of retirement income for most Americans. Preserving and protecting Social Security for the long-term is a vital national priority and essential for the retirement security of today's working Americans, current and future retirees, and their families.

(2) Under current assumptions, Social Security would enter into cash-flow deficits in 2015. Under those same assumptions, the Social Security Trust Funds have sufficient financing to pay full current-law benefits through 2037. According to separate analyses by the Congressional Budget Office (CBO) and the Office of Management and Budget (OMB), the existence of positive balances in the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund in periods of program cash deficits would in and of itself have no direct effect upon the Federal Government's ability to pay benefits, with the result that levels of either benefits, tax revenues, or Federal borrowing would need to be changed in order to finance benefit payments, carrying important consequences for beneficiaries and wage-earners alike.

(3) There appears to be a lack of confidence about the future of Social Security among the general public. Congress and the Social Security Administration should work together to restore confidence in the Social Security system. For example, although Americans of all ages indicate in polls that they strongly support Social Security, many younger Americans believe that they will receive either no benefits or sharply reduced benefits at retirement, although Social Security would have sufficient annual revenues to pay on average (under current assumptions) 72 percent of benefits even after reserves of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are exhausted in 2037.

(4) Proper understanding both of how Social Security is financed and the challenges facing the Social Security program, as well as the impact of Social Security on the Federal Budget and on the economy, is essential to proper evaluation by the American people and Congress of the options to achieve long-term program sustainability.

(5) Many statistics currently used to explain Social Security finances are highly technical and not accessible to the average American, such as actuarial balance as a percent of payroll. Simpler measures could provide a clearer picture of Social Security's future finances and of the options for improving those finances.

(6) As the Nation enters the 21st Century, the United States is experiencing unprecedented changes in business, employment, and the economy; in demographics and in science. Such changes should be considered in understanding the issues facing Social Security.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution on the budget assume the following:

(1) PUBLIC EDUCATION.—Education of the general public regarding Social Security needs to be improved. Toward that end, the Social Security Administration should examine all material that is distributed in print or online for public review, including the Summary of the Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund and social security account statements, to ensure that Americans can clearly understand how Social Security works and the challenges facing Social Security.

(2) ECONOMIC AND BUDGET ESTIMATES.—Public and congressional understanding of the relationship between Social Security, the economic well-being of seniors, the Federal Budget, and the economy is essential to protecting and preserving Social Security for the long term. Toward that end, the Senate commends the Congressional Budget Office (CBO) for its investment in providing long-term estimates, and expresses the desire for periodic reports from the CBO regarding Social Security payments and revenues, including implicit general revenue commitments, the economic well-being of seniors, national savings, and other important economic outcomes.

(3) IMPROVEMENTS TO THE REPORTS OF THE BOARD OF TRUSTEES.—The Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund should carefully continue to consider recent recommendations by the 1999 Technical Panel on Assumptions and Methods of the Social Security Advisory Board and recommendations of other such groups regarding additional information that should be presented to the public.

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## DOMENICI (AND OTHERS) AMENDMENT NO. 3020

(Ordered to lie on the table.)

Mr. DOMENICI (for himself, Mr. CLELAND, and Mr. DODD) 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.**

(a) FINDINGS.—The Senate finds that—

(1) the tragic acts of school violence in Arkansas, Colorado, Georgia, Kentucky, Michigan, and other areas across the Nation have prompted a national dialogue on how best to ensure the safety and security of our Nation's children;

(2) an increasing number of parents, teachers, and community and business leaders across the Nation believe that schools must reinforce efforts to foster good character in children;

(3) 23 States have enacted character education legislation and others are considering such legislation;

(4) strengthening students' sense of community in school has lasting effects on students' overall development, including improving conduct in school and reducing violent behavior outside of school;

(5) the more character education is inculcated in the teaching of academics, the more teachers and other adults in a school apply core values like caring, citizenship, fairness, respect, responsibility, and trustworthiness to their relationships among themselves and with their students; and

(6) providing children the opportunity to reflect and act on core values increases their awareness of the impact of their actions, with positive results reported in many schools that offer character education, such as antisocial behavior being reduced, attendance improving, attentiveness in class going up, substance abuse declining, schools becoming safer places, and even academics improving.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that Congress should—

(1) allocate sufficient resources for character educations programs in schools; and

(2) take all other appropriate steps to encourage and support character education, including continued support of National Character Counts Week.

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## GRASSLEY (AND OTHERS) AMENDMENT NO. 3021

(Ordered to lie on the table.)

Mr. GRASSLEY (for himself, Mr. HATCH, Mr. ABRAHAM, Mr. DEWINE, and Mr. COVERDELL) 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 ON COUNTER-NARCOTICS FUNDING.**

(a) FINDINGS.—The Senate finds that—

(1) The drug crisis facing the United States is a top national security threat.

(2) The spread of illicit drugs through United States borders cannot be halted without an effective drug interdiction strategy.

(3) Effective drug interdiction efforts have been shown to limit the availability of illicit narcotics, drive up the street price, support demand reduction efforts, and decrease overall drug trafficking and use.

(4) The armed conflict and resulting lawlessness in Colombia present a clear and present danger to the security of the front line states, to law enforcement efforts intended to impede the flow of cocaine and heroin, and, therefore, to the well-being of the people of the United States.

(5) The conflict in Colombia is creating instability along its borders with neighboring countries, Ecuador, Panama, Peru, and Venezuela, several of which have deployed forces to their border with Colombia.

(6) Coca production has increased 28 percent in Colombia since 1998, and already 75 percent of the world's cocaine and 75 percent of the heroin seized in the northeast United States is of Colombian origin.

(7) The percentage change in drug use since 1992, among graduating high school students who used drugs in the past 12 months, has substantially increased—marijuana use is up 80 percent, cocaine use is up 80 percent, and heroin use is up 100 percent.

(8) The U.S. Customs Service and the U.S. coast Guard are critical front line agencies in stopping the flow of illegal drugs into the United States.

(9) The Department of Defense is a lead agency for the detection and monitoring of aerial and maritime transit of illegal drug into the United States.

(10) The Department of State, through INL, is a lead agency in protecting the United States from the foreign drug and crime threat.

(b) SENSE OF THE SENATE.—It is the sense of the Senate, the functional totals included in this resolution assume the following:

(1) All counter-narcotics agencies will be given the highest priority for fully funding their counter-narcotics mission.

(2) That front line drug fighting agencies are dedicating more resources for international efforts to continue restoring a balanced drug control strategy.

(3) Congress should re-authorize the modernization of the U.S. Customs service and ensure it has adequate resources and authority not only to facilitate the movement of

internationally traded goods but to ensure it can aggressively pursue its law enforcement activities to stop the flow of drugs into the United States.

(4) Congress should adequately fund U.S. Coast Guard and ensure that it has adequate resources to aggressively pursue its maritime law enforcement activities.

(5) By pursuing a balanced effort which requires investment in three key areas: demand reduction (such as education and treatment); domestic law enforcement; and international supply reduction. Congress believes we can reduce the number of children who are exposed to and addicted to illegal drugs.

(6) Congress should adequately fund the Department of Defense to ensure it has sufficient personnel, equipment, and facilities to support drug interdiction efforts and other counter-drug activities.

(7) Congress should adequately fund the Department of State to ensure that INL has the resources necessary to aggressively and effectively pursue protection of U.S. borders.

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## HATCH (AND OTHERS) AMENDMENT NO. 3022

(Ordered to lie on the table.)

Mr. HATCH (for himself, Mr. GRASSLEY, and Mr. HELMS) 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 REGARDING COMBATING DRUG TRAFFICKING OVER THE INTERNET.**

(a) FINDINGS.—The Senate finds that—

(1) Millions of Americans use the Internet daily for educational and informational purposes. It contains a vast universe of products and services and offers legitimate business owners and consumers a private venue to conduct transactions.

(2) The Internet is also being utilized by criminals and drug dealers to conduct illegal sales in violation of federal drug laws.

(3) 21 U.S.C. 863 makes it a crime to sell or offer for sale drug paraphernalia. Yet, on the Internet, anyone can purchase illegal drug paraphernalia from one of the numerous pro-drug sites. Web sites also advertise for sale marijuana and poppy seeds in violation of federal law.

(4) The Drug Enforcement Administration is the lead federal agency charged with investigating domestic drug trafficking. In order to combat and prevent drug dealers from using the Internet to conduct their illegal operations, it is imperative that Congress provide sufficient funding to the Drug Enforcement Administration for investigating these illegal activities.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in the resolution assume that—

(1) the Drug Enforcement Administration requires a program enhancement of $5 million in FY 2001 to combat, prevent, and deter the illegal use of electronic communications, including the Internet, to violate federal drug laws; and

(2) the Drug Enforcement Administration will study the extent to which these violations are occurring and report the findings of such study to the Committees on the Judiciary of the Senate and House of Representatives.

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## HATCH (AND OTHERS) AMENDMENT NO. 3023

(Ordered to lie on the table.)

Mr. HATCH (for himself, Mr. GRASSLEY, Mr. HUTCHINSON, Mr. HELMS, Mr. INHOFE, Mr. FRIST, Mr. SMITH of Oregon, Mr. BOND, and Mr. THOMAS) 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 REGARDING PROVIDING ADEQUATE FUNDING FOR METHAMPHETAMINE LABORATORY CLEANUP.**

(a) FINDINGS:—The Senate finds that—

(1) The number of methamphetamine laboratory seizures the Drug Enforcement Administration (DEA) participates in annually has increased drastically since 1994. In 1994, the DEA participated in the seizures of only 306 clandestine laboratories, 86% of which were methamphetamine laboratories. Last year, a total of 6,325 methamphetamine and amphetamine laboratories were seized in the United States, and the DEA participated in 1,948 of those seizures. The DEA and State and local law enforcement agencies spend millions of dollars every year cleaning up the pollutants and toxins created and left behind by operators of these laboratories.

Methamphetamine manufacturing poses serious dangers to human life and the environment. The chemicals and substances used in the methamphetamine manufacturing process are unstable, volatile, and highly combustible. The smallest amounts of these chemicals, when mixed improperly, can cause explosions and fires, and the fact that most of these laboratories are situated in residences, motels, trailers, and vans makes the problem even more dangerous. Additionally, for every one pound of methamphetamine that is produced, over five pounds of toxic waste is produced and left behind.

(3) The DEA has been assisting State and local law enforcement agencies in cleaning up methamphetamine laboratory sites. State and local agencies lack the financial ability, equipment, and training to cleanup these toxic sites, and thus, they rely predominantly, if not entirely, on the DEA to cleanup methamphetamine laboratories.

(4) By March 2000, the DEA has exhausted the funds set aside in its FY 2000 budget for State and local methamphetamine laboratory cleanup. The DEA projects that methamphetamine laboratory seizures will continue to rise in FY 2001.

(5) It is imperative that Congress provide sufficient funding to the DEA for methamphetamine laboratory cleanup.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in the resolution assume that—

(1) the Drug Enforcement Administration requires a program enhancement of $21 million in FY 2001 to assist State and local law enforcement agencies in cleaning up toxic waste sites created by illegal operators of methamphetamine laboratories; and

(2) the funding for methamphetamine laboratories cleanup should supplement and not supplant funding for other law enforcement activities of the Drug Enforcement Administration.

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## COVERDELL (AND LINCOLN) AMENDMENT NO. 3024

(Ordered to lie on the table.)

Mr. COVERDELL (for himself and Mrs. LINCOLN) 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 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, 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.

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## SMITH (AND OTHERS) AMENDMENT NO. 3025

(Ordered to lie on the table.)

Mr. SMITH of Oregon (for himself, Mr. CONRAD, Mr. DOMENICI, Mr. CRAIG, Mr. CRAPO, and Mr. BINGAMAN) 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 SENATE REGARDING RENTAL RATES FOR RIGHTS-OF-WAY FOR FIBER OPTIC CABLES ON FEDERAL LAND.**

It is the sense of the Senate that the levels in this resolution assume that the Bureau of Land Management will continue to apply the existing linear rent schedule (in section 2803.1–2(c) of title 43, Code of Federal Regulations) for each fiber optic cable that is subject to rent, regardless of the number of optical fibers contained in the cable.

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## BREAUX (AND OTHERS) AMENDMENT NO. 3026

(Ordered to lie on the table.)

Mr. BREAUX (for himself, Ms. SNOWE, and Mr. ROBB) 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 II, insert the following:

**SEC. ___. POINT OF ORDER AGAINST CONSIDERATION OF OMNIBUS APPROPRIATIONS CONFERENCE REPORTS IF NOT AVAILABLE FOR 2 DAYS.**

It shall not be in order in the Senate to consider a conference report on an Omnibus Appropriations bill (an appropriations bill containing 2 or more of the 13 regular appropriations Acts) unless that conference report has been available at least 2 days prior to consideration.

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## SMITH AMENDMENTS NOS. 3027–3028

(Ordered to lie on the table.)

Mr. SMITH of New Hampshire submitted two amendments intended to be proposed by him to the concurrent resolution, S. Con. Res. 101, supra; as follows:

AMENDMENT NO. 3027

At the end of title III, insert the following:

**SEC. ___. SENSE OF THE SENATE REGARDING A PERMANENT MORATORIUM ON THE IMPOSITION OF TAXES ON THE INTERNET.**

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 a permanent moratorium on the imposition of taxes on the Internet.

AMENDMENT NO. 3028

At the end of title III, insert the following:

**SEC. . SENSE OF THE SENATE REGARDING THE CENSUS.**

It is the sense of the Senate that the levels in this resolution and legislation enacted pursuant to this resolution assume that no American will be prosecuted, fined or in anyway harassed by the Federal government or its agents for failure to respond to any census questions which refer to an individual's race, national origin, living conditions, personal habits or mental and/or physical condition.

## HATCH AMENDMENT NO. 3029

(Ordered to lie on the table.)

Mr. HATCH 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 REGARDING ENFORCEMENT OF FEDERAL FIREARMS LAWS.**

(a) FINDINGS.—The Senate makes the following findings:

(1) The Clinton Administration has failed to adequately enforce Federal firearms laws. Between 1992 and 1998, Triggerlock gun prosecutions—prosecutions of defendants who use a firearm in the commission of a felony—dropped nearly 50 percent, from 7,045 to approximately 3,800.

(2) The decline in Federal firearms prosecutions was not due to a lack of adequate resources. During the period when Federal firearms prosecutions decreased nearly 50 percent, the overall budget of the Department of Justice increased 54 percent.

(3) It is a Federal crime to possess a firearm on school grounds under section 922(q) of title 18, United States Code. The Clinton Department of Justice prosecuted only 8 cases under this provision of law during 1998, even though more than 6,000 students brought firearms to school that year. The Clinton Administration prosecuted only 5 such cases during 1997.

(4) It is a Federal crime to transfer a firearm to a juvenile under section 922(x) of title 18, United States Code. The Clinton Department of Justice prosecuted only 6 cases under this provision of law during 1998 and only 5 during 1997.

(5) It is a Federal crime to transfer or possess a semiautomatic assault weapon under section 922(v) of title 18, United States Code. The Clinton Department of Justice prosecuted only 4 cases under this provision of law during 1998 and only 4 during 1997.

(6) It is a Federal crime for any person "who has been adjudicated as a mental defective or who has been committed to a mental institution" to possess or purchase a firearm under section 922(g) of title 18, United States Code. Despite this Federal law, mental health adjudications are not placed on the national instant criminal background system established under section 103(b) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note).

(7) It is a Federal crime for any person knowingly to make any false statement in the attempted purchase of a firearm under section 922(a)(6) of title 18, United States Code. It is also a Federal crime for convicted felons to possess or purchase a firearm under section 922(g) of title 18, United States Code.

(8) More than 500,000 convicted felons and other prohibited purchasers have been prevented from buying firearms from licensed dealers since the Brady Handgun Violence Prevention Act was enacted. When these felons attempted to purchase a firearm, they violated section 922(a)(6) of title 18, United States Code, by making a false statement under oath that they were not disqualified from purchasing a firearm. Nonetheless, of the more than 500,000 violations, only approximately 200 of the felons have been referred to the Department of Justice for prosecution.

(9) Notwithstanding this poor record of enforcement, the Clinton Administration continues to push for new Federal firearms laws instead of enforcing existing Federal firearms laws.

(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 Federal funds will be used for an effective law enforcement strategy requiring a commitment to enforcing existing Federal firearms laws by—

(1) designating not less than 1 Assistant United States Attorney in each district to prosecute Federal firearms violations and thereby expand Project Exile nationally;

(2) hiring additional Bureau of Alcohol, Tobacco, and Firearms agents and Assistant United States Attorneys to investigate and prosecute Federal firearms violations;

(3) upgrading the national instant criminal background system established under section 103(b) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) by encouraging States to place mental health adjudications on that system and by improving the overall speed and efficiency of that system; and

(4) providing incentive grants to States to encourage States to impose mandatory minimum sentences for firearm offenses based on section 924(c) of title 18, United States Code, and to prosecute those offenses in State court.

## SMITH (AND OTHERS) AMENDMENT NO. 3030

(Ordered to lie on the table.)

Mr. SMITH of Oregon (for himself, Mr. CONRAD, Mr. DOMENICI, Mr. CRAIG, Mr. CRAPO, and Mr. BINGAMAN) 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 SENATE REGARDING RENTAL RATES FOR RIGHTS-OF-WAY FOR FIBER OPTIC CABLES ON FEDERAL LAND.**

It is the sense of the Senate that the levels in this resolution assume that the Bureau of Land Management will continue to apply the existing linear rent schedule (in section 2803.1–2(c) of title 43, Code of Federal Regulations) for each fiber optic cable that is subject to rent, regardless of the number of optical fibers contained in the cable.

## SMITH (AND OTHERS) AMENDMENT NO. 3031

(Ordered to lie on the table.)

Mr. SMITH of New Hampshire (for himself, Mr. ALLARD, and Mr. DOMENICI) 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 ON MEDICARE PRESCRIPTION DRUGS.**

It is the sense of the Senate that the levels in this budget resolution assume that among its reform options, Congress should explore a medicare prescription drug proposal that—

(1) is voluntary;

(2) increases accessl for all medicare beneficiaries;

(3) is designed to provide meaningful protection and bargaining power for medicare beneficiaries in obtaining prescription drugs;

(4) is affordable for all medicare beneficiaries and for the medicare program;

(5) is administered using private sector entities and competitive purchasing techniques;

(6) is consistent with broader medicare reform;

(7) preserves and protects the financial integrity of the medicare trust funds;

(8) does not increase medicare beneficiary premiums; and

(9) provides a prescription drug benefit as soon as possible.

## ASHCROFT (AND OTHERS) AMENDMENT NO. 3032

(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:

At the end of title II, insert the following:

**SEC. 211. PROTECTION OF MEDICARE SURPLUSES.**

(a) FINDINGS.—Congress finds that—

(1) the fiscal year 2001 budget submitted by the President, instead of protecting Medicare, reduces payments to Medicare providers by $53 billion over 10 years;

(2) the fiscal year 2001 budget submitted by the President calls for an increase in spending for fiscal year 2001 of $58 billion and would increase taxes collected next year by $12 billion;

(3) the fiscal year 2001 budget submitted by the President continues to use the Medicare, Part A surplus to mask the President's proposed increases in spending; and

(4) in contrast to the President's budget, this budget resolution protects Medicare, rejects the President's Medicare cuts and provides $40 billion for prescription drug coverage for needy seniors.

(b) MEDICARE SURPLUSES OFF-BUDGET.—The net surplus of any trust fund for part A of Medicare shall not be counted as a net surplus for purposes of the congressional budget.

(c) POINTS OF ORDER TO PROTECT MEDICARE SURPLUSES.—

(1) CONCURRENT RESOLUTIONS ON THE BUDGET.—It shall not be in order in the House of Representatives or the Senate to consider any concurrent resolution on the budget, or conference report thereon or amendment thereto, that would set forth an on-budget deficit for any fiscal year.

(2) SUBSEQUENT LEGISLATION.—It shall not be in order in the House of Representatives

or the Senate to consider any bill, joint resolution, amendment, motion, or conference report if—

(A) the enactment of that bill or resolution as reported;

(B) the adoption and enactment of that amendment; or

(C) the enactment of that bill or resolution in the form recommended in that conference report; would cause or increase an on-budget deficit for any fiscal year.

(3) DEFINTIION.—For purposes of this section, the term ''on-budget deficit'', when applied to a fiscal year, means the deficit in the budget as set forth in the most recently agreed to concurrent resolution on the budget pursuant to section 301(a)(3) of the Congressional Budget Act of 1974 for that fiscal year.

(d) MEDICARE LOOK-BACK SEQUESTER.—If in any fiscal year, the Medicare, Part A surplus has been used to finance general operations of the Federal government, an amount equal to the amount used shall be sequestered for available discretionary spending for the following fiscal year for purposes of any concurrent resolution on the budget.

(e) SUPER MAJORITY REQUIREMENT.—This section may be waived or suspended in the Senate only by the 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.

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## GRASSLEY AMENDMENT NO. 3033

(Ordered to lie on the table.)

Mr. GRASSLEY 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 REGARDING THE DEVELOPMENT OF AN AGENDA FOR A NEW ROUND OF MULTILATERAL TRADE NEGOTIATIONS.**

(a) FINDINGS.—The Senate makes the following findings:

(1) The 8 rounds of multilateral trade negotiations since 1947 have resulted in the reduction or elimination of thousands of tariff and nontariff trade barriers, increasing the prosperity of the United States, and complementing and promoting many areas of economic activity in the United States.

(2) Trade accounts for one-fourth of the Gross Domestic Product of the United States.

(3) The economic activity generated by United States trade and investment contributes substantially to Federal revenues.

(4) The failure of the Seattle Ministerial Conference to launch a new round of multilateral trade negotiations will slow further trade liberalization.

(5) The slowdown in trade liberalization will result in the United States economy generating lower levels of economic activity and thus less Federal revenues.

(6) The process of trade liberalization in the World Trade Organization will not go forward without strong and consistent United States leadership.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that the President and other appropriate officials in the executive branch of the Government should, without delay, seek to resume negotiations on developing an agenda for a new round of multilateral trade negotiations in the World Trade Organization.

## GRASSLEY (AND GRAHAM) AMENDMENT NO. 3034

(Ordered to lie on the table.)

Mr. GRASSLEY (for himself and Mr. GRAHAM) 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 LONG-TERM CARE TAX RELIEF.**

(a) FINDINGS.—The Senate finds the following:

(1) In 2020, one of six Americans will be age 65 or older, for a total of 20,000,000 more senior citizens than there are now.

(2) By 2040, the number of Americans aged 85 and older, the group most likely to require long-term care, will more than triple to over 12,000,000.

(3) The Nation's current arrangements for providing and paying for long-term care to the Nation's senior citizens are inadequate in the face of the looming burdens that will be placed upon such arrangements by the inevitable growth in the population of senior citizens.

(4) Millions of older Americans who need long-term care are able to maintain a degree of independence and avoid institutionalization by relying on family caregivers, typically wives and daughters, for assistance. Caregivers often sacrifice their own wages, benefits, or even jobs in order to provide care to loved ones.

(5) Even modest financial assistance would help offset long-term care costs and augment access to additional long-term care services.

(6) If an older individual requires long-term care in a nursing facility, the cost of that care, an average of more than $46,000 a year and rising, is out of the reach of most households. Such expenses can wipe out a lifetime of savings before a spouse, parent, or grandparent becomes eligible for long-term care assistance through medicaid.

(7) Stronger tax incentives for the purchase of private long-term care insurance coverage, coupled with strong consumer protection standards, would help individuals and families protect themselves against the financial risk of long-term care and give consumers much better long-term care choices.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that Congress should enact Federal tax relief for those with current long-term care needs and for those seeking to protect themselves with comprehensive private long-term care insurance coverage, including—

(1) a $3,000 long-term care Federal income tax credit for individuals with current long-term care needs or for their caregivers; and

(2) the allowance of full Federal income tax deductibility for long-term care insurance premiums and the allowance of long-term care coverage under employee benefits ''cafeteria plans'' and flexible spending arrangements in order to encourage the purchase of private long-term care insurance issued under strong consumer protection standards.

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## GRASSLEY (AND OTHERS) AMENDMENT NO. 3035

(Ordered to lie on the table.)

Mr. GRASSLEY (for himself, Ms. LANDRIEU, Mr. DEWINE, and Mr. ROCKFELLER) 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 REGARDING ACCOUNTABILITY WITHIN OUR NATION'S CHILD WELFARE SYSTEM.**

(a) FINDINGS.—The Senate makes the following findings:

(1) According to the Department of Health and Human Services, more than 547,000 children currently reside in foster care, up from 270,000 in 1985.

(2) Approximately 20,000 adolescents leave the Nation's foster care system each year because they are no longer eligible to receive assistance as a ward of the State and are expected to support themselves.

(3) According to the Department of Health and Human Services, there were 117,000 children waiting for adoption as of March 31, 1999.

(4) Of those waiting children, the median time each child had been in continuous foster care was 38 months.

(5) Of those waiting children, the median age at time of the child's removal from home was 3.2 years and the median age of those children on March 31, 1999, was 7.7 years. Based upon those statistics, the median child waited 4.5 years for permanency.

(6) According to the House Ways and Means Committee Green Book for 1998, the incidence of all children in the United States who are in foster care has increased from 3.9 per 1,000 in 1962 to an estimated 6.9 per 1,000 in 1996.

(7) According to the Department of Health and Human Services, the Federal Government will make $4,400,000,000 in foster care payments in fiscal year 2000 to cover the Federal share of providing for children in foster care. Conservatively estimated, the State share of providing foster care services for fiscal year 2000 will cost over $8,800,000,000. In fiscal year 1990, the Federal Government share equaled only $1,500,000,000.

(8) In addition to financial savings to the United States Treasury and State treasuries, finding permanent and loving homes for children and youth contributes to the emotional, mental, and physical well-being of the child and therefore benefits the child, the family, and society.

(9) The Adoption and Safe Families Act of 1997 establishes that safety, permanency, and well-being are paramount when planning for children in foster care.

(10) Under the Adoption and Safe Families Act of 1997, States are required to make reasonable efforts to locate permanent families for all children, including older children and teens, for whom reunification with their biological families is not in the best interests of the children.

(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) the Senate should reaffirm its commitment, as stated in the Adoption and Safe Families Act of 1997, to improving outcomes and seeking permanency for our Nation's most vulnerable children and youth;

(2) the Senate, when considering legislation impacting the child welfare system, should maintain vigilance in seeking accountability measures that benefit children and youth in foster care; and

(3) the Secretary of Health and Human Services should use all the resources at the Secretary's disposal to ensure the shortest possible stay in foster care for each child.

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## BOXER (AND OTHERS) AMENDMENT NO. 3036

(Ordered to lie on the table.)

Mrs. BOXER (for herself, Mr. SCHUMER, Mrs. FEINSTEIN, Mr. LAUTENBERG, and Mr. TORRICELLI) 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 PREFERENCE IN FIREARMS PROCUREMENT.**

(a) FINDINGS.—The Senate finds that—

(1) On March 17, 2000, Smith & Wesson entered into an agreement with the Administration in which the company consented to make changes in the way it manufactures and distributes firearms.

(2) Among other things, Smith & Wesson agreed to—

(A) provide child safety devices with all handguns immediately and to have internal locks on all handguns within 2 years;

(B) design all handguns with a second, hidden serial number;

(C) subject handguns to a safety performance test;

(D) do business only with those dealers who engage in responsible and safe sales and distribution practices, including—

(i) refusing to participate in a gun show unless that gun show conducts criminal background checks on all gun sales;

(ii) refusing to traffic in semiautomatic assault weapons and high-capacity ammunition clips; and

(iii) requiring individuals who purchase firearms to take a certified firearms safety course or pass a safety exam;

(E) stop doing business with dealers and distributors who sell a disproportionate number of guns that are used in crimes; and

(F) devote 2 percent of its revenues to the development of ''smart'' guns and to incorporate that technology on all new models within 3 years.

(3) These steps represent a set of reasonable, commonsense measures to keep guns out of the hands of criminals and children, and are important steps to help close the loopholes in and enhance enforcement of existing federal law.

(b) SENSE OF THE SENATE.—

(1) IN GENERAL.—It is the sense of the Senate that the levels in this resolution assume that law enforcement agencies that purchase firearms give preference to those firearm manufacturers that agree to—

(A) manufacture handguns that meet appropriate safety design standards;

(B) sell only to authorized dealers and distributors who engage in responsible and safe sales and distribution practices;

(C) not market guns in any way that is intended to appeal to juveniles or criminals; and

(D) terminate or suspend sales to authorized dealers and distributors who have a disproportionate number of guns used in crimes traced to them within 3 years of sale.

(2) EXCEPTIONS.—It is the sense of the Senate that the levels in this resolution assume that preference in the purchase of firearms by law enforcement agencies will not be given if—

(A) a preference would in any way jeopardize the safety of law enforcement officers;

(B) a preference would in any way hinder law enforcement operations; or

(C) firearms necessary for law enforcement operations are not obtainable from preferred manufacturers.

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## REED (AND OTHERS) AMENDMENT NO. 3037

(Ordered to lie on the table.)

Mr. REED (for himself, Mr. BINGAMAN, Mr. JEFFORDS, Mr. LAUTENBERG, Mr. DURBIN, Mr. L. CHAFFEE, Mr. WYDEN, Mr. WELLSTONE, Mr. HARKIN, Mrs. MURRAY, Mr. GRAHAM, and Mr. DODD) 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. ___. REGULATION OF TOBACCO PRODUCTS.**

(a) FINDINGS.—The Senate makes the following findings:

(1) Cigarette smoking and tobacco use is the single most preventable cause of death and disability in the United States.

(2) Cigarette smoking and tobacco use cause approximately 400,000 deaths each year in the United States.

(3) Health care costs associated with treating tobacco-related diseases are $80,000,000,000 per year, and almost half of such costs are paid for by taxpayer-financed government health care programs.

(4) In spite of the well established dangers of cigarette smoking and tobacco use, there is no Federal agency that has authority to regulate the manufacture, sale, distribution, and use of tobacco products.

(5) Major tobacco companies spend over $5,600,000,000 each year ($15,000,000 each day) to promote the use of tobacco products.

(6) Ninety percent of adult smokers first started smoking before the age of 18.

(7) Each day 3,000 children become regular smokers and ⅓ of such children will die of diseases associated with the use of tobacco products.

(8) The Food and Drug Administration regulates the manufacture, sale, distribution, and use of nicotine-containing products used as substitutes for cigarette smoking and tobacco use and should be granted the authority to regulate tobacco products.

(9) Congress should restrict youth access to tobacco products and ensure that tobacco products meet minimum safety standards.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this resolution assume that—

(1) the Food and Drug Administration is the most qualified Federal agency to regulate tobacco products; and

(2) Congress should enact legislation in the year 2000 that grants the Food and Drug Administration the authority to regulate tobacco products.

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## BUNNING (AND MCCONNELL) AMENDMNT NO. 3038

(Ordered to lie on the table.)

Mr. BUNNING (for himself and Mr. MCCONNELL) 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. 3___. SENSE OF THE SENATE CONCERNING USE OF THE ABANDONED MINE RECLAMATION FUND.**

(a) FINDINGS.—Congress finds that—

(1) in 1977, Congress passed the Surface Mine and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.), and set Federal standards for environmental protection at surface coal mining operations, while establishing an Abandoned Mine Reclamation Fund to pay for reclamation of abandoned coal mines;

(2) the Abandoned Mine Reclamation Fund is funded by levies on coal production and currently has an unappropriated balance of approximately $1,200,000,000;

(3) spending from the Abandoned Mine Reclamation Fund is limited by the curbs on annual discretionary funding;

(4) the Environmental Protection Agency has stated that the most pressing environmental problem in Appalachia is the acid drainage in water runoff caused by abandoned and unreclaimed mine sites;

(5) abandoned mines constitute an environmental and safety hazard for residents of Appalachia and other mining areas;

(6) Congress has estimated the cost of abandoned mine reclamation to be as high as $33,000,000,000;

(7) Congress has also seen fit to dedicate interest from money invested in the Abandoned Mine Reclamation Fund to help ensure the availability of health care benefits to retired miners and their families; and

(8) because of upheaval and difficulties in the coal mining industry, many retired miners and their families would not, without the Abandoned Mine Reclamation Fund, receive the benefits that the miners have been contractually promised from their employers.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budget levels in this resolution assume that Congress will enact legislation to spend the money in the Abandoned Mine Reclamation Fund to—

(1) reclaim abandoned coal mine sites as soon as possible; and

(2) take whatever steps are necessary to ensure that the health care needs of retired coal miners and their families are met.

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## SMITH (AND OTHERS) AMENDMENT NO. 3039

(Ordered to lie on the table.)

Mr. SMITH of New Hampshire (for himself, Mr. MACK, and Mr. GRAHAM) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

At the appropriate place, add the following:

''It is the sense of the Senate that the levels in this budget resolution assume that Congress should pass a bill granting permanent resident alien status to Elian Gonzalez, Juan Miguel Gonzalez, Nelsy Carmenate, Jianny Gonzalez, Mariela Gonzalez, Raquel Rodriguez, and Juan Gonzalez.''.

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## HUTCHISON (AND OTHERS) AMENDMENT NO. 3040

(Ordered to lie on the table.)

Mrs. HUTCHISON (for herself, Mr. ABRAHAM, Mr. TORRICELLI, Mr. LUGAR, and Mr. HELMS) 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 REGARDING THE REVISION OF THE PAYMENT UPDATE FOR PPS HOSPITALS UNDER THE MEDICARE PROGRAM.**

(a) FINDINGS.—The Senate makes the following findings:

(1) According to the Medicare Payment Advisory Commission (MedPAC), the overall financial performance of hospitals has dropped to the lowest point in decades.

(2) Total hospital margins, a measure of financial strength, dropped from 6.3 percent in 1997, to 4.3 percent in 1998, to 2.7 percent in 1999.

(3) Confidence by lenders regarding the financial strength of hospitals is on the decline, which not only inhibits hospitals from keeping pace with improvements in health care delivery and technology, but forces many institutions to reduce important services to the community.

(4) Downgrades in bond ratings for hospitals were the most ever in 1999, outpacing upgrades by 5 to 1.

(5) The costs of providing services to medicare beneficiaries by hospitals rose by a total of more than 8 percent during fiscal years 1998 through 2000, while inflation payment updates under the medicare program totaled only 1.6 percent during such years.

(6) The rise in costs of providing services to medicare beneficiaries by hospitals is due primarily to labor shortages, technology improvements, and pharmaceutical improvements, as well as burdensome and excessive regulatory mandates imposed by the Health Care Financing Administration.

(7) According to the Congressional Budget Office, the provisions of the Balanced Budget Act of 1997 will result in savings of $227,000,000,000 to the medicare program, which exceeds by more than $100,000,000,000 the amount of savings to such program by reason of such provisions that was estimated at the time of the enactment of such Act .

(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 Congress and the President should enact legislation that eliminates the scheduled reductions in the update factor under section 1886(b)(3)(B)(i) of the Social Security Act (42 U.S.C. 1395ww(b)(3)(B)(i)) that is used in making payments to prospective payment system hospitals under part A of the medicare program.

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## LIEBERMAN (AND OTHERS) AMENDMENT NO. 3041

(Ordered to lie on the table.)

Mr. LIEBERMAN (for himself, Mr. ABRAHAM, Mr. SANTORUM, Mr. BAYH, Mrs. FEINSTEIN, Mr. JOHNSON, Ms. LANDRIEU, Mr. KERREY, and Mr. ROBB) 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 ASSET-BUILDING FOR THE WORKING POOR.**

(a) FINDINGS.—The Senate finds that—

(1) 33 percent of all American households and 60 percent of African American households have either no financial assets or negative financial assets;

(2) 46.9 percent of children in America live in households with no financial assets, including 40 percent of Caucasian children and 75 percent of African American children;

(3) in order to provide low-income families with more tools for empowerment, incentives, including individual development accounts, are demonstrating success at empowering low-income workers;

(5) middle and upper income Americans currently benefit from tax incentives for building assets; and

(6) the Federal Government should utilize the Federal tax code to provide low-income Americans with incentives to work and build assets in order to escape poverty permanently.

(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 Congress should modify the Federal tax law to include individual development account provisions in order to encourage low-income workers and their families to save for buying a first home, starting a business, obtaining an education, or taking other measures to prepare for the future.

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## KOHL (AND OTHERS) AMENDMENT NO. 3042

(Ordered to lie on the table.)

Mr. KOHL (for himself, Mr. DORGAN, Mr. BINGAMAN, Mr. FEINGOLD, Mr. GRASSLEY, Mr. JOHNSON, Mr. KERRY, Mr. SMITH of Oregon, Mr. HARKIN, Mr. CONRAD, Mrs. LINCOLN, Mr. WELLSTONE, 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:

**SEC. ___. SENSE OF THE SENATE REGARDING MEDICARE EQUITY.**

(a) FINDINGS.—The Senate makes the following findings:

(1) All medicare beneficiaries deserve access to high quality health care, regardless of where they live.

(2) The promise of the Medicare+Choice program, including options for benefits such as prescription drugs, eyeglasses, and hearing aids, should be available and affordable for all medicare beneficiaries, including beneficiaries living in rural areas.

(3) Current reimbursement policy for the traditional medicare fee-for-service program results in different medicare payments depending upon where beneficiaries live, particularly affecting beneficiaries and health care providers in rural areas.

(4) The Balanced Budget Act of 1997 included provisions to expand choices for medicare beneficiaries through the Medicare+Choice program, but lack of funding has prevented the full implementation of the improvement to payment rates.

(5) Congress took a step forward in confronting and addressing the funding crisis for medicare beneficiaries needing hospital care, home health care, skilled nursing care, and other basic care in rural communities through the Medicare, Medicaid, and SCHIP Balanced Budget Refinement Act of 1999.

(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—

(1) Congress should ensure the viability of health care services to all medicare beneficiaries, regardless of where they live; and

(2) the President and Congress should address regional and rural inequities in medicare payments to providers of services for medicare beneficiaries.

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## GRAMS (AND SANTORUM) AMENDMENTS NOS. 3043–3044

(Ordered to lie on the table.)

Mr. GRAMS (for himself and Mr. SANTORUM) submitted two amendments intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

AMENDMENT NO. 3043

At the appropriate place in the resolution, insert the following new section:

**SECTION. . SENSE OF THE SENATE TO GUARANTEE AMERICANS FULL SOCIAL SECURITY BENEFITS.**

SENSE OF THE SENATE.—It is the sense of the Senate that the federal government should guarantee a legal right of all eligible Americans to receive Social Security benefits under title II of the Social Security Act in full with an accurate annual cost-of-living adjustment.

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AMENDMENT NO. 3044

At the appropriate place in the resolution, insert the following new section:

**SECTION. . SENSE OF THE SENATE TO GUARANTEE AMERICANS FULL SOCIAL SECURITY BENEFITS.**

SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this budget resolution assume that the federal government should guarantee a legal right of all eligible Americans who are entitled to receive Social Security benefits under title II of the Social Security Act to receive those benefits in full with an accurate annual cost-of-living adjustment.

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## MURRAY AMENDMENT NO. 3045

(Ordered to lie on the table.)

Mrs. MURRAY submitted an amendment intended to be proposed by her to the concurrent resolution, S. Con. Res. 101, supra; as follows:

On page 34, line 21, after ''specialty crops'', insert the following: '', which may include modifications to market development and access programs''.

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## BINGAMAN AMENDMENT NO. 3046

(Ordered to lie on the table.)

Mr. BINGAMAN 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 SENATE REGARDING ENHANCEMENT OF CAPACITY OF VETERANS BENEFITS ADMINISTRATION TO PROCESS BENEFITS CLAIMS.**

(a) FINDINGS.—The Senate makes the following findings:

(1) Veterans benefits serve to recognize service to the Nation, and also serve to mitigate economic disadvantages imposed by sacrifices made while serving.

(2) The Nation has 3,300,000 veterans or families that share approximately $18,500,000,000 in veterans pension and disability benefits annually through the Department of Veterans Affairs.

(3) Benefits have been promised to the Nation's veterans, and those promises must be honored.

(4) To remain effective, veterans benefits programs must be updated to reflect changes in hardships encountered during military service as well as changes in the economic and social circumstances of the Nation.

(5) The accurate and reliable assessment of service-connected disabilities has become an increasingly complex process, particularly with regard to evaluating the incidence and effects of Agent Orange, Persian Gulf Syndrome, and Post Traumatic Stress Disorders.

(6) The veterans benefits appeal process often involves repeated remands requiring additional processing that can occur over an extended length of time.

(7) Veterans benefits claims processing is undergoing a major technological transition from manual to electronic data filing and processing.

(8) The number of full-time equivalent (FTE) employees assigned to process veterans benefits claims has decreased significantly from 13,249 in 1995 to 11,254 in 1998.

(9) The pending workload for veterans benefits claims has increased dramatically during the same period from 378,366 cases in 1995 to 445,012 cases in 1998.

(10) Nationwide, veterans must wait an average of 159 days for their benefits claims to be resolved, and the National Performance Review has a goal of handling such claims in an average of 92 days.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that, in order to ensure the efficient and timely processing of claims for veterans benefits by the Veterans Benefits Administration, the amounts made available to the Department of Veterans Affairs for fiscal year 2001 should be increased over

amounts made available to the Department for fiscal year 2000—

(1) by $139,000,000, in order to permit the hiring by the Veterans Benefits Administration of an additional full-time equivalent employees to perform duties relating to claims processing.

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## MURKOWSKI AMENDMENT NO. 3047

(Ordered to lie on the table.)

Mr. MURKOWSKI 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 SENATE ON REDUCING AMERICAN DEPENDENCE ON IMPORTED OIL.**

(a) FINDINGS.—The Senate finds that:

(1) The United States' imports of crude oil have risen from 43 percent of domestic consumption in 1992 to 56 percent in 2000.

(2) Since 1992, United States crude oil production has declined by 17 percent, while U.S. crude oil consumption has increased 14 percent.

(3) The President has determined, pursuant to Section 232 of the Trade Expansion Act, that reliance on imports of crude oil threaten to impair the national security;

(4) The Department of Energy predicts that U.S. dependence on foreign sources of oil will rise to 65 percent of domestic consumption by 2015;

(5) The United Nations maintains extensive economic sanctions on Iraq for that nation's refusal to comply with inspection programs to ensure that Iraq is not producing weapons of mass destruction;

(6) The United States has spent more than $10 billion since the end of the Gulf War to ensure that the government of Iraq does not engage in aggregate actions within and outside of its borders;

(7) The United States currently has 8,500 sailors, 5,700 airmen and 2,300 soldiers in the Middle East with the sole purpose of preventing aggressive actions by the government of Iraq;

(8) The fastest growing single source of crude oil imports into the United States is Iraq—imports having risen from 300,000 barrels a day in 1998 to 700,000 barrels a day today;

(9) Continued reliance on Iraq for imported crude oil is in direct conflict with the national interests of the United States and poses a threat to the national security;

(10) Continued reliance on Iraq for imported crude oil has undermined U.S. foreign policy objectives and forced the United States to sponsor a resolution in the United Nations allowing Iraq to purchase equipment and spare parts for its oil industry.

(11) The only sure means to reduce such threats to national security is to limit the dependence of the United States on foreign sources of crude oil.

It is the Sense of the Senate that the level in this budget resolution assumes that:

(1) The United States should develop a national energy strategy whose primary goal is to reduce the dependence of the United States on imports of crude oil, especially crude oil imported from Iraq;

(2) To reduce dependence on imports of crude oil, the United States government should:

(A) encourage exploration and development of all domestic sources of energy;

(B) encourage the development of alternative energy technologies;

(C) encourage energy conservation measures.

## DEWINE (AND OTHERS) AMENDMENT NO. 3048

(Ordered to lie on the table.)

Mr. DEWINE (for himself, Mr. ASHCROFT, Mr. ABRAHAM, Mr. SANTORUM, Mr. GRAMS, Mr. COVERDELL, Mr. GRASSLEY, and Mr. HATCH) 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 REGARDING RESOURCES TO REDUCE YOUTH DRUG USE.**

(a) FINDINGS.—The Senate finds that—

(1) from 1985 to 1992, the Federal Government's drug control budget was balanced among education, treatment, law enforcement, and international supply reduction activities and this resulted in a 13 percent reduction in overall drug use from 1988 to 1991;

(2) between 1993 and 1998, the Federal investment in reducing the flow of drugs outside the borders of the United States declined both in real dollars and as a proportion of the Federal drug control budget, even though the Federal Government is the only United States entity that can seize and destroy drugs outside the borders of the United States;

(3) since 1992, overall drug use among teens aged 12 to 17 rose by 70 percent;

(4) cocaine production from Colombia rose from 230 metric tons in 1995 to 520 metric tons in 1999;

(5) cocaine use among 10th graders increased 133 percent from 1992 to 1999;

(6) crack use among 10th graders increased 167 percent from 1992 to 1999;

(7) heroin use among 12th graders increased 67 percent from 1992 to 1999;

(8) despite the increase in youth drug use, the Department of Education cut more than $5,700,000 of the Federal investment in school-based antidrug prevention and education programs, placing our investment in these programs in fiscal year 2000 below the amounts provided for fiscal year 1999; and

(9) effectively reducing youth drug use requires a balanced and comprehensive Federal investment in eradication, interdiction, education, treatment, and law enforcement programs.

(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—

(1) funding for Federal drug control activities should be at a higher priority than that proposed in the President's budget request for fiscal year 2001; and

(2) investments in Federal drug control activities should include—

(A) the programs and activities authorized in the Western Hemisphere Drug Elimination Act;

(B) programs and activities to secure the United States borders from illegal drug smuggling;

(C) the programs and activities authorized in the proposed Drug-Free Century Act (S. 5 as introduced in the Senate on January 19, 1999);

(D) programs and activities to eliminate methamphetamine laboratories in the United States;

(E) the programs and activities authorized in the proposed reauthorization of the Safe and Drug-Free Schools and Communities Program; and

(F) the programs and activities authorized in the proposed Youth Drug and Mental Health Services Act (S. 976 as passed in the Senate on November 4, 1999).

## DEWINE (AND OTHERS) AMENDMENT NO. 3049

(Ordered to lie on the table.)

Mr. DEWINE (for himself, Mr. ABRAHAM, Mr. BREAUX, Mr. COVERDELL, Mr. FEINGOLD, Mr. GRASSLEY, Mr. GRAHAM, Mr. KOHL, Ms. LANDRIEU, and Mr. MURKOWSKI) 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. ___. FISCAL YEAR 2001 FUNDING FOR THE UNITED STATES COAST GUARD.**

(a) FINDINGS.—The Senate makes the following findings:

(1) The United States Coast Guard in 1999 saved approximately 3,800 lives in providing the essential service of maritime safety.

(2) The United States Coast Guard in 1999 prevented 111,689 pounds of cocaine and 28,872 pounds of marijuana from entering the United States in providing the essential service of maritime security.

(3) The United States Coast Guard in 1999 boarded more than 14,000 fishing vessels to check for compliance with safety and environmental laws in providing the essential service of the protection of natural resources.

(4) The United States Coast Guard in 1999 ensured the safe passage of nearly 1,000,000 commercial vessel transits through congested harbors with vessel traffic services in providing the essential service of maritime mobility.

(5) The United States Coast Guard in 1999 sent international training teams to help more than 50 countries develop their maritime services in providing the essential service national defense.

(6) Each year, the United States Coast Guard ensures the safe passage of more than 200,000,000 tons of cargo cross the Great Lakes including iron ore, coal, and limestone. Shipping on the Great Lakes faces a unique challenge because the shipping season begins and ends in ice anywhere from 3 to 15 feet thick. The ice-breaking vessel MACKINAW has allowed commerce to continue under these conditions. However, the productive life of the MACKINAW is nearing an end. The Coast Guard has committed to keeping the vessel in service until 2006 when a replacement vessel is projected to be in service, but to meet that deadline, funds must be provided for the Coast Guard in fiscal year 2001 to provide for the procurement of a multipurpose-design heavy icebreaker.

(7) Without adequate funding, the United States Coast Guard would have to radically reduce the level of service it provides to the American public.

(b) ADJUSTMENT IN BUDGET LEVELS.—

(1) INCREASE IN FUNDING FOR TRANSPORTATION.—Notwithstanding any other provision of this resolution, the amounts specified in section 103(8) of this resolution for budget authority and outlays for Transportation (budget function 400) for fiscal year 2001 shall be increased as follows:

(A) The amount of budget authority for that fiscal year, by $700,000,000.

(B) The amount of outlays for that fiscal year, by $700,000,000.

(2) OFFSETTING DECREASE IN FUNDING FOR GENERAL GOVERNMENT.—Notwithstanding any other provision of this resolution, the amounts specified in section 103(17) of this resolution for budget authority and outlays for Allowances (budget function 920) for fiscal year 2001 shall be decreased as follows:

(A) The amount of budget authority for that fiscal year, by $700,000,000.

(B) The amount of outlays for that fiscal year, by $700,000,000.

(c) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the provisions of this resolution, as modified by subsection (b), should provide additional budget authority and outlay authority for the United States Coast Guard for fiscal year 2001 such that the amount of such authority in fiscal year 2001 exceeds the amount of such authority for fiscal year 2000 by $700,000,000; and

(2) any level of such authority in fiscal year 2001 below the level described in paragraph (1) would require the Coast Guard to—

(A) close numerous stations and utilize remaining assets only for emergency situations;

(B) reduce the number of personnel of an already streamlined workforce;

(C) curtail its capacity to carry out emergency search and rescue; and

(D) reduce operations in a manner that would have a detrimental impact on the sustainability of valuable fish stocks in the North Atlantic and Pacific Northwest and its capacity to stem the flow of illicit drugs and illegal immigration into the United States.

## DEWINE (AND OTHERS) AMENDMENT NO. 3050

(Ordered to lie on the table.)

Mr. DEWINE (for himself, Mr. MCCAIN, Mr. ALLARD, Mr. CLELAND, Mrs. HUTCHISON, and Mr. KENNEDY) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

**SEC. ___. TROOPS TO TEACHERS PROGRAM.**

(a) FINDINGS.—The Senate finds that—

(1) the Troops-to-Teachers program was created in 1994 to assist former military personnel who served in programs that were being downsized, to enable the personnel to enter public education as teachers;

(2) since 1994, 3,670 service members have made the transition from the military to classrooms;

(3) the program has been successful in bringing dedicated, mature, and experienced individuals into the classroom;

(4) when school administrators were asked to rate Troops-to-Teachers program participants who were teaching in their schools, the administrators said that 26 percent were among the best teachers in their schools, 28 percent were well above average, and 17 percent were above average;

(5) a 1999 study, ''Alternative Teacher Certification'' by C. Emily Feistritzer reported that—

(A) Troops-to-Teachers program participants have qualities needed in today's teachers; and

(B) for example—

(i) 30 percent of the participants are minorities, compared to 10 percent of all teachers;

(ii) 30 percent of the participants are teaching mathematics, compared to 13 percent of all teachers;

(iii) 25 percent of the participants teach in urban schools; and

(iv) 90 percent of the participants are male, compared to 26 percent of all teachers;

(6) the Troops-to-Teachers program is clearly a teacher recruitment program that should be funded through the Department of Education but is most effectively administered by the Department of Defense;

(7) title XVII of the National Defense Authorization Act for fiscal year 2000 authorizes appropriations for the Troops-to-Teachers program only through September 30,2000, and transfers the Troops-to-Teachers program to the Department of Education;

(8) without clear indication that the program will be continued, Troops-to-Teachers program employees may begin to pursue other employment before the September 30, 2000 date and the loss of critical employees could be detrimental to the program; and

(9) without authorization to continue funding beyond September 30, 2000, the Troops-to-Teachers program will discontinue operations.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this resolution assume that—

(1) the Troops to Teachers program has been highly successful in recruiting qualified teachers for the Nation's classrooms;

(2) before October 1, 2000 Congress will pass legislation that—

(A) extends the authorization of appropriations for the program;

(B) provides funding for the program through the Department of Education; and

(C) notwithstanding the National Defense Authorization Act for Fiscal Year 2000, provides for the administration of the program by the Defense Activity for Non-Traditional Education Support of the Department of Defense, through a transfer of funds to the Defense Activity; and

(3) Congress will authorize and appropriate $30,000,000 for fiscal year 2001 to continue and expand that successful program through the Department of Education.

## ENZI AMENDMENT NO. 3051

(Ordered to lie on the table.)

Mr. ENZI 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:

**SEC. . SENSE OF THE SENATE REGARDING FUNDING FOR THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION.**

(a) FINDINGS.—The Senate finds that—

(1) The President has requested an increase of $44.4 million for the budget of the Occupational Safety and Health Administration (OSHA).

(2) This requested increase is over half the amount of the increases received by OSHA over the last four years combined.

(3) OSHA's budget materials demonstrate that OSHA intends to dedicate by far the largest portion of its fiscal year 2001 budget to enforcement activities. Statistics indicate that there is no connection between these enforcement activities and a decrease in workplace injuries and illnesses.

(4) Helping employers comply with the Occupational Safety and Health Act by providing assistance to prevent accidents and illnesses before they occur is more likely to decrease injuries and illnesses than after-the-fact punishment.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that before any budget increase for OSHA is granted, OSHA must demonstrate how these increases will result in a reduction in workplace injuries and illnesses and why such a large portion of its budget should be directed at enforcement activities rather than compliance assistance.

## EDWARDS AMENDMENT NO. 3052

(Ordered to lie on the table.)

Mr. EDWARDS 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 MAKING EDUCATION A NATIONAL PRIORITY.**

(a) FINDINGS.—The Senate makes the following findings:

(1) Investment in education will establish that the Congress is dedicated to preparing our schools and our students for the 21st Century.

(2) Investment in education will be a significant down payment on the future of our children and the future of our Nation.

(3) The need for investment in education has never been greater.

(4) Overcrowded and crumbling schools are damaging students' safety and ability to learn. Student enrollment is higher than ever and is expected to continue increasing. Many students are crammed into buildings and trailers with leaking roofs and crumbling walls.

(5) Nearly ¾ of the Nation's schools are more than 30 years old and are ill-equipped to handle modern enrollment and technological needs.

(6) School construction and modernization are necessary to improve learning conditions, end overcrowding, and make smaller classes possible.

(7) The lack of qualified teachers limits student achievement by bloating student/teacher ratios and keeping students from receiving the closer attention that makes learning more efficient and the classroom more orderly.

(8) Rising costs of a college education are prohibiting deserving students from seeking degrees that will enable them to advance in a rapidly changing world. These rising costs impact not only the students, but the growing economy that requires well-educated and well-trained individuals.

(9) The purchasing power of Federal Pell Grants under subpart 1 of part A of title IV of the Higher Education Act of 1965 is declining rapidly, further eroding the ability of young adults to seek the education that will benefit them, their families, and the Nation.

(10) Underfunding of Federal TRIO programs under chapter 1 of subpart 2 of part A of title IV of the Higher Education Act of 1965 that provide outreach and support services to high school, college, and university students is causing a severe crisis in the ability of these programs to meet the needs of thousands of students.

(11) Dedicating 10 percent of the non-Social Security budget surplus to investment in education still leaves 90 percent of that surplus for use to pay down the debt, shore up the social security and medicare programs, or pay for tax cuts.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this concurrent resolution assume that Function 500 (education) spending shall, at a minimum, be held constant for inflation, and that 10 percent of any non-Social Security budget surplus shall be dedicated to education initiatives and school construction in addition to that spending level.

## ENZI (AND JEFFORDS) AMENDMENT NO. 3053

(Ordered to lie on the table.)

Mr. ENZI (for himself 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:

**SEC. 316 . SENSE OF THE SENATE ON FUNDING EXISTING, EFFECTIVE PUBLIC HEALTH PROGRAMS BEFORE CREATING NEW PROGRAMS.**

(a) FINDINGS.—The Senate finds that—

(1) The establishment of new categorical funding programs has led to cuts in the Preventive Health and Health Services Block Grant to states for broad, public health missions;

(2) Preventive Health and Health Services Block Grant dollars fill gaps in the otherwise-categorical funding states and localities receive, funding such major public health threats as cardiovascular disease, injuries, emergency medical services and poor diet, for which there is often no other source of funding;

(3) In 1981, Congress consolidated a number of programs; including certain public health programs, into block grants for the purpose of best advancing the health, economics and well-being of communities across the country;

(4) The Preventive Health and Health Services Block Grant can be used for programs for screening, outreach, health education and laboratory services;

(5) The Preventive Health and Health Services Block Grant gives states the flexibility to determine how funding available for this purpose can best be used to meet each state's preventive health priorities;

(6) The establishment of new public health programs that compete for funding with the Preventive Health and Health Services Block Grant could result in the elimination of effective, localized public health programs in every state.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels of this resolution and legislation enacted pursuant to this resolution assume that there shall be funding at the fiscal year 1999 level or higher for the Preventive Health and Health Services Block Grant, prior to the funding of new public health programs.

## ENZI (AND BOND) AMENDMENT NO. 3054

(Ordered to lie on the table.)

Mr. ENZI (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 appropriate place, insert:

**SEC. . SENSE OF THE SENATE ON PREVENTING ENFORCEMENT OF THE OCCUPATIONAL SAFETY AND HEALTH ACT IN HOME OFFICES.**

(a) FINDINGS.— The Senate finds that—

(1)Giving employees the ability to work from home offices and telecommute helps employees balance the many demands of work and family, helps employers use an important tool to recruit and retain valuable employees and helps society by reducing highway congestion, pollution and accidents;

(2) The Occupational Safety and Health Administration (OSHA) earlier this year jeopardized telecommuting by indicating that it would extend its jurisdiction into home offices;

(3) OSHA has since stated in a compliance directive that it will not inspect home offices and will not issue fines or penalties based on telecommuting;

(4) In order to encourage telecommuting, OSHA should not be permitted to interfere with telecommuting arrangements between employers and employees.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that Congress should ensure that OSHA does not inspect home offices or issue fines or penalties related to telecommuting.

## LAUTENBERG AMENDMENT NO. 3055

(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 appropriate place, insert:

(a) FINDINGS.—The Senate finds that—

(1) in P.L. 105–134 the Congress declared that "intercity rail passenger service is an essential component of a national intermodal passenger transportation system";

(2) the Congress and the President, through enactment of this legislation, have effectively agreed that Congress will provide adequate funding to permit Amtrak to achieve the goal of operating self-sufficiency.

(3) Capital investment is critical to reducing operating costs and increasing the quality of Amtrak service;

(4) Investment in passenger rail creates jobs directly in the construction, engineering, manufacturing, and service industries, and indirectly in the local economies where increased commerce takes place because of the existence of improved transportation options;

(5) Underutilized rail infrastructure and high tech advances in train equipment and communications systems offer us the opportunity to revitalize our communities through investment in passenger rail and its resulting downtown redevelopment, job creation, mobility improvements, and air quality improvements.

(6) Existing rail corridors can provide the critical transportation right-of-way through clogged areas. In fact, investing in the capacity of our rail system could free up our highways and airports to better fulfill their potential roles.

(7) As congestion increases and air quality worsens, the quality of life in both urban and suburban communities suffers. Rail provides a solution for transporting people AND improving air quality.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the functional totals in this budget resolution assume capital funding for the development of high-speed rail corridors must be funded either through the appropriations process or through the leveraging of private investment through tax incentives. As stated by the DOT Inspector General, and unanimously by the Nation's Governors, the development of high-speed rail corridors is an essential component of a balanced transportation system and an economically smart and environmentally friendly way to help ease the increasing levels of traffic congestion on our roads and aviation delays at our airports.

## GREGG (AND OTHERS) AMENDMENT NO. 3056

(Ordered to lie on the table.)

Mr. GREGG (for himself, Mr. VOINOVICH, and Mr. JEFFORDS) submitted an amendment intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

In lieu of the matter to be proposed, insert the following:

**SEC. ___. SENSE OF THE SENATE CONCERNING FUNDING FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.**

(a) FINDINGS.—The Senate makes the following findings:

(1) In 1975, the Federal Government made a commitment in the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) (referred to in this resolution as the "Act") to pay 40 percent of the programs described in part B of such Act.

(2) The Act guarantees that all children with disabilities receive a free and appropriate public education.

(3) In 1997, 1998, and 1999, Congress increased funding for such programs by 113 percent, but was unable to affect such increases without the help or support of the Administration.

(4) Despite such increases in funding, Federal funding for such programs is still far short of the nearly $15,000,000,000 required to receive the originally promised funding.

(5) The Federal Government currently pays only 12.6 percent of such funding for the programs, which represents a great disparity from the 40 percent that was originally promised under the Act.

(6) Honoring the obligation to fund such programs at the originally promised level will allow State and local governments, some of which spend up to 19 percent of the State or local budget on special education costs, to have more flexibility to spend the local resources to meet the unique educational needs of all students in the locality.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this resolution assume that Congress' first priority should be to fully fund the programs described under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) at the originally promised level of 40% before Federal funds are appropriated for new education programs.

## SANTORUM AMENDMENTS NOS. 3057–3061

(Ordered to lie on the table.)

Mr. SANTORUM submitted five amendments intended to be proposed by him to the concurrent resolution, S. Con. Res. 101, supra; as follows:

AMENDMENT NO. 3057

At the end of title III, insert the following:

**SEC. ___. SENSE OF THE SENATE ON DEBT REDUCTION BY SENATE OFFICES.**

It is the sense of the Senate that the levels in this resolution assume that—

(1) any amount appropriated for Senators' official personnel and office expenses for a fiscal year shall only be available for that fiscal year; and

(2) any amounts remaining after all payments are made for the expenses described in paragraph (1) shall be deposited in the Treasury to reduce the Federal debt held by the public.

AMENDMENT NO. 3058

On page 23, line 7, strike "47,568,000,000". and insert "48,068,000,000".

On page 23, line 8, strike "47,141,000,000". and insert "47,641,000,000".

On page 27, line 7, strike "−59,931,000,000". and insert "−60,431,000,000".

On page 27, line 8, strike "−48,031,000,000". and insert "−48,531,000,000".

At the appropriate place insert the following:

"(A) It is the sense of the Senate that the provisions in this resolution assume that if CBO determines there is an on-budget surplus for FY 2001, $500 million of that surplus will be restored to the programs cut in this amendment.

"(B) It is the sense of the Senate that the assumptions underlying this budget resolution assume that none of these offsets will come from defense or veterans, and to the extent possible should come from administrative functions."

AMENDMENT NO. 3059

At the end of title III, insert the following:

**SEC. ___. SENSE OF THE SENATE CONCERNING FUNDING FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.**

(a) FINDINGS.—Congress makes the following findings:

(1) All children deserve a quality education, including children with disabilities.

(2) The Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) provides that the Federal Government and State and local governments are to share in the expense of educating children with disabilities and commits the Federal Government to provide funds to assist with the excess expenses of educating children with disabilities.

(3) While Congress committed to contribute up to 40 percent of the average per pupil expenditure of educating children with disabilities, the Federal Government has failed to meet this commitment to assist States and localities.

(4) To date, the Federal Government has never contributed more than 12.8 percent of the national average per pupil expenditure to assist with the excess expenses of educating children with disabilities under the Individuals with Disabilities Education Act.

(5) Failing to meet the Federal Government's commitment to assist with the excess expense of educating a child with a disability contradicts the goal of ensuring that children with disabilities receive a quality education.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this resolution assume that Congress should more than double the funding provided for programs under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) to more closely fulfill the commitment to provided 40 percent funding for such programs under such Act.

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AMENDMENT NO. 3060

At the appropriate place, insert the following:

**SEC. ___. SENSE OF CONGRESS ON THE VALUE OF CHARITABLE CHOICE AND SUPPORT FOR EXPANSION OF CHARITABLE CHOICE TO OTHER FEDERALLY FUNDED PROGRAMS.**

(a) FINDINGS.—Congress finds that—

(1) charitable choice encourages public officials to obtain services from nongovernmental community-based organizations, and community-based solutions are critical to successful efforts to fight poverty and dependency;

(2) charitable choice protects the rights of recipients to receive services without religious coercion by requiring that the recipients have the option to choose to receive the services through an alternative provider, rather than a religious provider;

(3) charitable choice prevents discrimination against religious providers by requiring the government not to discriminate against churches, synagogues, and other faith-based nonprofit organizations when awarding contracts or deciding which groups can accept vouchers to provide services; and

(4) charitable choice provisions have empowered faith-based and other charitable organizations to compete for contracts or participate in voucher programs on an equal basis with other private providers whenever a State uses nongovernmental providers, improving the effectiveness of welfare-to-work and other federally funded initiatives in those States that have actively implemented those provisions.

(b) SENSE OF CONGRESS.—It is the sense of Congress, that the budgetary levels in this resolution assume that—

(1) the charitable choice provisions, such as section 104 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (42 U.S.C. 604a) and section 679 of the Community Services Block Grant Act (42 U.S.C. 9920), which currently apply to certain federally funded programs, should be expanded to apply to other federally funded programs;

(2) the expansion of those provisions will encourage innovation and to enable the Nation to profit more fully from the many effective faith-based programs that are transforming lives and restoring neighborhoods and communities around the Nation.

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AMENDMENT NO. 3061

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.

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## SANTORUM (AND OTHERS) AMENDMENT NO. 3062

(Ordered to lie on the table.)

Mr. SANTORUM (for himself, Mr. LEAHY, Mr. DEWINE) 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 new section:

**SEC. . SENSE OF THE SENATE THAT THE 106TH CONGRESS, 2ND SESSION SHOULD REAUTHORIZE FUNDS FOR THE FARMLAND PROTECTION PROGRAM.**

(a) FINDINGS.—The Senate makes the following findings—

(1) The Farmland Protection Program has provided cost-sharing for nineteen states and dozens of localities to protect over 127,000 acres on 460 farms since 1996;

(2) For every federal dollar that is used to protect farmland, an additional three dollars is leveraged by states, localities, and nongovernmental organizations;

(3) The Farmland Protection Program is a completely voluntary program in which the federal government does not acquire the land or the easement;

(4) Funds from the original authorization for the Farmland Protection Program were expended at the end of Fiscal Year 1998, and no funds were appropriated in Fiscal Year 1999 and Fiscal Year 2000;

(5) Demand for Farmland Protection Program funding has outstripped available dollars by 600%;

(6) Through the Farmland Protection Program, new interest has been generated in communities across the country to help save valuable farmland;

(7) In 1999 alone, the issue of how to protect farmland was considered on twenty-five ballot initiatives;

(8) The United States is losing 3.2 million acres of our best farmland each year which is double the rate of the previous five years;

(9) These lands produce three-quarters of the fruits and vegetables, and over half of the dairy in the United States;

(10) The President's Budget for Fiscal Year 2001 includes $65 million to protect prime farmland through the Farmland Protection Program;

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the functional totals contained in this resolution assume that the Farmland Protection Program will be reauthorized in the 106th Congress, 2nd Session at a level consistent with the President's budget request.

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## ABRAHAM (AND OTHERS) AMENDMENT NO. 3063

(Ordered to lie on the table.)

Mr. ABRAHAM (for himself, Mr. DOMENICI, Mr. ASHCROFT, Mr. SANTORUM, Mr. GRAMS, Mr. CRAIG, Mr. COVERDELL, and Mr. CRAPO) 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. . PROTECTION OF THE SOCIAL SECURITY SURPLUSES.**

(a) The Senate finds that—

(1) Congress balanced the budget excluding the surpluses generated by the Social Security trust funds in 1999, and should do so in 2000 and every future fiscal year;

(2) reducing the federal debt held by the public is a top national priority, strongly supported on a bipartisan basis, as evidenced by Federal Reserve Chairman Alan Greenspan's comments that debt reduction ''is a very important element in sustaining economic growth'';

(3) according to even the most profligate spending projection by the Congressional Budget Office, balancing the budget excluding the surpluses generated by the Social Security trust funds will totally eliminate the net debt held by the public by 2010;

(4) the Senate adopted a Sense of the Senate amendment to last year's budget resolution by a vote of 99–0 that called for a legislative mandate that the Social Security surpluses only be used for the payment of Social Security benefits, Social Security reform or to reduce the federal debt held by the public, and that a Senate super-majority Point of Order lie against any bill, resolution, amendment, motion or conference report that would use Social Security surpluses on anything other than the payment of Social Security benefits, Social Security reform or the reduction of the federal debt held by the public;

(5) the House adopted on a vote of 416–12, H.R. 1259, a bill to provide a legislative lockbox to protect the Social Security surpluses;

(6) the Senate has failed to hold a vote on passage of any Social Security lock box legislation having failed five times to overcome filibusters against both Senate and the House of Representatives' legislative proposals; and

(7) the Senate Committee on the Budget unanimously adopted an amendment to this Concurrent Resolution that provided a permanent Senate super-majority Point of Order against any budget resolution that would produce an on-budget deficit.

(b) It is the Sense of the Senate that the functional totals in this concurrent resolution on the budget assume that during this session of Congress the Senate shall pass legislation which—

(1) reaffirms the provisions of section 13301 of the Omnibus Budget Reconciliation Act of 1990 that provides that the receipts and disbursements of the Social Security trust funds shall not be counted for the purposes of the budget submitted by the President, the congressional budget, or the Balanced Budget and Emergency Deficit Control Act of 1985, and provides for a Point of Order within the Senate against any concurrent resolution on the budget, an amendment thereto, or a conference report thereon that violates that section;

(2) mandates that the Social Security surpluses are used only for the payment of Social Security benefits, Social Security reform or to reduce the federal debt held by the public, and not spent on non-social security programs or used to offset tax cuts;

(3) provides for a Senate super-majority Point of Order against any bill, resolution, amendment, motion or conference report that would use Social Security surpluses on anything other than the payment of Social Security benefits, Social Security reform or the reduction of the federal debt held by the public;

(5) Ensures that all Social Security benefits are paid on time; and

(6) Accommodates Social Security reform legislation.

## ABRAHAM (AND CRAPO) AMENDMENT NO. 3064

(Ordered to lie on the table.)

Mr. ABRAHAM (for himself and Mr. CRAPO) 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. . TAXATION OF PROFESSIONAL ASSOCIATIONS.**

(a) FINDINGS.—The Senate finds that—

(1) the President's fiscal year 2001 Federal budget proposal to impose a tax on the interest, dividends, capital gains, rents, and royalties in excess of $10,000 of trade associations and professional societies exempt under section 501(c)(6) of the Internal Revenue Code of 1986;

(2) such taxation represents an unjust and unnecessary penalty on legitimate association activities;

(3) while this budget resolution projects on-budget surpluses of $42,500,000,000 over the next five years, the President proposes to increase the tax burden on trade and professional associations by $1,550,000,000 over that same period;

(4) the President's association tax increase proposal will impose a tremendous burden on thousands of small and mid-sized trade associations and professional societies;

(5) with the President's associations tax increase proposal, most associations with annual operating budgets of as low as $200,000 will be taxed on investment income and as many as 70,000 associations nationwide could be affected by this proposal;

(6) associations rely on this targeted investment income to carry out exempt-status-related activities, such as training individuals to adapt to the changing workplace, improving industry safety, providing statistical data and community services;

(7) keeping investment income free from tax encourages associations to maintain modest surplus funds that cushion against economic and fiscal downturns; and

(8) although corporations can increase prices to cover increased costs, small and medium-sized local, regional, and State-based associations do not have such an option, and thus the increased costs imposed by the President's associations tax increase would reduce resources available for the importation standard-setting, educational training, and professionalism training performed by associations.

(b) SENSE OF THE SENATE.—It is the Sense of the Senate that the functional totals in this concurrent resolution on the budget assume that Congress shall reject the President's proposed tax increase on investment income of associations as defined under section 501(c)(6) of the Internal Revenue Code of 1986.

## ABRAHAM AMENDMENTS NOS. 3065–3066

(Ordered to lie on the table.)

Mr. ABRAHAM submitted two amendments intended to be proposed by them to the concurrent resolution, S. Con. Res. 101, supra; as follows:

AMENDMENT NO. 3065

Strike page 32, line 23, after the word ''care'', through page 33, line 4, and insert the following: ''which provides adequate reimbursements for Medicare providers, and excluding the cost of extending and modifying the prescription drug benefit crafted pursuant to section (a) or (b), then the chairman of the Committee on the Budget may change committee allocations and spending aggregates by no more than $20,000,000,000 total for fiscal years 2001 through 2005 to fund the prescription drug benefit if such legislation will not cause an on-budget deficit in any of these 5 fiscal years.''

AMENDMENT NO. 3065

Strike from page 33, line 5 through line 9, and insert the following:

(d) ADJUSTMENT.—If legislation is reported by the Senate Committee on Finance that improves reimbursements for Medicare providers, without decreasing beneficiaries' access to health care, then the Chairman of the Committee on the Budget may change committee allocations and spending aggregates for fiscal years 2001, 2002, 2003, 2004 and 2005 to fund this legislation if it will not cause an on-budget deficit in any of these 5 fiscal years.

(e) BUDGETARY ENFORCEMENT.—The revision of allocations and aggregates made under this section shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.''

## HATCH AMENDMENT NO. 3067

(Ordered to lie on the table.)

Mr. HATCH 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 REGARDING THE UNITED STATES PATENT AND TRADEMARK OFFICE'S RETENTION OF USER FEE FUNDED RESOURCES.**

(a) FINDINGS.—The Senate finds that—

(1) Technology and innovation are key to American competitiveness and the present and future growth of the American economy in the 21st Century;

(2) As recognized by the Founding Fathers, intellectual property, and patents in particular, are fundamental to promoting American innovation and the progress of science and useful arts;

(3) As American inventors and companies have discovered that patents and trademarks can be used to improve financial performance and enhance their overall competitiveness, the importance of and demand for intellectual property protection has increased exponentially;

(4) The United States Patent and Trademark Office was established by Congress to promote innovation through the granting and issuing of patents and the registration of trademarks;

(5) Fees collected by the Patent and Trademark Office represent payments by American inventors and businesses for services to be performed by the Patent and Trademark Office, including the examination, granting, and issuing of patents, and the registration of trademarks, as well as related products and services;

(6) In 1981, Congress increased patent and trademark fees by nearly 400 percent in order to reduce patent pendency and place the Office on a course of achieving self-sufficiency;

(7) Congress later enacted the Omnibus Budget Reconciliation Act of 1990, which totally eliminated general taxpayer support for the Patent and Trademark Office beginning in fiscal year 1991 in favor of the current fee-funded agency model under which the entire costs of services are recouped by fees paid for those services;

(8) Since fiscal year 1991, Congress has diverted or withheld authorization for the Patent and Trademark Office to spend more than $564 million in user fee revenues paid by inventors and trademark owners, directing this money instead to other government programs totally unrelated to supporting America's inventors and high technology industries.

(9) As a result of the diversion and withholding of fees, patent pendency has risen from 20.8 months to 26.2 months, costing American inventors on average six months of return on their investments in technology and innovation, and delaying the availability of innovative products to the American people for the same period;

(10) Continued withholding of patent and trademark fees is projected to lead to an increase in average patent pendency of an additional six months, totaling nearly three years, by fiscal year 2005;

(11) Moreover, the Patent and Trademark Office faces a host of new and significant challenges, including those related to dramatic increases in workloads and new and more complex fields of innovation;

(12) In order to meet these challenges, the Patent and Trademark Office must be able to hire, train, and retain adequate numbers of technologically qualified examiners and make available for their use adequate tools and search files, including a comprehensive prior art database for the examination of Internet-related business method patent applications.

(13) The Patent and Trademark Office's ability to provide these services in a manner that assures the highest quality and efficiency, and that meets these new challenges, is compromised by the withholding and diversion of patent and trademark fees to other Federal functions.

(14) The dedication of Patent and Trademark Office resources to serving American innovators is an investment in the nation's economy which will help to preserve the United States' status as the world's leader in technology and innovation and is necessary to keep faith with the American innovators who pay these fees and build the American economy.

(b) SENSE OF THE SENATE.—For all of the foregoing, it is the sense of the Senate that—

(1) As a fully fee-funded agency charged with promoting innovation and fostering the

growth of technology that drives the American economy, the Patent and Trademark Office must be allowed to retain the fees it collects from American inventors and trademark owners in order to provide the technology-related services for which they were paid in a manner that meets the highest standards of quality and timeliness, rather than having these fees diverted to other government uses;

(2) The levels in the resolution assume that the offsetting fee collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376 shall be made fully available in the fiscal year in which they are collected for necessary expenses of the Patent and Trademark Office provided for by law, including defense of suits instituted against the Director of Patents and Trademarks, and shall remain available until expended;

(3) The assumptions of the resolution should be maintained and implemented through the budget and appropriations processes to safeguard the integrity of the Patent and Trademark Office's fee-funded agency model and continued American innovation.

## SHELBY AMENDMENT NO. 3068

(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 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.

## HARKIN AMENDMENTS NOS. 3069–3072

(Ordered to lie on the table.)

Mr. HARKIN submitted four amendments intended to be proposed by him to the concurrent resolution, S. Con. Res. 101, supra; as follows:

AMENDMENT NO. 3069

At the appropriate place, insert:

(a) FINDINGS.—The Senate finds that—

(1) Tax relief provided as a result of this resolution should be targeted and distributed equitably to modest and middle income Americans;

(2) Those with young children and those who are taking care of other relatives requiring special care have significant needs that are difficult for many modest and middle income taxpayers;

(3) The Congress should reduce the higher taxes paid by those who are married with two incomes who are penalized under the existing tax code, a burden not significantly felt by those with the highest incomes paying the highest rate of tax since that rate does not differentiate between married and single taxpayers;

(4) While a significant portion of income taxes is paid by those with the highest one percent of income, their share of payroll and excise taxes which make up almost half of all federal revenue is far lower;

(5) The amount of tax relief provided to those with the highest income levels reduces tax relief available to the great majority of taxpayers; and

(6) It has been estimated that the those in the top one percent of income have incomes in excess of no less than $319,000 per year and have an average income of $915,000.

(b) SENSE OF THE SENATE.—It is sense of the Senate that the budget levels in this resolution assume that not more than one percent of the tax reduction provided for under this resolution shall go, in the aggregate, to the one percent of taxpayers with the highest one percent of income.

AMENDMENT NO. 3070

At the appropriate place, insert:

(a) FINDINGS.—The Senate finds that—

(1) Tax relief provided as a result of this resolution should be targeted and distributed fairly to modest and middle income Americans:

(2) Those with young children and those who are taking care of other relatives requiring special care have significant needs that are difficult for many modest and middle income taxpayers;

(3) The Congress should reduce the higher taxes paid by those who are married with two incomes who are penalized under the existing tax code, a burden not significantly felt by those with the highest incomes paying the highest rate of tax since that rate does not differentiate between married and single taxpayers;

(4) While a significant portion of income taxes is paid by those with the highest one percent of income, their share of payroll and excise taxes which make up almost half of all federal revenue is far lower;

(5) The amount of tax relief provided to those with the highest income levels reduces tax relief available to the great majority of taxpayers; and

(6) It has been estimated that the those in the top one percent of income have incomes in excess of no less than $319,000 per year and have an average income of $915,000.

(b) SENSE OF THE SENATE.—It is sense of the Senate that the budget levels in this resolution assume that not more than one percent of the tax reduction provided for under this resolution shall go, in the aggregate, to the one percent of taxpayers with the highest one percent of income.

AMENDMENT NO. 3071

On page 35, line 4, after the period insert ''Legislation complies with this section if it specifies that no individual directly or indirectly may receive more than $250,000 in any fiscal year in total contract or other payments described in paragraphs (1) through (4) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) and any similar or additional market loss or income support payments.''.

AMENDMENT NO. 3092

On page 35, line 4, after the period insert ''It is the sense of the Senate that any legislation enacted under this section should specify that no individual directly or indirectly may receive more than $250,000 in any fiscal year in total contract or other payments described in paragraphs (1) through (4) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) and any similar or additional market loss or income support payments.''.

## HARKIN (AND OTHERS) AMENDMENT NO. 3073

(Ordered to lie on the table.)

Mr. HARKIN (for himself, Mr. KENNEDY, 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 end of title III, add the following:

**SEC. ___. SENSE OF SENATE REGARDING CASH BALANCE PENSION PLAN CONVERSIONS.**

(a) FINDINGS.—The Senate finds the following:

(1) Defined benefit pension plans are guaranteed by the Pension Benefit Guaranty Corporation and provide a lifetime benefit for a beneficiary and spouse.

(2) Defined benefit pension plans provide meaningful retirement benefits to rank and file workers, since such plans are generally funded by employer contributions.

(3) Employers should be encouraged to establish and maintain defined benefit pension plans.

(4) An increasing number of major employers have been converting their traditional defined benefit plans to ''cash balance'' or other hybrid defined benefit plans.

(5) Under current law, employers are not required to provide plan participants with meaningful disclosure of the impact of converting a traditional defined benefit plan to a ''cash balance'' or other hybrid formula.

(6) For a number of years after a conversion, the cash balance or other hybrid benefit formula may result in a period of ''wear away'' during which older and longer service participants earn no additional benefits.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that pension plan participants whose plans are changed to cause older or longer service workers to earn less retirement income, including conversions to ''cash balance plans,'' should receive additional protection than what is currently provided, and Congress should act this year to address this important issue. In particular, at a minimum—

(1) all pension plan participants should receive adequate, accurate, and timely notice of any change to a plan that will cause participants to earn less retirement income in the future;

(2) pension plans that are changed to a cash balance or other hybrid formula should not be permitted to ''wear away'' participants' benefits in such a manner that older and longer service participants earn no additional pension benefits for a period of time after the change; and

(3) Federal law should continue to prohibit pension plan participants from being discriminated against on the basis of age in the provision of pension benefits.

## NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Committee on Health, Education, Labor, and Pensions, Subcommittee on Children and Families, will be held on Tuesday, April 11, 2000, 9:30 A.M., in SD–430 of the Senate Dirksen Building. The subject of the hearing is ''Early Childhood Programs for Low Income Families: Availability and Impact''. For further information, please call the committee, 202/224–5375.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. McCONNELL. Mr. President, I wish to announce that the Committee on Rules and Administration will meet at 9:30 a.m., Wednesday, April 12, 2000, in Room SR–301 Russell Senate Office Building, to receive testimony on compelled political speech.

For further information concerning this meeting, please contact Hunter Bates at the Rules Committee on 4–6352.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that an Executive Session of the Committee on Health, Education, Labor, and Pensions will be held on Wednesday, April 12, 2000, 11:00 a.m., in SD–430 of the Senate Dirksen Building. The following is the committee's agenda.

AGENDA

S. 2311, The Ryan White CARE Act.

S. , Organ Procurement and Transplantation Network Act Amendments of 2000.

Presidential Nominations.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Health, Education, Labor, and Pensions will be held on Thursday, April 13, 2000, 10:00 a.m., in SD–430 of the Senate Dirksen Building. The subject of the hearing is Protecting Pension Assets. For further information, please call the committee, 202/224–5375.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Forests and Public Land Management of the Senate Committee on Energy and Natural Resources.

The hearing will take place on Thursday, April 13, 2000, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to conduct oversight on the United States Forest Service's proposed revisions to the regulations governing National Forest Planning. This hearing will be in lieu of the previously scheduled hearing for S. 2034, a bill to establish the Canyons of the Ancients National Conservation Area.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please call Mark Rey or Bill Eby at (202) 224–6170.

## AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Thursday, April 6, 2000. The purpose of this meeting will be to discuss interstate shipment of State inspected meat.

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

COMMITTEE ON ARMED SERVICES

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, April 6, 2000 at 9:30 a.m., in open session to receive testimony on procedures and standards for the granting of security clearances at the Department of Defense.

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 Thursday, April 6, 2000, for hearings on China's Accession to the World Trade Organization.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, April 12, 2000, at 9:30 a.m., to conduct a hearing on the Report of the National Academy of Public Administration titled ''A Study of Management and Administration: The Bureau of Indian Affairs.'' The hearing will be held in the Committee room, 485 Russell Senate Building. A business meeting to mark up pending legislation will precede the hearing. Those wishing additional information may contact the Committee at 202/224–2251.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, April 6, 2000 at 2:15 p.m. to hold a closed hearing on intelligence matters.

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

SUBCOMMITTEE ON AVIATION

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Aviation Subcommittee of the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, April 6, 2000 at 9:30 a.m. for a closed briefing on aviation security and at 10 a.m. hearing on aviation security.

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

SUBCOMMITTEE ON CRIMINAL JUSTICE OVERSIGHT

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Subcommittee on Criminal Justice Oversight be authorized to meet on Thursday, April 6, 2000 at 2:30 p.m., in SD226.

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

SUBCOMMITTEE ON INTERNATIONAL ECONOMIC POLICY, EXPORT AND TRADE PROMOTION AND SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Subcommittee on International Economic Policy, Export and Trade Promotion and Subcommittee on East Asian and Pacific Affairs be authorized to meet during the session of the Senate on Thursday, April 6, 2000 at 10:00 a.m. to hold a joint hearing.

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

SUBCOMMITTEE ON FORESTS AND PUBLIC LANDS

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Subcommittee on Forests and Public Lands of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, April 6, 2000 at 9:30 a.m. to conduct an oversight hearing. The subcommittee will receive testimony on the proposed five-year strategic plan of the U.S. Forest Service in compliance with the Government Results and Performance Act.

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

## PRIVILEGES OF THE FLOOR

Mr. DOMENICI. Mr. President, on behalf of Senator McCAIN, I ask unanimous consent that his legislative fellow, Navy Commander Douglas Denneny, be granted floor privileges during consideration of S. Con. Res. 101.

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

Mr. REID. Mr. President, I ask unanimous consent that Dr. Lisa Spurlock, congressional fellow with the Senate Finance Committee, be granted floor privileges throughout the duration of the debate on S. Con. Res. 101.

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

Mr. DOMENICI. I ask consent that Gary Tomasulo, a Coast Guard fellow in Senator MIKE DEWINE's office, be granted privilege of the floor during consideration of this resolution.

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

Mr. GORTON. Mr. President, I ask unanimous consent that Mike Daly, a fellow in the office of Senator ABRAHAM, be granted floor privileges for the period of consideration of Senate Concurrent Resolution 101.

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

## ORDERS FOR FRIDAY, APRIL 7, 2000

Mr. SESSIONS. Mr. President, if there are no Senators seeking to speak in morning business, I ask unanimous consent that when the Senate completes its business today it adjourn until the hour of 9 a.m. on Friday, April 7. I further ask consent that on Friday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed 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.

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

## PROGRAM

Mr. SESSIONS. For the information of all Senators, the Senate will begin the vote-arama at 9 a.m. tomorrow morning. To make this process as smooth as possible, on behalf of the leader, I ask all Senators to remain in the Chamber between votes. As a reminder, there will be 2 minutes, equally divided, between each vote for explanation of the amendments. The majority leader asks all Senators for their cooperation.

## ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. SESSIONS. 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.

There being no objection, the Senate, at 9:43 p.m., adjourned until Friday, April 7, 2000, at 9 a.m.

## NOMINATIONS

Executive nominations received by the Senate April 6, 2000:

### FARM CREDIT ADMINISTRATION

MICHAEL V. DUNN, OF IOWA, TO BE A MEMBER OF THE FARM CREDIT ADMINISTRATION BOARD, FARM CREDIT ADMINISTRATION FOR THE REMAINDER OF THE TERM EXPIRING OCTOBER 13, 2000, VICE MARSHA P. MARTIN.

MICHAEL V. DUNN, OF IOWA, TO BE A MEMBER OF THE FARM CREDIT ADMINISTRATION BOARD, FARM CREDIT ADMINISTRATION FOR A TERM EXPIRING OCTOBER 13, 2006. (REAPPOINTMENT)

### THE JUDICIARY

KENT J. DAWSON, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA, VICE A NEW POSITION CREATED BY PUBLIC LAW 106–113, APPROVED NOVEMBER 29, 1999.

### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. JOHN R. DALLAGER, 0000