For the forgoing reasons, we strongly oppose S. 2285. We look forward to working with you on meaningful legislation that will promote domestic energy solutions and reduce our long-term dependency on foreign oil.

Sincerely,

LAWRENCE H. SUMMERS.
BILL RICHARDSON.

Mr. DASCHLE. Basically, the letter says what a number of our colleagues have been saying throughout this debate, that this could have devastating consequences on general revenues as well as on the Social Security trust fund per se.

It says, briefly reading a couple of paragraphs:

In any case in which the rate reduction results in a deficit, the ultimate effect is that a portion of the Social Security Trust Fund equal to that deficit is diverted to maintain highway spending programs at the current level. In addition, S. 2285 would affect receipts and is subject to the pay-as-you-go requirements of the Omnibus Budget Reconciliation Act of 1990.

We are concerned that this proposal cannot be administered. S. 2285 provides that the aggregate revenue effect of rate reductions in excess of 4.3 cents per gallon not exceed the on-budget surplus during the period the taxes are reduced. We are concerned about our ability to administer this limitation if the rate reductions in excess of 4.3 cents per gallon are triggered. Because the rate reduction period does not coincide with normal budgetary accounting periods, the budget surplus for the period may never be known.

We ought to have a very good and thorough discussion about the implications of this bill prior to the time we are called upon to vote on it. By voting for cloture now, we cut off debate that never was. We cut off a debate that ought to provide a thorough examination of the implications on the Social Security trust fund, of the budget overall, of highway construction this year, of the implications for infrastructure in the outyears, of the solvency of the trust fund in periods beyond this fiscal year. All of those issues have not been debated.

For that reason, I hope my colleagues will join me in opposition to the cloture vote to be cast today.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. All time has expired. Under the previous order, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 473, S. 2285, a bill instituting a Federal fuels tax holiday:

Trent Lott, Judd Gregg, Connie Mack, Kay Bailey Hutchison, James Inhofe, Frank H. Murkowski, Paul Coverdell, Michael Crapo, Thad Cochran, Charles Grassley, Jim Bunning, Gordon Smith, Ben Nighthorse Campbell, Larry E. Craig, Bob Smith, and Don Nickles.

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 2285, a bill instituting a Federal fuels tax holiday, shall be brought to a close?

The yeas and nays are required under the rule. The clerk will call the roll.

The bill clerk called the roll.

Mr. REID. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

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

The yeas and nays resulted—yeas 43, nays 56, as follows:

[Rollcall Vote No. 80 Leg.]

YEAS—43

Abraham	Gramm	Murkowski
Allard	Grams	Nickles
Brownback	Grassley	Roth
Bunning	Gregg	Santorum
Burns	Hagel	Sessions
Campbell	Hatch	Shelby
Cochran	Helms	Smith (NH)
Collins	Hutchison	Smith (OR)
Coverdell	Inhofe	Snowe
Craig	Kyl	Specter
Crapo	Lott	Stevens
DeWine	Lugar	Thompson
Domenici	Mack	Thurmond
Fitzgerald	McCain	
Gorton	McConnell	

NAYS—56

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

NOT VOTING—1

Rockefeller

The PRESIDING OFFICER. On this vote, the yeas are 43, the nays are 56. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

MARRIAGE TAX PENALTY RELIEF ACT OF 2000

Mr. LOTT. Mr. President, I ask unanimous consent that the Senator proceed to Calendar No. 437, H.R. 6, the marriage penalty tax repeal bill, and that the motion to proceed be agreed to, that the bill be subject to debate only, equally divided, and at 4 p.m. the majority leader be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill.

The assistant legislative clerk read as follows:

A bill (H.R. 6) to amend the Internal Revenue Code of 1986 to reduce the marriage penalty by providing for adjustments to the standard deduction, 15-percent rate bracket, and earned income credit and to repeal the reduction of the refundable tax credits.

The Senate proceeded to consider the bill.

Mr. LOTT. Mr. President, I will briefly explain what we have in mind, and then I believe Senator INHOFE has some comments he wants to make on another issue before we go to the actual debate on the marriage tax penalty.

Senator DASCHLE and I have been talking. As a result of the caucus luncheon, the Democrats have some amendments they want to have made in order. If they are relevant or if they are close to being relevant in a way we can have debate and votes on them, we would like to work out an agreement to do that. I have asked him to provide me a list of those amendments so we can make sure we understand what they are and have a chance to assess their relevancy.

It is preferable we do that rather than filing cloture and having a cloture vote. I believe the American people think it is time to quit talking about the marriage tax penalty and do something about it. I know Senator MOYNIHAN has a different approach as to how to deal with it. It is credible. We have looked at that and debated it in the Finance Committee. Certainly, that substitute or other substitutes should be offered.

Rather than just mark time and not accomplishing anything, this will put us into general debate on the marriage tax penalty until 4 p.m. Then in an hour, we will have a chance to get an agreement on how to proceed. I want us to debate this issue, fully understand the ramifications of what the Finance Committee reported out, have debate on the amendments and vote on those amendments and complete this legislation. The American people believe it is time we do this.

I cannot help remembering what we did on the Social Security earnings test. We made in order a couple of amendments. We had a good debate, and we had a vote or two and passed it unanimously. I believe most Members of the Senate, if not all, realize there are inequities with the marriage tax penalty and we should do something about it. I want to facilitate getting to that point.

The House has acted overwhelmingly. We are going to see if we can work out an accommodation and obtain a UC agreement as to how to proceed.

If I need to, I will take leader time to make this brief comment on the bill on which we just voted. The Senate has spoken, although I note there were 43 Senators who thought there should be some sort of fuels tax holiday so that working Americans could have some relief.

I emphasize, this issue is not over. I fear gasoline prices are going to go up. The fact is, we are still dependent, and

going to be even more dependent, on foreign oil, mostly OPEC oil, for 55 percent or more of our needs. We need to do something. We do not have an adequate energy policy, if there is one at all. This issue will not go away.

My comment to those who voted against it on both sides is: if not this, what? And if not now, when are we going to do something about our energy dependence on foreign oil? There is a danger here, and we need to find a way to address it.

I yield the floor, Mr. President.

The PRESIDING OFFICER. The minority whip.

Mr. REID. Mr. President, did the leader ask consent as to what is happening between now and 4 o'clock?

Mr. LOTT. If the Senator will yield, we are going ahead with general debate on the marriage tax penalty until 4 o'clock with the time equally divided.

Mr. REID. Will the leader agree the time should be equally divided?

Mr. LOTT. It was in the request. The time will be equally divided.

Mr. REID. I am sorry; I missed that.

Mr. LOTT. I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized as in morning business.

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

MORE EVIDENCE OF COVERUP

Mr. INHOFE. Mr. President, I understand a lot of people are preparing their remarks to address this very significant subject of the marriage tax penalty. I know the Senator from Texas has addressed this subject many times, as I have, and I intend to do that.

Regrettably, I want to report to the Senate and to the American people something different, which is more evidence of the hypocrisy, corruption, and coverup which pervades this administration. Something happened last week. At a hearing of the Senate Armed Services Committee, we finally got some answers about the ''investigation'' concerning the March 1998 incident in which information from Linda Tripp's confidential Government security file was deliberately leaked to the media.

Linda Tripp was and still is a Government employee who works out of the Pentagon. I understand nobody wants to hear about this. They would rather hear warm and fuzzy things. People say they have already heard it before, which they have not, but they think they have. They say there are only 9 months left in this President's term. Everybody says: Shut up; let it go; leave it alone; there is nothing you can do about it. They say: Just move on to something else.

For those concerned about the politics of it, that is probably wise counsel, but some of us are less concerned about the politics than we are about the truth.

I wish I did not have to say anything about this subject, but somebody has to do it. We are talking about another crime committed in this administration. Politicians do not want to make people feel uncomfortable. As Henry Ward Beecher said:

> I don't like those cold, precise, perfect people who, in order not to say wrong, say nothing; and in order not to do wrong, do nothing.

A lot of say nothing and do nothing takes place in this Senate. That is why I asked Donald Mancuso, the Pentagon's acting inspector general, a series of questions at the hearing last week. His answers revealed for the first time a number of things we previously did not know.

He told us: No. 1, the Pentagon Office of Inspector General completed its investigation of this matter in July of 1998. Spokespeople in the administration have been implying for the last 20 months that the Pentagon itself was still investigating. This is not true. It is just another Clinton lie.

What we have is evidence of a lie, a coverup, and a transparent effort to drag it out as long as possible, hoping to run out the clock as the administration's time in office winds down.

No. 2, we learned that the report—this is the report on the leak in 1998—was given to the Justice Department for criminal prosecution, and quoting Mancuso:

> We felt we had found sufficient information to warrant consultation with the Department of Justice.

This means it was a criminal referral. The Pentagon IG obviously believed there was sufficient evidence that a crime had been committed.

No. 3, the inspector general concluded that Pentagon Director of Public Affairs Ken Bacon was involved in illegal activity. Quoting again Inspector General Mancuso:

> The facts show that information was released by Mr. Bacon and it related to Linda Tripp.

No. 4, the Justice Department, after a 20-month coverup, quietly told the Pentagon in the last 2 weeks it would not prosecute anyone in the case.

We would not even have known about it if it had not been for the fact this came out during a hearing. This came out in a hearing that was live on C-SPAN. It was a public hearing, a public forum, so no one is going to be held legally accountable for what happened.

Remember, this is the President, who, in November 1992, said he would immediately fire anyone who was caught disclosing information from confidential Government personnel files.

All these things were not publicly known previously. I repeat, these four new findings we learned for the very first time only last week: First, we discovered that the Pentagon Office of Inspector General completed its investigation of the matter in July of 1998.

Second, we learned that the report was given to the Justice Department for criminal prosecution.

Third, we learned that the inspector general concluded that Pentagon Director of Public Affairs Ken Bacon was involved in the illegal activity.

Mancuso said:

> The facts show that information was released by Mr. Bacon and it related to Linda Tripp.

Under the circumstances, releasing this information was clearly a criminal act, whether the Justice Department wants to believe this or not.

Fourth, we learned that the Justice Department has been covering up the crime for 20 months and only now tells us that no one will be prosecuted and no one will be held accountable.

This would never have come to light if it had not been for this hearing.

This is the same Justice Department that has botched up the investigation of the theft of information on the W–88 warhead, that has refused to appoint an independent counsel to investigate campaign fundraising illegalities, and that continues to cover up vital information in defiantly refusing to release the LaBella and Freeh memos suggesting that crimes may have been committed in the Chinagate scandal.

All this was ''breaking news'' last week. Did we read about it in the New York Times, in the Washington Post, or in the Los Angeles Times, or any of those publications? Did we hear about it on ABC, CBS, NBC, or CNN? No, we did not. With the noted exception of the Washington Times, the mainstream media largely ignored this important story.

Have we come to the point, 7 years and 3 months into this President's term, that the media, that is supposed to be the watchdogs of democracy, has given up caring about lawbreaking and abuses by the incumbent administration? Is that what this is all about? Are they so tired and bored by it all that they cannot report the obvious facts to the American people?

I appeal to the media right now to cover this story, and to cover it well. Just tell the truth. Expose the facts. Expose the hypocrisy. Do not, by your silence, allow yourselves to become pawns and participants in another Clinton coverup.

This is still America. The truth still matters. Let's look at some history. Let's recall a time when the media played a much different role than they are playing now. Watergate was 25 years ago, a time before the ''death of outrage,'' when the media boasted of its role explaining the immense significance of lawbreaking and coverups in high places.

Charles Colson, a guy I happen to know, I say to Senator BYRD—I attend a Bible study with him; an outstanding individual; at that time he was not so outstanding—was special counsel to President Nixon. He went to jail for doing essentially what Ken Bacon did. He released information to the media about a Pentagon employee that came from a confidential Government file in an attempt to discredit that person.