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House of Representatives

The House met at 12:30 p.m.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 295. An act to provide emergency relief to small businesses affected by significant increases in the prices of heating oil, natural gas, propane, and kerosene, and for other purposes.

S. 395. An act to ensure the independence and nonpartisan operation of the Office of Advocacy of the Small Business Administration.

The message also announced that pursuant to Public Law 106–554, the Chair, on behalf of the President pro tempore, appoints the Senator from Michigan (Mr. LEVIN) to the Board of Trustees for the Center for Russian Leadership Development.

MORNING HOUR DEBATES

The SPEAKER. Pursuant to the order of the House of January 3, 2001, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority leader, the minority leader or the minority whip limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

LEAGUE OF AMERICAN BICYCLISTS CONVENES FIRST BIKE SUMMIT IN WASHINGTON, D.C.

Mr. BLUMENAUER. Mr. Speaker, I came to Congress to make the Federal Government a better partner in the creating of more livable communities, communities that are safe, healthy, and economically secure. Today, transportation and energy are issues in every community across America. These problems are the results of countless individual decisions.

Mr. Speaker, this week a group of activists dedicated to making America a better place are gathering here in Washington, D.C. The League of American Bicyclists is convening the first annual Bike Summit. I would like to congratulate them on their efforts. As the spokesman for the Bipartisan Congressional Bicycle Caucus, I am excited that this bicycle community is coming to Washington, D.C. to make their voice heard.

Cyclists have a long and effective history of advocacy in this country. At the turn of the century, bicycling was fun, fast, convenient; and it was modern. The problem was there was no good place to ride these new-fangled contraptions. As a result, there was increasing demand for new, safe bike routes. In response, the Good Roads Movement was launched here in Washington, D.C. after a successful effort to lobby Congress for a $10,000 grant to study the possibility of a paved-road system. Well, the rest is history.

Bicycling remains a favorite alternative mode of transportation. While only 1 percent of Americans use bicycles as their primary mode of transportation, studies show that in communities that have good bike facilities, bike lanes and parking, that up to 50 percent of the public living within the 5- to 10-mile range will use it for commuting.

Good bicycling communities rival European communities in terms of cycling participation. Even in my hometown, rainy Portland, Oregon, we are more than double the national average. The league conference is an opportunity for us who hear once again from the bike advocates from around the country on the importance of using cycling as a means of transportation. It does not contribute to pollution or create traffic congestion. A 4-mile bicycle round trip prevents 15 pounds of air pollution, and we have in fact made huge strides with bicycle facilities. We have committed in the last 10 years almost $2 billion for bike and pedestrian projects, far more than the $41 million that had been done the 17 previous years.

Mr. Speaker, we need to encourage people to expand these small, meaningful choices in transportation. Worried about OPEC, parking problems, a lack of exercise, simply level the playing field, give the cyclists today an opportunity. There are millions of them around the country who are waiting not only to be heard but to be given a chance to cycle safely in their communities.

Mr. Speaker, I urge Members of this Congress to take advantage of this opportunity to meet with advocates and industry representatives from their districts this week, not just in your office. Thursday night the Bike League is hosting a reception from 5 to 7 in Room 268 of the Rayburn; and on Friday the Bicycle Caucus, the Washington Area Bicycle Association, and the League of American Bicyclists will be hosting the first Bike Caucus Ride of the 107th Congress for Members and their staff. It is a fun 7-mile ride. It is a perfect way to get to know your constituents and have a better feel for the community in which we work here in Washington, D.C.

Mr. Speaker, what about Members who do not have their bicycle here yet? No excuse. Contact us and we will make sure that that there is a bicycle available for Members and their staff. It would be a great idea also for Members of Congress to make sure that they have renewed their membership in the bicycle caucus before somebody

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asks them to do so. Last year we had almost 80 Members.

Get ready to ride and have fun, but also help your own community with the serious side because cycling is important for recreation and exercising. It is a way for more children to be able to get to school on their own. It is an excellent transportation choice for communities for adults; and it is an excellent way, if we do our part, to make our communities more livable, more safe and economically secure.

TAX RELIEF THIS YEAR

The SPEAKER pro tempore (Mr. WELDON of Florida). Under the Speaker's announced policy of January 3, 2001, the gentleman from Indiana (Mr. PENCE) is recognized during morning hour debates for 5 minutes.

Mr. PENCE. Mr. Speaker, I rise today to call the House's attention to the current debate about retroactive tax cuts for all American families. Some of my colleagues may have missed some important developments over the past few days that reflect what I believe, Mr. Speaker, is a major shift in the conventional wisdom about President Bush's tax cut proposal. Forgive me for being indelicate, Mr. Speaker, but everyone today seems to be singing the President's tune.

Mr. Speaker, first our Democratic colleagues said that the President's tax cut proposal was a risky scheme. My colleagues may remember last year that most of them voted against a tax cut that was just 70 percent of the total that they are now supporting as an alternative to the President's plan. They may not want us to remember their old position, Mr. Speaker, but the facts are plain. Their message on tax relief has definitely changed.

This weekend the President of the United States and even Senator KENT CONRAD both said, ''We ought to act now on tax relief.'' The momentum in the political debate continues to move in the right direction, Mr. Speaker, namely toward larger, retroactive tax cuts this year. Even the toughest critics of tax relief said if you are going to use tax reductions as a method for economic stimulus, you must ask quickly to have any effect whatsoever. Tax cuts will be meaningless to this year's economy, Mr. Speaker, unless they take effect this year. Our faltering economy is not just about a jittery stock market. There is no need to beam up any one around here today. Everyone seems to agree with the gentleman from Arizona (Mr. FLAKE) and I, tax relief is the new religion, Mr. Speaker; and everyone has caught it in Washington, D.C.

Finally, Treasury Secretary Paul O'Neill and Alan Greenspan of the Federal Reserve have both said that America's economy is experiencing a crisis in consumer confidence. No other single thing that Congress could do this year will do more to improve consumer confidence than by providing tax relief for every taxpayer that begins January 1 of this year.

Mr. Speaker, the idea of retroactive tax relief is an idea whose time has come. This Congress should act and act now.

MARCH 25 MARKS 90TH ANNIVERSARY OF TRAGIC TRIANGLE FIRE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from New Jersey (Mr. PASCRELL) is recognized during morning hour debates for 5 minutes.

Mr. PASCRELL. Mr. Speaker, this past Sunday, March 25, came and went. March 25 is the 90th anniversary of the tragic Triangle fire, an event that changed the course of American history. On that day in 1911, a fire broke out at the Triangle Shirtwaist Company factory located on the top floors of the Asch Building on the corner of Greene Street and Washington Place in New York City.

The 575 workers who worked at the sewing machines had cans which collected the excess oil from the sewing machines. These cans were placed on top of boxes of lint. You can just imagine the picture now. A spark, an ignition, and the whole place went up, and 146 people out of the 475 that were working that day died. These people could not get out of the factory because the doors had been bolted. The doors had been locked by those who put profit ahead of worker safety. Times have changed, have they not?

Mr. Speaker, we argued on this floor in the last 2 years and 3 years about trade relations with other countries. I opposed those trade agreements that were not reciprocal but were one way, and we talked about the working conditions in other countries as not being up to what they should be; and yet here on our own mean streets of the United States of America, the greatest republic in the world, these factories still exist. Sweat labor still exists, and who speaks for those people, locked away for 12 and 16 hours? Who is here to talk about working conditions and what situations people have to go through to bring bread home to their families? Many times they are the new waves of immigrants, nowhere else to work, but in conditions that you and I would never accept.

Mr. Speaker, this fire is cited in the United States Almanac because it is the worst industrial fire in the history of the Nation. Business at the time was only concerned with the bottom line. Fire inspections and precautions were woefully inadequate. The Triangle factory had never conducted a fire drill. That building was supposed to be fireproof. There was no oversight and there certainly was no OSHA.

Mr. Speaker, we have all heard the debates of the past few weeks about protecting the workers. The employees were not in labor unions either, or just a few of them. There was no one there to protect them or speak for them. They were exploited and abused; and while we talk about working conditions in Honduras, in China, and well we should, right here in major suburbs and cities of this country, we know that the Department of Labor knows best about what goes on behind those locked doors right in the heart of New York City.

Mr. Speaker, in the wake of this tragedy people throughout the Nation demanded restitution, justice, and action that would safeguard the vulnerable and the oppressed. There were massive protests by people angry at the lack of concern and the greed that made the Triangle fire possible. As a direct result of that horrible tragedy, there was a substantial effort to alleviate the most dangerous aspects of sweatshop manufacturing in New York and throughout the Nation.

Mr. Speaker, on February 17, 2001, not too long ago, the last survivor of that factory blaze, Rose Freedman, passed away at 107 years of age. It is important that we not let the memory of the Triangle fire be extinguished from our memories. It is important that the workers of America, be they on farms, be they in factories, or be they in electronic cubicles, stand up and speak out when they see things that are unsafe. The courts will protect them; and if the courts do not, we will.

Mr. Speaker, this past Sunday, March 25th, came and went. March 25 was the 90th anniversary of the tragic Triangle Fire, an event that changed the course of American history. On that day in 1911, a fire broke out at the Triangle Shirtwaist Company factory, located on the top floors of the Asch Building on the corner of Greene Street and Washington Place in New York City.

The fire swept through the top 3 stories of the building in only ½ hour. When the fire ended, 146 of the 575 Triangle factory employees had died. Not all died in the fire. Many jumped to their deaths from the 8th, 9th, and 10th floors rather than face the flames.

It is cited in the U.S. Almanac because it is the worst industrial fire in the history of American industry.

Most of the Triangle factory workers were women. Most of the workers were recent European, Jewish or Italian immigrants, some as young as 11 years old. These women had come to the United States with their families to seek a better life.

But the harsh realities of working in a sweatshop was their reality.

Business at the time was only concerned with the bottom line. Fire inspections and precautions were woefully inadequate.

The Triangle factory had never conducted a fire drill and had locked doors, poor sanitation, and crowding. There was no oversight. There certainly was no OSHA. Most of the employees were not in labor unions. There was no one there to protect them from being exploited and abused.

However, in the wake of this tragedy, people throughout the nation demanded restitution, justice, and action that would safeguard the vulnerable and oppressed. It is unfortunate that it took events such as the Triangle Fire to

demand change. There were massive protests by people angry at the lack of concern and the greed that had made the Triangle fire possible.

As a direct result of this horrible fire, there was a substantial effort to alleviate the most dangerous aspects of sweatshop manufacturing in New York and throughout the nation.

On February 17, 2001, the last survivor of the factory blaze, Rose Freedman, passed away at the age of 107.

It is important that we not let the memory of the Triangle Fire be extinguished from our memories.

It is for this reason that I have introduced House Concurrent Resolution 81 with my friend from New York, Mr. KING. This resolution recognizes the occasion of the 90th anniversary of the Triangle Fire.

In my mind, this resolution is very simple and very straightforward. I taught my students about the fire in just this manner when I taught history class. But apparently, for reasons that escape me, it is just too controversial for today. And that is a shame.

In 1911, the Triangle Fire brought attention to the many serious problems facing factory employees and paved the way for worker protection laws.

In the year 2001, we cannot even recognize the memory of the fire and its victims on the House floor. But even worse than not considering a simple, non-binding resolution, is that we are letting history repeat itself.

The truth is that young workers around the world are dying needlessly in burning factories for the same reasons that the women died in the Triangle Fire.

Meeting the bottom line is apparently worth the cost of inhuman conditions. We are repeating the same mistakes that the U.S. remedied decades ago. And although we have standards to protect American workers, our trade agreements lack teeth and do not even mention labor rights. By ignoring international workers rights abuses, we are not only allowing, but assisting in the mistreatment of millions of workers in sweatshops around the globe.

It is our own fault that nothing has changed.

This global economy that we support, apparently without question or reservation, is allowing countries to fight for commerce by allowing the lowest standards. And if this standard allows for a factory to lock its doors, while children work for twelve-hour days to make children's toys at the lowest cost possible, so be it.

And if there is a 1993 fire at a factory in Bangkok which kills 188 workers, eerily similar to the Triangle Fire, then the company can just move its business to another location and re-set up shop—no questions asked. No sanctions imposed.

As William Greider points out in his introduction to the book, The Triangle Fire, ''the passivity of government and the public simply leads further down a low road. More injustices appear, and they, too, must be tolerated in the name of commerce.''

''In the name of commerce.''

It is ''in the name of commerce'' that international laws will not produce reasonable standards for business performance.

It is in the name of competitive advantage, that instead of improving working conditions, countries are trying to out do each other with the lowest standards to attract our commerce.

Changing the attitude of all Americans is not easy, but it is the right thing to do. Everyone should be outraged by sweatshops. But they should be just as outraged that we in the United States are enabling the sweatshops to continue.

I urge my colleagues to cosponsor House Concurrent Resolution 81, and remember the Triangle Fire. Remember what it did for our country. Honor the victims of the fire.

And recognize the ability of progressive thinking organizations, with the help of businesses groups and government support, to change the lives of people for the better.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 46 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BASS) at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, how different history would be if long ago people had taken Your holy word seriously: ''Make justice your aim.'' Each day would be filled with promise and hope if all of us upon rising would make justice our aim. Without blaming anyone or without seeking applause, each day would lead to changing the world, if justice alone were our aim.

Justice itself would give balance to our daily routine, breathe contentment into our souls and set us free. Justice toward others would create a mutuality with every other person that would be fair, take us beyond expectation and codependency until we found trust and security.

Lord, if we as a people and as a Nation were to make justice our aim, how would this change our priorities? Could we change that much? In every age You alone, Lord God, take people beyond their wishful thinking and beyond themselves. You alone bring about lasting and true justice.

So, Lord God, in us and through us make justice Your aim now and forever. Amen.

THE JOURNAL

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

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

Mr. GIBBONS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker pro tempore's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

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

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

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. RODRIGUEZ 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.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Ms. Wanda Evans, one of his secretaries.

MARRIAGE TAX PENALTY REPEAL

Mr. PITTS. Mr. Speaker, later this week, we will again vote to remove the marriage penalty from our Tax Code, and this time we have a President who will sign the bill.

Eighty-five percent of the American people want us to do this, and with good reason. Forty percent of all first marriages end in divorce, single-parent families have increased 248 percent since 1960, and the percentage of children born out of wedlock has gone from 10 to 33 percent during the same period. Mr. Speaker, we need to strengthen families in this country.

The Tax Code is not the only reason this has happened. For 30 years we had a welfare system that tore families apart. Fortunately, a Republican Congress reformed that system. We still spend $1,000 supporting single-parent families for every $1 we spend encouraging couples to marry and stay together.

Clearly, we have a lot of work to do to strengthen marriages in America. This week we will have a chance to change the Tax Code that penalizes couples for getting married in the first place. I urge all my colleagues to support this very important bill.

PASS FLAT SALES TAX AND ABOLISH IRS

(Mr. TRAFICANT asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, in 1998, Congress reformed the IRS and included two of my provisions. The first transferred the burden of proof from the taxpayer to the IRS; the second required judicial consent before the IRS could seize our property, and the results are now staggering. Property seizures dropped from 10,037 to 161 in the entire country.

The IRS had a license to steal, and they were stealing 10,000 properties a year. And if that is not enough to tax our gallbladders, the IRS is now complaining the new law is too tough. Beam me up here. It is time to tell these crybaby IRS thieves that we are going to pass a 15 percent flat sales tax and abolish them altogether.

I yield back what should be the next endangered species in the United States of America: The Internal Rectal Service.

THE NEW ADMINISTRATION IS GOOD FOR EVERYONE

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

Mr. GIBBONS. Mr. Speaker, I rise today to thank the current administration for its willingness, its simple willingness, to consider the economic consequences of previous executive regulations.

The Clinton administration promulgated new and somewhat draconian mining regulations in spite of the unforeseen economic hardships, especially in Nevada, that they would create, and in spite of the recommendations of the National Academy of Sciences study which stated that new Federal mining regulations were not necessary. Yet the previous administration went ahead, thinking it knew better than anyone else.

Well, finally, Nevadans and, may I say, all Americans can have faith that their Federal Government will not rush headlong into issuing new rules without listening to the public and to the experts.

It is nice to see the American people will once again have a say in their democracy, the way our Founding Fathers had envisioned it; the proper function of our Federal Government.

APPOINT U.S. ATTORNEY WITH D.C. ROOTS

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

Ms. NORTON. Mr. Speaker, Wilma Lewis, the first woman in the history of the Nation's capital to be U.S. attorney, is leaving the office she has served with great distinction. From prosecution of hard-core street crime to complex white-collar violations, U.S. Attorney Lewis has left an extraordinary record.

She and her predecessor, Eric Holder, who went on to become Deputy Attorney General, had more in common than their background as the first African Americans to be appointed. They were both longtime Washingtonians who were also very able lawyers.

Most of the jurisdiction of the U.S. attorney here is D.C. criminal and civil law that elsewhere lies with a local prosecutor. Mayor Williams, Council Chair Cropp, and I have written President Bush to ask that he appoint as U.S. attorney a distinguished lawyer with deep roots in the D.C. community, as Ms. Lewis and Mr. Holder had. That is the way to be sure that not only Federal law is carried out, but that crime keeps coming down, as U.S. Attorneys Lewis and Holder assured.

FAMILY CARE TAX CREDIT ACT WILL LESSEN TAX BURDEN

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

Mr. RYUN of Kansas. Mr. Speaker, providing help to families is one of the biggest reasons that I ran for Congress. I look forward to voting this week and eliminating the unfair marriage tax penalty and doubling the per-child deduction, but I believe we should do more to help families with tax relief, and I go one step further.

Mr. Speaker, that is why I have introduced the Family Care Tax Credit Act, which would lessen the tax burden on families who care for children or loved ones. Currently we give tax credit to families who pay for day care and other services, but families who have a parent taking care of their children are left on their own. My plan gives a fair and balanced approach to child care tax credits by giving help to all middle-income families with children.

Mr. Speaker, I have spoken with parents in Kansas who tell me that they would like to stay home with their children, but they simply cannot overcome the economic barriers caused by the current Tax Code. My plan would simply remove one of those barriers. I am thankful that this week we will have the marriage penalty as a past memory, but believe that we can and should do more to help families.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules, but not before 6 p.m. today.

VETERANS OPPORTUNITIES ACT OF 2001

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 801) to amend title 38, United States Code, to improve programs of educational assistance, to expand programs of transition assistance and outreach to departing servicemembers, veterans, and dependents, to increase burial benefits, to provide for family coverage under Servicemembers' Group Life Insurance, and for other purposes, as amended.

The Clerk read as follows:

H.R. 801

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Veterans Opportunities Act of 2001''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.

TITLE I—EDUCATIONAL ASSISTANCE PROVISIONS

Sec. 101. Increase in maximum allowable annual Senior ROTC educational assistance for eligibility for benefits under the Montgomery GI Bill.
Sec. 102. Expansion of work-study opportunities.
Sec. 103. Inclusion of certain private technology entities in the definition of educational institution.
Sec. 104. Expansion of special restorative training benefit to certain disabled spouses or surviving spouses.
Sec. 105. Distance education.
Sec. 106. Technical amendments to the Montgomery GI Bill.

TITLE II—TRANSITION AND OUTREACH PROVISIONS

Sec. 201. Authority to establish overseas veterans assistance offices to expand transition assistance.
Sec. 202. Timing of preseparation counseling.
Sec. 203. Improvement in education and training outreach services for separating servicemembers and veterans.
Sec. 204. Expansion of outreach efforts to eligible dependents.
Sec. 205. Improvement of veterans outreach programs.

TITLE III—MEMORIAL AFFAIRS, INSURANCE, AND OTHER PROVISIONS

Sec. 301. Increase in burial benefits.
Sec. 302. Family coverage under Servicemembers' Group Life Insurance.
Sec. 303. Retroactive applicability of increase in maximum SGLI benefit for members dying in performance of duty on or after October 1, 2000.
Sec. 304. Increase in amount of assistance for automobile and adaptive equipment for certain disabled veterans.
Sec. 305. Increase in assistance amount for specially adapted housing.
Sec. 306. Revision of rules with respect to net worth limitation for eligibility for pensions for veterans who are permanently and totally disabled from a non-service-connected disability.
Sec. 307. Technical amendments.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

TITLE I—EDUCATIONAL ASSISTANCE PROVISIONS

SEC. 101. INCREASE IN MAXIMUM ALLOWABLE ANNUAL SENIOR ROTC EDUCATIONAL ASSISTANCE FOR ELIGIBILITY FOR BENEFITS UNDER THE MONTGOMERY GI BILL.

(a) IN GENERAL.—Sections 3011(c)(3)(B) and 3012(d)(3)(B) are each amended by striking ''$2,000'' and inserting ''$3,400''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply with respect to educational assistance allowances paid under chapter 30 of title 38, United States Code, for months beginning after such date.

SEC. 102. EXPANSION OF WORK-STUDY OPPORTUNITIES.

(a) ASSISTING IN OUTREACH SERVICES.—The second sentence of section 3485(a)(1) is amended in clause (A) by inserting before the comma the following: ''or outreach services to servicemembers and veterans furnished by employees of State approving agencies''.

(b) WORKING IN MAJOR ACADEMIC DISCIPLINE.—Such sentence is further amended—

(1) by striking ''or (E)'' and inserting ''(E)''; and

(2) by inserting before the period the following: '', or (F) in the case of an individual who has declared a major academic discipline, activities within the department of that academic discipline approved by the Secretary that complement and reinforce the program of education pursued by that individual''.

(c) WORKING IN STATE VETERANS HOME.—Such sentence is amended in clause (C) by inserting after the comma ''including the provision of such care to veterans in a State home for which payment is made under section 1741 of this title,''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to agreements entered into under section 3485 of title 38, United States Code, on or after the date of the enactment of this Act.

SEC. 103. INCLUSION OF CERTAIN PRIVATE TECHNOLOGY ENTITIES IN THE DEFINITION OF EDUCATIONAL INSTITUTION.

(a) IN GENERAL.—Sections 3452(c) and 3501(a)(6) are each amended by adding at the end the following new sentence: ''Such term also includes any private entity (that meets such requirements as the Secretary may establish) that offers, either directly or under an agreement with another entity (that meets such requirements), a course or courses to fulfill requirements for the attainment of a license or certificate generally recognized as necessary to obtain, maintain, or advance in employment in a profession or vocation in a technological occupation (as determined by the Secretary).''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to enrollments in courses occurring on or after the date of the enactment of this Act.

SEC. 104. EXPANSION OF SPECIAL RESTORATIVE TRAINING BENEFIT TO CERTAIN DISABLED SPOUSES OR SURVIVING SPOUSES.

(a) IN GENERAL.—Section 3540 is amended by striking ''section 3501(a)(1)(A) of this title'' and inserting ''subparagraphs (A), (B), and (D) of section 3501(a)(1) of this title''.

(b) CONFORMING AMENDMENTS.—(1) Section 3541(a) is amended in the matter preceding paragraph (1) by striking ''of the parent or guardian''.

(2) Section 3542(a) is amended—

(A) by striking ''the parent or guardian shall be entitled to receive on behalf of such person'' and inserting ''the eligible person shall be entitled to receive''; and

(B) by striking ''upon election by the parent or guardian of the eligible person'' and inserting ''upon election by the eligible person''.

(3) Section 3543(a) is amended by striking ''the parent or guardian for the training provided to an eligible person'' and inserting ''for the training provided to the eligible person''.

(4) Section 3543 is amended by adding at the end the following new subsection:

''(c) In a case in which the Secretary determines requires a parent or guardian to make a request under section 3541(a) of this title on behalf of an eligible person, the parent or guardian shall be entitled—

''(1) to receive on behalf of the eligible person the special training allowance provided for under section 3542(a) of this title;

''(2) to elect an increase in the basic monthly allowance provided for under such section; and

''(3) to agree with the Secretary on the fair and reasonable amounts which may be charged under subsection (a).''.

SEC. 105. DISTANCE EDUCATION.

(a) IN GENERAL.—Subsection (a)(4) of section 3680A is amended—

(1) by inserting ''(A)'' after ''leading''; and

(2) by inserting before the period the following: '', or (B) to a certificate that reflects educational attainment offered by an institution of higher learning''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to enrollments in independent study courses beginning on or after the date of the enactment of this Act.

SEC. 106. TECHNICAL AMENDMENTS TO THE MONTGOMERY GI BILL.

(a) CLARIFICATION OF ELIGIBILITY REQUIREMENT FOR MGIB BENEFITS.—

(1) IN GENERAL.—Clause (i) of section 3011(a)(1)(A) is amended to read as follows:

''(i) who (I) in the case of an individual whose obligated period of active duty is three years or more, serves at least three years of continuous active duty in the Armed Forces, or (II) in the case of an individual whose obligated period of active duty is less than three years, serves at least two years of continuous active duty in the Armed Forces; or''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in the enactment of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419).

(b) ENTITLEMENT CHARGE FOR OFF-DUTY TRAINING AND EDUCATION.—

(1) IN GENERAL.—Section 3014(b)(2) is amended—

(A) in subparagraph (A), by striking ''(without regard to'' and all that follows through ''subsection''; and

(B) by adding at the end the following new subparagraph:

''(C) The number of months of entitlement charged under this chapter in the case of an individual who has been paid a basic educational assistance allowance under this subsection shall be equal to the number (including any fraction) determined by dividing the total amount of such educational assistance allowance paid the individual by the full-time monthly institutional rate of educational assistance which such individual would otherwise be paid under subsection (a)(1), (b)(1), (c)(1), or (e)(1) of section 3015 of this title, as the case may be.''.

(2) CONFORMING AMENDMENTS.—(A) Section 3015 is amended—

(i) in subsections (a)(1) and (b)(1), by inserting ''subsection (g)'' after ''from time to time under'';

(ii) by striking the first subsection (g), as inserted by section 1602(b)(3)(C) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (enacted by Public Law 106–398; 114 Stat. 1654A–359); and

(iii) by redesignating subsection (h) as subsection (g).

(B) Section 3032(b) is amended by inserting before the period at the end the following: '', or (3) the amount of the charges of the educational institution elected by the individual under section 3014(b)(1) of this title''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as if enacted on November 1, 2000.

(c) INCREMENTAL MGIB INCREASES FOR CONTRIBUTING ACTIVE DUTY MEMBERS.—

(1) IN GENERAL.—Section 3011(e), as added by section 105(a)(1) of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419; 114 Stat. 1828), is amended—

(A) in paragraph (2), by inserting '', but not more frequently than monthly'' before the period;

(B) in paragraph (3), by striking ''$4'' and inserting ''$20''; and

(C) in paragraph (4)—

(i) by striking ''Secretary. The'' and inserting ''Secretary of the military department concerned. That''; and

(ii) by striking ''by the Secretary''.

(2) CONFORMING AMENDMENTS.—(A) Section 3012(f), as added by section 105(a)(2) of such Act, is amended—

(i) in paragraph (2), by inserting '', but not more frequently than monthly'' before the period;

(ii) in paragraph (3), by striking ''$4'' and inserting ''$20''; and

(iii) in paragraph (4)—

(I) by striking ''Secretary. The'' and inserting ''Secretary of the military department concerned. That''; and

(II) by striking ''by the Secretary''.

(B) Section 3015(g), as added by section 105(b)(3) of such Act, is amended—

(i) in the matter preceding paragraph (1), by inserting ''effective as of the first day of the enrollment period following receipt of such contribution by the Secretary concerned,'' after ''by section 3011(e) or 3012(f) of this title,''; and

(ii) in paragraph (1)—

(I) by striking ''$1'' and inserting ''$5'';

(II) by striking ''$4'' and inserting ''$20''; and

(III) by inserting ''of this title'' after ''section 3011(e) or 3012(f)''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as if included in the enactment of section 105 of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419; 114 Stat. 1828).

(d) CONFORMING AMENDMENT FOR DEATH BENEFIT.—

(1) IN GENERAL.—Paragraph (1) of section 3017(b) is amended to read as follows:

''(1) the sum of (A) the total amount reduced from the individual's basic pay under section 3011(b), 3012(c), or 3018(c) of this title, and (B) the total amount of any contributions made by the individual under section 3011(e) or 3012(f) of this title, less''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on May 1, 2001.

(e) CLARIFICATION OF TIME PERIOD FOR ELECTION OF BEGINNING OF CHAPTER 35 ELIGIBILITY FOR DEPENDENTS.—

(1) IN GENERAL.—(A) Section 3512(a)(3)(B), as amended by section 112 of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419; 114 Stat. 1831), is amended to read as follows:

''(B) the eligible person elects that beginning date by not later than the end of the 60-day period beginning on the date on which the Secretary provides written notice to that person of that person's opportunity to make such election, such notice including a statement of the deadline for the election imposed under this subparagraph; and''.

(B) Section 3512(a)(3)(C), as so amended by such section, is amended by striking ''between the dates described in'' and inserting ''the date determined pursuant to''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as if enacted on November 1, 2000.

TITLE II—TRANSITION AND OUTREACH PROVISIONS

SEC. 201. AUTHORITY TO ESTABLISH OVERSEAS VETERANS ASSISTANCE OFFICES TO EXPAND TRANSITION ASSISTANCE.

Section 7723(a) is amended by inserting after the first sentence the following new sentence: ''The Secretary may maintain such offices on such military installations located elsewhere as the Secretary, after consultation with the Secretary of Defense, determines to be necessary to carry out such purposes.''.

SEC. 202. TIMING OF PRESEPARATION COUNSELING.

(a) IN GENERAL.—(1) The first sentence of section 1142(a)(1) of title 10, United States Code, is amended to read as follows: ''Within the time periods specified in paragraph (3), the Secretary concerned shall (except as provided in paragraph (4)) provide for individual preseparation counseling of each member of the armed forces whose discharge or release from active duty is anticipated as of a specific date.''.

(2) Such section is further amended by adding at the end the following new paragraphs:

''(3)(A) In the case of an anticipated retirement, preseparation counseling shall commence as soon as possible during the 24-month period preceding the anticipated retirement date. In the case of a separation other than a retirement, preseparation counseling shall commence as soon as possible during the 12-month period preceding the anticipated date. Except as provided in subparagraph (B), in no event shall preseparation counseling commence later than 90 days before the date of discharge or release.

''(B) In the event that a retirement or other separation is unanticipated until there are 90 or fewer days before the anticipated retirement or separation date, preseparation counseling shall begin as soon as possible within the remaining period of service.

''(4)(A) Subject to subparagraph (B), the Secretary concerned shall not provide preseparation counseling to a member who is being discharged or released before the completion of that member's first 180 days of active duty.

''(B) Subparagraph (A) shall not apply in the case of a member who is being retired or separated for disability.''.

(b) CONFORMING AMENDMENT.—The second sentence of section 1144(a)(1) of title 10, United States Code, is amended by striking ''during the 180-day period'' and all that follows and inserting ''within the time periods provided under paragraph (3) of section 1142(a) of this title, except that the Secretary concerned shall not provide preseparation counseling to a member described in paragraph (4)(A) of such section.''.

SEC. 203. IMPROVEMENT IN EDUCATION AND TRAINING OUTREACH SERVICES FOR SEPARATING SERVICEMEMBERS AND VETERANS.

(a) PROVIDING OUTREACH THROUGH STATE APPROVING AGENCIES.—Section 3672(d) is amended by inserting ''and State approving agencies'' before ''shall actively promote the development of programs of training on the job''.

(b) ADDITIONAL DUTY.—Such section is further amended—

(1) by inserting ''(1)'' after ''(d)''; and

(2) by adding at the end the following new paragraph:

''(2) In conjunction with outreach services furnished by the Secretary for education and training benefits under chapter 77 of this title, each State approving agency shall conduct outreach programs and provide outreach services to eligible persons and veterans about education and training benefits available under applicable Federal and State law.''.

SEC. 204. EXPANSION OF OUTREACH EFFORTS TO ELIGIBLE DEPENDENTS.

(a) AVAILABILITY OF OUTREACH SERVICES FOR CHILDREN, SPOUSES, SURVIVING SPOUSES, AND DEPENDENT PARENTS.—Paragraph (2) of section 7721(b) is amended to read as follows:

''(2) the term 'eligible dependent' means a spouse, surviving spouse, child, or dependent parent of a person who served in the active military, naval, or air service.''.

(b) IMPROVED OUTREACH PROGRAM.—(1) Subchapter II of chapter 77 is amended by adding at the end the following new section:

''§ 7727. Outreach for eligible dependents

''(a) In carrying out this subchapter, the Secretary shall ensure that the needs of eligible dependents are fully addressed.

''(b) The Secretary shall ensure that the availability of outreach services and assistance for eligible dependents under this subchapter is made known through a variety of means, including the Internet, announcements in veterans publications, and announcements to the media.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 7726 the following new item:

''7727. Outreach for eligible dependents.''.

SEC. 205. IMPROVEMENT OF VETERANS OUTREACH PROGRAMS.

Section 7722(c) is amended—

(1) by inserting ''(1)'' after ''(c)''; and

(2) by adding at the end the following:

''(2) Whenever a veteran or dependent first applies for any benefit under laws administered by the Secretary (including a request for burial or related benefits or an application for life insurance proceeds), the Secretary shall provide to the veteran or dependent information concerning benefits and health care services under programs administered by the Secretary.''.

TITLE III—MEMORIAL AFFAIRS, INSURANCE, AND OTHER PROVISIONS

SEC. 301. INCREASE IN BURIAL BENEFITS.

(a) BURIAL AND FUNERAL EXPENSES.—(1) Section 2307 is amended by striking ''$1,500'' and inserting ''$2,000 (as increased from time to time under section 5312 of this title)''.

(2) Section 2302(a) is amended by striking ''$300'' and inserting ''$500 (as increased from time to time under section 5312 of this title)''.

(3) Section 2303(a)(1)(A) is amended by striking ''$300'' and inserting ''$500 (as increased from time to time under section 5312 of this title)''.

(b) PLOT ALLOWANCE.—Section 2303(b) is amended by striking ''$150'' each place it appears and inserting ''$300 (as increased from time to time under section 5312 of this title)''.

(c) INDEXING PAYMENT AMOUNTS.—Section 5312(a) is amended—

(1) by striking ''and each rate of monthly allowance'' and inserting ''each rate of monthly allowance''; and

(2) by inserting ''and each rate of allowance paid under sections 2302, 2303, and 2307 of this title,'' after ''under section 1805 of this title,''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to deaths occurring on or after the date of the enactment of this Act.

SEC. 302. FAMILY COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.

(a) INSURABLE DEPENDENTS.—(1) Section 1965 is amended by adding at the end the following new paragraph:

''(10) The term 'insurable dependent', with respect to a member, means the following:

''(A) The member's spouse.

''(B) The member's child, as defined in the first sentence of section 101(4)(A) of this title.''.

(2) Section 101(4)(A) is amended in the matter preceding clause (i) by inserting ''(other than with respect to a child who is an insurable dependent under section 1965(10)(B) of such chapter)'' after ''except for purposes of chapter 19 of this title''.

(b) INSURANCE COVERAGE.—(1) Subsection (a) of section 1967 is amended to read as follows:

''(a)(1) Subject to an election under paragraph (2), any policy of insurance purchased by the Secretary under section 1966 of this title shall automatically insure the following persons against death:

''(A) In the case of any member of a uniformed service on active duty (other than active duty for training)—

''(i) the member; and

''(ii) each insurable dependent of the member.

''(B) Any member of a uniformed service on active duty for training or inactive duty training scheduled in advance by competent authority.

''(C) In the case of any member of the Ready Reserve of a uniformed service who meets the qualifications set forth in section 1965(5)(B) of this title—

''(i) the member; and

''(ii) each insurable dependent of the member.

''(2)(A) A member may elect in writing not to be insured under this subchapter.

''(B) A member may elect in writing not to insure the member's spouse under this subchapter.

''(3)(A) Subject to subparagraphs (B) and (C), the amount for which a person is insured under this subchapter is as follows:

''(i) In the case of a member, $250,000.

''(ii) In the case of a member's spouse, $100,000.

''(iii) In the case of a member's child, $10,000.

''(B) A member may elect in writing to be insured or to insure the member's spouse in an amount less than the amount provided for under subparagraph (A). The member may not elect to insure the member's child in an amount less than $10,000. The amount of insurance so elected shall, in the case of a member or spouse, be evenly divisible by $10,000.

''(C) In no case may the amount of insurance coverage under this subsection of a member's spouse exceed the amount of insurance coverage of the member.

''(4)(A) An insurable dependent of a member is not insured under this chapter unless the member is insured under this subchapter.

''(B) An insurable dependent who is a child may not be insured at any time by the insurance coverage under this chapter of more than one member. If an insurable dependent who is a child is otherwise eligible to be insured by the coverage of more than one member under this chapter, the child shall be insured by the coverage of the member whose eligibility for insurance under this subchapter occurred first, except that if that member does not have legal custody of the child, the child shall be insured by the coverage of the member who has legal custody of the child.

''(5) The insurance shall be effective with respect to a member and the insurable dependents of the member on the latest of the following dates:

''(A) The first day of active duty or active duty for training.

''(B) The beginning of a period of inactive duty training scheduled in advance by competent authority.

''(C) The first day a member of the Ready Reserve meets the qualifications set forth in section 1965(5)(B) of this title.

''(D) The date certified by the Secretary to the Secretary concerned as the date Servicemembers' Group Life Insurance under this subchapter for the class or group concerned takes effect.

''(E) In the case of an insurable dependent who is a spouse, the date of marriage of the spouse to the member.

''(F) In the case of an insurable dependent who is a child, the date of birth of such child or, if the child is not the natural child of the member, the date on which the child acquires status as an insurable dependent of the member.''.

(2) Subsection (c) of such section is amended by striking the first sentence and inserting the following: ''If a person eligible for insurance under this subchapter is not so insured, or is insured for less than the maximum amount provided for the person under subparagraph (A) of

subsection (a)(3), by reason of an election made by a member under subparagraph (B) of that subsection, the person may thereafter be insured under this subchapter in the maximum amount or any lesser amount elected as provided in such subparagraph (B) upon written application by the member, proof of good health of each person (other than a child) to be so insured, and compliance with such other terms and conditions as may be prescribed by the Secretary.''.

(c) TERMINATION OF COVERAGE.—(1) Subsection (a) of section 1968 is amended—

(A) in the matter preceding paragraph (1), by inserting ''and any insurance thereunder on any insurable dependent of such a member,'' after ''any insurance thereunder on any member of the uniformed services,''; and

(B) by adding at the end the following new paragraph:

''(5) With respect to an insurable dependent of the member, insurance under this subchapter shall cease—

''(A) 120 days after the date of an election made in writing by the member to terminate the coverage; or

''(B) on the earliest of—

''(i) 120 days after the date of the member's death;

''(ii) 120 days after the date of termination of the insurance on the member's life under this subchapter; or

''(iii) 120 days after the termination of the dependent's status as an insurable dependent of the member.''.

(2) Such subsection is further amended—

(A) in the matter preceding paragraph (1), by striking '', and such insurance shall cease—'' and inserting ''and such insurance shall cease as follows:'';

(B) by striking ''with'' after the paragraph designation in each of paragraphs (1), (2), (3), and (4) and inserting ''With'';

(C) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''thirty-one days—'' and inserting ''31 days, insurance under this subchapter shall cease—'';

(ii) in subparagraph (A)—

(I) by striking ''one hundred and twenty days'' after ''(A)'' and inserting ''120 days''; and

(II) by striking ''prior to the expiration of one hundred and twenty days'' and inserting ''before the end of 120 days''; and

(iii) by striking the semicolon at the end of subparagraph (B) and inserting a period;

(D) in paragraph (2)—

(i) by striking ''thirty-one days'' and inserting ''31 days,'';

(ii) by striking ''one hundred and twenty days'' both places it appears and inserting ''120 days''; and

(iii) by striking the semicolon at the end and inserting a period;

(E) in paragraph (3)—

(i) by inserting a comma after ''competent authority''

(ii) by striking ''one hundred and twenty days'' both places it appears and inserting ''120 days''; and

(iii) by striking ''; and'' at the end and inserting a period; and

(F) in paragraph (4), by inserting ''insurance under this subchapter shall cease'' before ''120 days after '' the first place it appears.

(3) Subsection (b)(1)(A) of such section is amended by inserting ''(to insure against death of the member only)'' after ''converted to Veterans' Group Life Insurance''.

(d) PREMIUMS.—Section 1969 is amended by adding at the end the following new subsections:

''(g)(1)(A) During any period in which a spouse of a member is insured under this subchapter and the member is on active duty, there shall be deducted each month from the member's basic or other pay until separation or release from active duty an amount determined by the Secretary as the premium allocable to the pay period for providing that insurance coverage. No premium may be charged for providing insurance coverage for a child.

''(B) During any month in which a member is assigned to the Ready Reserve of a uniformed service under conditions which meet the qualifications set forth in section 1965(5)(B) of this title and the spouse of the member is insured under a policy of insurance purchased by the Secretary under section 1966 of this title, there shall be contributed from the appropriation made for active duty pay of the uniformed service concerned an amount determined by the Secretary (which shall be the same for all such members) as the share of the cost attributable to insuring the spouse of such member under this policy, less any costs traceable to the extra hazards of such duty in the uniformed services. Any amounts so contributed on behalf of any individual shall be collected by the Secretary concerned from such individual (by deduction from pay or otherwise) and shall be credited to the appropriation from which such contribution was made.

''(2)(A) The Secretary shall determine the premium amounts to be charged for life insurance coverage for spouses of members under this subchapter.

''(B) The premium amounts shall be determined on the basis of sound actuarial principles and shall include an amount necessary to cover the administrative costs to the insurer or insurers providing such insurance.

''(C) Each premium rate for the first policy year shall be continued for subsequent policy years, except that the rate may be adjusted for any such subsequent policy year on the basis of the experience under the policy, as determined by the Secretary in advance of that policy year.

''(h) Any overpayment of a premium for insurance coverage for an insurable dependent of a member that is terminated under section 1968(a)(5) of this title shall be refunded to the member.''.

(e) PAYMENTS OF INSURANCE PROCEEDS.—Section 1970 is amended by adding at the end the following new subsection:

''(i) Any amount of insurance in force on an insurable dependent of a member under this subchapter on the date of the dependent's death shall be paid, upon the establishment of a valid claim therefor, to the member or, in the event of the member's death before payment to the member can be made, then to the person or persons entitled to receive payment of the proceeds of insurance on the member's life under this subchapter.''.

(f) CONVERSION OF SGLI TO PRIVATE LIFE INSURANCE.—Section 1968(b) is amended by adding at the end the following new paragraph:

''(3)(A) In the case of a policy purchased under this subchapter for an insurable dependent who is a spouse, upon election of the spouse, the policy may be converted to an individual policy of insurance under the same conditions as described in section 1977(e) of this title (with respect to conversion of a Veterans' Group Life Insurance policy to such an individual policy) upon written application for conversion made to the participating company selected by the spouse and payment of the required premiums. Conversion of such policy to Veterans' Group Life Insurance is prohibited.

''(B) In the case of a policy purchased under this subchapter for an insurable dependent who is a child, such policy may not be converted under this subsection.''.

(g) EFFECTIVE DATE AND INITIAL IMPLEMENTATION.—(1) The amendments made by this section shall take effect on the first day of the first month that begins more than 120 days after the date of the enactment of this Act.

(2) Each Secretary concerned, acting in consultation with the Secretary of Veterans Affairs, shall take such action as is necessary to ensure that during the period between the date of the enactment of this Act and the effective date determined under paragraph (1) each eligible member—

(A) is furnished an explanation of the insurance benefits available for dependents under the amendments made by this section; and

(B) is afforded an opportunity before such effective date to make elections that are authorized under those amendments to be made with respect to dependents.

(3) For purposes of paragraph (2):

(A) The term ''Secretary concerned'' has the meaning given that term in section 101 of title 38, United States Code.

(B) The term ''eligible member'' means a member of the uniformed services described in subparagraph (A) or (C) of section 1967(a)(1) of title 38, United States Code, as amended by subsection (b)(1).

SEC. 303. RETROACTIVE APPLICABILITY OF INCREASE IN MAXIMUM SGLI BENEFIT FOR MEMBERS DYING IN PERFORMANCE OF DUTY ON OR AFTER OCTOBER 1, 2000.

(a) APPLICABILITY OF INCREASE IN BENEFIT.—Notwithstanding subsection (c) of section 312 of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419; 114 Stat. 1854), the amendments made by subsection (a) of that section shall take effect on October 1, 2000, with respect to any member of the Armed Forces who died in the performance of duty (as determined by the Secretary concerned) during the period beginning on October 1, 2000, and ending at the close of March 31, 2001, and who on the date of death was insured under the Servicemembers' Group Life Insurance program under subchapter III of chapter 19 of title 38, United States Code, for the maximum coverage available under that program.

(b) DEFINITION.—For purposes of this section, the term ''Secretary concerned'' has the meaning given that term in section 101(25) of title 38, United States Code.

SEC. 304. INCREASE IN AMOUNT OF ASSISTANCE FOR AUTOMOBILE AND ADAPTIVE EQUIPMENT FOR CERTAIN DISABLED VETERANS.

Section 3902(a) is amended by striking ''$8,000'' and inserting ''$9,000''.

SEC. 305. INCREASE IN ASSISTANCE AMOUNT FOR SPECIALLY ADAPTED HOUSING.

Section 2102 is amended—

(1) in the matter preceding paragraph (1) of subsection (a), by striking ''$43,000'' and inserting ''$48,000''; and

(2) in subsection (b)(2), by striking ''$8,250'' and inserting ''$9,250''.

SEC. 306. REVISION OF RULES WITH RESPECT TO NET WORTH LIMITATION FOR ELIGIBILITY FOR PENSIONS FOR VETERANS WHO ARE PERMANENTLY AND TOTALLY DISABLED FROM A NON-SERVICE-CONNECTED DISABILITY.

(a) IN GENERAL.—Section 1522(a) is amended by adding at the end the following new sentence: ''In determining the corpus of the estates of the veteran and the veteran's spouse, if any, the value of the real property of the veteran and the veteran's spouse and children shall be excluded if such property is used for farming, ranching, or similar agricultural purposes.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to payment of pensions for months beginning on or after the date of the enactment of this Act.

SEC. 307. TECHNICAL AMENDMENTS.

(a) TITLE 38, UNITED STATES CODE.—Title 38, United States Code, is amended as follows:

(1) Effective as of November 1, 2000, section 107 is amended—

(A) in the second sentence of subsection (a), by inserting ''or (d)'' after ''subsection (c)'';

(B) by redesignating the second subsection (c) (added by section 332(a)(2) of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419)) as subsection (d); and

(C) in subsection (d), as so redesignated, by striking ''In'' in paragraph (1) and inserting

''With respect to benefits under chapter 23 of this title, in''.

(2) Section 3512 is amended—

(A) in subsection (a)(5), by striking ''clause (4) of this subsection'' and inserting ''paragraph (4)''; and

(B) in subsection (b)(2), by striking ''willfull'' and inserting ''willful''.

(3) Section 4303(13) is amended by striking the second period at the end.

(b) PUBLIC LAW 106–419.—Effective as of November 1, 2000, and as if included therein as originally enacted, the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419) is amended as follows:

(1) Section 111(f)(3) (114 Stat. 1831) is amended by striking ''3654'' and inserting ''3564''.

(2) Section 323(a)(1) (114 Stat. 1855) is amended by inserting a comma in the second quoted matter therein after ''duty''.

(3) Section 401(e)(1) (114 Stat. 1860) is amended by striking ''this'' both places it appears in quoted matter and inserting ''This''.

(4) Section 402(b) (114 Stat. 1861) is amended by striking the close quotation marks and period at the end of the table in paragraph (2) of the matter inserted by the amendment made that section.

(c) PUBLIC LAW 102–590.—Section 3(a)(1) of the Homeless Veterans Comprehensive Service Programs Act of 1992 (38 U.S.C. 7721 note) is amended by striking '', during,''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. EVANS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the 107th Congress is only a few months old, but it is already apparent that this is going to be one that works to keep America's promises to veterans and their families. Later today we will begin consideration of H. Con. Res. 83, the congressional budget resolution, which contains record levels of funding for veterans' programs. As a matter of fact, it contains a 12 percent boost for VA spending, both mandatory and discretionary, to bring it to $52.3 billion, a $5.6 billion increase over fiscal year 2001.

In the past month, Mr. Speaker, the House Committee on Veterans' Affairs has met 10 times to hear the views of the Department of Veterans Affairs as well as veterans' organizations. We have heard from organizations such as the Veterans of Foreign Wars, the Gold Star Wives, the National Association of State Directors of Veterans Affairs, the Retired Enlisted Association, Fleet Reserve Association, Air Force Sergeants Association, the Jewish War Veterans, Blinded Veterans Association, Noncommissioned Officers Association, Military Order of the Purple Heart, Paralyzed Veterans of America, Disabled American Veterans, Amvets, American Ex-Prisoners of War, Vietnam Veterans of America, and the Retired Officers Association, 16 organizations in all.

Mr. Speaker, we learned a great deal about what is taking place in the lives of veterans and their families. We also learned about government programs that are effective and making a difference in their lives, and about some that need to be revised and updated and reformed.

Mr. Speaker, I encourage Members and their constituents to visit the Committee on Veterans' Affairs, Website to review the testimony presented at these hearings to learn more about these hearings and the testimony that we have received. For the RECORD, that is http://veterans.gov/. It is a font of information and a great resource on veterans legislation and hearings.

Mr. Speaker, we also heard during the course of those hearings from our distinguished VA Secretary Anthony Principi on two of those occasions. We heard about his determination to make the VA a more responsive and a more effective organization. Members of the Committee on Veterans' Affairs also told the Secretary that it is not enough that a grateful Nation remember its veterans and their sacrifice. The Nation that provides in excess of $47 billion, and as I said, that is likely to jump to $52.3 billion for veterans' programs, expects the VA to be held accountable.

We need accountability to make sure that that which we pass is faithfully implemented. We hope that in the future Secretary Principi will share this message with all of his employees. We really want the best bang for the buck. We want our veterans to be well served.

Today the House is considering two measures reported by the Committee on Veterans' Affairs last week. I would like to briefly summarize the purposes of the Veterans Opportunities Act of 2001. The gentleman from Arizona (Mr. HAYWORTH), the very distinguished chairman of our Subcommittee on Benefits, will provide a more detailed explanation of the bill momentarily.

Mr. Speaker, the Veterans Opportunities Act of 2001 is designed to enhance nonhealth programs serving veterans and their families. Many of the ideas contained in this bill were favorably mentioned in the testimony we received from the veterans' service organizations during the 107th Congress. One of this bill's provisions updates the law governing the type of training veterans can pursue under the Montgomery GI bill. We see more and more education and training opportunities offered outside of the traditional classroom setting. Veterans pursuing a good job should be able to use their GI benefits to offset the cost of these courses, and this bill will make those types of training more affordable to veterans eligible for the Montgomery GI bill.

The life insurance program available to all active duty servicemembers and many reservists does not provide coverage to members of the servicemember's family. Since so many persons on active duty today desire coverage for family members at an affordable premium, this bill would authorize that coverage.

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The bill also includes a provision to make the increase in life insurance coverage, which is scheduled to go into effect next Sunday, April 1, retroactive to cover the deaths of many of the service members who have tragically lost their lives since October 1 of last year.

I want to salute the gentleman from Texas (Mr. REYES), the ranking Democrat of the Subcommittee on Benefits, and the gentlewoman from Virginia (Mrs. JO ANN DAVIS), a new member, for suggesting this provision in the bill.

H.R. 801 also authorizes increases in payments to families of deceased veterans for burial expenses and in amounts provided to assist seriously disabled veterans purchase cars and to fix up their homes with specially adapted devices. It also requires the VA to improve its outreach efforts so that more veterans and their families are informed about the benefits for which they qualify.

Another provision is designed to ensure that service members are fully briefed on benefits that they may qualify for before they leave the service.

Before yielding to the gentleman from Illinois (Mr. EVANS), I want to express my very deep appreciation for his hard work and that of our staff and his staff and many, many Members on the bills that we are discussing today.

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

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

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

Mr. EVANS. Mr. Speaker, I rise in strong support of H.R. 801. I commend and thank the gentleman from New Jersey (Mr. SMITH), the distinguished chairman of the committee, for his leadership on this measure. The Veterans Opportunities Act of 2001 provides many improvements to veterans benefits and I am pleased to be an original cosponsor of this bill.

I also want to recognize several other Members who have contributed to this legislation, the chairman of the Subcommittee on Benefits, the gentleman from Arizona (Mr. HAYWORTH); the ranking member of the Subcommittee on Benefits, the gentleman from Pennsylvania (Mr. DOYLE); and the gentleman from New Jersey (Mr. PASCRELL), two outstanding and effective advocates for our veterans. This is a better bill because of their efforts.

Mr. Speaker, last September I introduced H.R. 5271, the Veterans' Family Farm Protection Act. That bill made it possible for more wartime veterans and their survivors to qualify for VA pension benefits without being forced to sell their family homes and ranches. I thank the chairman for including these provisions as section 306 of H.R. 801. This legislation will also benefit low-income veterans who seek to obtain health care from the VA.

I especially applaud the gentleman from Texas (Mr. REYES) for his leadership in first proposing an October 1,

2000, retroactive effective date for the $250,000 maximum benefit in the Servicemembers Group Life Insurance. The Reyes proposal would permit increased benefits to be paid under certain conditions to beneficiaries of those servicemembers who lost their lives in the performance of duty.

The gentleman from Pennsylvania (Mr. DOYLE) and the gentleman from New Jersey (Mr. PASCRELL) have been strong advocates for improved VA outreach to veterans, their dependents and survivors. Each has authored important legislation to improve VA outreach. I am pleased that this legislation includes many of those outreach provisions.

H.R. 801 includes many other provisions important to veterans. Among them are improvements in veterans' health care benefits, improving veterans' access to transition assistance, increases in grants for adaptive housing, and increases in burial and funeral expenses, and the burial plot allowance.

I urge my colleagues to approve this measure and include a summary of H.R. 801 for the RECORD.

VETERANS OPPORTUNITIES ACT OF 2001, H.R. 801, AS AMENDED

Title: To amend title 38, United States Code, to improve programs of educational assistance, to expand programs of transition assistance and outreach to departing servicemembers, veterans, and dependents, to increase burial benefits, to provide for family coverage under Servicemembers' Group Life Insurance, and for other purposes.

Mr. Smith (for himself, Mr. Evans, Mr. Hayworth, and Mr. Reyes) introduced H.R. 801 on February 28, 2001; which was referred to the Committee on Veterans' Afairs.

Additional Cosponsors: Mr. Abercrombie, Mr. Baldacci, Ms. Berkley, Mr. Berry, Mr. Bilirakis, Ms. Brown of Florida, Mr. Brown of South Carolina, Mr. Buyer, Ms. Carson, Mr. Crenshaw, Mrs. Davis of Virginia, Mr. Doyle, Mr. Edwards, Mr. Ehrlich, Mr. Filner, Mr. Gonzalez, Mr. Goode, Mr. Gutierrez, Mr. Hansen, Mr. Honda, Mrs. Kelly, Ms. Lee, Mrs. McCarthy of New York, Mr. Owens, Mr. Pascrell, Mr. Peterson, Mr. Putnam, Mr. Roukema, Mr. Shows, Mr. Simmons, Mr. Simpson, Mr. Snyder, Ms. Solis, Mr. Spence, Mr. Stump, Mr. Udall of New Mexico, and Ms. Waters.

H.R. 801, as amended, would:

TITLE I—EDUCATIONAL ASSISTANCE PROVISIONS

1. Increase from $2,000 to $3,400 the maximum allowable annual SROTC award for benefits under the Montgomery GI Bill.

2. Expand VA's work-study program for veterans to include working in their major academic discipline, working in state veterans homes, and helping State Approving Agencies with outreach efforts.

3. Provide for inclusion of certain private technology entities in the definition of educational institution.

4. Allow the disabled spouse or surviving spouse of a severely disabled service connected veteran to receive special restorative training.

5. Permit veterans to use VA educational assistance benefits for a certificate program offered by an accredited institution of higher learning by way of independent study.

TITLE II—TRANSITION AND OUTREACH PROVISIONS.

1. Provide VA the authority to maintain transition assistance offices overseas.

2. Extend the time that preparation counseling is available to servicemembers leaving the service to as early as 12 months before discharge, and 24 months prior to discharge for military retirees.

3. Improve education and training outreach services by requiring each State Approving Agency to conduct outreach programs and provide services to eligible veterans and dependents about state and federal education and training benefits.

4. For purposes of VA's outreach program, defines an eligible dependent as the spouse, surviving spouse, child or dependent parent of a servicemember/veteran. Require VA to ensure that eligible dependents are made aware of VA's services through media and veterans publications.

5. Require VA to provide to the veteran or eligible dependent information concerning VA benefits and services whenever that person first applies for any benefit.

TITLE III—MEMORIAL AFFAIRS, INSURANCE, AND OTHER PROVISIONS

1. Increase the burial and funeral expense for a service connected veteran from $1,500 to $2,000, increase the burial and funeral expense for a nonservice connected veteran from $300 to $500, and increase the burial plot allowance from $150 to $300.

2. Expand the Servicemembers' Group Life Insurance (SGLI) program to include spouses and children. Spousal coverage will not exceed $100,000; child coverage would be $10,000. Upon termination of SGLI, the spouse's policy could be converted to a private life insurance policy.

3. Make the effective date of an increase from $200,000 to $250,000 in the maximum SGLI benefit provided for in Public Law 106–419 retroactive to October 1, 2000, for a servicemember who died in the performance of duty and had the maximum amount of insurance in force.

4. Increase the automobile and adaptive equipment grant for severely disabled veterans from $8,000 to $9,000.

5. Increase the grant for specially adapted housing for severely disabled veterans from $43,000 to $48,000, and increase the amount for less severely disabled veterans from $8,250 to $9,250.

6. Revise the rule with respect to the net worth limitation for VA's means-tested pension program by excluding the value of property used for farming, ranching or similar agricultural purposes.

Effective Date: Date of enactment except the following sections

Sec. 106(a): Shall take effect as if included in the enactment of the Veterans Benefits and Health Care Improvement Act of 2000 enacted on November 1, 2000 (Public Law 106–419).

Sec. 106(b): Shall take effect as if enacted on November 1, 2000.

Sec. 106(c): Shall take effect as if enacted on November 1, 2000.

Sec. 106(d): May 1, 2001.

Sec. 106(e): Shall take effect as if enacted on November 1, 2000.

Sec. 302: The first day of the first month that begins more than 120 days after date of enactment.

Cost: The Congressional Budget Office estimates that H.R. 801, as amended, would increase direct spending by $46 million in 2002, $290 million over the 2002–2006 period, and about $700 million over the 2002–2011 period. Direct spending would also increase in fiscal year 2001 should the bill be enacted before the end of this fiscal year. If addition, implementing the bill would increase spending subject to appropriation by less than $500,000 a year.

Legislative History:

Mar. 21, 2001: H.R. 801 ordered reported favorably, as amended, by the Committee on Veterans' Affairs.

Mar. 26, 2001: H.R. 801 reported, as amended, by the Committee on Veterans' Affairs. H. Rept. 107–27.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. HAYWORTH), the chairman of our Subcommittee on Benefits.

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

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from New Jersey (Mr. SMITH), the chairman of the full committee, for yielding me this time.

Mr. Speaker, I am pleased to rise today in support of H.R. 801, the Veterans Opportunities Act of 2001.

H.R. 801 makes a number of improvements and expansions to VA's benefits and services, some of which I would like to take this opportunity to briefly highlight.

With respect to educational assistance, this bill increases from $2,000 to $3,400 the maximum allowable annual Senior ROTC award for benefits under the Montgomery GI bill; expands VA's work-study program for veteran students; provides the inclusion of certain private technology entities, such as Microsoft and Novell, in the definition of educational institution; and permits veterans to use VA educational assistance benefits for a certificate program offered by an institution of higher learning by way of independent study.

H.R. 801 also enhances and clarifies VA's outreach services to separating servicemembers, as well as the spouse, surviving spouse, children and dependent parent of a veteran, and requires VA to provide full benefits and health care eligibility information to a veteran and dependent whenever that person first applies for any benefit.

Mr. Speaker, I would like to thank the gentleman from New Jersey (Mr. PASCRELL) and the gentleman from Pennsylvania (Mr. DOYLE) for working with the subcommittee on those aforementioned outreach provisions.

We also make a number of program increases, including raising the burial and funeral expenses for service and nonservice connected veterans and increasing the plot allowance.

The automobile and adaptive grant for severely disabled veterans is increased from $8,000 to $9,000, and the specially adapted housing grant is increased from $43,000 to $48,000.

We also propose to expand the Servicemembers' Group Life Insurance program to include coverage for the spouse and children of a servicemember enrolled in the insurance program.

Finally, Mr. Speaker, as we all know, within the last few months, we have lost far too many servicemembers to plane crashes, training accidents and, of course, an act of terrorism at sea. Just yesterday, it appears we lost two pilots in a U.S. Army plane crash in Germany. Two F–15s are missing after taking off yesterday from Lakenheath Air Base in the Scottish Highlands.

Mr. Speaker, sadly, I was informed this morning that one of the missing pilots could very well be from my home State of Arizona.

Last year, Congress approved legislation to increase the maximum amount of Servicemembers' Group Life Insurance from $200,000 to a quarter of a million dollars, $250,000. Even though the bill was signed into law on November 1 of 2000, this particular provision would not have gone into effect until April 1 of this year. So the bill we are discussing today would change the effective date to October 1, 2000, for those servicemembers who died during the performance of their military duties and had previously elected the maximum insurance amount.

Mr. Speaker, I would like to take time to thank my friend, the gentleman from Texas (Mr. REYES), the ranking member of the Subcommittee on Benefits, a Vietnam combat veteran, for helping us bring this provision to the table. Credit should also be given by this House to a newcomer to this institution, the gentlewoman from Virginia (Mrs. JO ANN DAVIS), for working with the full committee on this issue. Both of these Members deserve acknowledgment for their steadfast support to this issue and the bipartisan way in which we have worked.

Mr. Speaker, I would just note for the record we hear so much on the cable gab fests and on the Sunday shows about the need for bipartisanship. Mr. Speaker, at this time, in this place, we reaffirm the notion that those who sign on in our all-volunteer force do not check a box for partisan preference. They go not as Republicans or as Democrats but as Americans to serve our country, and today we reaffirm that.

Let me thank the ranking member of the subcommittee, the gentleman from Texas (Mr. REYES), for working with me on crafting this legislation in a bipartisan fashion, legislation which will benefit many active duty servicemembers, veterans, and dependents.

I also want to thank the gentleman from California (Mr. THOMAS) and the gentleman from Illinois (Mr. EVANS), the ranking member of our full committee, for their leadership.

Mr. Speaker, once again, for the reasons outlined in the aforementioned comments, I would urge my colleagues to support the Veterans Opportunity Act of 2001.

Mr. EVANS. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. REYES).

Mr. REYES. Mr. Speaker, I thank the gentleman from Illinois (Mr. EVANS), for yielding me this time.

Mr. Speaker, as an original cosponsor and strong supporter of H.R. 801, the Veterans Opportunities Act of 2001, I am pleased that we are considering this bill today. H.R. 801 contains a number of important provisions advanced by Members from both sides of the aisle, as the gentleman from Arizona (Mr. HAYWORTH) stated a few minutes ago.

I want to acknowledge, first and foremost, the cooperation of the gentleman from New Jersey (Mr. SMITH) and the ranking member, the gentleman from Illinois (Mr. EVANS), as well as the subcommittee chairman, the gentleman from Arizona (Mr. HAYWORTH), in bringing this bill to the floor in its present form.

The bill will improve educational benefits, transitional assistance for separating servicemembers, and outreach to veterans and their families.

I thank the gentleman from Pennsylvania (Mr. DOYLE) and the gentleman from New Jersey (Mr. PASCRELL), my colleagues, for their tireless advocacy for improved outreach to veterans and their families.

The bill also provides benefits for the increased cost of funerals, automobile and housing adaptations for severely disabled veterans, and it will stop eroding these benefits as the costs they are intended to cover increase year by year. The burial-related benefits increases proposed by this bill were last changed, Mr. Speaker, in 1973.

Because when benefit levels are not indexed to reflect the increased cost of the items that they are intended to pay for, veterans receive less value as each year goes by. The longer the time, the greatest the loss. By indexing these benefits to changes in the cost of living, their purchasing power will be retained.

I particularly want to discuss the insurance provisions of this bill. I am very pleased that the bill incorporates my request to make the beginning of fiscal year 2001 the effective date for the increase in the maximum amount of Servicemembers Group Life Insurance from $200,000 to $250,000 for those who lose their lives during the performance of military duties.

As a Vietnam veteran, I know the dangers of combat. Recent events have shown that even military training exercises and more routine duty can result in the loss of life to our servicemembers. As I stated during the subcommittee hearing, I was particularly concerned that those who lost their lives in the terrorist attack on the USS *Cole* as well as those such as Specialist Rafael Olvera Rodriguez, an El Paso native who died in the Blackhawk helicopter crash over Hawaii, ensure that they all qualify for increased maximum benefits.

Since the *Cole* attack, others performing official duties have died in North Carolina, Georgia, and Kuwait. Two National Coast Guardsmen died after an accident while on patrol just this past weekend, and just yesterday two pilots died when their Army plane crashed in Germany and two Air Force planes disappeared over Scotland with apparent loss of life.

The effective date of October 1, 2000 is intended to provide the maximum benefit of $250,000 for SGLI insured members, such as those who have lost their lives in performance of duty and who were insured for the maximum benefit at the time of their deaths. I know that the families of these military-insured members will appreciate this benefit.

I also support the provision allowing family members to be covered under the SGLI program. This is a needed improvement.

Finally, Mr. Speaker, I support the provision of excluding family farms and ranches from net worth determination for pension purposes.

Mr. Speaker, I was born on a family farm and I know the value of family farms. There are a number of small family farms today in my district. We should not ask veterans to give up their family farms in order to receive veterans' benefits that they have earned.

I today want to urge all Members to support this bill. It is a generous bill that pays back the debt that this country owes its men and women in uniform.

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. BILIRAKIS), the very distinguished vice chairman of the Committee on Veterans' Affairs.

Mr. BILIRAKIS. Mr. Speaker, I thank my chairman, the gentleman from New Jersey (Mr. SMITH), for yielding me this time.

Mr. Speaker, I too support H.R. 801. This legislation makes important improvements to veterans' benefits such as increasing the burial and funeral allowance from $1,500 to $2,000 for service-connected veterans and from $300 to $500 for nonservice-connected veterans. The bill also raises the burial plot allowance from $150 to $300.

In addition, Mr. Speaker, the legislation increases the automobile and adaptive equipment grants for severely disabled veterans from $8,000 to $9,000. Under the bill, specially adapted housing grants are increased from $43,000 to $48,000, and the amount for additional adaptations to the home that may be needed later in life is raised from $8,250 to $9,250.

□ 1430

The bill expands, as has already been indicated, the Servicemembers' Group Life Insurance Program to cover spouses up to a maximum of $100,000 and children to $10,000; and the bill also makes another important change to the sick-leave program. It increases the amount of servicemembers group life insurance paid to the survivors of members of the Armed Forces who died in the performance of duty between October 1, 2000, and March 31 of this year. Specifically, it directs the Secretary of Veterans Affairs to increase sick-leave payments to the maximum amount of $250,000 for those who previously contracted for the maximum benefit.

This increase was originally signed into law in November of 2000 as part of Public Law 106–419, but the implementation was delayed, unfortunately, until April 1, 2001; and unfortunately, a

number of military personnel have been killed. As also has been raised by the gentleman from Texas (Mr. REYES) and others, a number of other military personnel have been killed in the line of duty since October 2000, including one of my constituents, Erik Larson, who was killed in a National Guard airplane crash earlier this month. While this bill will not ease the pain of losing a loved one, it will lessen the financial hardship.

And as a cosponsor of H.R. 801, Mr. Speaker, I urge my colleagues to support the Veterans Opportunities Act of 2001.

Mr. EVANS. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Speaker, I am pleased to have the opportunity to speak on the important bipartisan piece of legislation that we have before us. I want to take this opportunity to thank the chairman of the full committee and the chairman of the subcommittee for their leadership, as well as the minority leader, as well as the gentleman from Illinois (Mr. EVANS) for his efforts, and the gentleman from Texas (Mr. REYES) also.

At a time when drastic tax cuts seem to overshadow our Nation's priorities, it is refreshing that the House should take up the legislation that addresses our commitment to improving services to those that have made the ultimate sacrifice, our veterans.

The Veterans Opportunities Act makes improvement to key veterans' programs. In particular, the measure makes enhancements to the veterans educational and the burial benefits that are long overdue. For those seeking assistance in pursuing higher education, the bill increases benefits under the Montgomery GI Bill. It expands the work-study opportunities for veteran students and extends benefits to cover independent study for qualified institutions. Without doubt, the educational benefits are instrumental in assisting the military in recruitment efforts. Those men and women who have chosen to serve our country in uniform deserve better access to higher education; and we all recognize the importance of how the cost of education has continued to grow and continued to move forward, so it is important for us to keep pace with that.

We have come a step forward; we still have a long way to go. But I am very pleased that we are beginning to address and increase the amounts of the Montgomery GI Bill.

Finally, the families who face financial challenges for burying our veterans will receive some relief under H.R. 801. Burial funeral allowances will be increased from $1,500 to $2,000 for service-connected veterans and $300 to $500 for nonservice-connected veterans.

As Congress prepares to take up the budget resolution, we should remind ourselves that our peace is a blessing. However, peace does not diminish our obligation to American veterans. It is time to take care of those and move forward. This bill begins to do that, and I want to thank the leadership on both sides for their efforts on this piece of legislation.

Once again, I want to congratulate the gentleman from Illinois (Mr. EVANS) and the gentleman from New Jersey (Mr. SMITH), the chairman of the committee, and the gentleman from Texas (Mr. REYES) for their efforts.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 4 minutes to the distinguished gentlewoman from Virginia (Mrs. JO ANN DAVIS).

(Mrs. JO ANN DAVIS of Virginia asked and was given permission to revise and extend her remarks, and include extraneous material.)

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I rise today in support of H.R. 801, the Veterans' Opportunity Act of 2001. As a cosponsor of this legislation, I am proud to be able to say that the committee referred a bill that has practical and immediate effects for many veterans and their loved ones. This legislation comprehensively addresses many issues associated with veterans and their dependents. However, Mr. Speaker, I will not delve into the details of this legislation. Suffice it to say our veterans have earned their benefits, often purchasing them with their own blood.

What I would like to speak about today is one section of the legislation that I believe will have an immediate and practical effect for the surviving families of many of our recently deceased veterans. As my colleagues may know, I recently introduced a bill, H.R. 115, the SGLI Adjustment Act. The substantive language of this bill was incorporated by the committee directly into H.R. 801. This legislation will directly and immediately help many of the families and beneficiaries of those killed since October 1, 2000.

Mr. Speaker, as I am sure my colleagues are aware, our military has recently suffered numerous tragedies. The bombing of the U.S.S. *Cole*, the crash of an Osprey, a Blackhawk, a National Guard airplane, and the accidental bombing of our own troops in Kuwait. All of these accidents were unforeseen, and all of these accidents resulted in the tragic loss of life.

Mr. Speaker, thankfully, our Nation has seen fit to provide our servicemen with a program of insurance to allow the families and beneficiaries to have some protection in the event of untimely death. This insurance, Servicemembers' Group Life Insurance, otherwise known as SGLI, can be purchased at a low rate for a maximum benefit of up to $200,000. Recently, on November 1 of last year, the President signed a bill increasing this maximum benefit to $250,000. Unfortunately, for those recently affected families, this increase in coverage does not take effect until April 1 of this year. By incorporating the substantive language of my bill, we will retroactively grant this increase to those families who had opted for the maximum benefit and subsequently lost a loved one in the performance of their duty.

Mr. Speaker, I would like to note that this provision is revenue-neutral and is funded from the SGLI Reserve Fund. It follows similar legislative precedent dating from the Gander, Newfoundland, crash and the death indemnity granted after the Gulf War.

Additionally, this provision has the direct support and endorsement of several veterans' and servicemen's organizations.

Mr. Speaker, just a few weeks ago, tragedy struck locally in my own district in the Commonwealth of Virginia. Several constituents of mine perished in the Air National Guard crash. I attended their memorial service. However, that was the hardest thing I had to face. The families of these servicemen face much harder days ahead.

Mr. Speaker, by passing the Veterans Opportunity Act of 2001, we will show the families and beneficiaries of these servicemen that we do, indeed, care. We take care of our own. Never let it be said that we do not.

I ask that the other Members of the House support H.R. 801. In the long term, this is the only way in which we will be able to assist the families of those recently perished.

Mr. Speaker, I would be remiss if I did not thank the committee and its staff for their hard work and dedication in seeing this bill brought to the floor. In particular, I would like to thank the gentleman from New Jersey (Mr. SMITH), the gentleman from Arizona (Mr. HAYWORTH), and the gentleman from Florida (Mr. CRENSHAW) for ensuring that my legislation was attached to this bill in the form of a friendly amendment.

Mr. Speaker, now is the time. Now is the time for the other Members of the people's House to stand and support the families of our servicemen. Vote in support of passage of H.R. 801.

Mr. Speaker, I include the following material for the RECORD:

U.S. HOUSE OF REPRESENTATIVES,
March 20, 2001.

Hon. CHRISTOPHER H. SMITH,
Chairman, House Committee on Veterans' Affairs, Cannon House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH: It is my understanding that you recently received a letter from several of our colleagues asking for your support for amending H.R. 801, the Veterans' Opportunities Act, to include the language of H.R. 1015. As a cosponsor of both H.R. 801 and H.R. 1015, and as a member of your Committee, I am writing to add my support for this proposal.

As you know, Congress last year approved a $50,000 increase, to $250,000, in the maximum death benefits for families of military personnel through the Servicemembers' Group Life Insurance (SGLI). Though the legislation was signed into law on November 1, 2000, the effective date of this increase is not until April 1, 2001. Regrettably, for many of our servicemembers and their families—most notably, the 21 National Guard members killed in a plane crash earlier this

month and the 17 sailors killed in the terrorist bombing of the USS Cole—this is too late.

H.R. 1015 would make a modest change in law that would bring comfort and security to the families of these brave servicemembers by making the annuity increase retroactive to October 1, 2001. The Administration has announced its support for this legislation, and I know that you have voiced your support for it as well.

I am hopeful that you will make it a part of your mark for tomorrow's mark-up session of H.R. 801. In the alternative, if offered as amendment, I am hopeful that you will support its adoption.

I look forward to working with you on this and other measures to improve the lives of our veterans and servicemembers.

Sincerely,

ANDER CRENSHAW,
Member of Congress.

CONGRESS OF THE UNITED STATES
Washington, DC, March 20, 2001.

Congressman CHRISTOPHER H. SMITH, Chairman,
House Committee on Veterans' Affairs, U.S. House of Representatives, Cannon House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH: This letter is to request that the Committee on Veterans' Affairs consider attaching H.R. 1015 as an amendment to H.R. 801, The Veterans' Opportunities Act of 2001.

As we know you are aware, America has recently suffered numerous military tragedies that have resulted in the unfortunate deaths of many of our servicemen and women. In particular, we have recently faced the crash of an Osprey, a Blackhawk, a Air National Guard airplane, and an accidental bombing of our own servicemen.

On November 1 of last year, the President signed legislation (c.f. P.L. 106–419) to increase the maximum SGLI benefit from $200,000 to $250,000. However, the effective date of this increase was delayed until April 1, 2001. H.R. 1015 would retroactively authorize the increased benefit for those who died after November 1, 2000 and were to receive the maximum SGLI benefit.

We would ask that the Committee incorporate the Davis language of H.R. 1015, while changing the effective date of retroactive coverage to October 1, 2001. This would pair the date of retroactivity with the beginning of the Fiscal Year and would assist the families and beneficiaries of the USS Cole tragedy.

Again, thank you for your consideration of our request.

Sincerely,

JO ANN DAVIS,
ERIC CANTOR,
ED SCHROCK,
ADAM PUTNAM.

AIR FORCE ASSOCIATION,
Arlington, VA, March 14, 2001.

Hon. JO ANN DAVIS,
Longworth House Office Building, Washington, DC.

DEAR MS. DAVIS: The Air Force Association applauds your efforts to include those service members killed in the line of duty and covered at the maximum limit of the Servicemembers Group Life Insurance (SGLI) Program since November 1, 2000 under the proposed increased limits for SGLI.

Your initiative will ensure that service-families mourning these tragic losses will receive the same benefits as those affected after the passage of the legislation.

We look forward to working with you to enact this legislation into law.

Sincerely,

JOHN A. SHAUD,
General, USAF (Ret).

NATIONAL GUARD ASSOCIATION OF THE UNITED STATES,
Washington, DC, March 14, 2001.

Hon. JO ANN DAVIS,
U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE DAVIS: On behalf of the members of the National Guard Association of the United States (NGAUS), I wish to extend our support for H.R. 1015, legislation that will provide for an increase in the amount of Servicemember's Group Life Insurance (SGLI) paid to survivors of members who died in the line of duty.

With the increased level of operations for all members of the Armed Services, there have been an unfortunate increasing number of training accidents. This was all too evident when 21 members of the National Guard tragically lost their lives on March 3rd, in a military airplane crash. These good men died while serving their country, their state and their community. The severity of this accident is a grim reminder of the risks we ask of the members of the National Guard, along with all men and women who serve in uniform.

On November 1, 2001, the President signed into law S. 1402 that increased the maximum benefit for the SGLI from $200,000 to $250,000. However, implementation of the increase was delayed until April 1, 2001. The legislation you introduced will provide those service members who previously contracted for the maximum benefit of SGLI and died in the line of duty to receive the increased maximum amount of $250,000.

The National Guard Association of the United States fully supports your efforts and therefore I am proud to offer the endorsement of the NGAUS for H.R. 1015.

Respectfully,

RICHARD C. ALEXANDER,
Major General, OHARNG (Ret),
Executive Director.

NON COMMISSIONED OFFICERS ASSOCIATION OF THE UNITED STATES OF AMERICA,
Alexandria, VA, March 16, 2001.

Hon. JO ANN DAVIS,
U.S. House of Representatives, Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVE DAVIS: Thank you for introducing legislation to provide an increase in the amount of Servicemember's Group Life Insurance (SGLI) paid to survivors of members of the Armed Forces who died in the performance of duty between November 1, 2000, and April 1, 2001.

Recognizing those men and women whom made the ultimate sacrifice, and ensuring that their family members are cared for is of utmost importance to the NCOA.

The NCOA strongly supports your proposed piece of legislation. Accordingly, it will be our privilege to provide testimony on behalf of H.R. 1015, or whatever assistance you may require.

Sincerely,

ALEX J. HARRINGTON,
Director of Legislative Affairs.

THE RETIRED OFFICERS ASSOCIATION,
Alexandria, VA, March 16, 2001.

Hon. JO ANN DAVIS,
U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE DAVIS: On behalf of the 390,000 members of The Retired Officers Association (TROA), I wish to extend our support for H.R. 1015, a bill to provide for an increase in the amount of Servicemember's Group Life Insurance (SGLI) paid to survivors of members of the Armed Forces who died in the performance of duty between November 1, 2000, and April 1, 2001.

Your legislation provides an important and timely correction in the implementation of the recent increase in SGLI coverage from $200,000 to $250,000. The legislation is also consistent with action taken to increase SGLI after operational accidents such as the Gander, Newfoundland disaster. H.R. 1015 will ensure that those not covered at the higher SGLI level during the period between passage and implementation of the increase authorized under P.L. 106–419 will now be covered.

With the increased level of operations for all members of the Armed Services, tragic accidents are occurring more frequently. From the U.S.S. *Cole* to the most recent crash of an Air National Guard plane, our servicemen and women risk their lives on a daily basis. The severity of these accidents serve as a reminder that liberty is not procured without the constant vigilance of those who freely give up theirs to protect us.

TROA greatly appreciates your leadership on this issue and we offer our full endorsement of H.R. 1015, a bill that will help surviving family members to meet critical family needs following the tragic loss of their servicemembers in recent terrorist attacks or training accidents.

Sincerely,

MICHAEL A. NELSON.

GOLD STAR WIVES OF AMERICA, INC.,
Vincent, AL, March 16, 2001.

Hon. JO ANN DAVIS,
U.S. House of Representatives, Washington, DC.

DEAR CONGRESSWOMAN DAVIS: On behalf of the 13,000 members of Gold Star Wives of America, Inc., I wish to extend our support for H.R. 1015, a bill to provide for an increase in the amount of Servicemember's Group Life Insurance (SGLI) paid to survivors of members of the Armed Forces who died in the performance of duty between November 1, 2000, and April 1, 2001. However, we would like to see this amended to read October 1, 2000 and April 1, 2001 to include the surviving family members of servicemembers lost on the U.S.S. *Cole*.

Your legislation provides an important and timely correction in the implementation of the recent increase in SGLI coverage from $200,000 to $250,000. The legislation is also consistent with action taken to increase SGLI after operational accidents such as the Gander, Newfoundland disaster. H.R. 1015 will ensure that those not covered at the higher SGLI level during the period between passage and implementation of the increase authorized under P.L. 106–419 will now be covered.

With the increased level of operations for all members of the Armed Services, tragic accidents are occurring more frequently. From the U.S.S. *Cole* to the most recent crash of an Air National Guard plane, our servicemen and women risk their lives on a daily basis. The severity of these accidents serve as a reminder that liberty is not procured without the constant vigilance of those who freely give up theirs to protect us.

Gold Star Wives of America Inc. greatly appreciates your leadership on this issue and we offer our full endorsement of H.R. 1015, a bill that will help surviving family members to meet critical family needs following the tragic loss of their servicemembers in recent terrorist attacks or training accidents.

Sincerely,

RACHEL A. CLINKSCALE,
Board Chairwoman.

RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES,
Washington, DC, March 16, 2001.

Hon. JO ANN DAVIS,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE DAVIS: On behalf of the 75,000 members of the Reserve Officers Association of the United States, chartered by Congress in 1922 to support the development and implementation of a military policy that will provide adequate national defense for the United States, I want to congratulate you for introducing HR 1015, legislation that would provide for an increase in the amount of Servicemembers Group Life Insurance (SIGLI) paid to the survivors of service members who die in the line of duty. I want you to know that the Reserve Officers Association fully supports your efforts in this regard.

Since the end of the Cold War we have witnessed a three-fold increase in the level of deployments of our Armed Forces. Our men and women in uniform are increasingly called upon to support contingency operations around the world, operations that expose them to danger on a continual basis, as the headlines daily remind us. Over the past several years, members of the Reserve components have annually provided more than 12,500,000 workdays of contributory support to our Active component forces. Truly the level of our military operations is remarkable. So, too, are our men and women of the uniformed services. Your bill will help recognize the value of these contributions and of the men and women who make them.

Again, let me thank you for sponsoring HR 1015. ROA appreciates your efforts and is pleased to offer our full support.

Sincerely,

JAYSON L. SPIEGEL,
Executive Director.

ENLISTED ASSOCIATION OF THE NATIONAL GUARD OF THE UNITED STATES,
Alexandria, VA, March 19, 2001.

Hon. JO ANN DAVIS,
Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVE DAVIS: On behalf of the enlisted men and women of the Army and Air National Guard, the Enlisted Association of the National Guard of the United States (EANGUS) wishes to thank you for introducing H.R. 1015, a bill to increase the amount of Servicemember's Group Life Insurance paid to survivors of servicemembers who died in the performance of duty recently.

Although an increase was signed into law last November, the increase doesn't go into effect until April 1. Your bill would cover those who died in the recent tragedies and ensure that their survivors will receive the new maximum benefit.

EANGUS fully supports this bill. Thank you for your efforts on behalf of our uniformed men and women who serve their country and sometimes pay the ultimate price in that service.

Working for America's Best!

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

MARCH 16, 2001.

Hon. JO ANN DAVIS,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE DAVIS: On behalf of the members of the National Order of Battlefield Commissions, I wish to extend our support for H.R. 1015, a bill to provide for an increase in the amount of Servicemember's Group Life Insurance (SGLI) paid to survivors of members of the Armed Forces who died in the performance of duty between October 1, 2000, and April 1, 2001.

Your legislation provides an important and timely correction in the implementation of the recent increase in SGLI coverage from $200,000 to $250,000. The legislation is also consistent with action taken to increase SGLI after operational accidents such as the Gander, Newfoundland disaster. H.R. 1015 will ensure that those not covered at the higher SGLI level during the period between passage and implementation of the increase authorized under P.L. 106–416 will now be covered.

With the increased level of operations for all members of the Armed Services, tragic accidents are occurring more frequently. From the U.S.S. *Cole* to the most recent crash of an Air National Guard plane, our servicemen and women risk their lives on a daily basis. The severity of these incidents serve as a reminder that liberty is not procured without the constant vigilance of our servicemembers.

The members of the National Order of Battlefield Commissions greatly appreciate your leadership on this issue. We offer our full endorsement of H.R. 1015, a bill that will help surviving family members meet critical needs following the tragic losses of their loved ones to recent terrorist attacks or training accidents.

Sincerely,

ROBERT C. EVANS,
Washington Representative.

Mr. EVANS. Mr. Speaker, I yield 5½ minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, let me begin by thanking the gentleman from New Jersey (Mr. SMITH), for including part of the Veterans Right to Know Act in the legislation we are considering today. The leadership and dedication of the chairman of the committee to our veterans over the last 20 years has improved the lives of veterans across the United States.

Let me also extend my gratitude to the gentleman from Illinois (Mr. EVANS), our ranking member, for his support of my legislation. These two gentlemen set the proper tone for bipartisanship, which should be recognized, along with the subcommittee folks, the gentleman from Arizona (Mr. HAYWORTH) and the gentleman from Texas (Mr. REYES), and also thank them for inviting us to testify before the subcommittee.

This legislation I am so proud to be a part of, the first piece of veterans legislation to reach the House floor, Mr. Speaker. I would like to speak in support of that portion which both the chairman and ranking member spoke of before, part of the Veterans Right to Know. This legislation makes great strides in improving benefits and outreach to our veterans and their dependents. I would also like to acknowledge important provisions in the legislation that were based on the gentleman from Pennsylvania's (Mr. DOYLE) veterans' outreach legislation. We worked together to ensure that every veteran has the benefits they deserve, and we will continue this work in the future.

To be quite frank, the lack of information available to veterans and their families about their benefits and services that they are eligible for has reached crisis proportions. In a recent national survey conducted by the Department of Veterans Affairs, it was indicated that less than half of the veterans contacted were aware of what benefits they were eligible for. We cannot accept that on the floor of the House, in the House of the people.

A survey that I did in my own district, the 8th Congressional District of New Jersey, showed that over half of those answering had no understanding of their benefits, no one had ever reached out to them, no confidence in the VA to deliver the information in the first place. These veterans signed a contract when they went into the service to defend us; and as a veteran I say this, and I know the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. EVANS) feel the same way. Well, what happened to this contract when they left the service? What happened to the people and their families who now many times after death are going to the VA and saying gee, we did not know this, we did not know this.

This is a sacred covenant America has with its veterans, one that we must keep. Too often our Nation's heroes are not adequately informed as to what benefits they are entitled to receive or how to obtain those benefits. Everyone in this Congress would agree that this is simply unacceptable. Veterans across America and I are grateful to the gentleman from New Jersey (Mr. SMITH) for his Veterans' Opportunities Act. It includes a portion of legislation, title II, section 205, which will inform veterans about benefits and health care services. We are not doing veterans any favor, Mr. Speaker. This is our obligation.

The gentleman from New Jersey's measure also includes the portion of legislation that would require the VA to assist widows and survivors of veterans by informing them at the time of a burial request or application for life insurance proceeds about the full array of dependent benefits.

Today is a victory for veterans everywhere, but it is just the beginning. The plan that I have asked for, and hopefully will finally be enacted, would specify how the VA will identify veterans who are not enrolled or registered with the VA for benefits or services and require that the VA consult with the veterans services. How can we talk to the veterans about what they are eligible for if we do not start at the grass-roots of the organization that the gentleman from New Jersey (Mr. SMITH) spoke of before? All of those organizations, the Veterans of Foreign Wars, American Legion, the Disabled American Veterans, the Jewish War Veterans, et cetera, Vietnam Veterans, Disabled Veterans, if we do not turn to them, how can we really fulfill this covenant that we are talking about here?

Abraham Lincoln spoke of his responsibility in his second inaugural address saying, ''We must care for him

who shall have borne the battle and for his widow and for his orphan.''

Mr. Speaker, I thank the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. EVANS) for doing America proud.

Mr. EVANS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I again want to thank the gentleman from New Jersey (Mr. PASCRELL) for his very kind remarks and for his donation to the bill, particularly as it relates to informing our servicemen prior to discharge.

Mr. Speaker, I yield the remaining 2 minutes to the gentleman from Illinois (Mr. KIRK), my good friend and colleague.

□ 1445

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

Mr. Speaker, I would say, first of all, talk about hitting the ground running, as the new chairman of the Committee on Veterans' Affairs, the gentleman is bringing this legislation so quickly to the House floor. When I described this legislation at my recent veterans' town hall meeting in north Chicago, Illinois, it got a standing ovation and is strongly supported. For us, hitting the ground running on veterans' issues is, I think, a crucial in paying our debt to the greatest generation for what they gave to our country.

Mr. Speaker, if there was a veterans caucus here in the Congress, including the veterans of Bosnia, Kosovo, and Operation Northern Watch in Iraq, I would be it. As a veteran of the most recent conflicts, we pay homage to those who served before us in much more difficult and arduous conflicts.

I have to really give my thanks to those men and women who introduced me and educated me on the importance of veterans' care: Larry Jenkins of the AFGE, shop steward in north Chicago; Johnny Allen, our Lake County Veterans Assistance Commission member; Al Pate, our very able director of the north Chicago VA Medical Center.

I want to say how strongly I feel about the need for bipartisan cooperation, and really hail the gentleman from Illinois (Mr. EVANS) for his leadership on this issue. For us in the north Chicago VA medical system, we really need this health care. We really need to expand benefits in the way that H.R. 801 outlines, in order to pay a debt that is owed for all of the freedoms that we enjoy.

We know, and the current data shows, that the children of military families overwhelmingly are those who sign up to provide the new duty, so the children of the men and women who protect us now will be those who protect us in the future. Making sure that we honor the debt and promise that we gave to them under President Lincoln's mandate is a crucial thing for me in my service here.

I want to salute the gentleman from New Jersey (Chairman SMITH), and urge all Members to support this legislation.

Mr. LANGEVIN. Mr. Speaker, today I rise in strong support of the Veterans' Opportunities Act. I commend our veterans who have made such significant sacrifices to preserve this Nation and protect the freedoms we cherish.

Many people do not realize just how many veterans are among us: 19,520 war veterans, 1,854 Persian Gulf veterans, 8,177 Vietnam Era veterans, 4,257 Korean Era veterans, and 6,002 World War II veterans. In supporting the Veterans' Opportunities Act today, I pay homage to the more than 25,000 veterans in this nation.

I am particularly proud to vote for this legislation because it takes critical steps toward strengthening the Veterans Affairs Department. It expands payout amounts for several VA death and retirement benefits and extends coverage under the Servicemembers' Group Life Insurance program to dependent spouses and children. It also increases the maximum allowable annual ROTC award for benefits under the Montgomery GI Bill and expands the VA's work-study program for veterans who are students. Moreover, the Veterans' Opportunities Act increases funding for the automobile and adaptive equipment grant for severely disabled veterans and allows the disabled spouse or surviving spouse of a severely disabled service-connected veteran to receive special restorative training—both of these provisions are vital to many of my constituents. Finally, this legislation makes these much-needed changes retroactive to October 1, 2000, for service members killed in the line of duty. This language ensures that the service members killed in the terrorist attack on the USS *Cole* last October are covered.

I applaud the tireless efforts of the Chairman and Ranking Member on behalf of America's veterans over the years. They have succeeded in producing valuable legislation that will help those who need and deserve these services the most. I urge my colleagues to join me in voting for our veterans by voting for the Veterans' Opportunities Act.

Mr. DOYLE. Mr. Speaker, I rise today in support of H.R. 801, The Veterans Opportunities Act of 2001. I want to acknowledge Chairman SMITH, Ranking Member EVANS, Representative HAYWORTH, and Representative REYES for their steadfast commitment to fulfilling the promises we have made to our veterans and their families, and extend my sincere thanks for including portions of H.R. 336 as part of H.R. 801.

Throughout my six years on the Veterans Affairs Committee, I have been a strong supporter for protecting the viability, and ensuring the longevity of, the Department of Veterans Affairs. My primary concern has always been to improve veterans access to quality health care services and to insure they are delivered in a timely manner. But my focus on the need to provide appropriate support for the veterans health care programs has never clouded my awareness about the important roles that adequate support for VA construction projects and medical research play in addressing this concern in a serious, thoughtful, and effective manner. This is to say that we should always be mindful of how the Department works as a whole and be cautious about characterizing an issue as having just one facet or affecting just one type of individual. In my view, only if we remain sensitive to, and forthcoming about, how we can best implement changes to current practices to better serve the veterans community can we truly fulfill the mission of the Department of Veterans Affairs.

That is why I took great note of the first hand experiences relayed to me by members of the Veterans' Widows International Network (VWIN) when they visited my office a few years ago. At that time, members of the Network detailed personal difficulties they had endured and strongly advocated for the establishment of dedicated informational outreach services for surviving spouses and dependents of deceased veterans within the Department of Veterans Affairs. For those of you who are unfamiliar with this organization, VWIN was established in 1995 and has dedicated itself to reaching out to veterans' widows to inform them of benefits for which they might qualify, to provide them with a point of contact for processing their claims, and to keep them abreast of changes. The Network has done an admirable job in this respect, but if you are like me you are probably wondering why the Department isn't providing these services. There are a whole host of challenges that the Department could argue that preclude them from improving adequate access to, and the timely processing of, such information, including the assertion that they are already doing a good enough job in this respect. But that just isn't good enough and that is why Congress should make it a priority to pass H.R. 801, as well as both H.R. 336 and H.R. 511 in their entirety.

The heart of both H.R. 336, The Surviving Spouses and Dependents Outreach Enhancement and Veterans Casework Improvement Act, and H.R. 511, The Veterans Right to Know Act, is a belief grounded in the idea that one of our most basic responsibilities is to provide veterans and their family members with information about benefits to which they might be entitled. Indeed, the success of any initiative embarked upon sound levels of awareness and prudent oversight measures.

I want to sincerely thank Representative PASCRELL for being responsive to my concerns regarding the informational needs of surviving spouses and dependents when drafting the Veterans Right to Know Act. Their specific informational needs were initially addressed by language which would require the Department to provide information to dependents concerning benefits and health care services whenever a dependent first applies for any benefit under laws administered by the Secretary. This trigger mechanism is definitely a step in the right direction and I am pleased that it has been included in Section 205 of H.R. 801.

But what about the informational needs of all the surviving spouses and dependents of deceased veterans who would not retroactively be affected by this effort? My bill, H.R. 336, addresses this dilemma in a very straight forward and reasonable way. Specifically, it would (1) establish as a national goal to fully inform surviving spouses and dependents regarding their eligibility for benefits and health care services under laws administered by the Secretary of Veterans Affairs, (2) institute a legislative mandate that surviving spouses and dependents be included in the subset of populations targeted by the Department for outreach efforts, (3) require a full range of outreach efforts for surviving spouses and require dedicated staff at regional offices to assist with

their needs, and (4) require periodic evaluation of the Department's efforts to address the needs of eligible dependents. Given the concerns that spurred me to author H.R. 336, I am most appreciative that aspects of my legislation involving the expanded and clarified term of eligible dependent and the specific means by which the Department can meet their informational needs are identified in Section 204 of H.R. 801.

I would, however, have preferred to also see included the cooperative effort text of H.R. 336 which speaks to the importance of encouraging all elements within the Department to work with private and public sector entities—most notably veterans service organizations and veterans widows organizations—to inform surviving spouses and dependents of deceased veterans regarding their eligibility. I would also have liked to see language speaking to the need to have staff at the local level available to assist these individuals with filing a claim, reconstructing incomplete records, and bridging language barriers included. These represent follow-up efforts designed to ensure that individuals fully understand and properly utilize the information they receive.

In closing, I believe there are shortcomings in current outreach efforts conducted by the Department, and thus I support the related improving language contained in H.R. 801. I am pleased that members of the Committee have paid attention to the need to bolster the Department's outreach efforts and hope that H.R. 801 will be expeditiously signed into law.

Mr. BUYER. Mr. Speaker, I would like to thank you and Ranking Member EVANS for agreeing to ''Fast-Track'' H.R. 801, the Veterans Opportunities Act.

I am especially pleased because I represent a district that is rural, with a large agricultural base.

As such, I fully support the Veterans Opportunities Act, because it finally addresses the issue of ''means testing'' veterans' agricultural possessions.

In my district, many farmers are land rich, but lack liquid assets to readily pay for health care services at the Department of Veterans Affairs.

H.R. 801 will greatly assist in remedying this problem, and allow them the opportunity to access the VA Health Care system without being penalized.

In addition, I am pleased that this bill finally addresses the issue of allowing veterans to use their GI Bill education benefits for certain private technology entities.

This expansion of benefits will allow veterans to receive benefits for various certification type courses that have previously not been recognized.

As a result, veterans can now pursue nontraditional educational programs that usually require intense study and certification.

This will ultimately level the playing field for veterans by allowing to compete in the high-tech environment.

Lastly, this bill will increase the burial benefits for both service-connected and non-service-connected veterans.

This is truly important!

World War II veterans are dying at a rate of a thousand a day.

Many of these World War II veterans are living on fixed incomes, and the high costs of burying these veterans places a financial burden on their surviving spouses and families.

Mr. Speaker, this bill and its provisions are long overdue.

Again, I thank the Chairman and the Ranking Member for giving this bill such quick consideration early in the 107th Congress.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of H.R. 801, The Veterans Opportunity Act. The bill provides for essential benefits related to retirement privileges that our veterans desperately need. I am pleased that the legislation has swiftly come before the House for consideration.

H.R. 801 expands and increases payout amounts for several Veterans Affairs Department (VA) death and retirement benefits and extends coverage under the Service Members' Group Life Insurance program to dependent spouses and children.

The bill reflects a strong consensus in America that our veterans simply need to be taken care of. The legislation increases from $2,000 to $3,400 the maximum allowable annual ROTC award for benefits under the Montgomery GI bill; expands the VA's work-study program for veterans who are students; includes certain private technology entities as education institutions; allows a disabled spouse or surviving spouse of a severely disabled service-connected veteran to receive special restorative training; permits a veteran to use VA educational assistance benefits for a certificate program offered by an institution of higher learning by way of independent study; and provides for other needed necessities.

The measure contains other much-needed reforms. For instance, the bill expands the Service Members' Group Life Insurance (SGLI) program to include spouses and children. Upon termination of the SGLI, the policy could be converted to a private life insurance policy. Finally, the bill makes such changes retroactive to October 1, 2000, for service members killed in the line of duty.

Mr. Speaker, I urge my colleagues to support this important measure for our veterans.

The SPEAKER pro tempore (Mr. BASS). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 801, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 801, as amended.

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

There was no objection.

VETERANS HOSPITAL EMERGENCY REPAIR ACT

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 811) to authorize the Secretary of Veterans Affairs to carry out construction projects for the purpose of improving, renovating, and updating patient care facilities at Department of Veterans Affairs medical centers, as amended.

The Clerk read as follows:

H.R. 811

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Veterans Hospital Emergency Repair Act''.

SEC. 2. AUTHORIZATION OF MAJOR MEDICAL FACILITY PROJECTS FOR PATIENT CARE IMPROVEMENTS.

(a) IN GENERAL.—(1) The Secretary of Veterans Affairs is authorized to carry out major medical facility projects in accordance with this section, using funds appropriated for fiscal year 2002 or fiscal year 2003 pursuant to section 3. The cost of any such project may not exceed $25,000,000, except that up to two projects per year may be carried out at a cost not to exceed $30,000,000 for the purpose stated in subsection (c)(1).

(2) Projects carried out under this section are not subject to section 8104(a)(2) of title 38, United States Code.

(b) TYPE OF PROJECTS.—A project carried out under subsection (a) may be carried out only at a Department of Veterans Affairs medical center and only for the purpose of—

(1) improving a patient care facility;

(2) replacing a patient care facility;

(3) renovating a patient care facility;

(4) updating a patient care facility to contemporary standards; or

(5) improving, replacing, or renovating a research facility or updating such a facility to contemporary standards.

(c) PURPOSE OF PROJECTS.—In selecting medical centers for projects under subsection (a), the Secretary shall select projects to improve, replace, renovate, or update facilities to achieve one or more of the following:

(1) Seismic protection improvements related to patient safety (or, in the case of a research facility, patient or employee safety).

(2) Fire safety improvements.

(3) Improvements to utility systems and ancillary patient care facilities (including such systems and facilities that may be exclusively associated with research facilities).

(4) Improved accommodation for persons with disabilities, including barrier-free access.

(5) Improvements at patient care facilities to specialized programs of the Department, including the following:

(A) Blind rehabilitation centers.

(B) Inpatient and residential programs for seriously mentally ill veterans, including mental illness research, education, and clinical centers.

(C) Residential and rehabilitation programs for veterans with substance-use disorders.

(D) Physical medicine and rehabilitation activities.

(E) Long-term care, including geriatric research, education, and clinical centers, adult day care centers, and nursing home care facilities.

(F) Amputation care, including facilities for prosthetics, orthotics programs, and sensory aids.

(G) Spinal cord injury centers.

(H) Traumatic brain injury programs.

(I) Women veterans' health programs (including particularly programs involving privacy and accommodation for female patients).

(J) Facilities for hospice and palliative care programs.

(d) REVIEW PROCESS.—(1) Before a project is submitted to the Secretary with a recommendation that it be approved as a project to be carried out under the authority of this section, the project shall be reviewed by a board within the Department of Veterans Affairs that is independent of the Veterans Health Administration and that is constituted by the Secretary to evaluate capital investment projects. The board shall review each such project to determine the project's relevance to the medical care mission of the Department and whether the project improves, renovates, repairs, or updates facilities of the Department in accordance with this section.

(2) In selecting projects to be carried out under the authority provided by this section, the Secretary shall consider the recommendations of the board under paragraph (1). In any case in which the Secretary selects a project to be carried out under this section that was not recommended for such approval by the board under paragraph (1), the Secretary shall include in the report of the Secretary under section 4(b) notice of such selection and the Secretary's reasons for not following the recommendation of the board with respect to that project.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Veterans Affairs for the Construction, Major Projects, account for projects under section 2—

(1) $250,000,000 for fiscal year 2002; and

(2) $300,000,000 for fiscal year 2003.

(b) LIMITATION.—Projects may be carried out under section 2 only using funds appropriated pursuant to the authorization of appropriations in subsection (a), except that funds appropriated for advance planning may be used for the purposes for which appropriated in connection with such projects.

SEC. 4. REPORTS.

(a) GAO REPORT.—Not later than April 1, 2003, the Comptroller General shall submit to the Committees on Veterans' Affairs and on Appropriations of the Senate and House of Representatives a report evaluating the advantages and disadvantages of congressional authorization for projects of the type described in section 2(b) through general authorization as provided by section 2(a), rather than through specific authorization as would otherwise be applicable under section 8104(a)(2) of title 38, United States Code. Such report shall include a description of the actions of the Secretary of Veterans Affairs during fiscal year 2002 to select and carry out projects under section 2.

(b) SECRETARY REPORT.—Not later than 120 days after the date on which the site for the final project under section 2 is selected, the Secretary shall submit to the committees referred to in subsection (a) a report on the authorization process under section 2. The Secretary shall include in the report the following:

(1) A listing by project of each such project selected by the Secretary under that section, together with a prospectus description of the purposes of the project, the estimated cost of the project, and a statement attesting to the review of the project under section 2(c), and, if that project was not recommended by the board, the Secretary's justification under section 2(d) for not following the recommendation of the board.

(2) An assessment of the utility to the Department of Veterans Affairs of that authorization process.

(3) Such recommendations as the Secretary considers appropriate for future congressional policy for authorizations of major and minor medical facility construction projects for the Department of Veterans Affairs.

(4) Any other matter that the Secretary considers to be appropriate with respect to oversight by Congress of capital facilities projects of the Department of Veterans Affairs.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. EVANS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as chairman of the Committee on Veterans' Affairs, I rise in strong support of this legislation, H.R. 811, as amended, the Veterans Hospital Emergency Repair Act.

This bill would authorize the Secretary of Veterans Affairs to carry out urgently needed medical facility construction projects over the next 2 fiscal years, and would authorize appropriations of $250 million in fiscal year 2002 and $300 million in fiscal year 2003 for those projects.

I will briefly discuss the bill, and then would ask our distinguished chairman of the Subcommittee on Health, the gentleman from Kansas (Mr. MORAN), to provide a more detailed expansion explanation. He has done a great deal of work on this bill.

On March 1, 2001, Mr. Speaker, I introduced the Veterans Hospital Emergency Repair Act with our ranking member, the gentleman from Illinois (Mr. EVANS), and a number of our colleagues, including the gentleman from Kansas (Mr. MORAN).

We are concerned, Mr. Speaker, that the flow of appropriated funds for VA construction programs, at one time in the hundreds of millions of dollars every year, in recent years slowed to barely a trickle, and then bottomed out last year.

No funding was provided through the appropriations process for VA major construction in fiscal year 2001. However, as construction funding for veterans' hospitals and other medical facilities dried up, they continued to age. Hundreds of VA medical buildings are over 50 years old and have become rundown, substandard and, in some cases, unsafe.

Part of the reason funding has not been appropriated for construction projects has been the VA's Capital Assets Realignment for Enhanced Services, or CARES, initiative. CARES is expected to provide comprehensive planning for VA facilities across the country.

While the VA committee supports CARES, it is a phased process that could take 3 to 5 years to produce just the plans for some VA medical centers. Then it would take more time for projects to go forward through the authorization and the construction process.

Among these identified construction needs are some 67 VA buildings currently used by patients and staff that could be damaged or collapse in the event of an earthquake, including three that suffered damage several weeks ago at the American Lake Medical Center in the State of Washington.

Mr. Speaker, I think my colleagues know the urgency we are talking about. Hopefully it is self-evident to all of us. Our Nation's veterans simply cannot wait any longer, the CARES process notwithstanding. They need our health care today, as well as tomorrow. As a country we have obligations to these men and women who have served in the military uniform and have done so with honor, and deferring these obligations is the same thing as not keeping those obligations.

Mr. Speaker, as chairman of the committee, I am going to do my best to see that our veterans have high-quality health care in modern, well-maintained, and safe buildings. All of our committee members are together on this.

H.R. 811, as amended, is an important step that would provide a temporary authority to the Secretary to set aside for 2 years existing authorization requirements. It would allow the Secretary some discretion to approve repair projects based on recommendations of the VA Capital Investments Board.

This legislation, frankly, would depart from current authorization practice by effectively eliminating congressional influence in deciding how this money should be spent. We call it an emergency because it is.

I know the media likes to sometimes focus on pork in bills we consider. We hope that the Secretary of Veterans Affairs will make the most meritorious choices, those facilities that need repairs the most. Again, that is why we call it an emergency repair act.

The major veterans' organizations, Mr. Speaker, testified in support of this bill at the Committee on Veterans' Affairs' legislative hearing on March 13 of this year. The administration supports the bill, so long as it aligns with the President's overall budget.

I am very pleased, Mr. Speaker, and encouraged that the proposed budget resolution that we begin debating later on today fully accommodates the amount of money that we anticipate will be required to do this work.

Mr. Speaker, I would like to thank again, as I did on the previous bill, my good friend and colleague, the gentleman from Illinois (Mr. EVANS) and his staff, and our staff, as well, for working in a bipartisan way in ensuring that this legislation meets the needs of our crumbling infrastructure.

Finally, just let me say, there have been studies done as to what we actually have in the inventory of the VA; the Pricewaterhouse study, for example, done a couple of years ago. They estimated that we have about $35 billion worth of assets, and in order to keep those assets up and running and in fine shape, it would require about $700 million to $1.4 billion a year. We have been nowhere near that amount. Hence, we have a crumbling infrastructure crying out for repair, crying out

for the money, the down payment for which is contained in this legislation.

This is a modest bill, even though it is over half a billion dollars, a modest bill vis-a-vis the need, the unmet need, for repairing the physical infrastructure of the VA. If we want to care for veterans, if we want world-class health care for our veterans, we need the physical plant to accommodate that. This legislation takes us forward in that process.

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

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

Mr. Speaker, I rise in strong support for this piece of legislation. As an original cosponsor of it, I thank and commend the gentleman from New Jersey (Mr. SMITH) for his leadership on this issue.

I think this is about the 30th time today that the gentleman has been saluted, Mr. Chairman, and he deserves each and every one. We know what work he has put into this and his staff has put into this as we introduce the legislation. So we are really pleased that the gentleman has moved it quickly to the floor and has taken his leadership role.

The Veterans Hospital Emergency Repair Act provides an opportunity for needed construction of VA facilities to be completed in a more timely manner. I also want to thank the gentleman from Kansas (Mr. MORAN), the gentleman from California (Mr. FILNER), and the gentleman from Arkansas (Mr. SNYDER) for their important contributions to this legislation. This is a better bill because of their efforts.

The legislation addresses a serious problem. While the VA reviews facility needs for the future, there has been a virtual moratorium on major construction projects. The VA has 5,000 buildings that on average are 50 years old. Many of these facilities need substantial improvements to continue serving the needs of our veterans. Unfortunately, the de facto moratorium has placed veterans and VA employees at risk to just work in the hospital or to be a patient there.

H.R. 811 allows the VA to expedite selection, funding, and completion of smaller construction projects within certain guidelines developed by the committee. Prioritized projects will improve safety and support VA's capacity for the programs most important to its mission.

Mr. Speaker, clearly the House should support H.R. 811. I urge my colleagues to approve this measure.

Mr. Speaker, I rise in strong support of H.R. 811 and thank the gentleman from New Jersey, the Chairman of our Committee, for his leadership on this important legislation. As an original cosponsor of the Veterans' Hospitals Emergency Repair Act, I believe this legislation provides for undertaking many existing VA construction needs in a more timely manner.

Because of the willingness of the Chairman to fully consider and accept a number of suggestions offered during Committee consideration of this legislation, this bill has been improved and perfected. Our Ranking Member on the Subcommittee on Health, BOB FILNER, recognized this measure as originally proposed might not enable VA to address the system's many needs for seismic corrections. As a result, the bill now before the House is intended to allow several of the more expensive seismic projects to be undertaken promptly. The Ranking Member of our Subcommittee on Oversight and Investigations, VIC SNYDER also identified the need to address research facility construction needs as research is integral to the VA's patient care mission. As reported, this measure now includes research facilities as candidates for emergency repair and construction activities.

This legislation addresses a serious problem confronting VA. While VA is undertaking a process to review its infrastructure needs for the future, known as CARES (Capital Asset Realignment for Enhanced Services), there has been a virtual moratorium on its major construction projects. In a system with 5,000 buildings that have an average age of 50, it is clear that too little investment in infrastructure has taken place in recent years. The effect of this de facto moratorium likely has placed veterans and VA employees at risk as buildings age and deteriorate without necessary renovation and fortification.

From my perspective, the current construction funding process has clearly had a dampening effect on both the quality and quantity of projects that have been routed through and recommended by the agency. As major construction funds have virtually evaporated, VA employees have recognized proposals they develop are unlikely to be funded—not because they lack merit—but because of the lack of availability of funds. I believe that the availability of designated funding will encourage more proposals from facilities, thereby enhancing the quality of projects from which VA may select.

The legislation we are considering today will allow VA to expedite selection, funding, and completion of ''smaller'' construction projects it believes are in the best interest of the system within certain guidelines developed by the Committee. The Committee has prioritized projects that will improve facilities' safety and barrier-free access and develop its capacity for the programs most integral to its mission—blind rehabilitation, programs for the seriously mentally ill, substance use disorder treatment, other rehabilitation, long-term care, amputation care, spinal cord injury, traumatic brain injury, and women's health. These categories are largely consistent with the priority VA's Capital Investment Board now assigns to various construction projects it reviews. Within these priorities, it will be possible for VA to choose a range of projects that need not be held up by completion of the CARES process.

I believe it is appropriate to delegate the selection of these projects to VA as an interim approach until the system has results from its CARES process for a number of reasons. CARES will produce guidelines for restructuring system assets within market-basket areas—ultimately across the country. It is clear that some of the guidance it will produce will have significant implications for local markets, but some areas (those with only one VA medical center and high levels of acute workload) will be largely unaffected. VA also is aware of the areas (those in less populated areas whose mission has largely shifted to outpatient care and areas with more than one medical center) that may have some significant changes brought on by the CARES process. CARES may be a long-term project and projects must not be postponed indefinitely because of it.

While it is appropriate for the agency to make investments in locations that are likely to be less affected by the potential outcome of CARES, it is not appropriate to delay construction indefinitely awaiting the outcome of a process that may take a decade to complete. I am concerned that some networks, such as VISN 12, may be delaying any projects pending the outcome of the process there. I am hopeful there will be a reasonable proposal available for the Chicago area soon, however, options for this area have been considered for almost a decade. Viable construction projects, such as replacement of the badly deteriorated blind center at Hines, must be advanced to uphold safety standards and assure quality.

I understand that, within the guidelines of this legislation, the Department will have more authority. It is my hope that Headquarters use a centrally guided and administered process, such as the Capital Investment Board, to select those projects it believes best advance the mission of the agency overall. It should not be a process which allocates funds to networks for use at the directors' discretion. We have seen, on too many occasions that allocation of funds requested by the agency for special initiatives, such as waiting times or Hepatitis C, may not be used for these purposes.

Any construction planning exercise inevitably leads to the question of mission. What should VA be doing now and in the future? To be sure, the veterans' health care system has undergone many changes in the last few years—some reflect better practices from the private sector; some have redefined longstanding VA programs, such as mental health and long-term care, throughout the system, and perhaps not for the better.

To the extent that construction planning and the CARES process do not adequately ''maintain the capacity'' of VA's long-term care programs and services for veterans with special disabilities, I believe VA's planning outcomes will continue to face opposition from Congress and the veterans who have come to rely upon VA for its health care services. We cannot turn back the clock on these services, but we must ensure that adequate resources are available to meet veterans' needs—if not on an inpatient basis than in the community or home.

I have heard from one network director who believes it is not his responsibility to ''maintain capacity''. Unfortunately, it is evident from the October 2000 Capacity Report that he is not alone in believing that the maintenance of capacity does not apply to him. The report shows that VISNs 3 and 21 have not maintained capacity in the number of patients they treat for spinal cord injury. VISNs 3 and 22 have significantly reduced their blind rehabilitation workloads. Only a few networks have bolstered traumatic brain injury workloads or dollars.

I am most concerned about VA's substance abuse treatment capacity for mentally ill patients. It's not just about dollars which are overall 64 percent of the funds spent for these services in FY 1996. Very few networks treated as many individuals with serious mental illnesses for substance use disorders in fiscal

year 1999 as in fiscal year 1996. This disturbing trend must be reversed now.

I am also concerned about long-term care capacity. There is no question that VA has closed a number of its nursing home beds in recent years and diverted the mission of many others to subacute or rehabilitative care. VA is in the process of identifying measures that indicate its maintenance of capacity. VA long-term care programs have been considered one of its finest activities. If VA is to be responsive to veterans needs and not just duplicate services that may already be available to them in the private sector, it must continue to make these services a priority in its infrastructure and resource utilization plans.

Mr. Speaker, there is clearly a need for approving H.R. 811 to begin to facilitate addressing some of many existing infrastructure needs within VA. I am pleased to recommend to this body the approval of the Veterans' Hospitals Emergency Repair Act.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. MORAN), the distinguished chairman of our Subcommittee on Health.

Mr. MORAN of Kansas. Mr. Speaker, I would like to express my gratitude to the chairman of the committee, the gentleman from New Jersey (Mr. SMITH); our ranking member, the gentleman from Illinois (Mr. EVANS); and the gentleman from California (Mr. FILNER), our ranking member of the Subcommittee on Health Care, for their leadership on this legislation.

The Veterans Hospital Emergency Repair Act is very much a bipartisan measure. Health care for our American veterans is a high priority for this Congress, and that is demonstrated by this legislation being on the floor so early in this Congress.

Presenting this bill and the earlier benefit measure, H.R. 801, prior to our spring district work period shows we are dedicated to attempting to do what is right for America's veterans and doing it early in this Congress.

H.R. 811 provides us a map out of the forest, authorizing the VA to improve and upgrade veterans' hospitals with smaller projects while the VA and Congress decide the larger question about what to do for veterans' facilities in the longer term. We should not halt facility maintenance and improvements while the VA takes several years to come to decisions on redeployment of old VA facilities.

A variety of factors have combined to result in a de facto moratorium on VA medical facility construction. Last year only one project was proposed, and no projects were funded. As the gentleman from New Jersey (Chairman SMITH) indicated, the Committee on the Budget has supported the committee's underlying basis of this bill. Two of the members of our Committee on Veterans' Affairs sit on the Committee on the Budget, the gentleman from Florida (Mr. CRENSHAW) and the gentleman from South Carolina (Mr. BROWN). The Committee on Veterans' Affairs appreciates their support for this measure within the deliberations of the Committee on the Budget.

The key components of H.R. 11 are, it authorizes the Secretary of Veterans Affairs to carry out major medical facility maintenance and rehabilitation projects during the next 2 years, and authorizes appropriations of $250 million in the fiscal year 2002 and $300 million in fiscal year 2003 for those purposes.

This bill also authorizes the Secretary to select patient care projects and, in certain circumstances, VA research facilities for such construction under this authority, not to exceed $25 million for any single project, with the exception that the Secretary could authorize up to $30 million for two seismic correction projects.

This legislation limits the types of projects that could be funded under the authority to those that would improve, replace, renovate, or update facilities, including research facilities, for patients' safety, seismic protection, improvements, and accommodations for those with disabilities.

The Secretary would be authorized to improve the various high-priority specialty disability programs within the Department, such as spinal cord, blind rehabilitation, traumatic brain injury, programs for seriously mentally ill. These veterans also deserve decent and upgraded facilities.

This legislation requires the Secretary to consider recommendations to the VA Independent Board that reviews capital investment proposals in selecting projects under the Secretary's authority.

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And this legislation permits the Secretary to use Advanced Planning Funds to design programs selected by him under the purposes of this bill.

Mr. Speaker, this bill provides for accountability. It requires the Secretary and the Comptroller General to report to Congress the projects selected under this authority, their purposes and their costs and the results of the authorization process and recommendations for amending or extending that authority so that Congress will have full opportunity to watch what the VA does with this new authority.

Again, let me thank the gentleman from New Jersey (Mr. SMITH), chairman of the Committee on Veterans' Affairs, for his leadership and compliment his assertiveness in the Committee on Veterans' Affairs.

Mr. Speaker, the new Committee on Veterans' Affairs is making a good start in the 107th Congress under the gentleman's leadership.

Mr. Speaker, I also look forward to working closely with the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. EVANS), ranking member of the Committee on Veterans' Affairs, and also to the gentleman from California (Mr. FILNER), the ranking member on the Subcommittee on Health in advancing VA health care in the 107th Congress.

Mr. EVANS. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Speaker, I thank the gentleman from Illinois (Mr. EVANS) for yielding the time to me.

Mr. Speaker, I rise today also in support of the Veterans Hospital Emergency Repair Act. I, too, want to thank the gentleman from New Jersey (Mr. SMITH), Chairman of the Committee on Veterans' Affairs, and the gentleman from Illinois (Mr. EVANS), the ranking member, and the gentleman from Kansas (Mr. MORAN), chairman of the Subcommittee on Health, for their leadership in developing what I think is a very important bill.

Mr. Speaker, I particularly want to thank the gentleman from New Jersey (Mr. SMITH) for supporting a provision that I strongly advocated to allow more seismic correction projects to be completed.

VA's Capital Investment Board has given the San Diego VA Medical Center one of its highest priorities for funding in the fiscal year 2000, but this project and many other seismic projects have exceeded the threshold the original bill would have authorized.

Mr. Speaker, I am pleased that the amendment on the floor today allows the Secretary of Veterans Affairs to identify four seismic projects that exceed the $25 million threshold by as much as $5 million and use this authority to address them in fiscal years 2002 and 2003.

The damage sustained, Mr. Speaker at the VA Puget Sound Health Care system in Seattle, Washington recently reminds many of us of the risk and disruption that VA staff and veterans using VA services may experience as a result of an earthquake. Sadly, we were also reminded of the tragedy experienced back in 1971, when 46 VA patients lost their lives during the San Fernando earthquake.

The VA has identified more than 60 projects that require seismic fortification. We cannot continue to turn our heads while VA patients and employees are in harm's way. The damage sustained at Puget Sound might typify the type of damage we would see up and down the West Coast in the event of seismic activities, at Palo Alto, at Long Beach, at San Francisco, at West Los Angeles and, of course, at San Diego. San Diego's VA Medical Center requires new exterior bracing and enhancements to the existing seismic structures. The costs of not completing these projects, Mr. Speaker, may be measured in lives, rather than in dollars.

Again, I would like to thank the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. EVANS) and the gentleman from Kansas (Mr. MORAN) for working on this much-needed legislation.

Mr. Speaker, I urge all of my colleagues to vote for H.R. 811.

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, and I, again, want to thank the gentleman from New Jersey (Mr. SMITH) for yielding the time to me.

Mr. Speaker, I also want to, along with the others, recognize the leadership of the gentleman from New Jersey (Mr. SMITH) for advancing this bill to final passage so early in our new Congress, along with, of course, the gentleman from Kansas (Mr. MORAN), chairman of the Subcommittee on Health, who has been ill and had to go out of his way to get here in time to speak here today.

Mr. Speaker, the Committee on Veterans' Affairs looks to the Capital Asset Realignment for Enhanced Services, which we fondly refer to as CARES as a map for restructuring VA capital facilities and to enhance services to veterans. That is good, Mr. Speaker.

In fact, my colleagues may recall that VA's CARES program was developed as an adaptation of early language in one of our bills, H.R. 2116, in the last Congress.

CARES should eventually reach all the major facilities, but some VA medical centers are not going to have the benefit of the results of these studies any time soon. VA has a list of patient care and research buildings that need upkeep, replacement, restoration and modernization. Some of these projects are shown in our bill report filed yesterday, which we know that VA is doing some of its heavy maintenance work by using minor construction and maintenance accounts, but funds Congress appropriates for small-scale maintenance and routine upkeep should not be bundled and used to support major construction requirements.

VA spending is still a ''zero sum gain'' and in the long run managing this way poorly serves veterans and VA. Even with such creative juggling of accounts, VA is falling behind. Many of VA's 4,700 patient-care buildings with a ''present replacement value'' of $35 billion, according to one report, are outdated. Frankly, some are beginning to look a bit threadbare, inefficient and very crowded. But it is more than the mere cosmetics, Mr. Speaker. As the gentleman from New Jersey (Mr. SMITH) pointed out, dozens of VA buildings currently in use could be damaged or even collapse in the event of an earthquake.

The Veterans Hospital Emergency Repair Act, the bill we are discussing here today, is an acknowledgment that much of the VA health care system is showing its age. The flow of appropriated funds for VA's construction programs, at one time in the hundreds of millions of dollars every year, has slowed to barely a trickle.

H.R. 811 would provide a temporary authority to the Secretary by setting aside for 2 years the existing Congressional authorization requirements. It would allow the Secretary to approve repair projects based on recommendations of VA's independent Capital Investments Board.

The bill provides strong guidance to the Secretary to give priority to projects that improve, restore, replace, and repair patient care facilities, facilities housing VA's special programs, facilities needed by VA's women patients and facilities that are at risk of seismic failure or other dangers, including VA's research facility.

Mr. Speaker, the Committee on Veterans' Affairs has concluded that VA has urgent construction needs that are not being met. Reported conditions at various VA medical centers tell the story best, crowded and inadequate treatment areas, unsafe conditions that impact quality of care, lack of maintenance and improvements and patient care buildings that clearly need seismic corrections for patients' and staff safety.

The bipartisan bill that we consider today authorizes VA to identify and remedy some of the most serious problems so that quality and safety may be maintained, or if need be, restored.

Mr. EVANS. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Speaker, I just rose on the previous measure to stress the importance of improving educational, burial, and outreach programs for the departing service members, veterans, and their dependents.

There exists another matter which deserves our immediate attention, the state of our patient care facilities in the VA health care system.

The Veterans Hospital Emergency Repair Act authorizes $550 million over the next 2 years for major VA medical facility construction projects.

The Secretary of the Veterans Affairs will be given discretionary authority to improve, repair and renovate dilapidated patient care facilities, including some research centers.

To ensure that the process selecting these construction projects does not get caught up in politics, I am pleased also to see the accountability provisions that have been placed into effect.

The Secretary will be required to submit reports to Congress detailing which projects were funded and the criteria used to select these projects for funding purposes.

There is no doubt that H.R. 811 is only a short-term solution to improving the VA infrastructure, which in this case is 50 years old. As the veterans' population gets older, their long-term health care needs become even more acute.

It is imperative that the VA hospitals and the clinics be maintained to provide the quality of care our veterans need and deserve. Congress, therefore, must make a long-term financial commitment to address the VA construction and renovation needs.

This is a first step. And I know we all recognize the importance of this step, but we also recognize how much farther we need to go.

Mr. Speaker, and I want to take this opportunity in closing to congratulate the gentleman from New Jersey (Mr. SMITH), chairman of the Committee on Veterans' Affairs, on his efforts; and I know, in quoting the gentleman, that the infrastructure is crumbling, and there is need for more resources.

I look forward to continuing to working with the chairman and also the gentleman from Illinois (Mr. EVANS), the ranking member on the Committee on Veterans' Affairs, as well as the gentleman from California (Mr. FILNER) and the gentleman from Kansas (Mr. MORAN) on their efforts.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. GILMAN), a good friend.

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

Mr. GILMAN. Mr. Speaker, I thank the gentleman from New Jersey (Mr. SMITH) for yielding me the time.

Mr. Speaker, I am pleased to rise today in strong support of H.R. 811, the Veterans Hospital Emergency Repair Act, and I urge my colleagues to join in full support of this important legislation.

Mr. Speaker, I want to commend the gentleman from New Jersey (Mr. SMITH) our distinguished Chairman of the Committee on Veterans' Affairs, and the gentleman from Illinois (Mr. EVANS), the ranking minority member on the Committee on Veterans' Affairs, for bringing this measure to the floor at this time.

This bill authorizes $250 million in fiscal year 2002, $300 million in fiscal year 2003 to the Department of Veterans Affairs for major long overdue medical facility construction projects.

Furthermore, it authorizes our VA Secretary to select patient-care projects for construction, which are not to exceed $25 million for any one project. The VA's Secretary is also authorized to improve the various high-priority special disabilities programs, which is so urgently needed.

Over the last few years, the VA has found it increasingly difficult to obtain funding to update, to modernize, and repair its medical facilities as they treat a record number of veterans who are using the veterans medical facilities throughout the Nation. In order to address this problem, the VA initiated the Capital Assets Realignment for Enhanced Services, CARES, study to see how best VA services could be enhanced. However, this study is not going to be completed for several years and will not be able to enhance the VA budget for fiscal year 2002.

Recent annual budgets for VA health care have had little or no funding for major medical construction projects. Only one such project was requested in fiscal year 2001, and no funds were appropriated by the Congress for this period, despite the fact that $115.9 million was authorized for construction efforts.

Mr. Speaker, it is critical that we act swiftly to address the immediate funding shortage within the VA for capital construction projects. Accordingly, for that reason, I strongly support this bill and I urge its immediate passage.

Mr. Speaker, I want to thank the gentleman from New Jersey (Mr. SMITH) for bringing it to the floor at this time.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, I rise in strong support of H.R. 811, and I am happy to see it is in a bipartisan fashion. It is so much more to come to the well when we are not throwing slings and arrows at each other.

Secretary Principi is from San Diego, and he knows full well the problems we have with seismic problems in the State of California. This will go a long way, but I would like to thank the gentleman from New Jersey (Mr. SMITH), chairman of the Committee on Veterans' Affairs and the gentleman from Illinois (Mr. EVANS), the ranking member for working on this bill.

Mr. Speaker, I would also have a plea to my colleagues that subvention for our veterans TRICARE are merely still Band-Aids, especially if you live in a rural area. I feel that if we work on an FEHBP bill that gives access to all veterans, it will be much better off.

Since I am not on the committee, I would also like to speak to the gentleman from New Jersey (Mr. SMITH) that we once had a male-dominated military force, and since then, it is men and women, especially women at a much higher rate, which means our facilities need to be upgraded with the increased number of women serving in our Armed Forces that are retiring; that health care is important and there is especially needs to that.

I would like to mention one other area that I hope the committee addresses. Over 50 years ago, and I think this is also in a bipartisan fashion, General MacArthur promised our fellow Filipino Americans they would have health care. That promise has not been held.

My colleagues on both sides of the aisle are working currently with Filipino health care from a time of Corregidor and Baguio when they gave their lives for the Filipino Islands and for the United States and their service to the United States, I think it is fair time that we bring that forward.

There is other things that help them, Impact Aid, COLAs for the veterans in active duty and a partnership that we have in San Diego where the Children's Hospital with UCSD working with our current VA medical facility, those kinds of things are helping, but I still feel, Mr. Speaker, we still have a long way to go in supplying and providing our veterans with adequate health care.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

First of all, let me just again thank the gentleman from Illinois (Mr. EVANS) and all the Members who have helped fashion this legislation.

I especially want to thank our staff: Pat Ryan, our general counsel and staff director; Kingston Smith; Jeannie McNally; Darryl Kehrer; Paige McManus; John Bradley; Sarah Shigley; Michael Durishin; Debbie Smith; Todd Houchins; Beth Kilker; Susan Edgerton; Mary Ellen McCarthy; Sandra McClellan; and Jerry Tan. I hope I did not miss anybody, but it really does make a difference to have staff and Members working so well together.

These two pieces of legislation, in all candor, would not be possible without the good work of our very professional staff, and I want to thank them very deeply; all the veterans are better served because of the expertise, as well as the compassion of our staff. I want to thank them for their work.

Mr. CRENSHAW. Mr. Speaker, I rise in strong support of two important bills under consideration today, both of which are important to maintaining our commitment to our nation's veterans.

The first, the Veterans' Opportunities Act makes great strides in improving the benefits we provide to veterans. Whether they are for disability or housing or education or burial, these benefits are but a small token of the gratitude that we owe them for their service to our nation. H.R. 801 runs the gamut of these programs, addressing inadequacies in pensions and transitional programs, education and work-study programs, and burial and funeral allowances.

By maintaining good benefits, Mr. Speaker, we also help our armed services to recruit and retain the very best. We must never forget that for all the expensive weaponry and high-tech gadgetry, the men and women who wear the uniforms are the backbone of our military.

In that respect, perhaps the most important provision of this bill is one that makes retroactive an increase in the maximum annuity available to servicemembers' families through the Servicemembers' Group Life Insurance (SGLI). Though this increase was signed into law on November 1, 2000, the effective date of this increase is not until April 1, 2001. Regrettably, for many of our servicemembers and families—most notably, the 21 National Guard members killed in a plane crash earlier this month, the 17 sailors killed in the terrorist bombing of the U.S.S. *Cole*, and personnel lost in training accidents in Hawaii and Kuwait—this is too late.

For all these reasons, I urge my colleague to support H.R. 801. But, I also rise in strong support, Mr. Speaker, of the second veterans' bill on the floor today, the Veterans' Hospital Emergency Repair Act.

The Veterans' Health Administration operates the largest federal health care delivery system in the country with 172 medical centers, 409 domiciliaries, 132 nursing homes, and 829 outpatient clinics. In 1999, these providers treated 3.6 million veterans.

Just as our veterans have been aging, so too has the infrastructure this grateful nation established to care for them. So many of the hospitals and facilities to which these veterans must go for care are simply unsafe or clearly distressed. We must not sacrifice the health and welfare of our veterans in such facilities.

The Veterans' Hospital Emergency Repair Act would complement an ongoing review within the Veterans' Health Administration, the Capital Asset Realignment for Enhanced Services (CARES). To borrow a phrase from the President's address to Congress last month: Our veterans health vision should drive our veterans health budget.

Congress made an informed decision in its last session to move the veterans' health system into the 21st century by enacting the Veterans' Millennium Health Care and Benefits Act. CARES, is a realistic way to determine how we move from the old system of medicine that revolved around hospital-based care to the new which relies upon outpatient and community-based care without sacrificing quality and without sinking dollars into infrastructure that we can reasonably expect to fall by the wayside. H.R. 811 can help to make that happen.

Mr. Speaker, I want to thank Veterans' Committee Chairman CHRIS SMITH and Ranking Member, LANE EVANS, for their leadership in moving both H.R. 801 and H.R. 811 to the floor so quickly. I urge my colleagues to support both these bills.

Mr. REYES. Mr. Speaker, as an original cosponsor and strong supporter of H.R. 811, the Veterans Hospital Emergency Repair Act, I am pleased that this bill is being considered today. Like any large organization, the Department of Veterans Affairs has many facilities which, as they age, require periodic repairs to assure that patients are cared for in an appropriate, safe, accessible setting.

Our Nation's veterans need to be assured that their care will not be jeopardized because funds are not available to make necessary and appropriate emergency repairs. This bill will provide that assurance.

I thank Chairman SMITH and our Ranking Democratic Member Mr. EVANS, as well as the Chairman and Ranking Democratic Member of the Subcommittee on Health, Mr. MORAN and Mr. FILNER for this timely bill. I urge my colleagues to support it.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 811, Veteran's Emergency Hospital. This legislation cures a shortfall in funding that should have been allocated to veterans last year.

No funding was provided through the appropriation process for Veterans Affairs Department (VA) major construction in FY 2001, despite Congress having authorized $116 million for four major projects. This occurred partly because the appropriators chose to wait for the VA's ''Capital Assets Realignment for Enhanced Services,'' or CARES initiatives, to deliver a plan for alternative uses of un-needed VA facilities. That plan, however, may take a number of years to complete. In the meantime, the VA is funding its building projects by using the minor-construction, minor-miscellaneous and non-recurring maintenance accounts.

H.R. 811 basically authorizes as much as $250 million in fiscal year 2002 and $300 million in fiscal year 2003 to fund various major medical facility construction projects. The measure actually authorizes the VA to select patient care projects for construction and cap

project costs at $25 million for any single project, except for seismic corrections. The bill specifies that the authorized funds should improve, replace, renovate or update facilities, including research facilities that need to be upgraded.

The measure also requires the VA to consider recommendations of the department's independent board for capital investments in selecting projects; to permit it to use the Advance Planning Fund to design projects selected under this bill; and requires the VA and the General Accounting Office to report to Congress on projects selected under the new authority, their purposes and costs, the results of the authorization process, and recommendations for changing this authority as needed.

I urge my colleagues to support the legislation.

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Mr. SMITH of New Jersey. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BASS). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 811, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 811, as amended.

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

There was no objection.

REPORT OF CORPORATION FOR PUBLIC BROADCASTING, CALENDAR YEAR 2000—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Energy and Commerce:

To the Congress of the United States:

Pursuant to section 19(3) of the Public Telecommunications Act of 1992 (Public Law 102–356), I transmit herewith the report of the Corporation for Public Broadcasting covering calendar year 2000.

GEORGE W. BUSH.

THE WHITE HOUSE, *March 27, 2001*.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 4 p.m.

Accordingly (at 3 o'clock and 16 minutes p.m.), the House stood in recess until approximately 4 p.m.

□ 1602

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PETRI) at 4 o'clock and 2 minutes p.m.

PROVIDING FOR EXPENSES OF CERTAIN COMMITTEES OF THE HOUSE OF REPRESENTATIVES IN THE ONE HUNDRED SEVENTH CONGRESS

Mr. NEY. Mr. Speaker, I ask unanimous consent that it be in order at any time on the legislative day of March 27, 2001, without intervention of any point of order, to consider House Resolution 84; that the resolution be considered as read for amendment; that the amendment in the nature of a substitute recommended by the Committee on House Administration now printed in the resolution be considered as adopted; and that the previous question be considered as ordered on the resolution, as amended, to adoption, without intervening motion except 1 hour of debate, equally divided and controlled by the chairman and the ranking minority member of the Committee on House Administration.

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

There was no objection.

Mr. NEY. Mr. Speaker, by direction of the Committee on House Administration, and pursuant to the order of the House just agreed to, I call up the resolution (H. Res. 84) providing for the expenses of certain committees of the House of Representatives in the One Hundred Seventh Congress and ask for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the resolution is considered read for amendment.

The text of House Resolution 84 is as follows:

H. RES. 84

Resolved,

SECTION 1. COMMITTEE EXPENSES FOR THE ONE HUNDRED SEVENTH CONGRESS.

(a) IN GENERAL.—With respect to the One Hundred Seventh Congress, there shall be paid out of the applicable accounts of the House of Representatives, in accordance with this primary expense resolution, not more than the amount specified in subsection (b) for the expenses (including the expenses of all staff salaries) of each committee named in that subsection.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $10,010,397; Committee on Armed Services, $10,847,677; Committee on the Budget, $11,221,912.71; Committee on Education and the Workforce, $15,590,870; Committee on Energy and Commerce, $18,813,475; Committee on Financial Services, $15,095,429; Committee on Government Reform, $21,842,000; Committee on House Administration, $7,859,306; Permanent Select Committee on Intelligence, $7,475,073.97; Committee on International Relations, $14,495,256; Committee on the Judiciary, $15,490, 248; Committee on Resources, $11,980,260; Committee on Rules, $5,370,773; Committee on Science, $12,254,301.50; Committee on Small Business, $4,798,783; Committee on Standards of Official Conduct, $2,921,091.20; Committee on Transportation and Infrastructure, $16,559,562; Committee on Veterans' Affairs, $5,273,013; and Committee on Ways and Means, $16,077,758.

SEC. 2. FIRST SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2001, and ending immediately before noon on January 3, 2002.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $4,918,497; Committee on Armed Services, $5,182,597; Committee on the Budget, $5,513,304.71; Committee on Education and the Workforce, $8,137,966; Committee on Energy and Commerce, $8,938,911.40; Committee on Financial Services, $7,568,506; Committee on Government Reform, $10,692,000; Committee on House Administration, $3,765,460; Permanent Select Committee on Intelligence, $3,660,021.59; Committee on International Relations, $7,003,845; Committee on the Judiciary, $7,595,624; Committee on Resources, $5,804,266; Committee on Rules, $2,644,509; Committee on Science, $6,000,079; Committee on Small Business, $2,312,344; Committee on Standards of Official Conduct, $1,383,708; Committee on Transportation and Infrastructure, $7,873,320; Committee on Veterans' Affairs, $2,576,765; and Committee on Ways and Means, $8,014,668.

SEC. 3. SECOND SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2002, and ending immediately before noon on January 3, 2003.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $5,091,900; Committee on Armed Services, $5,665,080; Committee on the Budget, $5,708,608; Committee on Education and the Workforce, $7,452,904; Committee on Energy and Commerce, $9,874,563.60; Committee on Financial Services, $7,526,923; Committee on Government Reform, $11,150,000; Committee on House Administration, $4,093,846; Permanent Select Committee on Intelligence, $3,815,052.38; Committee on International Relations, $7,491,411; Committee on the Judiciary, $7,894,624; Committee on Resources, $6,175,994; Committee on Rules, $2,726,264;

Committee on Science, $6,254,222.50; Committee on Small Business, $2,486,439; Committee on Standards of Official Conduct, $1,537,383.20; Committee on Transportation and Infrastructure, $8,686,242; Committee on Veterans' Affairs, $2,696,248; and Committee on Ways and Means, $8,063,090.

SEC. 4. VOUCHERS.

Payments under this resolution shall be made on vouchers authorized by the committee involved, signed by the chairman of such committee, and approved in the manner directed by the Committee on House Administration.

SEC. 5. REGULATIONS.

Amounts made available under this resolution shall be expended in accordance with regulations prescribed by the Committee on House Administration.

SEC. 6. ADJUSTMENT AUTHORITY.

The Committee on House Administration shall have authority to make adjustments in amounts under section 1, if necessary to comply with an order of the President issued under section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 or to conform to any reduction in appropriations for the purposes of such section 1.

The SPEAKER pro tempore. The amendment printed in the resolution is adopted.

The text of H. Res. 84, as amended, is as follows:

H. RES. 84

Resolved,

SECTION 1. COMMITTEE EXPENSES FOR THE ONE HUNDRED SEVENTH CONGRESS.

(a) IN GENERAL.—With respect to the One Hundred Seventh Congress, there shall be paid out of the applicable accounts of the House of Representatives, in accordance with this primary expense resolution, not more than the amount specified in subsection (b) for the expenses (including the expenses of all staff salaries) of each committee named in that subsection.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $9,607,006; Committee on Armed Services, $10,872,677; Committee on the Budget, $11,107,043; Committee on Education and the Workforce, $13,573,886; Committee on Energy and Commerce, $17,226,770; Committee on Financial Services, $11,846,231; Committee on Government Reform, $19,420,233; Committee on House Administration, $7,418,045; Permanent Select Committee on Intelligence, $6,955,074; Committee on International Relations, $12,672,626; Committee on the Judiciary, $13,166,463; Committee on Resources, $11,601,260; Committee on Rules, $5,370,773; Committee on Science, $10,628,041; Committee on Small Business, $4,798,783; Committee on Standards of Official Conduct, $2,871,091; Committee on Transportation and Infrastructure, $14,479,551; Committee on Veterans' Affairs, $5,142,263; and Committee on Ways and Means, $14,748,888.

SEC. 2. FIRST SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2001, and ending immediately before noon on January 3, 2002.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $4,675,093; Committee on Armed Services, $5,182,597; Committee on the Budget, $5,403,522; Committee on Education and the Workforce, $7,059,821; Committee on Energy and Commerce, $8,527,251; Committee on Financial Services, $5,705,025; Committee on Government Reform, $9,810,000; Committee on House Administration, $3,560,662; Permanent Select Committee on Intelligence, $3,407,986; Committee on International Relations, $6,202,095; Committee on the Judiciary, $6,339,902; Committee on Resources, $5,595,266; Committee on Rules, $2,644,509; Committee on Science, $5,172,668; Committee on Small Business, $2,312,344; Committee on Standards of Official Conduct, $1,358,708; Committee on Transportation and Infrastructure, $6,964,664; Committee on Veterans' Affairs, $2,516,765; and Committee on Ways and Means, $7,228,481.

SEC. 3. SECOND SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2002, and ending immediately before noon on January 3, 2003.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $4,931,913; Committee on Armed Services, $5,690,080; Committee on the Budget, $5,703,521; Committee on Education and the Workforce, $6,514,065; Committee on Energy and Commerce, $8,699,519; Committee on Financial Services, $6,141,206; Committee on Government Reform, $9,610,233; Committee on House Administration, $3,857,383; Permanent Select Committee on Intelligence, $3,547,088; Committee on International Relations, $6,470,531; Committee on the Judiciary, $6,826,561; Committee on Resources, $6,005,994; Committee on Rules, $2,726,264; Committee on Science, $5,455,373; Committee on Small Business, $2,486,439; Committee on Standards of Official Conduct, $1,512,383; Committee on Transportation and Infrastructure, $7,514,887; Committee on Veterans' Affairs, $2,625,498; and Committee on Ways and Means, $7,520,407.

SEC. 4. VOUCHERS.

Payments under this resolution shall be made on vouchers authorized by the committee involved, signed by the chairman of such committee, and approved in the manner directed by the Committee on House Administration.

SEC. 5. REGULATIONS.

Amounts made available under this resolution shall be expended in accordance with regulations prescribed by the Committee on House Administration.

SEC. 6. ADJUSTMENT AUTHORITY.

The Committee on House Administration shall have authority to make adjustments in amounts under section 1, if necessary to comply with an order of the President issued under section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 or to conform to any reduction in appropriations for the purposes of such section 1.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio (Mr. NEY).

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

Mr. Speaker, I am pleased to bring to the floor today House Resolution 84, the committee funding resolution for the 107th Congress. This resolution authorizes $203.5 million for 18 standing committees of the House and the Permanent Select Committee on Intelligence. It has been carefully crafted to adequately and responsibly fund committees, providing them with the means necessary to support their agendas, which is the agenda of the American people.

In their funding requests, committees requested $223.9 million for the 107th Congress, an increase of $40.5 million. This amounted to a 22.1 percent increase over the 106th authorized levels. Although it is important that committees have the necessary resources to support their workloads, it is also important to ensure we do it in a fiscally responsible manner. As a result, on a bipartisan basis, we have been able to cut more than 50 percent of the funds requested by committees from this resolution. The $20.1 million increase in this resolution, however, is fiscally responsible. This amount funds our priorities and is crucial to enacting the agenda of the U.S. House. It deserves the support of our Republican Members.

The increase also supports five special circumstances that exist due to the changes in committee structures and jurisdiction, providing for added staff and funding for the Permanent Select Committee on Intelligence, the Committee on Financial Services, the Committee on International Relations, and the Committee on Energy and Commerce. Without these special circumstances, the overall increase for the 107th Congress would have been 8.6 percent. The 107th Congress mark is still lower than the overall funding levels in the 103d Congress.

The resolution also reaches a long-sought-after goal that allocates one-third of resources in the committees to the minority. As a result, this, I feel, is the fairest allocation of resources to the minority since the 104th Congress began.

In the 103d Congress, while still in the minority, Republicans established a goal providing the two-thirds/one-third split as we referred to it for the committee staff and resources. Progress was made in each of the last three Congresses, and I want to give credit to the gentleman from California (Mr. THOMAS), who is now chairman of the Committee on Ways and Means, for working towards that goal. I believe that with this budget we have reached the goal.

A lot of work went into this, getting us to this point; and first I would like to thank a few people, and they would be first on the agenda the gentleman from Illinois (Mr. HASTERT), the Speaker of the House of Representatives, and his staff, Scott Palmer and Ted Van Der Meid, who worked so diligently to achieve this goal.

We also need to recognize today the committee chairmen and also the ranking members, and I know my distinguished colleague, the gentleman from Maryland (Mr. HOYER), will be also commenting on that situation; but we need to, I believe, Mr. Speaker, let the American people know that in the House of Representatives, as we talk about comity and as we talk about bipartisan work to have the institution of the House operate, we need to realize that these chairmen and ranking members work diligently to communicate with each other and to establish what we have here today.

Also, I would like to thank the Committee on House Administration staff:

Neil Volz, who is a staff director; Channing Nuss, Maria Robinson, Jeff Janice, and also Janet Giuliani and Steve Miller who are sitting here to my left and behind me. This is their swan song. They are going to be leaving the committee; and I do not know if we overworked them, Mr. Speaker, but they are actually going on to the Committee on Ways and Means with the gentleman from California (Mr. THOMAS). I do not know if we still have time for an amendment to strike some money from the Committee on Ways and Means budget so we can keep these two individuals. We can talk about that, I would say to the gentleman from Maryland (Mr. HOYER). But both of them have done a tremendous job, as all members have of this committee, and the staffs.

I also want to recognize the tremendous job of the ranking minority staff of the Committee on House Administration, Bob Bean and all of the staff members who worked on a cooperative basis with our office, with our staff, with all of their committee ranking members, as our staff worked with the chairmen of the committees, to also produce this resolution today.

I would also note, Mr. Speaker, that we also have a situation where we looked at the technology upgrades of the House, the hearing rooms for the committees; and the Committee on House Administration has determined, in consultation with the Speaker's office and with my distinguished colleague, the gentleman from Maryland (Mr. HOYER), that funds requested for hearing room upgrades should be removed from the normal committee funding process. We realize that most committee hearing rooms are in serious need of improvement, as many have not had improvements in decades. However, it is important there be a standardized approach from an institutional perspective to ensure that all upgrades are of a minimal technical standard, can be maintained by the House, and provide a base level on which we can build for the future. So I also believe this is very responsible in taking this approach as a committee.

Let me just close by noting two things: number one, the goal, and since technology has burst through in this country, the goal has been to take the House of Representatives and make sure that citizens can see their House, the people's House, in action in the committees. We have worked towards that. When we do that and we use all of the technology to video stream and to have hearings on the Internet, to take it out over the radio waves and, as a result, it does have an increased workload. There is also an attitude amongst the chairmen of the committees and the ranking members that they would like to do hearings, which I think is admirable. Not everybody can get in a car or hop in an airplane to come to Washington, D.C. So with these resources we feel this will be a tremendous start for the chairmen and ranking members to take the people's House out on the road, as we would say, and be able to have citizens from across the country see hearings in action and be able to get their input.

Now, the second thing I wanted to close with is also very, very important to me personally and I believe the institution of the House, and that is a comment I want to make about our ranking member, the gentleman from Maryland (Mr. HOYER). Achieving a budget takes cooperation. Getting to the two-thirds/one-third to make the House run as it should, it takes cooperation. It is not a one-way street. The ranking members of the Committee on House Administration and the majority members have given of their time through this process, each and every one of them has worked diligently to work with us to produce this.

But I have to publicly give accolades to the gentleman from Maryland (Mr. HOYER) because he did a yeoman's job in stepping up to the plate to make sure that the ranking members of the committee have the resources. He worked towards this goal that we had stated 6 years ago that we wanted to get to this point today, where we would be able to present this type of budget. But I just wanted to publicly point out that all of the ranking members really would be impressed if they saw all the amount of hours that the gentleman from Maryland (Mr. HOYER) and also his staff put in to make sure that this is a fair budget. He also worked with us and our majority members.

So, again, this is a fiscally-sound budget. It is a budget we can be proud of here in the U.S. House, and I want to again thank our staff, the ranking members, the Speaker, and also the gentleman from Maryland (Mr. HOYER).

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

Mr. HOYER. Mr. Speaker, I yield myself such time as I may consume. I would like to thank the chairman for his comments, not only about my work, but on behalf of the minority staff regarding the role that they have played in this.

Mr. Speaker, I rise in support of House Resolution 84, and I urge my Democratic colleagues to support it, as the chairman of the committee, the gentleman from Ohio (Mr. NEY), has urged his colleagues to support it. The process through which this resolution was developed, and the concern demonstrated by the majority leadership to meeting the minority's legitimate needs, was in my opinion, a very positive process.

House Resolution 84 goes a long way, Mr. Speaker, toward achieving the minority's longtime goal of controlling one-third of each committee's total resources and staff slots. While it does not reach this goal in every single case, the ranking minority members of the 19 committees covered by the provisions of this resolution agree that substantial progress has been made over the levels of the 106th Congress. They have expressed to me their confidence that additional accommodations will occur over the course of the 107th Congress to deal with any remaining issues. Even the handful of committees that had been most visibly deficient in the past, in meeting the minority's legitimate needs, have come a long way, and most have met their target.

In the past, we have had representations which have appeared to hit the targets, but which have not. The gentleman from Ohio (Mr. NEY) and the Speaker have been diligent in trying to make sure that those devices are no longer used, and I thank them both for their leadership.

Mr. Speaker, we have approximately a $1.8 trillion budget that the elected representatives of this House, and the elected representatives of the other body, are charged with overseeing. We are given the responsibility to ensure that the funds are spent as they are intended to be spent, and are spent effectively on behalf of the American people, whose funds they are. That is a weighty responsibility. The budget for this body to carry out that task represents approximately one ten-thousandth of the dollars spent for the activities which we have the responsibility of overseeing. So it is a relatively small amount.

Mr. Speaker, I think that the amount authorized by this resolution, which is substantially less than the amount requested by the committees, is nevertheless an amount that will responsibly enable our committees, both the majority and the minority, to effectively carry out their responsibilities to the American people.

□ 1615

It is not easy to oversee budgets in the billions of dollars. It requires staff who are talented, diligent, and conscientious. To hire and retain such staff requires sufficient sums to compete in the marketplace. This budget allows the committees to do that, so I am very pleased to support this budget.

I also want to say that the gentleman from Ohio (Chairman NEY) has done yeoman's service on behalf of this institution—not just his party, and not just the minority—but on behalf of the whole institution, in creating an atmosphere in which we can come together, look at a problem, discuss it rationally, reasonably, and fairly, and come to a conclusion that I think all of us can support.

I think the leadership of the gentleman from Ohio (Chairman NEY) will redound, both now and in the future, to the benefit of this institution, and I thank him for his consideration and his courage in confronting some who perhaps did not want to move quite as far toward the target that had been set.

I also want to thank the Speaker, the gentleman from Illinois (Mr. HASTERT). He made it very clear that he was committed to the target of one-third of the slots and one-third of the resources for the minority. The gentleman from

Ohio (Chairman NEY) and the Speaker, the gentleman from Illinois (Mr. HASTERT), through their fairness and leadership helped accomplish this objective, and have set a powerful example.

Seven years ago, Mr. Speaker, when the majority was in the minority, a former Member of this body, Pat Roberts, now a member of the other body, promised, and I quote, ''If lightning strikes and the sun comes up in the West and Republicans take over Congress, we are going to do that for you. You will at least get one-third.''

Mr. Speaker, with the adoption of House Resolution 84, it would seem that something very unusual indeed has occurred in this body: Lightning has struck, and the sun has come up in the West.

It is my hope, Mr. Speaker, that this body continues to experience such wonders of nature.

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

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

I just wanted to make note, Mr. Speaker, that we appreciate that if something would happen and lightning would strike, it would be fair. Let us not do that test, though.

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

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

Mr. Speaker, I rise in strong support of House Resolution 84, the Omnibus Committee Funding Resolution.

First of all, I would like to commend and congratulate the chairman and the ranking member for the work they have done in committee to bring forward today what I consider to be a very fair and responsive funding resolution.

In this budget they have not only provided sufficient resources to facilitate the work of the committees and the Congress, but they have done so in a fiscally responsible way.

In this regard, I think it is worth noting, as the gentleman from Ohio (Chairman NEY) said, that the budget for the 107th Congress is still $20 million below the spending levels for the 103rd.

I also want to commend the Speaker, the gentleman from Illinois (Mr. HASTERT), and the chairman, the gentleman from Ohio (Mr. NEY), for the long hours they have put in to assure a more fair and equitable distribution of resources to the minority. I should say that the Committee on Agriculture, which I chair, has long lived by the two-thirds/one-third rule with respect to the division of committee funds. I think this has served our committee well. I think it serves the interests of the people we represent well.

I think the fact that today's resolution finally achieves this ratio broadly for all committees is remarkable and historic, and will ultimately serve this Congress in the best interests of the people that we represent and that we work for.

Again, I thank the chairman and the ranking member for their hard work on this resolution, a very responsible resolution. I urge my colleagues to support overwhelmingly the passage of House Resolution 84.

Mr. HOYER. Mr. Speaker, I yield 2 minutes to the gentleman from Philadelphia, Pennsylvania (Mr. FATTAH), a member of the Committee on House Administration and a gentleman who has worked very hard to accomplish this result.

Mr. FATTAH. Mr. Speaker, let me first rise to say that I come from a background in the Pennsylvania Senate and General Assembly, I spent 12 years there, where we had something which was entitled the Bipartisan Management Committee. The entire management of the legislature was handled through the Bipartisan Management Committee, in which decisions around funding and committee size and staff issues were handled in a bipartisan manner.

Mr. Speaker, I think what has taken place in the Committee on House Administration, under the leadership of both the ranking member, the gentleman from Maryland (Mr. HOYER), and the chairman, the gentleman from Ohio (Mr. NEY), is as close to that as is possible here in the Congress in the sense that there has really been a bipartisan effort to figure out what, as a professional legislative body, is needed for the various committees to implement their objectives and responsibilities, and to adequately provide for that in terms of the overall funding levels for committees; to also meet a threshold, a target, if you will, set by the majority party when it was in the minority of a one-third provision of resources for a minority party in this Congress to be able to articulate and fight for its positions on a variety of issues. We have accomplished that.

I want to thank not just the chairman and the ranking member, I want to thank some of the people who had to work a little to get us there, including someone who I have not often said nice things about, I guess, on the floor of the House, the gentleman from Indiana (Mr. BURTON), chairman of the Committee on Government Reform that I served on for 6 years. His committee and a number of the other committees, the Committee on the Judiciary and others, had to move a little bit so we could all come here today in support of this resolution.

I want to thank not just the leadership of the Committee on House Administration, but I want to thank others in the majority who helped move this Congress to a place that I think will gain us greater respect from all who view us.

Mr. Speaker, in conclusion, I want to say that I hope as this Congress goes forward, that we will continue to be prepared to meet the growing needs of the financial resources that our various committees will have; that we will work in terms of improving the committees and hearing rooms, and doing whatever else is necessary so that Members of what all would agree is the premier lawmaking body in the world would have the ability to carry out in a professional way their work; and that our committees are capable of taking charge of the great responsibilities we have as the United States Congress.

Mr. NEY. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. DOOLITTLE).

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

Mr. DOOLITTLE. Mr. Speaker, I am pleased to support this resolution because this resolution embodies some real leadership, the leadership to do the right thing for the House of Representatives. As has been noted by the other speakers, it was necessary to make some adjustments so that we could provide the equity and the comity that is necessary between the two parties. This is something that I think is very desirable.

This resolution constitutes a responsible reflection of committee Chair requests for the 107th Congress. The committee Chairs requested a 22-percent increase in funding over the 106th Congress. The gentleman from Ohio (Chairman NEY) and the Committee on House Administration were able to cut that request in half and still satisfy committee needs, and still obtain unanimous endorsement from all the committee Chairs and the ranking members.

We hear lots of talk about bipartisanship, but this is not only talk, but reflects the actions of bipartisanship. I have always heard for years about the acrimony in the Committee on House Administration. As a new member of it, I must say I have never seen a smoother process than the one that occurred over this committee funding issue, with both sides really working closely together to provide support for this. I think it is something that is very commendable, and it stands out and should serve really as a model for how we operate.

The funding resolution does provide or moves us greatly towards the two-thirds/one-third allocation of resources between the majority and the minority parties.

I would especially like to recognize our Speaker, the gentleman from Illinois (Mr. HASTERT), for the leadership, the encouragement he gave us to move in this direction, as well as the chairman, the gentleman from Ohio (Mr. NEY), and commend the gentleman from Maryland (Mr. HOYER) in the minority in working with us on this.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support this resolution, which by all estimates is a fair, balanced, responsible, and necessary funding blueprint.

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

Mr. Speaker, as the gentleman from Ohio (Mr. NEY) knows, it was our position on this side that every ranking

member of the 19 committees had to be in a position of being treated fairly for us to support the resolution. Again, through the work of the gentleman from Ohio (Mr. NEY) and the work of the ranking members and the chairmen, we have accomplished that objective.

Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. LAFALCE), the ranking member of the Committee on Financial Institutions, who worked very closely with the new chairman, the gentleman from Ohio (Mr. OXLEY), to reach agreement.

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

Mr. LAFALCE. Mr. Speaker, I thank the gentleman from Maryland for yielding time to me.

Mr. Speaker, I rise in support of House Resolution 84, the Omnibus Committee Funding Resolution. I particularly want to offer my support for the recommended funding for the Committee on Financial Services. This committee is now the second largest committee of the Congress. It cannot afford to ignore or inadequately address any of its areas of responsibilities in an increasingly integrated financial services market. The increase in funding will help the committee to fulfill its responsibilities.

I appreciate that the members of the Committee on House Administration have to struggle with some difficult choices between competing demands to trying to allocate the resources necessary so all committees can do their jobs. I want to thank them for the effort they made on behalf of the Committee on Financial Services.

I want to especially thank and commend the Democratic leadership for its strong advocacy of and commitment to the equitable allocation of resources to our minority. Thanks to their persistence, most ranking members will enjoy one-third control over staff slots and funds, with real discretion over these two areas once the resolution is adopted.

This one-third/two-thirds ratio for all committee resources is a minimal and absolutely essential component of an equitable distribution of dollars and staffing. I am pleased that most committees will finally have that authority.

The full Committee on House Administration, members of both parties, including especially the gentleman from Ohio (Chairman NEY) and the ranking member, the gentleman from Maryland (Mr. HOYER), are to be commended for crafting such a well-balanced budget package.

I would urge all my colleagues, particularly those on my side of the aisle, to support this resolution.

Mr. Speaker, I also urge the committee to do something else. I urge the committee to exercise the authority it has to ensure that treatment of expenses for representational duties in the District of Columbia is no better but no worse than the treatment given to State legislators in almost each and every State, and most especially in States such as California and New York.

Mr. NEY. Mr. Speaker, I would like to applaud the gentleman's statement.

Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. HYDE), the distinguished chairman of the Committee on International Relations.

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

Mr. HYDE. Mr. Speaker, I rise in support of House Resolution 84, as amended, which provides funding for the committees of the House of Representatives in the first session of the 107th Congress.

At the outset, I, too, would like to commend and thank the gentleman from Ohio (Mr. NEY), chairman of the Committee on House Administration, the gentleman from Maryland (Mr. HOYER), the ranking Democratic member, and other members of this committee in guiding a thoughtful and well-crafted resolution to the House floor today.

□ 1630

The task before them is by no means an easy one and is often complicated by the many different committee demands and requirements for resources.

The gentleman from Ohio (Mr. NEY) and the Committee on House Administration have deliberated long hours to produce a resolution which strikes a balance between fiscal belt-tightening and funding allocation priorities.

In particular, I think I speak for most Members of the House when I say we appreciate the unflagging efforts of both the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER), as well as the entire Committee on House Administration in bringing to the floor today a product which is predicted to receive wide, bipartisan support.

Mr. Speaker, the work of the Committee on International Relations is as important to the national interests as is the work of any department or agency our committee oversees. The decisions we make with respect to our policy and involvement towards other countries are as important as any decisions this Congress makes.

Although, I, of course, wish the Committee on International Relations had received its entire request, I believe we can work within the amount allocated to us in this resolution and still achieve a record of accomplishments of which the Congress and the American people can be proud.

I wish to take this opportunity to weigh in a very real problem all Members face in the House. I am speaking about the physical office and meeting space availability or, rather, unavailability. When I appeared before the Committee on House Administration earlier this month, I suggested that perhaps it is not too visionary to contemplate another office building. The Senate has three office buildings to serve the interests of 100 Senators. On the House side, we have three buildings that are overutilized to serve the interests of 435 Members.

Mr. Speaker, I bring this up now so we might think about remedies for the very near future.

In closing, I urge the Members of the House to support H. Res. 84 as reported from the Committee on House Administration so the committees of the House can discharge their responsibilities and get on with the very important business we are sent here to do.

Mr. NEY. Mr. Speaker, we have one more speaker on this issue, this resolution. I want to say 21 years ago, Mr. Speaker, when I was in the Ohio House, I had a very young colleague from Ohio, and he was going off to Congress. I often wondered what would become of him. Now we know; he has become chairman of the Subcommittee on Financial Institutions and Consumer Credit with a lot of new responsibility.

Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. OXLEY).

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

Mr. OXLEY. Mr. Speaker, let me first begin by thanking the gentleman from Ohio (Mr. NEY), my good friend and colleague, for a virtuoso performance on this. I think probably, at least certainly in my almost 20 years in the House, this is the first time I can remember that we have had such a great working relationship between the gentleman from Ohio (Mr. NEY), chairman of the Committee on House Administration, and the gentleman from Maryland (Mr. HOYER), my good friend, to put this package together that satisfied just about everybody in what we wanted to try to accomplish in the way of committee funding.

From the hearings, where I had an opportunity to participate, along with the gentleman from New York (Mr. LAFALCE), the ranking member on the Subcommittee on Financial Institutions and Consumer Credit, to the efforts to make certain that not only were the chairmen but the ranking members satisfied with the numbers, has brought us today on the floor and on the verge of passing this legislation by an overwhelming margin.

It is in no small part due to the efforts of the gentleman from Ohio (Mr. NEY) as well as the gentleman from Maryland (Mr. HOYER) for their dedication to the work.

I suspect that not any of us got all that we had asked for, it is rare around this place that we get everything that we ask for, but I have to say that I have not talked to one Member, either chairman or ranking member, who felt that they did not get a fair shake from the Committee on House Administration, and that ultimately is what counts.

Mr. Speaker, our committee, as you know, is a new committee. It is the second largest committee in the House.

We have assumed enormous new responsibilities particularly dealing with the Wall Street issues of securities and exchanges, as well as insurance added on to the traditional banking issues, as well as the IMF, World Bank, and others; but we have a wide range of issues, and we needed that kind of extra staff to carry out our functions.

Mr. Speaker, to show my colleagues how fair this whole process worked out to be, particularly with the two-thirds, one-third, we will receive in our committee nine new staffing slots, five of which will go to the minority. Clearly, the gentleman's efforts have borne fruit in moving this bipartisan effort and making certain that the committees were funded properly and have the opportunity to do and carry out the agendas that we have before us.

I have nothing but praise for the process and particularly for the gentleman from Ohio (Mr. NEY), the chairman, and the gentleman from Maryland (Mr. HOYER), my good friend, for what they have been able to accomplish and bring to the floor today.

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

Mr. Speaker, in closing, I will make the representation, as I said before, that all 19 ranking members are going to support this resolution. They will do so because we have come together, sat down at the table, reasoned together and come up with what we believe to be a fair resolution.

Like the gentleman from Ohio (Mr. OXLEY) said, it is not perfect from anybody's standpoint, but perfect was not possible. But fair was possible, and it was achieved. It was achieved because I think the gentleman from Illinois (Mr. HASTERT), Speaker of the House of Representatives, believed it appropriate; the gentleman from Ohio (Mr. NEY), our chairman, fought hard to achieve that result.

It was not always easy. There were obviously some who felt that they did not like the shift that was being made, but because of the commitment to fairness of the gentleman from Illinois (Mr. HASTERT) and the gentleman from Ohio (Mr. NEY), fairness was achieved. I appreciate that.

There have been times, obviously, when on our side of the aisle, some thought that fairness was not achieved. We still are concerned about the ratios on committees. We are concerned from time to time with the processes that the Committee on Rules adopts, which precludes us from, we think, putting forward our propositions in a fair way.

It is good for the public to know, Mr. Speaker, that there are more times than not when we can sit down and come to agreement, knowing full well that all of us serve the American people, and they expect us to work together in as positive and productive a fashion as we can.

The leadership of the gentleman from Ohio (Mr. NEY) and the leadership of the gentleman from Illinois (Mr. HASTERT) have provided the opportunity for that to occur, and our ranking members have worked hard with their chairmen to accomplish that objective.

Mr. Speaker, I think we have done it, and I urge all of my colleagues to support this resolution.

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

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

Mr. Speaker, I found in the years that I have served in office that the American people have a willingness to become involved in the energetic give-and-take of public debate, and that public debate on behalf of the people of the country is made in the committees. The committees are the heart of what this institution is about.

This is a proposal, a resolution we can proud of. It is fiscally responsible. It is, I believe, a good day for not only the House, but for the American people, because the institution of the House works.

Mr. Speaker, I urge support of this resolution.

Mr. DINGELL. Mr. Speaker, I rise in support of the Omnibus Committee Funding Resolution. While the resolution does not include the full request of the Committee on Energy and Commerce, which the Minority supported, it does recognize the increased workload facing our Committee. Each of the six subcommittees has more than a full plate, with issues such as patient protections, prescription drugs for seniors, and national energy policies, even before consideration of Administration proposals that will presumably be forthcoming.

I note that the proposed budget is a significant improvement in its treatment of the minority. Although my colleagues on the other side of the aisle have previously spoken of a goal of a two-thirds/one-third split between the Majority and Minority in funding and staff positions, the Minority on the Committee on Energy and Commerce has never received even that modest allocation. Under this resolution, however, the minority members, who constitute 49 percent of the House and 45 percent of the Energy and Commerce Committee, will finally be allocated one-third of the funding and staff slots long promised by the majority party. More importantly, it is my understanding that an accommodation of the needs of the Minority has also been reached on the other Committees as well.

Because of these improvements, I support this resolution and urge my colleagues to support it. I would note that this resolution is just a first step in the process; the House will need to allocate sufficient funds to make good on its promises. This resolution represents a good beginning, and I hope it carries over into more mundane matters, like office space, as well as into legislation on important policy questions.

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

The SPEAKER pro tempore (Mr. PETRI). Pursuant to the order of the House of today, the previous question is ordered on the resolution, as amended.

The question is on the resolution, as amended.

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

Mr. HOYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on H. Res. 84, as amended.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 5 p.m.

Accordingly (at 4 o'clock and 38 minutes p.m.), the House stood in recess until approximately 5 p.m.

□ 1715

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GIBBONS) at 5 o'clock and 20 minutes p.m.

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2002

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday, March 22, 2001 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for a period of debate on the subject of the concurrent resolution on the budget for fiscal year 2002.

The Chair designates the gentleman from Ohio (Mr. LATOURETTE) as Chairman of the Committee of the Whole, and requests the gentleman from Ohio (Mr. HOBSON) to assume the chair temporarily.

□ 1721

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for a period of debate on the subject of the concurrent resolution on the budget for fiscal year 2002, with Mr. HOBSON (Chairman pro tempore) in the Chair.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Thursday, March 22, 2001, general debate shall not exceed 3 hours, with 2 hours confined to the congressional budget, equally divided and controlled by the ranking member of the Committee on the Budget and 1 hour on the subject of economic goals and policies, equally divided and controlled by the gentleman

from New Jersey (Mr. SAXTON) and the gentleman from California (Mr. STARK). The gentleman from Iowa (Mr. NUSSLE) and the gentleman from South Carolina (Mr. SPRATT) each will control 1 hour of debate on the congressional budget.

The Chair recognizes the gentleman from Iowa (Mr. NUSSLE).

Mr. NUSSLE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is an opportunity that only comes around every few years, and that is an opportunity, as my friend and colleague, the gentleman from South Carolina (Mr. SPRATT) suggested at the Committee on Rules when we met just a little while ago, to have a watershed budget, kind of a real opportunity for taking a fresh look at where we are as a country; where we are as a Federal Government; what are our priorities; what are our values; what are our principles as we move forward.

As we look into this century, we have accomplished so much on this threshold and yet there are so many challenges that face us, but just to give us a little bit of a threshold to work from, let me suggest that, Mr. Chairman, we are about to debate the fifth straight balanced budget, and that in and of itself, I believe, not only is a real treat but a real accomplishment.

We have built that budget. We have built that accomplishment in a bipartisan way, Republicans and Democrats struggling and arguing and sometimes even fighting to come up with the priorities that shape our country's future. We did not do it alone, and we did it together along the way sometimes; sometimes not. But I think we all have a lot to be very proud of as we stand on this threshold and look forward.

Probably the people who deserve the most credit, as we stand on this threshold, are the people that are watching at home, balancing their checkbooks around their kitchen table, making the decision about where their kids are going to college, getting that Visa bill in the mail and going, oh, man, not again, or finding out that the energy prices just went up yet again and how that is going to have to take away from some of their other priorities.

So as we struggle through that which we think is so important here in Washington, D.C., let us be ever mindful of the kitchen-table conversations that are going on around America tonight, and those kitchen-table conversations, while maybe not having as many zeroes as the zeroes we are going to talk about in this particular budget, are just as important, if not more important, to the future of America.

As we build this budget, we build on a very solid foundation. And we decided in order to continue that solid foundation far into the future that we had to adopt six principles that would guide our deliberation, that would guide the decision, that would guide the blueprint as we move forward.

The first is that we would try and have maximum debt elimination. We as a country recognize, whether one is a farmer in Iowa or whether one runs a small business in upstate New York or whether one is a senior down in Florida or South Carolina, balancing their checkbook and making ends meet they know that debt can kill them; they know that running up too much and having too much indebtedness makes it pretty difficult for one to make the decisions that face them every day. We as a country are no different. By building up a national debt, by not living within the means of the revenues that we get from the hard-working Americans across this country, we have built up over a number of decades a huge debt held by the public, and one of the goals in this budget was to eliminate as much of that as possible; and we accomplish that in this budget.

Over the course of the next 10 years, we will pay down the most amount of debt held by the public that this Nation has ever experienced; and, in fact, by the end of this period of time, we will pay back all of the debt one can possibly pay and still be responsible as a Nation. Sure, there will be a little bit of debt left over that needs to be carried because it either has not matured yet or we would have to pay a high penalty or a high premium in order to recoup, but the bottom line is that we will turn over to our children and our grandkids almost a debt-free nation.

Second, maximum tax relief for every taxpayer. We want to make sure that everybody who pays taxes gets a little bit of tax relief. Why do we do that? Because we are running a tax surplus. After all the bills are paid, after all the debt is paid down, after we meet all of the priorities of a country that has many, we have a tax surplus that has been growing. In fact, it has been growing so large, it is now the largest, if we look at it with regard to our economy, our gross domestic product, it is the largest that we have ever carried as a Nation and we need to reduce that tax burden for every taxpayer.

There are some other priorities that we wanted to include in this budget. First we wanted to improve our education for our children. We have elected a President of the United States who has demanded that no child in this country should be left behind, and we take him up on that offer by continuing some very large increases in spending, but also demanding reform for our Nation's education system, recognizing that the soft bigotry of low expectations within our system, as the President has dubbed it, is something that needs to be broken, needs to be changed and more local control with high standards needs to be what we need to usher in in this new education era.

Next is a stronger national defense. We live in an ever-changing, ever more dangerous world, one that cannot be paid for, cannot be bought, cannot be invested in without rethinking our national defense.

The President of the United States, from that podium right back there, challenged us and said the money should not determine the policy but yet the policy should determine how much money we spend. He charged Secretary Rumsfeld, the Secretary of Defense, with coming forward with a full review, top to bottom, of our Nation's defense, and suggesting that we should not just put in some extra money because it sounds good, add some more money because the industrial defense complex needs to have that money to run, to just put in some more money because we have defense hawks around here or because it is expected as a Congress in order to add those dollars, but to say, no, first let us do a top-to-bottom review before we make the decision about how much money to spend. And that review is ongoing and we build that into our budget.

Next is to reform and modernize our Medicare system. We recognize certainly coming from a rural area, as I do, that Medicare is what we depend on. Health care in rural America is Medicare. We have a growing and a very aging population that needs this reformed and modernized to meet the new needs of their generation.

□ 1730

Back in 1965, modern prescription drugs and other procedures maybe were not contemplated. They are today, and our Medicare system needs to provide for that. That is why in this budget we provide for prescription-drug modernization, as well as other modernizations, so that we can extend the life of Medicare far beyond its current existence.

Then finally, a better Social Security system for our seniors today and for tomorrow; not just for today, but for tomorrow, recognizing that in a bipartisan way, Republicans and Democrats have set aside the entire surplus from the trust fund of Social Security and recognizing that while that answers the question of Social Security today, it does not answer the question for my generation or for generations to come.

So in this budget, while we continue the practice of setting aside the entire Social Security Trust Fund, putting it in that lock box, what we also do is we say, we want reform, we expect reform, we support the President's call for reform, and we move forward toward reform in this budget.

We believe that discretionary spending overall should be kept in pace with the economy. So as the President has suggested, we say that our government should not grow any faster than the family budget, should not grow any faster than the economy as a whole, so we limit the growth of government to the rate of inflation; and we believe that is a responsible way to move forward.

Finally, what we say is that after all of these priorities, after all of these goals are met, there is still money left over. After we pay for education, after we pay for our national defense, after we pay for our environment, after we

pay for Medicare, after we pay for prescription drugs, after we set aside all of Social Security, after we pay down the national debt to the lowest point in over a century, there is still money left over, and whose money is that? It is the people who are balancing their checkbook around their kitchen table and they deserve a refund, they deserve their money back, they deserve to make those decisions that they want to make for their families and their own communities. And it is for that reason that we provide tax relief in this budget.

How does the surplus add up? Well, because of the projections that the Congressional Budget Office puts forward, we believe that there will be $5.6 trillion worth of surplus over the next 10 years. What do we propose to do with that? We propose to pay down the debt by setting aside all of Social Security. As we know, when our FICA taxes come in, they pay for benefits. Those that are left over usually get rolled into Treasury notes.

Well, we are able to not only pay down that debt because we are getting more surplus; but we are also able to, as a result of this, set aside for debt service, for a contingency reserve, and for Medicare the entire amounts to allow not only for reform, but for a rainy day. We have a contingency reserve over the course of this next 10 years of $517 billion as a cushion.

We recognize that the projections are not always very accurate. We believe these are very reasonable and very conservative projections; but we recognize that it may not hit exactly where we say, even though over the last 6 years they have come in larger than expected. But we still set aside over half of $1 trillion in addition to Medicare, in addition to Social Security, in addition to paying the debt service; and we still set aside half of $1 trillion to deal with that which we know is coming in the future: a farm crisis, a national defense review that may require additional spending.

We believe that this is a responsible budget, one that should be supported not only by my colleagues, but should be supported by the American people as a solid foundation to build upon, but also one that is flexible enough to deal with the contingencies and the concerns of the future. We have a good budget, it is a realistic budget, it is an enforceable budget. Support the budget.

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

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

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, some years when we do the budget it is routine, even inconsequential; but some years, as in 1990 when we did the budget summit with President Bush and again in 1993 when we did the Clinton budget, and in 1997 when we did the Balanced Budget Agreement, the budget lays down a path that we follow for many years to come. This is such a budget. Because of what we did in 1990, 1993, and 1997, we are reaping the consequences of our fiscal good behavior. We think we see enormous surpluses projected at as much as $5.6 trillion; $2.6 trillion to $2.7 trillion, after we back out Social Security and Medicare. So this is a watershed budget. We are going to make an allocation of these surpluses that will last for at least 10 years and beyond, and that is why what we are doing has to be done with great gravity.

The chairman of our committee, the gentleman from Iowa (Mr. NUSSLE), just laid out six principles. Well, let me compare the difference between us and them, using his criteria, his six principles. He started with debt retirement, and I heartily agree. The more debt we can pay down, the better for our children and the better for our future, the better for Social Security and Medicare. So what is the scorecard on debt retirement, debt reduction? Our budget, our resolution on the Democratic side over 10 years between 2002 and 2011 will reduce the debt held by the public, Treasury debt held by the public by $3.681 trillion. Their resolution, the Republican resolution, will reduce that debt by $2.766 trillion. We win on that score by $920 billion. Not even close.

Tax relief. The gentleman said we should give some of the surplus back to the American people; and we agree, heartily agree. We have set aside one-third of the surplus to give it back to the American people in the form of tax relief to those taxpayers who need it the most. But in making room for tax cuts, we have also left room for other things that people clearly want: education. That was the next on the gentleman's list. The next criterion by which to judge the budget resolution he said was education. Listen to this: because we made room for other priorities, and were not just fixated on tax cuts alone, we provide $132.8 billion over the next 10 years, that much, $133 billion more than the Republican resolution would provide for the education of our children. There is no comparison. It is not even close. We went hands down on that particular issue.

A stronger national defense. I have been on the Committee on Armed Services for all of the time I have served here, more than 18 years; and I heartily agree, we need to do more for national defense, we need to modernize our defenses. We have been living off what we spent in the 1980s during the 1990s and now we need to put a little bit more into defense, so we do it. We have in our budget resolution $48.2 billion more for financial defense than they provide. They provided the gentleman from Iowa (Mr. NUSSLE) the opportunity to supply a different number, but we are realistically budgeting for defense $115 billion in budget authority over and above the baseline set by the Congressional Budget Office, which is an inflated baseline, a baseline equal to inflation. That much more for national defense. At least for now, we win on that score as well.

Medicare reform. That was the way it appeared on the gentleman's list. If we look through his budget resolution, the Republican resolution, we look in vain for any proposal for Medicare reform. It is not there. There is a vague proposal about prescription drug benefits for Medicare; but if we are really absolutely earnest about Medicare, then one of our chief concerns has to be how long will its solvent life last so we can tell older Americans it will be there when they need it. We will not be cutting it because we cannot extend its solvent life.

We have drawn a strict principle here. We want to add prescription-drug benefits to Medicare; but because we do not have a huge tax cut, we have a moderate tax cut, we have the resources, the wherewithal to do that by using resources from the general fund of our budget, not by dipping into the trust fund of Medicare and diminishing that trust fund and shortening its life, which is what the Republicans propose to do. They want to give to Medicare with one hand and take from it with the other, so that the result is, they get a very meager prescription-drug benefit, mostly for low-income beneficiaries and a shortened solvent life for Medicare. We extend the life of Medicare, and we provide a robust $330 billion to provide prescription-drug coverage under Medicare.

However, my biggest concern about their budget and the biggest difference between us and them and the point that I would close on is just this: I have been here for 18 years. I came here when the deficit was just beginning to mount. We have tried to get our arms around this terrible thing we call the deficit and change it; and we finally, finally, after 18 years, reversed some of the fiscal mistakes we made in the early 1980s and put this budget in surplus, surpluses that nobody ever thought possible. Surely we do not want to take any action now, now that we have gotten here, that would put our budget surplus in jeopardy. But this is what the Republican resolution does.

If we want it drawn as a line graph, here it is to my right. That red line against the blue background is where their bottom line would go, what resources are left over. We take the surplus that is available, back out the tax cuts they propose, back out Social Security and Medicare, adjust it for spending increases; and this is the path that they are plotting for the future. From 2002 to right here around 2007, 2008, we are skating on thin ice. We are skating on thin ice. We barely have a surplus at all. There is no margin for error, no room for a mistake here.

Let me show my colleagues what could happen if these robust assumptions about the growth of our economy on which these frothy, blue-sky surpluses are based. Let us assume that

the growth rate in this country drops from the assumed rate on which these surpluses are predicated, from the assumed rate of growth of around 3 percent down to 2.5 percent, a drop of just one-half of 1 percentage point from 3 percent to 2.5 percent. As we can see, we go to the red in a hurry. We are back to borrowing from Social Security and Medicare once again. Just a slight deviation, just a slight mistake, error, or inaccuracy, and we are well below the line again.

Having worked here for years, to finally get to this day where we have a surplus, I hoped it would give us some freedom, some freedom for policy initiatives, for priorities that we have long deferred, help us pay down the debt of this country, help us address at long last the long-term problems of Social Security. That is a path we do not want to take. It has been too long, too hard getting to where we are to risk it all for this kind of projection.

That is why I say, there is a real difference between the budget resolution that we present and theirs. It scores better on every criterion the chairman just presented. It provides funds for extending the solvent life of Social Security and Medicare. They do not. But it leaves room for other priorities, prescription drugs, education, defense, agriculture which they have not provided for in their budget. Ours is a better budget resolution, and I think the debate that is coming up will clearly, clearly show that.

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

Mr. NUSSLE. Mr. Chairman, I yield 1½ minutes to the gentleman from Alaska (Mr. YOUNG), the distinguished chairman of the Committee on Transportation and Infrastructure.

Mr. YOUNG of Alaska. Mr. Chairman, I rise to engage in a colloquy with the gentleman from Iowa on House Concurrent Resolution 83, the fiscal year 2002 House budget resolution.

Mr. NUSSLE. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Iowa.

Mr. NUSSLE. Mr. Chairman, I would be pleased to engage in a colloquy with the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, first of all, I would like to commend the gentleman from Iowa (Mr. NUSSLE), the chairman of the Committee on the Budget, and the Committee on the Budget for bringing this resolution to the floor.

The intent of this resolution is to honor the funding guarantees in TEA21 and AIR21 and provides substantial increases for other important transportation programs, such as the Coast Guard. It is my understanding that due to errors in the functional totals that were provided by the Office of Management and Budget and perhaps other discrepancies between OMB and CBO, the Function 400 totals in this resolution were inadvertently understated.

□ 1745

I have been assured that a technical correction will be made in conference so that the final budget resolution accurately reflects the funding levels necessary to fully fund highways and transit under TEA21, and the Federal Aviation Administration's operating capital, and airport grant programs under AIR21, as well as provide increases for other transportation programs, such as the Coast Guard.

I would like to ask the gentleman from Iowa (Mr. NUSSLE) if my understanding accurately reflects his intention.

Mr. NUSSLE. Mr. Chairman, the gentleman from Alaska is correct. The Office of Management and Budget's budget submission contained recently identified errors in the transportation function.

Let me assure the gentleman that we will address these errors in conference, and that the Function 400 totals will be fully funded for TEA21 and AIR21, and provide increased funding for the Coast Guard.

Mr. YOUNG of Alaska. Mr. Chairman, I thank the gentleman very much.

Mr. NUSSLE. Mr. Chairman, I reserve the balance of my time.

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

Mr. SAXTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me begin by offering my congratulations to the Committee on the Budget, led by the gentleman from Iowa (Chairman NUSSLE), for the extremely hard work and efficient job they have done in bringing this budget to the floor which will be voted on here in the next day or so. We appreciate very much the work that has been done and the budget that has emerged, which I rise to strongly support.

Mr. Chairman, as the chairman of the Joint Economic Committee, it is customary for us to have an hour at this time or at some point in the budget debate to discuss the effects, or the potential effects, as we see them, of the pending budget to be voted on on the economic performance of our country; and in fact, if we might be so presumptuous, since our economy has something to do with the world economy, on the effect that the budget and the spending program that it lays out would have on the economic performance of this country and the world during the next fiscal year.

I think in order to put this in the proper perspective, from the perspective of a citizen of this country, it is very important to recognize where we have been and how we got there economically over the past number of years, and then to talk a little bit about where the economy appears to be going.

I think it is important to point out, therefore, that we have done quite well over the last two decades. As a matter of fact, we are in the 10th year of an economic expansion, and yes, the economy is still expanding, albeit a bit slower than it was.

I think it is also important to point out that the 10-year growth period that we are currently in was preceded by an economic expansion that lasted 8 years. So there are some good things at play in the United States economy, producing first an 8-year period of growth, followed by a very short 8-month recession, and a very shallow one, I might point out, during the last half of 1990 and the first quarter of 1991, and then we began to grow once again, and we have grown through today.

We believe there are some reasons that happened. First, perhaps, is that in the early 1980s and in the mid-1980s, a stage was set in our country by the reduction of some tax rates which were brought about during the Reagan administration. Because we were able to build on that platform, if you will, of a new tax process, a new system, in effect, of at least lower rates, we were able to see the progress begin during the 1980s of building this long-term economic growth period that we have seen.

Secondly, it is important to point out that not everything that affects the economy happens as a result of activities in this room or in the other body. As a matter of fact, the Congress had very little to do with the activities of the Fed, the Federal Reserve, during the last 12 years or so. Headed up by our friend, Dr. Greenspan, the Fed took upon itself a new, or at least a partially new, direction.

In a book that I recently read about Dr. Greenspan, the introduction to the book called him ''an anti-inflation hawk.'' That is precisely what has characterized the last 12 years of the activities of the Fed: The Fed has targeted inflation. As a result of the targeting of inflation, they have brought inflation down so that interest rates, the long-term interest rates, are also relatively low.

So between lower taxes than we have had historically, lower tax rates than we have had historically since World War II, and the lowest rate of inflation over a sustained period of time in that same period, we have seen very significant economic growth. There are other factors, but suffice it to say that our taxing system and our inflationary rates have been quite low.

However, all good things tend to come to an end, although this one has not come to an end quite yet, and we hope it will not. We do know that the economic program has begun to change, and there have been signs of a slowdown.

Although this slowdown was documented last December in a JEC study entitled ''Economic Performance and Outlook,'' there seems to be a little confusion in some quarters about when the slowdown actually started. A review of the facts demonstrates that the economic slowdown has been under

way at least since the middle of last year.

Recent economic developments are important, and it is important to understand that. Because policymakers cannot afford to be unaware of what has actually been happening in the economy, I would like to present some facts about where we have been.

The best single indicator of the slowdown is the decline in the rate of economic growth in the second half of the last year. That would be, of course, 2000. This decline in GDP growth was already evident in numbers released by the Clinton Commerce Department last year, and confirmed in subsequent releases.

Real economic growth, as a matter of fact, during the second quarter of 2000, was at 5.6 percent. This chart that I have here next to me shows here in the second quarter of 2000 we had a very significant increase to 5.6 percent from 4.8 percent during the first quarter. So things were really moving along quite well.

But then as the year progressed and we got into the third quarter, we can see here on the chart that the rate of growth actually dropped from 5.6 percent, which occurred in the second quarter, to 2.2 percent GDP growth in the third quarter, and in the fourth quarter it fell significantly again to 1.1 percent. So we are looking at a rate of growth today that is much lower than the rates that we saw early in 2000. As a matter of fact, we believe that this demonstrates quite conclusively that the slowdown actually began during the third quarter of 2000.

Some components of the economic slowdown, some additional components, are also important. For example, a very large portion of the private economy is accounted for by personal consumption and investment; that is, personal investment. The real personal consumption spending growth, as a matter of fact, decreased during that same period of time. It decreased, as a matter of fact, from over 7 percent growth in the first quarter of 2000 to less than 3 percent in the fourth quarter, again demonstrated by the chart here to my left.

Real private fixed investment growth also fell, as demonstrated on the next chart, from 16 percent in the first quarter of 2000 to about zero, to less than zero, a negative number, by the fourth quarter of 2000. So here again we see that during the last half of last year, things began to happen that some folks have called a financial meltdown. Some folks, it has caused some folks to sell all their equities, as a friend of mine told me he did yesterday.

So these trends, both in the factors that I have outlined here as well as in the stock market, which many Americans are watching very closely these days, have all shown significant declines, which again began during the second half of 2000.

The economy is therefore in a serious slowdown that was well under way in the middle of 2000. As is evident, there is a great deal of evidence that an economic slowdown has been under way for more than 6 months, and that it has nothing to do with public officials acknowledging what is shown in official statistics, most of which had already been released by the previous administration; that is, of course, the Clinton administration.

While construction and some service-producing industries have been holding up fairly well, overall measures of the economy show a rapid and deep slowdown.

So I think that perhaps the point that I want to make to begin this hour on the Joint Economic Committee analysis of this budget is that there has been a slowdown under way for quite some time.

We have seen, during the last two decades, almost 18 years of continuous economic growth, again, separated only by a short and mild 8-month recession in the second half of 1990 and the first quarter of 1991. Therefore, we should be able to learn from what we have done correctly in the past, and also learn from what perhaps we have done incorrectly during that same period of time.

Mr. Chairman, a review of the facts is enough to convince any reasonable person that a sharp economic slowdown has been under way, and this raises the obvious question of what the appropriate policy response should be.

As I have pointed out before, both monetary policy and fiscal policy, that is, tax and spending policy, have been very tight as the slowdown has unfolded. Steps have been made by the Federal Reserve to relax its overly tight monetary policy, though more is needed, and then adjustment of tax and spending policy is also warranted.

The current economic system is generating large and growing surpluses in revenue to the Federal Government, and the tax system is creating a fiscal drag at the same time on the economy. Federal revenues as a share of GDP are at their highest since World War II. Let me repeat that: Federal revenues as a share of GDP are at their highest since World War II.

I believe that, translated into slightly different language, that means that the American people are paying more in tax revenues as a share of GDP than at any time since World War II, and that, Mr. Chairman, at least in the view of the chairman of the Joint Economic Committee, creates a drag on the economy. The high level of Federal taxes is a hindrance to economic growth that can and should be alleviated, and I applaud the Bush administration for coming forth with this proposal for a $1.6 billion tax cut.

For all the talk about the size of the tax relief proposal, it amounts to about 6.6 cents on every dollar projected over the 10-year period. In other words, it is not a large tax decrease when compared with the total size of the revenues which will be coming in during that period of time.

The President has proposed and this budget contains, as we all know, a $1.6 trillion tax relief package. During the same period of time that this tax relief package will play out, our total revenues will be $26.6 trillion, so that amounts to about 6 cents on the dollar over that period of time, and I believe very much warranted.

Over the long term, reductions in tax rates and incentives for personal savings and investment will boost the after-tax reward for these activities, increasing the flow of resources into production.

□ 1800

This will improve economic growth, at least moderately in the short to intermediate run, and the compounding effects of this improvement over time will significantly increase economic and income growth over the long run.

Speedy delivery of the tax relief could also work to contain the current slowdown and facilitate a stronger renewal of economic growth.

The bottom line is that the Federal Government has a large tax surplus that is exacting a disproportionate additional cost on the already struggling taxpayers.

The Federal Government does not need this extra revenue, and it should be returned to the taxpayers where it originated in the first place.

A serious economic slowdown requires a reduction in fiscal drag caused by this excessive taxation.

The tax system is imposing excessive additional costs on the economy, and now is the right time to provide tax relief and reduce this burden on hard-pressed taxpayers.

We cannot make the economy turn on a dime, but we can alleviate the hardship caused by the slowdown and help build a foundation for stronger recovery.

There are those who say that the surplus should not be used for tax relief, and I believe that that is wrong.

Another important reason to provide tax relief is that the surplus will be spent, and I know that the gentleman from Florida (Mr. MILLER), Chairman of the Committee on Appropriations is here, and I know what a great job he has done over the last period of time in holding down helping to hold down spending.

But the fact of the matter is that we know that if that surplus remains, that that is too much of a temptation for the forces of this town to resist and, therefore, provides another compelling reason for this tax reduction to go in place.

The basic problem was outlined by the public choice school of economics some years ago. When they pointed out that surpluses just always get spent. The key problem is that there is an imbalance in our political system that leads to a bias towards increased Federal spending whenever there is a surplus.

The nature of the imbalance is this: The benefits of increased government

spending are highly concentrated among the clients of various special interests groups that operate in our country and in this town while the costs of increased government spending are diffused among all the taxpayers.

In other words, the taxpayers are only indirectly represented by those of us in this room, while those who favor increased spending are represented by paid lobbyists throughout this town. In other words, in the legislative process, the more intense an organized representation of special interest groups in favor of more spending tends to overwhelm the general interests of taxpayers scattered throughout the country. The larger the surplus, my friends, the more pressure there will be to spend it.

Why should not we send some of the taxpayers hard-earned money back to them, and as we have pointed out on this chart, it is only 6 cents on the dollar over the period of time.

One of the founders of the public choice economics won the Nobel Prize for his development of this and related explanations of decision-making and unconstrained legislative bodies, that of course was Jim Buchanan who is now at George Mason University earlier at the University of Virginia.

The fundamental truth of this proposition is why so many of us have supported tax limitation and similar amendments ultimately based on the public choice theory.

Without such constraints, the pressures on the Federal Government to spend are so relentless and well organized that the outcome is in very little doubt, and so, we have before us a proposal to reduce the level of taxation on the American people contained in a very frugal budget.

It is being spent out of the money that is left over. After our basic needs have been met, an increase in this budget of, I understand, less than 4 percent overall, and still there is room for a tax cut.

I believe it is essential. When I go on the street and talk to my friends, they recognize the responsibility as a Member of the House that I have, as we all have a responsibility to help to provide Federal policy that makes our economy grow.

I challenge my friends on either side of the aisle to go back home having voted against the budget, which includes the provisions that are so important in setting the stage for this tax decrease.

Mr. Chairman, I challenge any of my friends to explain that in the light of the economic conditions that we appear to be headed for.

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

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. HOBSON). The Chair would note that the Committee has embarked on the period of debate specified in the previous order of the House on the subject of economic goals and policies, on which the gentleman from New Jersey (Mr. SAXTON) and the gentleman from California (Mr. STARK) each control 30 minutes.

The gentleman from New Jersey (Mr. SAXTON) consumed 20 minutes of his 30 minutes.

The Chair recognizes the gentleman from California (Mr. STARK).

Mr. STARK. Mr. Chairman, I yield myself 7 minutes.

Mr. Chairman, I hope my estimate does not turn out like the budget to be 20 minutes.

Are not economics exciting, Mr. Chairman?

The Joint Economic Committee has been granted the authority to control this part of the budget debate, and it has been a tradition since I guess 1978 when Senator Humphrey and Congressman Gus Hawkins first authored the Full Employment and Balanced Growth Act.

It is our duty to present the views on the current stay of the U.S. economy and provide input into the budget debate before us. Now, this budget is not one of which those two men would be proud, and the budget before us today has the real potential to dismantle the great strides our economy has made in the past decade.

I would like to get this economic debate into the terms of my distinguished colleague from Iowa, who had sort of a better grasp of economics, this kitchen table, now back in California, where I come from, in San Lorenzo, California, my in-laws have a kitchen table. As a matter of fact, it is the only table they have to eat from in their house.

They are going to be watching this, and they are going to figure it out. I think they are going to say with this Republican budget, those folks are eating the filet mignon and why we are sitting here with our Hamburger Helper?

It is kind of interesting. My father-in-law kind of figured out what our tax breaks would be under this budget, and I can tell my colleagues this without giving away too much detail about Frank and Mary, they are going to save $239, all right? Their son-in-law, that is me, is going to get a tax cut bigger than their annual income.

They do not think that is very fair, but it may be because I am their son-in-law, but I do not think it is very fair either, because what they are not telling you in this great economic budget that 50 percent of all of this tax cut is going to people who make more than $200,000 a year.

Congress conveniently put all of us congressmen into that upper echelon. We are all going to get an average of about $28,000 a year tax cut, and our constituents are going to get probably less than a thousand bucks. I hope my colleagues all can go home and talk to their constituents around the kitchen table and tell them what you have done to them and those who pay payroll taxes are not going to save a nickel on this budget.

They are going to continue to pay that old Social Security, that Medicare tax and not get any relief. While the 1 percent, those who make $900,000 a year or more average a $46,000 tax cut and get 43 percent of the benefits, the average American is not going to get bupkes.

The distinguished gentleman from Iowa talked about a watershed budget. Remember, I did not grow up on a farm, but I wonder if the watershed is the one with the half moon carved in the door, because that may be where this budget came from. Because my colleagues talk about a top-to-bottom review, we could not have enough time, Mr. Chairman, to get to the middle, all of this is going to be a top review, because the bottom and the middle are not going to get anything.

I would like to go on for a moment to what concerns people, because I do not think they believe that this economic thing is on the level, the average American is going to get anything. Not only are they not going to get anything, the rich are going to get their tax cut out of the Medicare trust fund, because the Republicans are stealing the money out of the Medicare trust fund to give the tax cut to the very rich.

Boy, is that going to come home in a few years. The Secretary of the Treasury O'Neill, himself, as he talks about running Alcoa, he would not accept a long-range projection for more than 6 quarters.

He would not trust them. He is going to trust a 10-year projection, which is really stretching it.

Mr. Chairman, I am feeling pretty good about this economic projection right now. Medicare is not going to have a prescription drug benefit, because the tax cut that is being advertised as $1.6 trillion is really $3 trillion dollars. I mean, the Republicans cannot count.

We have already passed the $958 billion the committee has. The Committee on Ways and Means has reported out another $399 billion we are going to consider that on the floor this week.

The phase-out of the estate and gift taxes is going to be $267 billion, for Bush's proposal for tax incentive for charitable contribution $56 million; education IRAs, $6 million; the pension, IRAs liberalization $64 million; Bush's proposal for permanent extension research grant $50 million; and on and on, $2,397 million, and the debt service costs $556, a grand total of $2,953 tax cut, and my colleagues are trying to tell us that is $1.6 trillion.

My colleagues better take their shoes and socks off when my colleagues try and get above 10 because the numbers do not add up.

Then, after raiding the trust fund, not having any money left for a prescription drug benefit, giving all of this money to the rich, you from Iowa tell

us you are willing to waste our seed corn, because the real economic benefits in our budget should come from educating our youth so we do not have to bring in all the foreign workers in the Silicon Valley because we do not have enough kids who have had a good education to handle the computer programming and the other things we have to do.

We should be ashamed of starving our children from the education they need, of providing health care to our seniors, providing health care to the youth in this country, providing a prescription drug benefit, all at the benefit of giving a few huge tax cuts to these extremely rich Republicans.

Mr. Chairman, I ask my colleagues, please, to vote against this budget. Let us give a little more Hamburger Helper out of that filet mignon than we are giving to the very rich and let us make some economic sense out of this economic Wizard of Oz story.

It does not add up. It helps only a few rich people. It is a travesty to the fair American system. It is not fair. It is not economic, and it is going to break the country.

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

PARLIAMENTARY INQUIRY

Mr. SAXTON. Mr. Chairman, may I inquire, did the gentleman from California (Mr. STARK) yield back all of his time?

Mr. STARK. Mr. Chairman, I reserved the balance of my time.

Mr. SAXTON. Mr. Chairman, may I inquire, it is my understanding that we are to have votes at this time or shortly, and a request has been made at this time to go ahead and take those votes. My intention at this time would be to yield back my time; however, if the gentleman from California (Mr. STARK) has more speakers and wants to wait until after the votes, which I understand will end about 7 p.m., then perhaps we can continue the debate during the Humphrey-Hawkins part of the debate after 7 p.m.

Mr. STARK. Mr. Chairman, it is my understanding that the Chair intends to call a vote at this point, and after the vote, we would continue using the time that has been allocated to the Joint Economic Committee, is that it, and it would be the time of the gentleman from New Jersey (Mr. SAXTON)?

Mr. Chairman, I have just a few speakers, and I have some time remaining, and I might as well do it now after we recognized the speakers, but I would ask unanimous consent to yield the balance of the Joint Economic Committee's time on the minority to the gentleman from South Carolina (Mr. SPRATT), the ranking member of the Committee on the Budget, if that is agreeable with the gentleman's side.

Mr. SAXTON. That is fine.

Mr. Chairman, I believe it would be expeditious on my part at this point to yield the balance of the Joint Economic Committee's time back to the gentleman from Iowa (Mr. NUSSLE), chairman of the Committee on the Budget, which I do.

The CHAIRMAN pro tempore. Does the Chair understand that the request is made on both sides, asking unanimous consent to yield back the balances of their times to the chairman and ranking minority member of the Committee on the Budget, respectively?

Mr. STARK. Mr. Chairman, at the balance of the speakers we have listed.

□ 1815

The CHAIRMAN pro tempore (Mr. HOBSON). The Chair will entertain that request at that time.

Mr. SAXTON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. BIGGERT) having assumed the chair, Mr. HOBSON, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the subject of the concurrent resolution on the budget for fiscal year 2002, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on the approval of the Journal, on agreeing to House Resolution 84, and then on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which the motion was entertained.

Votes will be taken in the following order:

Approval of the Journal, de novo;

House Resolution 84, by the yeas and nays;

H.R. 801, by the yeas and nays; and

H.R. 811, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

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

PROVIDING FOR EXPENSES OF CERTAIN COMMITTEES OF THE HOUSE OF REPRESENTATIVES IN THE ONE HUNDRED SEVENTH CONGRESS

The SPEAKER pro tempore. The pending business is the question of agreeing to the resolution, House Resolution 84, as amended, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution, as amended.

The vote was taken by electronic device, and there were—yeas 357, nays 61, not voting 14, as follows:

[Roll No. 62]

YEAS—357

Abercrombie
Aderholt
Akin
Allen
Armey
Baca
Bachus
Baker
Baldacci
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart
Dicks
Dingell
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)

Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stenholm
Stump
Stupak
Sununu
Sweeney
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Tierney
Towns
Traficant
Turner
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—61

Andrews
Baird
Barrett
Berkley
Boyd
Brown (OH)
Carson (OK)
Condit
Davis (CA)
DeFazio
DeMint
Deutsch
Doggett
Dooley
Duncan
Filner
Green (TX)
Harman
Hefley
Hill
Hilleary
Holt
Honda
Hooley
Hulshof
Inslee
Israel
Jones (NC)
Kind (WI)
Kingston
Kucinich
Langevin
Largent
Larsen (WA)
Lucas (KY)
Luther
Matheson
McCarthy (NY)
Moore
Paul
Peterson (MN)
Phelps
Roemer
Royce
Sanchez
Scarborough
Schaffer
Schiff
Slaughter
Smith (WA)
Strickland
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thurman
Toomey
Udall (NM)
Waters
Wu

NOT VOTING—14

Ackerman
Baldwin
Becerra
Bonior
Chabot
Deal
Lampson
Moakley
Owens
Rothman
Shaw
Sisisky
Stearns
Udall (CO)

□ 1840

Ms. HARMAN, Mrs. McCARTHY of New York, Messrs. LARGENT, DOOLEY of California, TAYLOR of Mississippi, LANGEVIN, CONDIT and HILLEARY changed their vote from ''yea'' to ''nay.''

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on the additional motions to suspend the rules on which the Chair has postponed further proceedings.

VETERANS OPPORTUNITIES ACT OF 2001

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 801, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 801, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 0, not voting 15, as follows:

[Roll No. 63]

YEAS—417

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—15

Ackerman
Baldwin
Becerra
Bonior
Chabot
Deal
John
Lampson
Moakley
Nussle
Owens
Rothman
Shaw
Sisisky
Stearns

□ 1849

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. JOHN. Mr. Speaker, on rollcall No. 63, H.R. 801, the Veterans' Opportunity Act of 2001, had I been present, I would have voted ''yea.''

VETERANS HOSPITAL EMERGENCY REPAIR ACT

The SPEAKER pro tempore (Mrs. BIGGERT). The pending business is the

question of suspending the rules and passing the bill, H.R. 811, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 811, as amended, on which the yeas and nays are ordered.

This will be a 5 -minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 0, not voting 15, as follows:

[Roll No. 64]

YEAS—417

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—15

Ackerman
Baldwin
Becerra
Bonior
Chabot
Collins
Deal
Lampson
Moakley
Owens
Rivers
Rothman
Shaw
Sisisky
Stearns

□ 1859

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FURTHER CONSIDERATION OF CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2002

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to the order of the House of Thursday, March 22, 2001, and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for further debate on the subject of the concurrent resolution on the budget for fiscal year 2002.

□ 1859

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for further debate on the subject of the concurrent resolution on the budget for fiscal year 2002, with Mrs. BIGGERT (Chairman pro tempore) in the chair.

The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier today, the following time remained for debate:

The gentleman from Iowa (Mr. NUSSLE) has 47 minutes remaining; the gentleman from South Carolina (Mr. SPRATT) has 51 minutes remaining; the gentleman from New Jersey (Mr. SAXTON) has 10 minutes remaining; and the gentleman from California (Mr. STARK) has 23½ minutes remaining.

The Chair understands that the time remaining for the gentleman from New Jersey (Mr. SAXTON) is to be yielded to the gentleman from Iowa (Mr. NUSSLE). Without objection, that will be the order. Therefore, the gentleman from Iowa (Mr. NUSSLE) has 57 minutes remaining.

There was no objection.

Mr. NUSSLE. Madam Chairman, I yield 2 minutes to the distinguished gentleman from Arizona (Mr. STUMP), the chairman of the Committee on Armed Services, for the purpose of a colloquy.

Mr. STUMP. Madam Chairman, I understand that the resolution before us contains a provision that would establish a reserve fund for fiscal year 2002 that would permit Congress to consider a possible amended budget request from the President for additional defense spending.

Mr. NUSSLE. Madam Chairman, will the gentleman yield?

Mr. STUMP. I yield to the gentleman from Iowa.

Mr. NUSSLE. Madam Chairman, the gentleman is correct.

Mr. STUMP. Madam Chairman, as the gentleman knows, the Secretary of Defense is engaged in a top down strategic review of the missions, processes and requirements of the military. I expect that this review will lead to an amended budget process for national defense by the President later this spring or early summer.

Could the gentleman clarify the processes by which resources from the strategic reserve fund would be made available to support such an amended budget request and how this process would apply to the annual defense authorization legislation?

Mr. NUSSLE. Madam Chairman, if the gentleman will again yield, the resolution permits the adjustment of the 302(a) allocation aggregates and functional totals to reflect authorization and appropriations legislation reported by July 11 of this year if such legislation exceeds the allocations contained in this concurrent budget resolution. The appropriation totals for the reported bills would be adjusted by the chairman of the Committee on the

Budget not later than July 25, 2001. The allocations could be further adjusted for a conference report considered at a later date as well.

Mr. STUMP. Madam Chairman, reclaiming my time, I appreciate the gentleman's clarification that the adjustment mechanism in the resolution would apply for both authorization and appropriation bills. I remain concerned that the timelines for reporting legislation and making required adjustments may be unsupportable should the administration be late in submitting an amended President's budget by request fiscal year 2002. In order to preclude such a problem, I ask that the gentleman work with me and the gentleman from Alaska (Mr. YOUNG), the chairman of the Committee on Appropriations, during the conference on the budget resolution to ensure that full consideration of the legitimate defense needs of the Nation is not restricted by an artificially imposed calendar deadline.

Mr. NUSSLE. Madam Chairman, if the gentleman will further yield, I am wholeheartedly committed to working with the distinguished chairmen of both the Committee on Armed Services and the Committee on Appropriations to ensure that the process delineated in the budget resolution is sufficiently flexible to give the committees adequate time to consider properly and report out legislation acting on the President's amended budget request.

Mr. STUMP. Madam Chairman, I thank the gentleman from Iowa (Mr. NUSSLE).

Mr. STARK. Madam Chairman, I yield 1½ minutes to the distinguished gentleman from Rhode Island (Mr. KENNEDY), who understands full well, better than many of us, that the very richest in this country are getting an incontrovertibly huge portion of this budget to the detriment of the average people in our districts.

Mr. KENNEDY of Rhode Island. Madam Chairman, like the gentleman from California, I ought to be thrilled about this tax cut, because rich families like mine will have even more money. In fact, I think my dad might be able to buy an extra boat down at the Cape; that might be a good thing, and then we could fit so many more people that we would like to have down there.

This is an absolutely incredible budget in that it reverses the age-old priority of helping working families in this country. The President claims that he wants to leave no child behind. Well, that is not reflected in this budget. This budget, in fact, increases education at less of the rate than the number of students that are going to be enrolling in schools, despite the fact that we have crumbling schools. This budget even makes sure that subsidies are taken away from 50,000 families on child care. I mean, I thought we were family-friendly in this Congress; we wanted to make sure people could go to work and have child care.

So this budget has less affordable housing, fewer child care tax subsidies, fewer dollars to support our aging and crumbling schools, fewer dollars for Medicare and Social Security; and all the while it gives the top 1 percent nearly half of the $1.6 trillion tax cut. I mean, it does not take much more understanding than that. Half of the tax cut goes to the top 1 percent of this country, and who pays for it? All of these programs. That is who pays for it.

Madam Chairman, it is said that actions speak louder than words, and this budget resolution is deafening. It fairly shouts that the single most important thing this government can do is redirect our national wealth to those who are already affluent. Not educate our children, not provide affordable prescription drugs to seniors, not save Social Security, not even give tax relief to the working poor.

This budget is built around a huge tax cut, and to pay for it, the President would raid Medicare and send the bill to working Americans.

Madam Chairman, this budget resolution trashes a century-old priority of helping working class Americans into the economic mainstream. It would slash the Public Housing Capital Fund, making affordable housing even more scarce. It would take child care subsidies away from 50,000 families at a time when only 10 percent of eligible families are receiving them in the first place. It suggests significant cuts to job training programs, making it harder for workers to keep up with the changing economy.

Even on education, which the President supposedly cares so much about, it dramatically cuts the rate of increase and eliminates funding to rebuild crumbling buildings. This despite the fact that the Department of Education anticipates student enrollment to grow by another four and a half million over the next 4 years.

Less affordable housing, fewer child care subsidies, less job training, inadequate support for schools, and of course weakened Medicare and Social Security systems—this is a budget that will stifle economic opportunity for tens of millions of Americans in order to pay for a disastrous tax cut to benefit the very wealthy. We should be taking advantage of this era of unprecedented prosperity to update our social infrastructure for new economic and demographic realities, not squandering it on a cart-before-the-horse tax cut that doesn't help the people who need it most.

Mr. STARK. Madam Chairman, I yield 3 minutes to the gentleman from Washington (Mr. MCDERMOTT), who as a physician understands full well the harm that will be done to the seniors in this country by the inadequacy of the prescription benefit that lies in the Republican budget.

Mr. MCDERMOTT. Madam Chair, during the break I found the symbols of this budget; I found three walnut shells and a pea here. If we watch this budget, we are going to watch these guys play that old country-fair game of moving it around.

I want to talk about the numbers, because we have talked about the principles, all the principles; but let us talk about dollars.

The President says, and we agree, there is $5.6 trillion in surplus. Now, if we take away the Social Security and the Medicare and put it into those trust funds and leave them there to deal with Social Security and Medicare, we are down to $2.5. We take $3 trillion out with those two issues. Now we have $2.5 trillion; we can just spend it any way we want.

So the President says, let us spend $1.6 trillion on a tax break, let us give it back to the people. That sounds good. Everybody in favor of that, all right. But, let us think a minute.

When we change the tax structure, we change the whole tax structure. Right now there are 2 million people who have to figure their taxes twice under the AMT. With the President's changes, there will be 25 million people who will get the pleasure of figuring their taxes twice. If we want to change that and fix the AMT, it costs $300 billion. Ah, and, if we spend this 1.6 trillion and do not pay down the debt, we wind up having to pay another $400 billion in interest. Now, if we add all of that up, that leaves $207 billion to deal with all the needs of this country over the next 10 years.

The President has said he wants to give prescription drugs. That is $153 billion. So we are getting down to $60 billion for 10 years, remember; and then he wants to do something about defense, maybe $5 billion a year for 10 years. That is 50. So we are down to $10 billion, folks, left to do everything this country needs. He says he wants to do something about education. I have to get my walnut shells out here again because that man is going to have to have these to start moving it around. He says he wants to do something about conservation, wants to save the land and the trees and whatever, wants to deal with crime. But the walnut shells must have the answer, because the tax cuts for health care coverage is another issue. There is no money for the President to do what he says he is going to do.

The numbers are right here. All Americans sitting at the kitchen table, take it down, $5.6 trillion minus $2.5 trillion, minus $500 billion, we have $3 trillion gone. That only leaves $2.5 trillion. It is not there. Vote against it.

Mr. STARK. Madam Chairman, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY), who agrees with the statement from the Alliance of Retired Americans that the budget before us could cause Medicare, which has out-performed conventional commercial health systems over the past decade, to go into a financial nose dive and insolvency by the year 2010 or so.

Mr. HINCHEY. Madam Chairman, the budget resolution we have before us is essentially perverse. It is so because the main feature of this budget is a huge tax cut. Now, that tax cut, as was explained to us just a few minutes ago, is much larger than it pretends to be, or the President pretends it to be. When that tax cut over 10 years is fully

implemented, it turns out to be at least $2.5 trillion. That eats up essentially all of the anticipated surplus under the rosiest of circumstances over the next 10 years. That means that there is nothing left for education, there is nothing left for health care, there is nothing left for agriculture, there is nothing left for disasters. Every penny which is anticipated to be in the budget under the rosiest scenario over the next decade is gone. It is wiped out.

Why would anyone do that? Well, I think that there is a lesson here by examining history. This particular President was, for a period of time, the Governor of Texas. While he was Governor of Texas, he inherited a huge surplus from the previous administration, just as he has inherited a huge surplus from the previous Presidential administration here in Washington.

So, in Texas, he engaged in a huge tax cut. He thought that that would be a good thing for the Texas economy. Well, what is the fact of the matter? The fact of the matter is now that the Texas budget is in serious deficit. The Texas economy is in serious decline. That is what this President wants to do to the Nation. When somebody asked him, well, what are you going to do about the situation in Texas, while he was campaigning last year, his response to that question was, well, I hope I am not there to deal with it, and he was not there to deal with it. But we and he and the American people will be there to deal with the perverse consequences of this tax cut if we allow it to happen.

Now, what about Medicare? The President says he wants to have a prescription-drug program under Medicare, but there is no money for it because it is all gone, it is eaten up by his tax cut. So he wants to take money out of the Medicare trust fund and out of Social Security. He wants to take fully $1 trillion out of Social Security and Medicare over the next 10 years.

Think about what that is going to do to the security of people who are relying upon Social Security for at least some part of their retirement. Think of what that is going to do to the health care of aged Americans who are relying upon Medicare to provide their health care during their elderly years. He eats up $1 trillion of Medicare and Social Security, and that is the effect of this budget; and that is why it needs to be defeated.

Mr. STARK. Madam Chairman, I yield 4 minutes to the gentleman from North Carolina (Mr. WATT), who understands that we could take the $50 billion a year that we are going to give away to a few rich Americans in estate tax relief and fund a decent prescription-drug benefit for our seniors with that same money.

(Mr. WATT of North Carolina asked and was given permission to revise and extend his remarks.)

□ 1915

Mr. WATT of North Carolina. Madam Chairman, I do not often come to the floor to speak on budget matters. I tend to leave these debates to the so-called budget experts. But I cannot sit idly by and let what we have worked so hard to accomplish be rolled back and destroyed for political benefit by the so-called experts, who seem to have lost touch with old-fashioned common sense.

Some people have referred to me in my political career as a liberal, but there is one very conservative thing my mama taught me when I was growing up: We simply do not spend money that we do not have. Now, my so-called conservative colleagues seem to be violating my mama's commonsense, conservative rule.

When I was elected in 1992, the annual budget deficit was approaching $200 billion per year, and was projected to grow at over $500 billion per year. If the projections had turned out to be correct, the budget deficit for the last 10 years would have been somewhere between $2 trillion and $5 trillion. Those projections proved to be woefully incorrect. Instead, the Congressional Budget Office now projects that we will have a budget surplus of over $5 trillion over the next 10 years.

What is my point? Am I trying to prove that President Clinton and this Congress did a great job or worked some magic to create the surplus? No. My point is that budget surplus and projections can be in error, and they almost always are.

Consider these facts: In January of 2000, the CBO projected that the budget surplus would be $2.4 trillion less than they projected that it would be 1 year later, in January of 2001. They were 75 percent off in their projections. That is staggering, even compared to the miscalculations they made during the 10 years that I have been in Congress.

The CBO itself says that there is a 1 in 20 chance that the Federal budget will be back in deficit in less than 5 years, even without a tax cut. If we take out the Social Security surplus, CBO says there is a 1 in 5 chance that we will be back in deficit spending. That is with no tax cut, no prescription drug benefit, no hurricanes, no tornadoes, no farm emergencies, and even if we keep the same spending levels, adjusting only for inflation.

So what is up with my so-called conservative colleagues? They obviously did not grow up listening to my mama's conservative philosophy, but I think I am going to stick with my mama's philosophy: We should not spend what we do not have. I think that is still a good philosophy for our households, and it is also a good philosophy for our country. We should stick to it and vote against this budget resolution.

Mr. STARK. Madam Chairman, I ask unanimous consent to yield the remainder of the time that I control to the gentleman from South Carolina (Mr. SPRATT), the distinguished ranking member of the Committee on the Budget.

The CHAIRMAN pro tempore (Mrs. BIGGERT). Is there objection to the request of the gentleman from California?

There was no objection.

Mr. NUSSLE. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I would say I wonder where the gentleman's mother was for the last 40 years when we were spending all the money that the Democratic-controlled Congresses were spending that they did not have.

It is great to quote one's mother when it works. I am probably as much at fault for that as anybody, not listening to my mother enough. But we should quote our mothers all the time, not just some of the time.

What we are going to talk about tonight, we are going to talk about the budget that we believe is an important step towards securing America's future. As we wrote this budget in the committee, taking the advice of the President, taking the advice of many years of budgets, we came up with six principles that we felt were important to put into this budget:

No. 1, maximum debt elimination;

No. 2, tax relief for every taxpayer;

No. 3, improved education for our kids;

No. 4, a stronger national defense;

No. 5, health care and Medicare modernization with a prescription drug benefit;

And finally, No. 6, better Social Security for our seniors.

The gentleman from Michigan (Mr. HOEKSTRA) will talk about how we are going to improve education for our children.

Madam Chairman, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Madam Chairman, I thank the gentleman for yielding time to me.

Madam Chairman, for a number of years we have been taking a look at the dollars that we spend from Washington on our children. We have determined that the most effective way to spend those dollars is when we empower local school officials and parents to make the decisions for their children.

The direction of President Bush's education reform agenda and this budget reflect the importance that we place on parents and local school officials. The President's education plan calls for increased flexibility so as the dollars go to the local level, they can identify the needs of the particular children in their schools and match the needs to the funding that comes from Washington.

We want to hold States and local school districts accountable, making sure that every child is learning. For those children who are locked into failing schools, we would provide them with a way out.

But the budget is about investment. It is about how we are going to spend

and how much more we are going to invest in America's children. The budget resolution calls for an increase of $4.6 billion, an 11.5 percent increase in program spending. We are going to triple funding and spending on one of our key priorities, which is making sure that every child has the opportunity to learn how to read.

We are going to provide $2.6 billion in increased spending to make sure that there is a qualified teacher in the classroom with all of our children. And as we ask States to hold schools accountable for learning, we will provide the funds to the States to not only develop the tests, but also to administer the tests at the local level.

Over the last number of years, we have identified special education as one of those major mandates on States that we never fully funded. We set aside an additional $1.25 billion to move towards meeting that commitment of full funding for special education.

We increased Pell grant spending by another $1 billion, so more of our children will have an opportunity to access higher education. In addition, we make provisions through the Tax Code, setting up educational savings accounts so more parents and families can prepare for the higher education needs of their children, but also for the K through 12 expenditures that they will incur.

There is a tax deductibility feature for teachers for classroom expenses. There will be a full tax exemption for all qualified prepaid State tuition plans, and a provision to allow for tax deductibility for certain features for school construction.

This is a comprehensive plan of education reform. It is a comprehensive plan for funding education to meet the priorities of America's children today and in the future. We are moving in the right direction. I encourage my colleagues to support this so we do not leave a single child behind.

Mr. SPRATT. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, in response to what has just been said, let me say if there is a difference between two budgets, it is more distinct on the issue of education than anywhere else.

While the gentleman claims that they have increased education between this year and next year by 11.5 percent, he can only claim that by claiming over $2 billion that we have already appropriated in the last Congress for education. If we back out that money already appropriated, the increase is about 5.6 or 5.7 percent.

If we compare that to last year, the current year, in 2002, that will pale in comparison. In 2001, we have an increase of 18 percent for education. Over the previous 5 years, we have had an increase averaging 13 percent. What they are now bringing to the floor as an education budget pales in comparison to what we have done in the recent past, and it pales in comparison, it is no comparison, to what we are presenting in our budget resolution.

Our budget resolution will take our good fortune, the surpluses we have now, and invest more than $150 billion above the rate of inflation in education, $130 billion in our Democratic budget resolution for education over and above what the Republican resolution provides. So if they say this is a first criterion, then on that score we win hands down.

There is another salient difference between us and them. That is on Social Security and Medicare. All through the 1990s we have been able to foresee the day coming when the baby boomers retire, and when they all retire, Social Security and Medicare, two essential programs, are going to be stretched, possibly to the breaking point.

We did not have in the early and mid-1990s the wherewithal to deal with this problem. Even when we finally got the budget in surplus, it still was not big enough to step up to this huge problem. But now that we have gotten the year-to-year deficits out of the way, we have to face the long-term deficit. We may be sitting on an island of surpluses right now, but we are surrounded by a sea of debt. That debt runs into trillions of dollars for benefits promised but not yet provided Medicare and Social Security beneficiaries in the future.

Given the opportunity, we have got the obligation to do something about it, and our budget does something about it. Our budget will take one-third of the surplus and transfer it in equal shares to the Medicare Trust Fund and the Social Security Trust Fund, extending the solvency of Social Security to 2050 and Medicare to 2040.

The Republican budget resolution does nothing at all for the solvency of those two systems. In fact, it actually takes away from the solvent life of the Medicare system by allowing a new prescription drug benefit to be deducted from the trust fund, diminishing the fund available to run the regular benefits now provided by that program and shortening its solvent life.

We add prescription drugs, but for the additional benefits, we provide additional money out of the general surplus of the Treasury.

Madam Chairman, I yield 9 minutes to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Madam Chairman, I thank the gentleman for yielding time to me.

Let me start by talking about the resolution that is before us today, the Bush Republican budget that is before us today.

I think it is important to note that this budget, even though it is only for fiscal year 2002, this is a budget that is driven by one thing over 10 years, by this $1.6 trillion tax cut, actually a tax cut that is growing by leaps and bounds every day.

The problem with this budget is that in order to get the tax cut funded and to meet the $260 billion of additional spending the President wants, and, in addition, more spending that the President is going to ask for later, he has to offset it somewhere.

Where he offsets it, and our colleagues, our Republican colleagues on the Committee on the Budget did that as well, is they do it through the trust funds. They do it primarily through the Medicare Hospital Insurance Trust Fund, where they take a large portion of it to fund their reserve, and in order to meet the public's demand for prescription drug coverage, they come up with a minimal prescription drug plan that the President campaigned on, the Helping Hand plan, which will not solve the problem. We will talk about that in a second. But in doing so, they shorten the life span of Medicare, and it leads to the following conclusions: either ultimately to cut Medicare benefits, raise payroll taxes, or actually increase debt when we ought to be decreasing debt instead.

□ 1930

At the same time, the Bush budget, which the Republican budget tracks, would use $500 billion to $600 billion of Social Security trust fund monies to privatize Social Security.

We do not know exactly what privatize means, but we do know any time you take trust fund monies, monies that have been obligated to future benefits paid for by FICA taxes, you have to make up that money. That is money that is already obligated, and you have to make it up either through more debt, higher payroll taxes or reduced benefits.

Here is what happened with the Republican plan. With the Republican plan moving at least $150 billion out of the Medicare trust fund, it shortens the life span to Medicare. The actuaries came out the other day and they said Medicare now is good till 2029 or 2028, but under the Republican plan before us tonight, you would actually shorten it to about 2024. It is moving in the wrong direction in trying to ensure Medicare solvency.

On top of that, the Republican plan as it is would affect Social Security, and this is what is in the President's budget. The actuaries the other day said the plan would go to about 2038 or 2039, full benefits paid under Social Security to 2038. Yet under the President's and the Republican's plan, it would shorten the life span of Social Security to as little as about 2027.

Madam Chairman, I do not think that that is what the American people want, given these two very successful programs. And the problem that we have today is the Republican budget, try as it might, the numbers simply do not add up because with a 10-year budget, the numbers are driven solely by

trying to fund the tax cut first and then deal with our obligations to pay down the debt.

Our obligations are to ensure the solvency of Social Security and Medicare, not just for today's beneficiaries, but near-retirees and future beneficiaries and to find a prescription drug program. That is what the American people said they wanted in the last election.

Madam Chairman, I am going to switch and yield to the gentleman from Washington (Mr. MCDERMOTT), my colleague.

Mr. MCDERMOTT. Madam Chairman, I am up here to talk about one issue, the prescription drug benefit that everybody says they want from Medicare. Now, sometimes the Republicans, when they do budgets, tell the truth.

There are some people who actually come out and say what it is. A Republican acknowledged today that the $153 billion that President Bush set aside would not be enough. Let me quote him, he said ''everybody knows that figure is gone. That is what the gentleman from Louisiana (Mr. TAUZIN) said.

He said it was set before the CBO estimated last year's House bill, which he said has already gone to $200 billion. The President put $153 billion in the budget, and the bill we passed last year was $200 billion.

Now the Republicans know that we have $392 billion in surplus in the Medicare plan. People pay their taxes. Everybody gets a pay stub that says HI on it, and that is the Medicare trust fund; that is we have $392 billion more than we needed.

The Republicans say, well, we will keep $239 billion, and we will take $153 billion away and put it into the drug bill. That is the $153 billion, the President says.

We know last year's bill was $200 billion, so we already know they are going to cheat. They are not going to give you what they promised last year. What the Democrats promised is the other one over here, where we add $330 billion out of the surplus in addition to what we put into Medicare.

As I said before, this is a shell game. These walnut shells, you can move them around, but the fact is this is a walnut shell. You cannot get two things out of the same money; and, my friends, if you are counting on a prescription drug benefit, you better hope the Democratic bill passes.

Mr. BENTSEN. Madam Chairman, I yield to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Madam Chairman, in North Carolina, we have a district where we are aging, and we have an out-migration of young people. What this means is the fact that we have larger percentages of older, lower-income people who indeed are paying an ever-increasing amount for prescription drugs. And to that extent, there is not a Medicare model that can effectively provide those resources in my district.

We cannot depend on HMOs for insurance for that. So in our district, it would mean that many of our people will go without the kind of health care they need. If, indeed, this budget goes through, there is very little hope with the proposed amount of money that is in the Republican bill that it would be sufficient to meet the needs of the constituents in my area.

Madam Chairman, there are many other districts in the United States that are very similar to my district. So I think the sensitivity is there. The people know that prescription drugs is a number one issue, but in rural America, where there are larger percentages of lower-income, senior citizens and the lack of insurance models for prescription drugs, we must depend on the Medicare model to have it.

Madam Chairman, I thank the gentleman from Texas for yielding to me.

Mr. BENTSEN. Madam Chairman, reclaiming my time, I want to ask the gentleman from Washington (Mr. MCDERMOTT), the difference between the Democratic plan and the Republican plan as I see it is this: The Republican plan A takes $150 billion to start out of the Medicare trust fund, thus shortening the solvency of the trust fund to pay for its prescription drug plan. The Democratic plan funds a prescription drug program at an adequate number and does not deplete it from the Medicare trust fund thus does not do anything to shorten the solvency of Medicare. In fact, we propose extending the solvency of Medicare.

Madam Chairman, I ask the gentleman from Washington if that would be correct; and I yield to the gentleman from Washington.

Mr. MCDERMOTT. Madam Chairman, what the gentleman is saying is that the President's budget says this, and this is the one he brought up and stood up here and talked about, that Medicare over the next 10 years is going to be $654 billion short. The Republicans's plan puts nothing into that. They put $153 billion into drugs and another a bunch of money, they call it modernization, $239 billion in modernization; whatever that means, I do not know. It does add to the $640 billion.

Mr. NUSSLE. Madam Chairman, I yield myself 1 minute just to respond briefly.

Madam Chairman, of course my colleagues do not know what modernization is because they never proposed it. I mean it should not be a surprise that they come out of the floor now and say they do not know what modernization is. They do not know what reform looks like; of course not.

It has been Republicans that have come to the floor in budget after budget after budget extending the trust fund, extending the solvency.

When we took control of the Congress just 6 years ago, the trust funds were going bankrupt. And now my colleagues run to the floor and say our budget might, our budget could, our budget may, because you have at least some intellectual integrity to suggest that at least under our plan we can get the job done and still be able to provide the kind of reforms and modernization that we claim we can under this particular budget.

Yes, this budget allows for Medicare modernization. We are proud of that. The fact that my colleagues want to come in here and want to scare seniors about Medicare, I say sadly is not all that unusual. But I would ask my colleagues to please curb your rhetoric, because my colleagues know full well, that is not what our budget does.

Madam Chairman, to talk about how we are going to reduce the national debt, I yield 3 minutes to the gentlewoman from Texas (Ms. GRANGER), who is an outstanding member of the Committee on the Budget.

Ms. GRANGER. Madam Chairman, I rise today to speak in support of this budget resolution. I am especially pleased that a key aspect of this responsible budget blueprint is a significant reduction of our national debt.

When the Republicans became this Chamber's majority in 1995, the Congress had become all too familiar with running deficit budgets. That year the deficit was $164 billion. Worse yet, our publicly held debt was $3.8 trillion.

By the end of the fiscal year 2000, there were not deficits. In fact, we celebrated our third consecutive budget surplus, an achievement not seen in 50 years. We will have a surplus again this year, Madam Chairman, and this is a budget we can be proud of.

This year the government is paying down the debt by $262 billion. Since 1997, we have set aside $625 billion for debt repayment. That is a remarkable achievement and a good starting off place. But this budget will pay down an historic $2 trillion of publicly held debt over the next 10 years.

Why should we pay down the national debt? One reason is paying off the debt helps reduce interest rates. If those interest rates permanently fall by just 1/100 of a percent, the Federal Government can save an estimated $300 million per year in interest payments. Saving that money allows us to focus on funding the priorities of this Congress.

How does paying down the debt help the American people? It makes it easier for lending. It helps the average American get a loan for a purchase of a car, open a small business or pay down his credit card debt.

How does it help the American economy? It encourages more private sector investment. Instead of buying government bonds, that money can be used to finance long-term private sector projects, ensuring that we enjoy the strong economy we know is important.

By paying down $2 trillion, the government's publicly held debt will decline to just 7 percent of the gross domestic product by the year 2011. Its lowest level in 80 years.

We are paying down as much debt as we can as fast as we can. So why do not

we just eliminate the public debt? Because the roughly $1 trillion of remaining debt is nonredeemable. It consists of marketable bonds that will not have matured, as well as savings bonds and special bonds for State and local governments.

This budget is committed to responsible debt reduction. By refusing to touch the nonredeemable debt, the government will not pay premiums and penalties for retiring the debt too fast; that could cost the American taxpayer as much as $150 billion.

Madam Chairman, in town hall meeting after town hall meeting, my constituents tell me that they are responsible for providing for their families, for running their business and planning for the future for themselves and their families. Leaving more than $3 trillion for another Congress, another time is not only irresponsible, it is unworthy of us as their elected representatives.

We have an opportunity and an obligation to pay off the maximum amount of debt that we can responsibly pay, and that is what is presented in this budget resolution.

Madam Chairman, I urge my colleagues to support this budget. Debt reduction can be this Congress' most important legacy.

Mr. NUSSLE. Madam Chairman, there was a mention made before about privatizing Social Security in our budget. We do not privatize Social Security in our budget, and the gentleman from New Hampshire will talk about that.

Madam Chairman, I yield 3 minutes to the distinguished gentleman from New Hampshire (Mr. SUNUNU), who is vice chairman of the Committee on the Budget.

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

Mr. SUNUNU. Madam Chairman, I want to thank the gentleman from Iowa (Mr. NUSSLE), Chairman of our Committee on the Budget for yielding the time to me.

Madam Chairman, I think it is important that we step back. We have heard a lot of rhetoric here. And as the gentleman from Iowa (Mr. NUSSLE) pointed out, most of it is designed to scare people.

I think that is unfortunate, because we have an historic opportunity to use record budget surpluses to do the right thing for the country; to put together a strong budget; to make the Tax Code more fair. I think we should step back and talk about what is in this budget rather than listening to speculation and scare tactics.

As the gentlewoman from Texas (Ms. GRANGER) indicated, we pay down more debt over the next 10 years than has ever been paid down by any country in the history of the world, over $2 trillion in debt retirement keeping interest rates low.

Of course, we cut taxes. We have heard a lot of speculation that it will be a $2.5 trillion dollar tax cut, and it is very interesting to see Members on the other side advocating for reform of AMT, which is not even part of the President's proposal.

The reason is because they are putting up a strawman that they might debate against, when they know full well the way budgets are written, it allows for $1.6 trillion over the 10-year period and no more.

We improve education, strengthen our national defense, and, of course, we have health care reform, Medicare modernization. For the first time in our country's history, we are creating a reserve fund to support reforms, modernizations for Medicare that were designed 35 years ago. Somehow the minority wants to portray this as being risky. Suddenly it is risky to set up a reserve fund, something we have never done in this country. I think not.

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Of course, Social Security. Let us take a close look at how we are dealing with Social Security in this budget. First and foremost, we are setting aside every penny of the Social Security surplus, something I am sure my colleagues on the other side of the aisle will be pleased to know. It will be the third year in a row that we have done this.

It is important to reflect on the fact that it was the House Committee on the Budget 3 years ago that first proposed the idea of setting aside every penny of the Social Security surplus. We protect that surplus. It is shown very clearly.

We will use much of those revenues that are coming in to do the right thing for the taxpayer and retire a record amount of debt, but we also set up a reserve account for Social Security.

In addition to that reserve for Medicare, we set up a reserve for Social Security in order to pay for a bipartisan bill, reforms, modernization, initiatives that will strengthen that program. We do not prejudge what that fund will or will not be used for. But we know it will be there when we can get a bipartisan bill like the Kolbe-Stenholm bill that has been introduced or some other piece of legislation. We know we will have the funds to strengthen Social Security.

Is there tax relief in this bill? Yes. Right here, $1.6 trillion. Not 2, not 2.5, not 2.8. It is very clearly written in the budget resolution making the Tax Code more fair for all Americans.

Even after we do all this, we still have money left over in a contingency reserve. That is not risky. It is fair, it is balanced, and it makes common sense.

I urge my colleagues to support the resolution.

The CHAIRMAN pro tempore (Mrs. BIGGERT). The gentleman from Iowa (Mr. NUSSLE) has 43½ minutes remaining. The gentleman from South Carolina (Mr. SPRATT) has 50½ minutes remaining.

Mr. SPRATT. Madam Chairman, I yield 1½ minutes to the gentleman from Texas (Mr. BENTSEN).

Mr. BENTSEN. Madam Chairman, to briefly respond to my dear chairman of the committee, let me say that, when we talked about Medicare in 1995 when the Republicans took control of the House, the first thing they tried to do was to cut Medicare by $270 billion and Medicaid by $107 billion to fund their tax cut. They did not like it in 1965, they did not like it in 1995, and we are not sure that they like it right now. We fought them then, and we stopped them from doing it; and we helped preserve the program.

Let me tell the gentleman from New Hampshire (Mr. SUNUNU), one cannot reserve something that is already obligated for the future. One can only spend it on what it is obligated for, or one has to cut to get there.

Mr. NUSSLE. Madam Chairman, I yield myself 1 minute.

Madam Chairman, to the gentleman from Texas (Mr. BENTSEN), my very good friend, in 1965, I was 5 years old. Most of the people here were at least that age. We were not here in 1965. The gentleman was not here in 1965. How old was the gentleman in 1965? My guess is the gentleman probably was not much older than me.

My point is very simple, can we back off of this for just a moment. Both sides want to protect Social Security. Both sides want to protect Medicare and pay down the national debt. Both sides want to provide tax relief. Can we at least agree on that, and talk about real numbers?

If you want to continue to heighten the rhetoric here tonight, we can go toe to toe. That is not what the American people are wanting to tune in to listen to tonight. They want to know what is in your budget. They want to know what is in our budget.

Do not try to scare seniors with this. That is not what this is about. Both sides, both sides, I say very respectfully, want to save Social Security, Medicare, pay down the debt, and provide tax relief. We have a little bit of different approach on all those things. Let us talk about those little bit different approaches, but quit scaring seniors, telling them we are not setting aside this or we are dipping into that. That is not fair. Let us be fair about this debate.

Mr. SPRATT. Madam Chairman, I yield 7 minutes to the gentlewoman from Oregon (Ms. HOOLEY). Going back to the topic of education on which I think we are clearly superior, who better to talk about education than the gentlewoman from Oregon (Ms. HOOLEY), who is a public school teacher. She in turn will recognize and yield to the gentleman from North Carolina (Mr. PRICE), who is a former professor at Duke, and the gentleman from New Jersey (Mr. HOLT), who is a former professor of physics at Princeton.

Ms. HOOLEY of Oregon. Madam Chairman, I yield to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Madam Chairman, I thank the gentlewoman for yielding.

Madam Chairman, the Republican budget deserves a failing grade on education, there is no question about it, because it only increases funding for the Department of Education by $2.4 billion. That is 5.7 percent, 5.7 percent over last year's levels. That is less than half the average increase that Congress has provided for the last 5 years.

Now, to inflate their increase, the Republicans try to claim credit for funding that we already provided for next year. That is not education leadership; that is budget gamesmanship.

Democrats, on the other hand, provide $4.8 billion more for education than the Republicans do for next year. This chart makes the comparison very clearly. Our budget provides $129 billion more over the next 10 years. Under the Democratic budget, our country will be in a much better position to address the challenges we face in education like reducing class size, school construction, recruiting and training teachers, boosting title I aid for disadvantaged students, increasing Pell Grants for college students, meeting the Federal Government's obligations to special-education funding, expanding Head Start.

There is so much that we need to do. Education needs to be a priority item in this budget, and the Democratic budget resolution provides that priority.

Let me ask the gentleman from New Jersey (Mr. HOLT), who has also joined us here, to discuss how the Democratic budget addresses what I consider to be the number one education issue of the next decade, the teacher shortage. We are going to need 2.2 million new teachers in this country in the next 10 years, and I do not think anybody knows where they are coming from. We need to be anticipating this need.

I ask the gentleman from New Jersey (Mr. HOLT) where are we on this question of the recruitment, retention, and professional development of teachers?

Ms. HOOLEY of Oregon. Madam Chairman, I yield to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Madam Chairman, I thank the gentlewoman for yielding to me.

Madam Chairman, the Democratic budget recognizes that, whatever education reforms we are talking about, they will not mean anything unless we have quality teachers in the classroom. Does the Republican budget respond to this need? I would say no.

Over the next 10 years, as the gentleman from North Carolina (Mr. PRICE) points out, we will need 2.2 million new teachers. This is a national problem. It requires national attention. This is not something that a single school district or a single State can take care of.

Many of these teachers will be called on to teach science and math. Many will feel inadequate to do that. We must find ways to recruit and retain quality teachers, including math and science teachers, not only to keep the attrition rate low, but to ensure that the classrooms are not overcrowded.

The Democratic budget recognizes that, when our schools recruit and train new teachers, they are going to need modern classrooms as well.

Madam Chairman, I just want to emphasize that talking about educational reform is not good enough. We have to put something behind it.

Ms. HOOLEY of Oregon. Madam Chairman, reclaiming my time, we have got a problem with school construction. Our schools are bursting at the seams. One cannot go on a school tour anymore without looking at a classroom or closet that has been converted to a classroom or students sitting on the floor, radiators, windowsills because the classroom is overcrowded.

The Republican budget diverts $1.2 billion in school construction that this Congress provided last year and then eliminates construction funds for the next year. This comes at a time when we have a crisis in this country. We have $100 billion worth of projects for new school construction and renovation.

The Democratic budget provides $4.8 billion more than the Republican budget for education and $129 billion over the next 10 years. We have said education is a priority, and we have put our money where our mouth is.

Our budget also provides more than the Republicans for special education, an issue that is near and dear to my heart. The Democratic budget moves our country closer to a promise we made 26 years ago when we first passed the Individuals with Disability Education Act. We said we would pay 40 percent of the excess cost. Well, we need to do that. The Democratic budget does that over a 10-year period, adding $1.5 billion each year.

Since coming to Congress, I have visited every school district, large, small, rural, urban; and despite their geographic and economic differences, every school is struggling to provide the necessary services to children with disabilities.

We have a historic opportunity to meet our Federal commitment to our local schools. It is time that we keep the promise that we made 26 years ago that we invest in education of every child.

Madam Chairman, I yield to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Madam Chairman, I thank the gentlewoman for yielding to me.

Madam Chairman, speaking of promises made, probably everyone in this Chamber remembers that when Candidate George W. Bush promised to raise the maximum Pell Grant award to $5,100 for freshman, it was welcomed with great enthusiasm. Well, President Bush, I am afraid, is not upholding that promise.

The Republicans in this budget have fallen $1.5 billion short of the amount needed to fulfill that promise. The Republicans are only providing enough funding here to raise the maximum award by $150; that is, from $3,750 to $3,900 a year. With $4.8 billion more for education next year, the Democrats' budget does far better for that.

For a final thought, let me turn again to the gentleman from New Jersey (Mr. HOLT), who, as his bumper stickers say, is in fact a rocket scientist, and ask him: Is the Republican budget adequate in terms of critical research funding?

Ms. HOOLEY of Oregon. Madam Chairman, I yield to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Madam Chairman, this is also related to education which we will address shortly. Quite simply, the Republican budget shortchanges scientific research. This is important, not only for producing the new ideas that are necessary to power our economy to lead to productivity growth, but it is also how we train the future educators and the future scientists.

The Republican budget holds NSF flat. It cuts NASA below the level needed to maintain the current purchasing power. Basic scientific research, which is the backbone of our economic success, would suffer under this Republican budget.

The Democratic budget, on the other hand, looks after these interests. The Democrats provide $300 million more than the Republican budget for research and development at NASA, NSF, the Department of Energy. We keep our commitment to doubling the funding for the National Institutes of Health by 2003.

Our increased commitment as a Nation to scientific research is essential. This is important for education as well as for economic benefits to everyone in this country.

Ms. HOOLEY of Oregon. Madam Chairman, reclaiming my time, we need to invest in our future; and we can do that by investing in education.

Mr. NUSSLE. Madam Chairman, I yield 3 minutes to the distinguished gentleman from Kansas (Mr. RYUN) to speak about our commitment to our Nation's defense.

Mr. RYUN of Kansas. Madam Chairman, as my colleagues can see from our budget, some of our priorities are listed; and one of those is a stronger national defense. That is one of the reasons that I support the fiscal year 2002 budget resolution.

Not only have the Republicans once again balanced the budget without dipping into Social Security and Medicare, we have met important priorities that continue to provide for the commitment of our men and women who are willing to stand in harm's way to give us a strong defense.

When I visit the soldiers that are at Fort Riley and Fort Leavenworth and

our guardsmen at Forbes Field in my district, I know we need to do more for them. They have done a great deal to defend us. This budget does provide for that.

After years of neglect and a series of overdeployments under the previous administration that left our defenses stretched thin, the defense budget faced serious shortfalls. For too long we made the motto of the military ''do more with less.''

Between 1997 and 2001, the Republican-led Congress added $34.4 billion to make up for that inadequate funding. I am proud to say that, with this budget, the Republican budget, we are adding another $14.3 billion to fulfill our first duty under the Constitution, and that is to provide for the common defense.

Our military personnel deserve the 4.6 pay raise that we are providing for in this budget. They deserve the $400 million committed to improve military housing, which is a very big issue for them, quality of life issues. They deserve the $2.6 billion down payment on the $20 billion technology program to improve the equipment that they use when they go out on a mission.

More importantly, they deserve to know that, when Secretary of Defense Rumsfeld completes his military-wide, top-to-bottom review, that we stand ready, in the Republican initiative, not in the minority's initiative, that we will provide the necessary resources should there be more money needed to help make sure our troops are best trained and well equipped.

For those who have already served, this budget provides $3.9 billion to expand TriCare benefits for our military retirees from the age of 65 up, and it provides another $1.7 billion increase in veterans' health care, things that we have made commitments to that we are following up on.

Madam Chairman, this is a responsible budget. We are passing the budget on time. It is a budget that meets the priorities, as my colleagues can see from here. It is a budget that allows room for the appropriate adjustments, should they come, for unseen emergencies and for reform.

I encourage all of my colleagues, my friends on the other side as well, to join me to vote for this resolution.

Madam Chairman, I yield back the balance of my time to the gentleman from Iowa (Mr. NUSSLE), chairman of the Committee on the Budget.

Mr. SPRATT. Madam Chairman, I yield 3½ minutes to the gentleman from Florida (Mr. DAVIS).

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Mr. DAVIS of Florida. Madam Chairman, our debate tonight is in part a disagreement as to the size of a tax cut and what our priorities as a Nation should be.

Here are the facts: The Congressional Budget Office projects a $5.6 trillion Federal surplus over the next 10 years. Democrats and Republicans have agreed that we should set aside $3 trillion of that projected surplus that is in the Social Security and Medicare Trust Funds. That leaves a projected surplus of about $2.5 trillion. This projection was made in January of this year based on an assumption that the economy would enjoy a substantial growth rate in excess of 3 percent annually for the next 10 years. That assumption is increasingly questionable.

Over a majority of States now are experiencing their own financial difficulties, and last week two major national financial institutions, Wells Fargo and Merrill Lynch, significantly lowered their projections as to our surplus. In fact, Wells Fargo suggested that the projection for this year will be 20 percent lower than what the CBO had projected.

Based on what we believe is a more conservative approach, the Democratic budget alternative calls for a tax cut of approximately $737 billion, roughly one-third of the projected surplus. This $737 billion tax cut allows us to direct $3.7 trillion to pay down the massive Federal debt, to help keep interest rates low, and to protect Social Security and Medicare for the retirement of the baby boomers.

Our $737 billion tax cut, in contrast to the Republican tax cut, targets tax cuts to those taxpayers at the bottom and the middle who are struggling the most to make ends meet. The Democratic budget plan provides marriage penalty relief by providing a standard deduction for married couples equal to twice the standard deduction for individuals. We provide relief from estate taxes by increasing the estate tax exclusion to $4 million per married couple; that is, $2 million per individual immediately, gradually increasing that exemption to $5 million. Our estate tax reform would repeal the estate tax for over two-thirds of the estates that pay the tax currently.

Our $737 billion tax cut would also allow tax cuts to be focused on what Democrats and Republicans ought to agree is a priority, and that is bolstering worker productivity. Let us invest in the education and training of our citizens, and research and development of technology, which is increasingly a powerful tool in the hands of our skilled workers. Our tax cut can be used for a permanent research and development tax credit, interest-free bonds for school construction, and providing greater deductibility to small- and medium-sized businesses to purchase information technology to enjoy more productivity in their own businesses.

In closing, let me caution my colleagues, both Republican and Democrat, to be careful with these surplus projections. If these projected surpluses do not materialize and we have enacted a massive tax cut, I fear we will once again be saddled with a massive Federal debt, and interest rates will begin to climb again. Let us get our priorities straight, and let us pass a responsible tax cut with relief for all Americans.

Mr. NUSSLE. Madam Chairman, I yield 4 minutes to the gentleman from Ohio (Mr. PORTMAN), a very distinguished member of not only the Committee on the Budget, but also the Committee on Ways and Means, who will talk about tax relief for every taxpayer.

Mr. PORTMAN. Madam Chairman, I thank the gentleman from Iowa (Mr. NUSSLE) and congratulate him on a great budget.

I also want to respond a little bit to some of the points that have been made tonight. Let me start by saying that my colleagues on this side of the aisle have done a good job, I think, in setting out the principles of this budget and making clear that it does, in fact, meet our national priorities.

It increases funding for our public schools, it strengthens our national defense, it protects Medicare and Social Security in ways that we have never done before in this Congress. It truly protects the trust funds.

It does things that I think are necessary in terms of paying back the public debt. We just heard the debt talked about. The fact is this budget retires more public debt than we have ever done before as a Congress. In fact, it pays back all. All of the available public debt is going to be paid down under this budget.

At the end of the day, after all those priorities are met, after the debt is paid down, Social Security and Medicare protected, our national defense strengthened, there is still money left on the table. And that money left on the table those of us on this side of the aisle believe very strongly ought to go back to the hard-working taxpayers that created every dime of that $5.61 trillion budget surplus.

Is it too much to ask that we allow folks who paid every dime of that surplus to keep about 28 percent of it, a little less? That is what we are proposing here tonight. It is about $1.62 trillion that would go back to the folks who created every dime of that surplus. We think everyone ought to get that tax relief. We think every hard-working taxpayer deserves it.

It is interesting to look at the statistics. We now have the highest rate as a percentage of our GDP, our economy, in taxation than we have had in this country since World War II. In fact, if we go back before World War II, we will not find taxes that high. We also have a faltering economy. We have an economy that could use a tax cut to boost economic growth and keep us from going into a recession.

We also need to do some stuff in terms of addressing concerns in our Tax Code. We need to simplify our code and make it fair. These are all things we can do under the budget allocation we have set aside here for tax relief.

I have heard some of my colleagues on the other side of the aisle tonight attack the budget with regard to the tax side, saying it is only tax cuts for the rich. We are going to hear that a

lot. But let us be clear: This debate tonight is not over what kind of tax cut we have or do not have, it is over how much money is left available in the budget for tax cuts. This Congress can then work its will on that. But I want to address that criticism because it is wrong.

If we look at the proposals that have come from the President, the proposals that have come out of the Committee on Ways and Means, those that are likely to come to the floor even later this week, we will see that, in fact, the tax relief we are talking about makes the code fair. It makes the code more progressive, not less progressive. In fact, the wealthiest Americans will pay a higher burden of the taxes in this country, not a lower burden, if we are to pass proposals that have been before the Committee on Ways and Means and that have been proposed by President Bush.

Let me give my colleagues an example. A family making $35,000 a year, under the proposals we have seen from President Bush and reported out of the Committee on Ways and Means, would pay no taxes; 100 percent tax cuts. Those making $35,000 a year, families with two kids would pay no Federal income taxes at all. Those making $50,000 a year would get about a 50 percent Federal income tax cut. Those making over $75,000 would get about a 25 percent tax cut. This is something that I think we need to address tonight. If you look at the Bush proposals and the Committee on Ways and Means proposals, in fact the Tax Code will become more progressive. Taxpayers at the higher end will pay a higher burden of the total taxation than they do today.

Madam Chairman, I want to say that the chairman of the Committee on Budget has done a great job with this. This budget is fair. What is set aside for tax relief is certainly fair. It allows us to double the child credit, it allows us to eliminate the marriage penalty, it allows us to get rid of the death tax and let every American save more for their own retirement.

We have a lot of priorities to address in this Congress, and we do it in this budget. Those priorities ought to make sure that hard-working Americans who created every dime of that surplus get to keep a little more of their hard-earned money. This tax relief makes a lot of sense right now for our economy and for the American taxpayer, the families. It also makes a lot of sense for our government.

I urge my colleagues to support this budget and let Americans keep more of what they earn.

Mr. SPRATT. Madam Chairman, I ask unanimous consent to yield 7 minutes, for purposes of control, to the gentlewoman from North Carolina (Mrs. CLAYTON) to address the agricultural aspects of our budget resolution.

The CHAIRMAN pro tempore (Mrs. BIGGERT). Without objection, the gentlewoman from North Carolina (Mrs. CLAYTON) will control 7 minutes.

There was no objection.

Ms. CLAYTON. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, the Republican budget presented here tonight does not reflect the challenges and difficulties of our American farmers. In fact, it deliberately avoids it. The American farmers are in crisis. When we think of natural disasters here at home, the unfair markets abroad, and energy costs stemming from more of the geopolitical forces than from agricultural foundations, these all put the American farm and the entire fabric of rural America at risk. The response to this budget is nil. In this case, inaction speaks for itself. What it says to the American farmers is that while many love to pay lip service, that is what we would rather do than provide assistance to farmers.

The House Committee on Agriculture has been hearing from many different farm groups lately, and they have been practically unanimous in one belief, that we must be realistic about the level of support necessary to keep the American family farmer in business. They have urged the Committee on Agriculture to work to locate an additional $9 billion for farm relief for this year. My amendment in the Committee on Budget would have done that, plus it would provided $4 billion through the year 2011.

The Democratic alternative provides $46 billion increase to the baseline budget to meet emergencies. That would be $8 billion for year 2002 and $4 billion throughout. Supporting farmers that have supported this Nation for so long is not a matter of politics, but a commitment from both the Democrat and Republican Parties to the American farmer.

The gentleman from Texas (Mr. COMBEST) and the ranking member, the gentleman from Texas (Mr. STENHOLM), have made it clear that we need to increase economic support for farmers. In our recent markup I raised this issue, as well as I have raised it in the Committee on Rules today. I was disappointed that the amendment failed on a partisan vote because I truly believe that the concern of my Republican colleagues for American farmers indeed is genuine. I know that many of my colleagues in the majority will say that we do not need the increase to the budget because we indeed have the existence of a contingency fund. I respectfully say to them this is bad policy, bad policy for farmers and shaky fiscal ground on which to develop a budget.

Madam Chairman, I yield 1 minute to the gentleman from Texas (Mr. STENHOLM), the ranking member of the Committee on Agriculture.

Mr. STENHOLM. Madam Chairman, I thank the gentlewoman from North Carolina (Mrs. CLAYTON) for yielding me this time, and the gentlewoman is totally correct to raise the question about the adequacy of the reserve fund.

The resolution before us provides for a strategic reserve fund for agriculture, defense and other appropriate legislation. In addition, the contingency fund has other reserves for additional prescription drug spending, special education and emergencies.

The contingency fund approximates the on-budget surplus, which is $750 billion for 10 years. To preserve Medicare, this fund is partitioned into a Medicare contingency fund of about $240 billion and a general contingency fund of about $515 billion. It is at this point that the year-by-year amounts available for agriculture, defense, veterans, education, health care and other priorities become more critical.

Although there appears to be ample resources for the $515 billion over 10 years, in reality there is little room to accommodate additional resources for agriculture. In fiscal year 2005 and 2006, the general contingency fund has only $12 billion and $15 billion available. These amounts are barely sufficient to cover the $12 billion requested by agricultural groups as was stated, not to mention additional defense and other appropriate spending. Increased defense expenditures, additional prescription drug coverage and additional tax proposals severely limit funding beyond 2005.

Let me say, Madam Chairman, this budget resolution as it pertains to agriculture literally bets the farm and ranch after this year that the projected surpluses are going to materialize.

Madam Chairman, I would urge my colleagues on both sides of the aisle to look at the Democratic substitute and the Blue Dog budget to see what is really going to be necessary for agriculture and to vote for that. If Members vote for the resolution before us, you are literally betting the farm and ranch on a shaky projected surplus.

Mrs. CLAYTON. Madam Chairman, I yield to the gentleman from Mississippi (Mr. THOMPSON), who cares about water and the black farmers.

Mr. THOMPSON of Mississippi. Madam Chairman, I thank the gentlewoman from North Carolina very much for yielding.

Like my colleague from Texas, I am concerned about the plight of the farmer here in America. Under the Republican plan, there is no contingency plan for the $27 billion that we have had to earmark for emergency funding. In addition to that, the Republican budget resolution eliminates field offices for the Department of Agriculture. Those of us who live in rural America understand that our people need to be able to go to the offices within a reasonable period of time in a reasonable area.

Also the water and infrastructure needs. Many of us represent areas that do not have running water and sewer. Under this Republican budget, the problem of water and sewer in our rural areas is not adequately addressed. So we encourage Members to look at the Democratic alternative and support that for the people of America.

Mrs. CLAYTON. Madam Chairman, I thank the gentleman from Mississippi (Mr. THOMPSON) for his comments.

Madam Chairman, I yield my remaining time to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Madam Chairman, our farmers once again are facing a crisis as they have in the last 3 years. Our farmers are facing a recession, record low prices and rising energy costs. We have the opportunity during the budget markup to show some leadership and commitment to our farmers.

□ 2015

However, this committee dropped the ball. Over the past 3 years, Congress has appropriated emergency funds for our farmers to the tune of $27 billion. We already know we are going to have to provide emergency assistance once again. But where is it in the budget? It is not there. The gentleman from Texas (Mr. COMBEST), the chairman of the Committee on Agriculture, testified before the Committee on the Budget, and I quote, ''We recommend that rather than providing additional assistance on an emergency ad hoc basis the budget allocation for agriculture needs to be permanently increased.''

This budget has left agriculture to compete with what is left of the surplus and to depend on supplemental emergency assistance. This is not how the farmers of this country deserve to be treated.

Mr. NUSSLE. Madam Chairman, I yield myself 1 minute for a brief response.

Madam Chairman, first of all, I appreciate the tone of the gentlewoman's comments. We do have a slight disagreement on how we are going to achieve this goal, but it is a goal that is shared on both sides. As I say, I appreciate the tone in which the gentlewoman made her presentation and I hope that we can continue that tonight because there are, I think, shared goals even though there are differences of opinion on how to reach those goals.

I would just report to the gentlewoman that the American Farm Bureau Federation has recently today sent me a letter endorsing our budget, H. Con. Res. 83, which is the Republican budget, but again there is much work that we are going to have to do in agriculture and a number of other areas, and we share that workload and hopefully can continue to do it in a bipartisan way.

Madam Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. KIRK), a new member to the Committee on the Budget, to discuss our commitment to Medicare and reforming Medicare and modernization with a prescription drug benefit.

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

Mr. KIRK. Madam Chairman, this budget is based on really three key principles of economic growth, fiscal responsibility and protecting those most in need.

We all know the economy has soured. In my own congressional district, Motorola has laid off employees, Outboard Marine has gone bankrupt and so has Montgomery Ward. We know that the best education program and the best health care program and the best Social Security program is parents with a job. This budget does that.

This budget also pays down debt, $2 trillion in debt, leaving us at a level of debt not seen since the Wilson administration in 1917.

This budget also protects those most in need. We increase funding for special education, move towards our goal of doubling the National Institutes of Health and lay the groundwork for saving Social Security and Medicare; saving Social Security and Medicare. Our seniors know that Social Security and Medicare are in trouble over the long-term and even the charts of the other party show that very clearly, with a precipitous drop around 2015. Our seniors know that we will go from 30 million collecting a Medicare benefit and Social Security to 90 million as the baby-boom generation retires. They know that Medicare has an $11 trillion unfunded liability; that Social Security has a $9 trillion unfunded liability, and the way out of this is bipartisan Medicare modernization and reform.

President Bush put his hand out during his speech to the Nation on this, and it is incumbent upon us to make that happen. We know that the Medicare part A fund is solid for the next couple of years, but part B, the part that goes to pay for doctors, is already in debt. For us, I believe the key principle we should abide by is that health care offered to Medicare seniors should be as good as that offered a Congressman.

That is the principle upon which we must make our decisions on this budget.

This budget restarts our economy, making sure that parents have a job and can provide health care. This budget pays down debt and this budget leaves a foundation for bipartisan Medicare reform.

Now my hat goes off to the chairman of the Committee on the Budget, the gentleman from Iowa (Chairman NUSSLE), who has really hit the ground running with this document. I really have to commend our ranking minority member, the gentleman from South Carolina (Mr. SPRATT), who is the epitome of dignity in this process. It is in that spirit that we have to take on the Medicare challenge. When one looks at the number of people who will retire in the coming years, as our baby-boom generation passes from their working years, we need to join together to make sure that we have Medicare modernization that offers a prescription drug benefit, that offers a choice of doctors and that controls spending.

Mr. SPRATT. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I thank the gentleman for his kind compliment, and I pick up on something he said. He said that among the principles of both budgets is the commitment to protecting those in need. In light of that, I would like to point out that our budget resolution makes provision for $18 billion for low-income assistance programs and another $70 billion to enhance and improve access for working families to health care that they do not have because they are not fortunate to work for an employer who provides coverage.

Madam Chairman, I yield 6 minutes to the gentleman from Massachusetts (Mr. CAPUANO), the former mayor of Summerville, Massachusetts, to talk about this aspect of our budget.

Mr. CAPUANO. Madam Chairman, before I talk about that issue I need to go back to the chart we just saw and we have seen already three times tonight by my count, is the six items that the other side is trying to deal with.

I actually agree with everything on that chart, but I want to talk about them for a minute. We talk about maximum debt elimination. I agree, we all want to do that. Surprisingly enough, the Democratic proposal does more.

We want to improve education. We all agree on that. Surprisingly enough, the Democratic proposal does more.

We want to have a stronger national defense. My goodness, surprisingly enough, the Democratic proposal does more.

We want to modernize and stabilize Medicare and Social Security. Again, surprisingly, the Democratic budget does more.

The only thing we do not do more on is tax cuts, but we are being criticized tonight as somehow being against tax cuts because we are only proposing $800 billion in tax cuts, roughly half of what the other side is proposing. The question is, what do we do with the remainder?

What we do is what I am about to talk about. We do more Medicare, defense, all the things we just talked about. We also do more research, more housing, more LIHEAP, more environment, more justice and more agriculture.

To talk about the vulnerable people we are going to help, because I actually think that it is not a bad thing, I can talk about adoption services; I talk about day care services; I can talk about services for people with disabilities, home-based services for the elderly, including Meals on Wheels, which we do more by. But I want to talk about one issue in particular, and that is housing, because it is so important to people in my district and in many parts across this country.

America used to believe that safe, affordable housing was a basic necessity and almost a right for all Americans. For years, for years, this government stood up and helped people attain homes. No one here complains when

the mortgage rates drop, and that is a de facto, quasi governmental agency. Everyone here jumps up to protect the mortgage deduction in the Tax Code. We all do that because we know how important it is.

No matter what we do, no matter what we have done, not every American can afford to buy a home. I am not talking about the lazy takers amongst us. We all know there are some. We know that. That is not who I am talking about. I am talking about people who have played by the rules. They have gotten all the education they can get. They work hard every single day. They try to put money aside, but when they are faced with incredibly skyrocketing rents in many places across this country, paying back their college loan, buying a car, buying insurance for that automobile, trying to raise a family, when they are faced with all of that it is very, very difficult for many Americans to put aside money for a down payment.

As a matter of fact, five and a half million Americans today pay more than 50 percent of their income for housing costs. More than 50 percent of their housing costs represent their income. That is incredible. It is much more, much more an important part of their daily lives than their tax liability, because simply put most of those Americans do not have much tax liability. They do have rental costs. They do have mortgage costs, if they can afford it.

The President's budget, the budget we have before us, the Republican budget before us, cuts almost every single housing program we have. They cut $700 million from capital improvements for public housing. They completely eliminate $310 million for the drug elimination program. They completely eliminate a meager $25 million for the rural housing and economic development program. Never mind those $5.4 million, never mind the three million people who live in public housing. Of those three million, one million of them are children; they are children. Five hundred thousand are seniors. Another 300,000 are veterans. We just do not care. That is why the Democratic proposal puts that money back, and if all the money we are trying to put back into housing alone is totaled up, it totals out to a grand total of 1.5 percent of the tax cut. That is 1½ pennies out of every dollar proposed for their tax cut. That is why we are standing here trying to help the most vulnerable people amongst us. The money is short when one is comparing it to the tax cuts that we are trying to give today for people who already have housing, who already have fuel, who already have food.

Mrs. CLAYTON. Madam Chairman, will the gentleman yield?

Mr. CAPUANO. I yield to the gentlewoman from North Carolina.

Mrs. CLAYTON. Madam Chairman, I thank the gentleman from Massachusetts (Mr. CAPUANO) for yielding.

Madam Chairman, I am delighted he is bringing up the issue of vulnerability, and I want to speak about the vulnerability of many of the people who indeed need food. There are many who would have us to believe that the strength of the economy in the past 10 years has largely eliminated poverty from our midst and that we are now living in the good life for all who desire to quickly reach out and grab it. However, to those who believe there is no economic hardship in this country, I would invite them to let the scales fall from their eyes.

As the ranking member of the Subcommittee on Department Operations, Oversight, Nutrition and Forestry, I know personally about the food stamp and indeed I want to make sure that other people know there is a need for not only revising but increasing it.

Madam Chairman, I support my colleague because he recognizes the very real hardship people have in providing housing, and I want to emphasize indeed the percentage of working families now receiving food stamps, who are lower income, does not represent the low-income people. In fact, we have dropped in the percentage of participation in food stamps far greater than we have reduced poverty. So some of us feel that those of us who are enjoying the good life should also make provisions for those who are vulnerable. I for one want to stand up and speak about food stamp reform and support those who do.

In the Democratic alternative, there is $350 million more for food stamps this year. So that represents an increased amount of opportunity for working families who are lower income to participate in that.

I know my time is short, but I just want to say very briefly we put such a hardship on very poor people. Guess what? We cause all of this headache for food stamp applications, and if I wanted a home I only had to do this.

Mr. NUSSLE. Madam Chairman, I yield 3 minutes to the gentleman from South Carolina (Mr. BROWN), a distinguished new member of the Committee on the Budget, to talk about paying down our publicly held debt and our commitment to our Nation's veterans in this budget.

Mr. BROWN of South Carolina. Madam Chairman, I commend the chairman for a great budget. Having chaired the Committee on Ways and Means for South Carolina, I recognize the extreme pressures that the gentleman is under as we try to formulate a budget that would meet the needs of this great Nation and also return back to the taxpayers their due return that they so patiently waited for for so long.

As we campaigned across the land, one of the items that concerned most of the constituents was the ever-increasing debt. I am grateful, Madam Chairman, that that was one of the first items we addressed, is paying down the debt. Congress has paid down some $625 million in public debt since the Republicans took majority control of the House and the Senate.

□ 2030

For 40 years, debt was racked up as far as the eyes could see under deficit spending. Paying down $625 billion is only the beginning. The budget pays down $2.3 trillion more dollars in public debt over the next 10 years. Paying down the debt will mean better interest rates for all Americans, and the citizens of the First Congressional District. Just think how much more purchasing power we would have if college and university loans were at a lower interest rate. The same goes for a mortgage for a house or financing a family car. Lower interest rates will help all Americans.

In 2002, we will eliminate some $213 billion in debt. In 5 years, we will be up to $1.2 trillion; and in 10 years, some $2.34 trillion.

The work is far from over. As we heard tonight from both sides, there are additional items that could be funded if the will was to do so.

This budget, thanks to President Bush, has made it clear that the Federal Government's growth rate should be no larger than 4 percent per year. This is larger than the rate of inflation; it is larger than the rate of most people's wages increase.

I think we can continue to fund important priorities. The budget assumes a $1.7 billion increase in discretionary budget for our veterans over the fiscal year 2001 level, and a $3.9 billion increase in mandatory spending for veterans. This would accommodate a big increase in educational benefits under the Montgomery GI Bill.

Madam Chairman, the average American family knows how to balance its budget. The Federal Government is catching up to the Joneses. Things are looking up for the great business that is conducted in Washington, and all of us will benefit from these prudent decisions to restore fiscal sanity and pay off our bills.

Madam Chairman, I am grateful to be part of this committee.

Mr. SPRATT. Madam Chairman, before yielding to the gentleman from Virginia (Mr. MORAN), I yield myself such time as I may consume to say by explanation that the $5.6 trillion surplus from which we are both working is a projection of the Congressional Budget Office; and in making that projection, they assume that discretionary spending, the money that we appropriate annually every year, will be increased each year by the rate of inflation.

In light of that, we have provided for defense, national defense, which consists of more than half of the so-called discretionary spending budget. We have provided realistically in our budget resolution $115 billion over 10 years to pay for the modernization of our national defenses and for increased pay for our personnel to improve recruitment and retention and for military

housing and other quality-of-life advantages that they justly deserve. That is in budget authority, $48 billion more, than is provided in the Republicans' budget resolution. So it is a significant amount of money. Whether it is enough or not, only the future will tell, but nobody can deny that $115 billion over inflation is a substantial plus-up for the defense budget.

Madam Chairman, to discuss further the defense budget, I yield 5 minutes to the gentleman from Virginia (Mr. MORAN), who represents, among other things, I believe, the Pentagon.

Mr. MORAN of Virginia. Madam Chairman, I certainly applaud the leadership that has been demonstrated by the gentleman from South Carolina. He is extraordinarily knowledgeable on defense authorization, as well as our priorities for this budget resolution. That is why I oppose this budget resolution, because it makes deep tax cuts at the expense of critically needed programs.

Let me focus primarily on the shortfalls in the Defense Department that this budget resolution will greatly exacerbate.

Just a few months ago, the service chiefs testified that there was a need for an emergency supplemental appropriations bill of $7 billion, just to cover urgent shortfalls in the Defense Department. One of the most critical funding deficiencies expected this year is a shortfall of $1.4 billion in the defense health program. That is responsible for providing health care to all active-duty personnel and military retirees and their family members. Dr. Clinton, the head of health programs for the Defense Department, just testified last week that there is a $1.4 billion shortfall this year, and that money is not provided in this resolution for next year.

Senator DOMENICI wrote on March 15 to Secretary Rumsfeld saying that before the end of this year it may become necessary to truncate day-to-day health care operations and delay implementation of authorized programs for a large number of beneficiaries. The Democratic budget provides for this $7.1 billion defense supplemental and provides $48 billion more for defense over the next 10 years than the Republican budget. Of this amount, the $1.4 billion is for urgently needed funding for health care and $1 billion is for ensuring that the full pay raise Congress authorized last year is provided.

Madam Chairman, it is imperative that we address these shortfalls now. Already the Defense Department has confronted shortages of medical equipment, deteriorating military hospitals, as well as shortfalls in the direct care system and payments for managed care support contracts. We do not have the money in this budget resolution to fulfill our responsibilities to implement the senior pharmacy benefit that is scheduled to go into effect in the next few weeks, and the TRICARE for Life benefit for military retirees over the age of 65. This budget resolution assumes a base that is inadequate in fiscal year 2001 and shows virtually no increase in subsequent years.

Beyond the defense health care problems that we have, we cannot afford to shortchange the defense priorities that are necessary in this complex world; and by that I refer to cyber-terrorism, biological and chemical threats that are posing new dangers to our national security. Modernization requires a continued commitment to research and development and to technologies and equipment that will ensure that our armed services maintain their global dominance.

Developing the next generation of weapons programs will also require difficult decisions involving priorities and capabilities. It is unrealistic for this administration to assume that their top-to-bottom review conducted in an academic manner without thorough consultation with Congress and the armed services will effectively transform our military to meet the challenges of the next century without adequate funding. This budget resolution does not provide that adequate funding. We are not going to cancel procurement of an aircraft carrier or the joint strike fighter program and think that it will generate enough savings to pay for other programs or not meet an unmet security need.

Madam Chairman, investing in our national security should not be a partisan issue. Not addressing the current year's funding deficiencies in this budget resolution provides an unrealistic budget projection from the outset and directly affects our military readiness and the quality of life of our troops and families. Madam Chairwoman, this alone is reason to reject this budget resolution.

Madam Chairman, I yield back my time to the distinguished gentleman from South Carolina (Mr. SPRATT).

Mr. NUSSLE. Madam Chairman, I yield 4 minutes to the gentleman from Georgia (Mr. COLLINS), a distinguished member of the Committee on the Budget and a member of the Committee on Ways and Means.

Mr. COLLINS. Madam Chairman, I thank the gentleman from Iowa for yielding me this time.

Madam Chairman, high energy prices, high interest rates, and finally, excessive taxation are choking this Nation's economy. This budget addresses one of those three factors, and that is the excessive taxation. How do we rein in excessive taxation? Simply by controlling spending. Let no one forget that the reason we have excessive taxation is because we have excessive spending.

The tax burden on the people of this Nation is the highest that taxation has been since World War II. Why is that, Madam Chairman? It is because the Congress over the past 50 years has created an abundance of government programs. Each program well intended, but expensive, expensive because the good intent of each program has been expanded far beyond their means; and as we hear tonight, they are to be expanded even more so by the other side of the aisle.

An example, Madam Chairman, is welfare, and it was only after the Republicans gained the control of Congress that welfare spending was addressed, and successfully, I might add. Another is Medicare. Medicare is a health insurance program which has been very beneficial to millions of seniors, many who would not have had access to health care had it not been more Fed care. But Medicare is facing a real problem over the next 15 years due to the number of people who will be under the Medicare insurance program. We would think by listening to the opponents of this budget that the Republicans are canceling the Medicare insurance. Such is far from the truth. I will remind them, Madam Chairman, that it was the Republican Congress who heard the call of the Medicare trustees in 1995 and 1996 who reported to the Committee on Ways and Means that the Medicare fund would be short of money or broke by this year. And it was the Republicans who made changes in 1997 and extended the Medicare program for another 25-plus years.

Madam Chairman, this budget also gives flexibility to reform the Medicare program and include in that reform prescription drugs and also to ensure that Medicare will be around for many, many years to come. This budget further strengthens the Department of Defense. It flexes funds for education, giving more control at the local level. This budget reduces the public debt from $3.2 trillion that has accrued today down to $818 billion over the next 10 years. That is less than $1 trillion of public debt after 10 years.

This budget sets aside payroll taxes and other trust fund receipts by an amount accruing to over $8 trillion over the next 10 years.

Finally, Madam Chairman, this budget gives Congress $1.6 trillion over the next 10 years to reduce the tax burden on every taxpayer in America. Tax relief will provide over $400 of relief this year for families, and upwards of $1,600 per year over the next 6 years. I urge my colleagues to pass this responsible budget. It is time to stop the runaway spending in this Congress of the people's money, and it is time to stop the overtaxation of the American family.

Madam Chairman, I yield back the remainder of my time.

Mr. NUSSLE. Madam Chairman, I yield 3 minutes to the distinguished gentleman from Florida (Mr. PUTNAM), a new member of the committee.

Mr. PUTNAM. Madam Chairman, I thank the gentleman from Iowa (Mr. NUSSLE) and the gentleman from South Carolina (Mr. SPRATT) for their hard work in putting together this document.

I hope to take a little different perspective this evening on this budget, a

little bit of a generational perspective. We have a historic opportunity, a once-in-a-lifetime window through our economic prosperity, the surplus opportunities to keep our commitment to seniors, to invest in national priorities and, most importantly, to ensure that future generations do not inherit the type of debt that this generation inherited.

If we observe this chart, we see the rapid trend in the reduction of debt. Babies not even born yet will be born into a world between now and 2007 with massive amounts of debt. This budget, this budget, Madam Chairman, pays down the debt as rapidly as is financially possible, without raiding the safety deposit boxes of America and taking Johnny's and Suzie's U.S. savings bonds that have been given to them or won in the paper editorial contest. Without doing those things, we pay down the debt as fast as is humanly possible.

□ 2045

We keep our commitment to the soldiers and sailors, most of them in their late teens and early twenties, who are charged with the responsibility of giving us the freedom that we all take so for granted each night when we lay down in bed. It keeps our commitment to them by investing in quality-of-life issues and higher pay raises, and it responsibly anticipates a review that will evaluate their needs and allocate resources in the most responsible and appropriate way.

We invest in the future. We invest in education. We make sure that future generations have access to the best teachers, the best classrooms, the best opportunities that this great country can provide.

Madam Chairman, we keep our promise to seniors. Make no mistake about it, those who are on Social Security and Medicare today and those who will be in the near future, their program is intact. Their program will be intact. I would urge them not to fall for the Mediscare tactics that sometimes afflict debates such as this.

But for future generations, we have an obligation, a moral obligation, to fulfill our commitment to providing that safety net, but also ensuring that that program is there. Study after study has shown that without major reform, those programs will not be there for future generations without some responsible, courageous leadership from this body.

Finally, Madam Chairman, after reducing the debt as fast as possible, after investing in education and health care, after investing in defense, there is still money left over. Instead of spending more and more and more that got us into the debt situation we are in today, we return it to the taxpayers.

In this time of precarious economic instability, we give taxpayers, American citizens, the opportunity to have back a portion of their money to invest in college education, to pay down their own personal debt, to pay down their mortgage, to spend it on other things as they see fit. That is the beauty of this budget.

Mr. NUSSLE. Madam Chairman, I yield 3 minutes to the distinguished gentleman from Texas (Mr. CULBERSON).

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

Mr. CULBERSON. Madam Chairman, I thank the gentleman for yielding time to me.

Madam Chairman, as a newly elected Member of Congress from Texas, I wanted to take this opportunity, and also as a 14-year member of the Texas House of Representatives, to correct the record for the listening public on the economy in Texas and on Governor Bush's record as Governor.

I had the privilege of serving under three Governors in Texas. I was the House Republican whip in Texas, and I personally witnessed the benefits of Governor Bush's visionary leadership, his focus on returning the tax surplus in Texas to the taxpayers of Texas.

I can testify personally that many of the things heard here earlier tonight in the debate are simply not true about the Texas economy. In fact, anyone listening here tonight can simply log onto bidc.state.tx and confirm this for themselves.

As of October 2000, Texas has added over 2.4 million new jobs since January of 1990, and Texas leads all other States in net job creation. In a time when manufacturing jobs nationally have declined, Texas has seen an increase in manufacturing jobs. I can testify further that that is a direct result of Governor Bush's leadership and his consistent vision in understanding that the tax surplus belongs to the taxpayers.

Talking about the last legislative session, the Texas Legislature had $5.6 billion more to budget for the previous budget cycle as a direct result of projected increases in revenue generated by the State's expanding economy. Governor Bush said then and he has said again as President today, ''We have a surplus in Texas because we have been good stewards of tax dollars. During times of plenty, we must not commit our State to programs we cannot afford in the future.''

As Governor, as he has done as President, Mr. Bush prioritizes the needs of the Nation, just as he did the needs of the State. He made his top priority public education. The Texas Legislature, under Governor Bush's leadership, passed a $3.86 billion increase in funding for public education, the largest single increase in the State's history, which resulted in a $3,000 across-the-board pay raise for teachers and a $1.2 billion cut in property tax rates for Texas taxpayers.

In my experience in 14 years in the Texas House, the previous administrations that preceded Governor Bush, the Democrat administration, consistently sought to raise taxes and increase spending. In every session I have served under Governor Bush, he sought to decrease spending, control spending, cut taxes, which led to a tremendous strengthening in the State's economy. We will certainly see the same benefits here nationally.

The budget that the Committee on the Budget has produced, on which I had the privilege of serving, under the leadership of the gentleman from Iowa (Chairman NUSSLE), is very focused and consistent with the priorities that George Bush set out as Governor, focusing first on eliminating more public debt than has ever been eliminated in the history of the United States. This is all the debt that can be paid off without incurring a penalty to taxpayers.

It focuses, secondly, on guaranteeing Social Security and Medicare.

Madam Chairman, I urge passage of the budget resolution.

Mr. NUSSLE. Madam Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. BLUNT), the distinguished chief deputy whip.

Mr. BLUNT. Madam Chairman, I thank the chairman for yielding time to me, and thank the Committee on the Budget for the great debate we are having here tonight and the hard work that has been done on this budget from both sides. Really the topics we are talking about are the kinds of topics that we should be discussing in Washington as we set out a blueprint for this budget year.

The Farm Bureau today has joined in the call that this budget be adopted. Other agricultural groups, now that they have had a chance to look at this budget, are also stepping forward and saying that this budget does meet the needs of agriculture. It addresses the tax overcharge that we have collected in excess of what the government has said over the last several years we would need for the next decade.

I have heard some of my friends on the other side stand up tonight and say that we need a tax cut not in the $1.6 trillion range, but about half of that, about $800 billion.

I would just remind them that when we passed that tax cut of that amount, $792 billion over 10 years on the House floor just 2 years ago, many of the same people who are saying that this amount is too much, it is irresponsible, they were saying that amount was too much, when it is very apparent now that that amount was not too much. If we would have started with that $792 billion tax package that the House narrowly passed 2 years ago, we might not see some of the economic problems we see in the country today, and we would only be 2 years into a 10-year tax cut, 2 years into a tax cut that is the size that everybody now says we should be pursuing.

I think a couple of years from now everybody will see that the tax cut proposed in this budget is equally modest, and is also as positive for the economy

as that one would have been as a good start.

This does set aside the Social Security Trust Fund. It does set aside the Medicare Trust Fund. It pays off all the debt in 10 years that we can pay without a prepayment penalty. It is a great blueprint for this year. I urge my colleagues to adopt this budget.

Mr. SPRATT. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I would simply like to show my good friend, the gentleman from Missouri, a chart that we prepared which is our analysis of the gentleman's budget.

If they will look at the bottom line, the gentleman was not here when the gentleman from Texas (Mr. STENHOLM), the ranking member on the Committee on Agriculture, spoke, but it is the bottom line that concerns him.

The truth of the matter is, there is nothing exceptional or extra in this budget for agriculture. The Farm Bureau and farmers on the whole are betting on the come; they are hoping that the Committee on Agriculture can come up with a new farm bill which will allot them some additional money. The gentleman from Iowa (Mr. NUSSLE) will then have the authority to add that money for agriculture and defense.

The problem is, the bottom line is $20 billion. If defense beats agriculture first to the trough, they could easily take $10 billion or $15 billion of that $20 billion. If we follow that bottom line over to the year 2005, it is negative. It is declining every year. It is down to $600 million, $600 million into the Medicare Trust Fund.

So we have a very constrained limit, and that is what the gentleman from Texas (Mr. STENHOLM) was saying just a minute ago.

Let me now turn to debt reduction, because everybody keeps coming back to that. Clearly if that is a good thing, and we both agree that it is, we should be judged by it. If we are judged fairly, our budget resolution provides, by our calculation, $3 trillion, 681 billion in debt reduction. Theirs provides $2 trillion, 766 billion. We are $915 billion better on that score alone.

Madam Chairman, I yield 4 minutes to the gentleman from Kansas (Mr. MOORE).

Mr. MOORE. Madam Chairman, I thank the gentleman for yielding time to me.

I just wanted to respond in part to the gentleman from Missouri when he talks about the taxpayers in this country overpaying their taxes and being entitled to a refund. Certainly they are. There is not an argument about whether there should be a refund. The question is how much.

The question also is about debt reduction. We have placed on our children's and grandchildren's future a $5.7 trillion mortgage, so it is not just all about tax cuts, to the gentleman from Missouri, it is also about equity and fairness to future generations in this country and whether we are going to do the right thing.

I was at the White House about 4 or 5 weeks ago and had a chance to speak to the President. I told him about Governor Graves from Kansas. I said, ''I know you know him, being a former Governor.'' He said, ''Yes, he is a friend of mine.'' I said that Governor Graves was interviewed recently by the Associated Press and was talking about revenue shortfalls and tax cuts, which have happened in Kansas, substantial tax cuts, in the past 3 or 4 years, and about financing education.

Governor Graves said very candidly, ''If I had known then what I know now about the revenue shortfalls, I would have done things differently.'' What he was saying was that they are scrambling now to find revenues to finance education in the State of Kansas, and they do not have sufficient funds to do an adequate job. In fact, Governor Graves has now asked for a tax increase because of revenue shortfalls and projections which went awry. The same thing, according to The New York Times, has happened in 15 other States.

So I caution all of my colleagues in the House to be conservative here. We can always go back and cut taxes more. Let us cut taxes as much as we can afford, but let us not overdo it so we have to come back later and ask for a tax increase.

Mr. MATHESON. Madam Chairman, will the gentleman yield?

Mr. MOORE. I yield to the gentleman from Utah.

Mr. MATHESON. Madam Chairman, I want to thank the gentleman from Iowa (Chairman NUSSLE) and the gentleman from South Carolina (Mr. SPRATT) for all their work on this budget effort, and I agree with the chairman, who has pointed out that there is really a lot of common ground here. There may be a little question in the difference of approach. There is a lot of common ground. People on both sides want tax reduction, and clearly people on both sides want debt reduction.

We have heard a lot of discussion tonight about the benefits of debt reduction. The problem is, we keep talking about this in the context of a surplus, and we ought to be calling it what it really is, which is a projected surplus. The budget leaves little margin for error in that context.

My concern is, if things do not go as planned, we are going to enact the tax cuts, we are going to enact our spending program, and debt reduction will be the odd man out. It will be what falls off the table.

So I would urge caution as my colleague, the gentleman from Kansas, did as well, that we ought to be fiscally responsible. We ought to make sure we take advantage of this one-time opportunity to take a real bite out of the tremendous debt we have built up over the last 20 years.

Mr. MORAN of Virginia. Madam Chairman, will the gentleman yield?

Mr. MOORE. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. I thank the gentleman from Kansas for yielding to me, Madam Chairman.

Madam Chairman, our highest, most urgent priority in this budget resolution must be debt reduction. There is $3.7 trillion outstanding of public debt. If we do not pay it off, who does? Our children do. We are paying over $200 billion a year in interest on that debt today. It makes far more sense to make debt reduction our priority, because if these surplus estimates do not get realized over the next decade, then we are not going to be able to pay off the debt.

If we enact the tax cut, we know this Congress is not going to raise taxes again, so what we are going to do is raise Social Security and force our children to pay off the debt as well as pay for our retirement. That is wrong.

The Deputy Undersecretary of the Treasury for Domestic Finance testified before the Senate Committee on the Budget last week that of the $3.7 trillion of public debt outstanding that the gentleman from South Carolina (Mr. SPRATT) referred to, $3 trillion will mature by the end of this decade.

Mr. NUSSLE. Madam Chairman, I yield 4 minutes to the distinguished gentleman from Pennsylvania (Mr. TOOMEY), a member of the committee.

Mr. TOOMEY. Madam Chairman, I thank the gentleman for yielding time to me.

I would like to respond to this issue of the debt, which is hard to do with a completely straight face after decades in which the Democrats were in control of this Chamber and the other body, and routinely, year after year, there were no surpluses. The money was spent. Social Security surpluses were spent. The debt was run up.

Republicans come along, balance the budget, start paying down hundreds of billions of dollars in debt, and put forward a plan which over the next 10 years retires all the available debt, and then we hear that suddenly, somehow, that is not enough.

Let me explain something: There is a limit to how much and how fast we can pay down the debt. The numbers that my colleagues on the other side are talking about, I am sorry to say this, but it is just not possible. I would remind them that we have billions and billions of dollars worth of Treasury securities that extend beyond 10 years. Unless they intend to pass a law that would somehow force people to turn in a debt which they own now, bonds which are in their hands, which we cannot do, it is simply not possible.

Mr. SUNUNU. Madam Chairman, will the gentleman yield?

Mr. TOOMEY. I yield to the gentleman from New Hampshire.

Mr. SUNUNU. Madam Chairman, just to clarify that point, there are over $600 billion worth of 30-year notes out

there, 10-year notes, notes that have not matured. They are being held by foreign banks, for example.

What the gentleman is suggesting is that we would not pass a lot of laws that forced people to redeem those because in doing so we would have to pay a premium. That would come out of the pockets of taxpayers.

Mr. TOOMEY. That is exactly right.

Reclaiming my time, I would further suggest that since they said these bonds are the property of someone else, they could demand any price they choose. They could force the U.S. taxpayer to pay a ridiculous and absurd price, and, frankly, they could choose to offer it at no price whatsoever.

So what we are doing, what the Republican budget does, it says, let us take all the available debt, everything that comes due, and as it matures, that is what we pay off.

Let me go to the fundamental difference between our two plans. Really what it comes down to is the Democratic budget grows government dramatically and provides token tax relief for some, while the Republican plan provides responsible government growth, but meaningful tax relief for all.

Let us remember that before we calculate the first dime of the surplus, we allow for $1 trillion of additional spending over the course of the next 10 years. We take all of the Social Security and surplus, Medicare surplus, and we put that money aside.

As I said earlier, we pay off all the available national debt. It is only after we do all of that that we say, now, with what is still left over, let us provide a little bit of tax relief for the people who created all that money in the first place.

□ 2100

I do not know how we could not provide at least this plan, at least what the President has proposed, at least what the Republican budget proposal calls for. It is a modest tax relief plan. It is small compared to the tax relief Ronald Reagan proposed in the early 1980s. Let us not pretend that the tax relief in the early 1980s led to deficits or debt. The fact is tax relief in 1981 led to a doubling of Federal revenue by 1989. It was out-of-control spending that caused the deficits.

This tax relief plan is not only small compared to the Reagan tax cuts, it is small compared to the Kennedy cuts of the 1960s. I have yet to hear my colleagues say that John F. Kennedy was proposing excess tax relief when in fact he did it when they did not have surplus.

Madam Chairman, the fact is we have an abundance of cash. The surplus is enormous, and it is about time that we provided some tax relief to the people who earned it and created it. We understand that the men and women who earned this money have a right to decide how to spend it. That comes prior to our desires to increase spending which is what the alternative does. We also understand that freedom works. If we lower the tax burden and increase economic freedom, we will increase prosperity and opportunity. Wages will grow. Standards of living will grow. There will be more opportunity for more Americans. That is why it is important that we pass this tax relief measure, and we pass this Republican budget.

Mr. SPRATT. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, in giving the lion's share of this budget to tax reduction, the budget resolution leaves little room for other priorities, including law enforcement. To talk about our budget which provides $19 billion more for law enforcement is the gentleman from Massachusetts (Mr. CAPUANO).

Madam Chairman, I yield 4 minutes to the gentleman from Massachusetts (Mr. CAPUANO), the former mayor of Sommerville, Massachusetts.

Mr. CAPUANO. Madam Chairman, I yield to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. Madam Chairman, I thank the gentleman for yielding me this time.

Madam Chairman, I am troubled by the budget resolution's disregard of the funding needs of the Department of Justice. Time and time again I have heard the need to enforce our laws instead of passing new ones. How can we expect law enforcement when this budget cuts funding for the Department of Justice by $1.6 billion in fiscal year 2002. Based upon the budget submitted by President Bush, these cuts are to be largely applied to State and local law enforcement assistance. The highly successful COPS program falls within these targeted cuts.

Although the President's budget proposal does not single out this important program, it does propose to redirect $1.5 billion in State and local grant assistance funding which does in fact fund COPS. Cutting the COPS program would undermine its success and harm local law enforcement throughout the country. Our police officers across this country applaud this program. This is a program that has worked. We have seen crime drop since 1994. We are seeing our police officers going in and having community ties in our schools and working with the community itself. They have built up relationships with our schools and our students, and at this time when we see so much violence going on, especially with the recent shootings, this is not a time to cut these particular programs. This certainly is a time that we should be encouraging these programs. With our particular budget, we increase this.

Madam Chairman, we have done a good job on reducing crime. We should continue with this program. We should guarantee that these programs continue, and we certainly should be supporting our police officers throughout this country.

Mr. CAPUANO. Madam Chairman, as you heard, I was the mayor of my community for 9 years before I came to this honorable body, and during that time the COPS program was passed and implemented. It started getting going in 1996. For a couple of years it was small money, and it really got going in 1996. From 1996 to 1998 in my community, we added eight additional police officers. In that same time period, we reduced crime by 29.2 percent. Maybe that is circumstantial, maybe it just happened to coincide with the COPS program, but I looked at my district which I did not represent then but I do now, and in my district in Massachusetts, we added 58 police officers in that time period, a 2 percent increase, but we reduced crime by 21 percent.

In the Commonwealth of Massachusetts, we added 363 police officers across the State, reduced crime by almost 14 percent. I just happened to look at the State of Texas, they added 9,000 police officers in that time period, a 20 percent increase, and they reduced crime by 7.5 percent.

In the whole country the same period of time, the COPS program helped add 115,097 police officers and crime was reduced 13.6 percent. Is all of this a coincidence? It just happened to be the same time period when the Federal Government got into the crime-fighting business on a local level. I think not.

Madam Chairman, I think the additional police officers on the street with the Federal Government helping us fund them is what turned the tide, and I dare say we will be back here in a few years if we cut this COPS program making sure that we have more police officers on the street in every community in this country.

Mr. NUSSLE. Madam Chairman, I yield 3 minutes to the gentleman from Florida (Mr. CRENSHAW), a new member of the Committee on the Budget.

Mr. CRENSHAW. Madam Chairman, my colleagues have talked about the foundations of this budget, paying down the national debt, letting the taxpayers keep more of what they earn, preserving Social Security and preserving Medicare, and improving education. But as a member of the Committee on Armed Services and a new Member from a district that is largely military oriented, I want to address what this budget does in terms of the military because for the last 8 years, our young men and women in the military have watched as the military has been hollowed out. It has been underfunded and overdeployed.

Madam Chairman, I have talked to so many of those young people, and I decided that I would like to go to Congress to help rebuild our military and make America strong again; and that is exactly what this budget does. It adds almost 5 percent of new money to military spending, $5.6 billion for increase pay, for better housing, for health care for our military men and women. It adds $2.6 billion of new

money for research and development. And that is important. That is a down payment on what is to come because our President has said that he believes, and I believe with all my heart, that we ought to let defense strategy drive defense spending and not the other way around. The President has ordered a top-to-bottom review of our military to decide what is the role of the military. What is our vision. It is a time of testing. It is a time of transition, and there is no sense spending money on technology that we are never going to use.

Madam Chairman, once that review has taken place and our President and our leaders of the military have a clear vision of where they want this country to go, then I am confident that we in this Congress will give them the necessary resources that they need. And so it is on that note that I ask for support for this resolution.

The CHAIRMAN pro tempore (Mrs. BIGGERT). Both gentlemen have 11 minutes remaining.

Mr. SPRATT. Madam Chairman, I yield 2½ minutes to the gentleman from Pennsylvania (Mr. HOEFFEL).

Mr. HOEFFEL. Madam Chairman, I thank the gentleman for yielding me this time.

Madam Chairman, I thank the gentleman from Iowa (Mr. NUSSLE), the chairman of the Committee on the Budget, for his great leadership and for his fundamental fairness throughout.

Madam Chairman, I stand to express the great support on the Democratic side for fully funding our environmental commitments in this budget. We know that the Republican resolution underfunds the environment and in fact does not fund the commitment, the bipartisan commitment, the landmark commitment made 1 year ago to double our funding for conservation programs, preservation programs and recreation programs in this country.

Many of us in this body supported CARA, legislation that passed overwhelmingly a year ago, the Conservation and Reinvestment Act, which would have tripled funding for these important preservation and conservation programs. We could not win support to pass that legislation into law, but in the interior appropriations bill last year, we struck a bipartisan agreement to double the funding, and that is a good, bipartisan compromise.

Unfortunately, the Republican resolution before us today underfunds that commitment by 25 percent, and the Democrats feel that is unacceptable. We provide the full commitment, over $10 billion over the next 5 years. The Republican resolution underfunds that commitment by $2.7 billion. The Democrats also provide money for brownfield reclamation, $200 million next year, $2 billion over the next 10 years to reclaim and revitalize brownfields, those abandoned, polluted industrial sites across this Nation that should be reused with reinvestment for commercial, residential and retail possibilities. Every time we reclaim a brownfield, we save a greenfield from development. We need to fund those programs.

Madam Chairman, we are very concerned on our side of the aisle with the broken promises from the President regarding the environment. He has blocked the rule that would stop the building of roads and logging in one-third of our national forests. He has revoked the rule to reduce arsenic in our water supply. We permit, under the rule that the President supports for arsenic and water, an amount that is 5 times greater than the standard of the World Health Organization, and that is unacceptable. He has broken his promise to curb carbon dioxide. We want to support the environment. I ask for support for the Democratic alternative.

Mr. NUSSLE. Madam Chairman, I yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS), a former member of the Committee on the Budget. We have come to a very critical part of the debate, and that is why we are calling in one of our big guns.

Mr. SHAYS. Madam Chairman, I thank the gentleman for yielding me this time.

Madam Chairman, I am not a big gun, but I do realize there is life after the Committee on the Budget, but there are pains I still have after 10 years. I just express my admiration for what the Committee on the Budget has done and the camaraderie from both sides of the aisle, but as I listen to this debate, I ask this question: Why would anyone think that they are more fiscally responsible when they want to spend more?

Madam Chairman, I realize this is not a debate about tax cuts versus paying down more debt, this is a debate about spending more money or not. What our side of the aisle wants to do is spend 4 percent more. There are really three things you can do with the surplus. You can spend it, and we are going to spend 4 percent more.

□ 2115

We can pay down debt. We are going to pay down $2.3 trillion worth of debt. We can reduce taxes. This is a debate of spend more or maybe have more in tax cuts.

Now, I think that what has happened in the last so many years, we have had deficits from 1969 to 1998, 29 years of deficits, and those have ended. We have had 35 years of using Social Security reserve funds. We no longer have deficits. We no longer use Social Security reserves for spending. We paid down $500 billion of debt and, by the end of the year, $620 billion.

What scares the heck out of me, though, is this is a steep line of 587 to 635, which was last year; and it seems to me my colleagues on the other side of the aisle think it should remain steep. All I have heard about is more spending. We are going to spend $635 billion now to go up to $661 billion, which is what the President wants, a 4 percent increase in spending. That is a lot of money.

But we also wanted a tax cut, and it is a responsible tax cut. We are taking one-quarter of the surplus, and we are going to have a tax cut with it, one-quarter of the surplus.

Someone said it is not going to the right people, it is going to the people who pay taxes. Five percent of the American people pay 50 percent of the taxes, and 50 percent of the American people pay 95 percent of the taxes; and they are going to get a tax cut with our proposal. I am eager to vote for it.

People have then said, well, this tax cut is irresponsible. Kennedy had a tax cut that was twice as large as ours, and he did not have a real surplus. Reagan had a tax cut which was three times as large, and we had a deficit. We want a tax cut, and we have a surplus, and we only want to take a quarter of it.

So this is the debate I look forward to having in the months to come. I hope that we do not make it smaller than the $1.6 trillion; and I hope it goes to the people who deserve it, the people who pay taxes.

Again, I would like to thank my colleagues on both sides of the aisle. It has been an interesting debate. I am happy we are on the right side on this one.

We do not want more spending, at least not more than 4 percent. We want to return some of it back to the American people because they are the ones who pay the taxes. We do not want to make government larger than it already is. We want to make it consistent with our needs.

Mr. SPRATT. Madam Chairman, I yield 5 minutes to the gentleman from North Carolina (Mr. PRICE) to discuss electoral reforms, which we provide $1.5 billion for in our budget resolution.

Mr. PRICE of North Carolina. Madam Chairman I thank the gentleman for yielding me this time.

Madam Chairman, we have a practice in this country of, when we find neighborhoods on the top of toxic waste dumps, we naturally respond to that emergency by buying out the homes to protect the people who live there. When floods wipe out communities, as they did in eastern North Carolina a couple of years ago, we respond by buying out property to protect residents and help them find safe places to live.

Well, we have an emergency situation in our democracy today. It was all too evident in Florida in November. Error-prone voting equipment is an emergency situation that threatens us, and the Democratic budget proposes an immediate and an effective response.

We want to provide emergency funds to buy out the punch-card voting systems that threaten the accuracy of and the faith in our elections, and we want to do it by the time of the 2002 elections. We also want to look at longer-term election reform.

Now our Republican friends at my request have included language in their budget resolution urging Congress to deal with the problem of the replacement of error-prone equipment, but the

Republican budget provides no specific funding for this. By contrast, the Democratic budget addresses this critical issue with a billion dollars this year and $500 million next year.

Madam Chairman, I yield to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), who can tell us more about why this funding is so critical. We appreciate her leadership on this issue.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Chairman, I thank the gentleman from North Carolina (Mr. PRICE) for yielding to me.

Madam Chairman, voting is the most fundamental right guaranteed by our Constitution. I came here feeling this term that this would be a high priority for both sides of the aisle.

I have spoken with the President, and I have spoken with other leadership in this House. It is very appalling that there is no evidence of any funding to correct this problem with this Republican resolution.

There is no way that we can stand here and say that we support a strong democracy when we are not willing to fund the whole system that the entire country experienced as a failure this past election.

Just yesterday, I received a letter from someone in Iowa, talking about the difficulties which they had in Wapello County. He said that he was a precinct election committee member, and he had trouble getting up-to-date restoration information from the Iowa Department of Transportation through the Motor Voter Registration Program.

This was not just one place in our country. Our democracy was threatened throughout the Nation. We are standing here tonight talking about this type and size of budget without having given any particular attention to this problem that simply threatens our sovereignty as a Nation. The world is watching, and we have not even attempted to address it.

One cannot address a problem without designating some dollars. The Democratic proposal has $1 billion for 2001 and $500 million for 2002 to replace these outdated machines so that every vote that is cast can be counted.

I see no evidence of that in the Republican resolution, even though I asked the President personally about it. He told me that it would be there.

Mr. PRICE of North Carolina. Madam Chairman, I thank the gentlewoman from Texas. It is important, is it not, that, for the 2002 election, we be able to deal with this. Why should we wait. If we are going to deal with it, not have another election under these conditions, we have surely got to get the funding in this year's budget.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Chairman, if the gentleman will yield, what else, what else in this year's budget could be more important than preserving our own democracy?

Mr. PRICE of North Carolina. Madam Chairman, I yield to the gentlewoman from Texas (Ms. JACKSON-LEE), who has also been an outspoken advocate of election reform.

Ms. JACKSON-LEE of Texas. Madam Chairman, I thank the distinguished gentleman from North Carolina for yielding to me.

Madam Chairman, it is interesting this last election that the elderly were denied access to vote. Disabled persons who I personally spoke to were indicating they were denied access to the voting polls. Military personnel were denied as well. In addition, students who had registered were denied as well. Inadequate procedures, people being denied the access to democracy.

H. Con. Res. 83 already eliminates 9 percent of the Department of Justice budget. How can we emphasize the value and importance of the right, the fundamental right to vote unless we provide the Democratic alternative that provides $1 billion in 2001.

Might I mind my manners to thank the gentleman from South Carolina (Mr. SPRATT) for his leadership, certainly thank the gentleman from Iowa (Chairman NUSSLE) for this time to debate, and thank the gentleman from North Carolina (Mr. PRICE).

But I think it is important to note that one has to spend money, and there is $1 billion in the Democratic alternative in 2001 and $500 million in 2002.

The most important item, however, is the process of legislation cannot work without funding democracy. We must fund democracy, keeping Social Security and Medicare solvent. The fact that there are people all over the country, California, Texas, Iowa, New York, Florida, there is clearly a case for election reform. One cannot do it without money.

Mr. NUSSLE. Madam Chairman, I yield 4 minutes to the gentleman from New Hampshire (Mr. SUNUNU), the distinguished vice chair of the Committee on the Budget.

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

Mr. SUNUNU. Madam Chairman, I think it is important, as we enter the closing minutes of the debate this evening, to review some of the arguments we have heard, review the main points of the budget proposal that is on the floor, because we have heard a lot of claims; and it is important that we have as many facts as possible straight.

This budget pays down, first and foremost, more debt over a 10-year period than we have ever paid down in the United States, over $2 trillion in debt. We heard some discussion about paying down $3 trillion or $3.5 trillion, paying off every penny of the public debt over the 10-year period. The fact is that is simply not possible unless we force every 10-year-old in the country to sell their United States savings bonds and force every foreign bank to give up their 30-year Treasury bonds. That is just not going to happen. To suggest otherwise is being disingenuous about how we deal with our country's finances. So we pay down as much debt as we possibly can, lower the debt as a percentage of the GNP to a level not seen in over 80 years.

We cut taxes for every American. We improve education. And we can manipulate the way we score a particular funding bill one way or another, but the fact is this has more funding for education than ever at the Federal level, an 11 percent increase.

We strengthen national defense. We heard an argument earlier tonight from the minority side arguing that it was not doing enough for defense. How times have changed. The fact of the matter is we put in more funding for our national defense than our former Democrat President proposed when he left office at the end of his term. We have increased funding $5 billion, and we recognize that our President right now is conducting a top-to-bottom review.

Of course we create reserves, funding reserves to modernize and strengthen Social Security and Medicare. We have heard critics on the other side say that somehow this is irresponsible to set aside money to strengthen these programs. How we have turned these arguments on their head.

What is this really about? I venture that it is really about tax cuts. That really should not surprise anyone because the tax cut debate has been in the front of the newspapers: what kind of tax relief will we have, how can we make the Tax Code more fair, and whether or not we will support the President's proposal.

The minority side does not support these tax cuts. They do not want to see Americans' taxes lowered. What is the reason? Well, if we just go back a few years, when I was first elected in 1996, they said, well, we cannot cut taxes until we balance the budget. Well, we balanced the budget. Then the argument was, well, we cannot cut taxes until we set aside every penny of the Social Security surplus. Done. We did that 3 years ago. Then the argument was, well, we cannot support tax cuts until we have set aside every penny of the Medicare surplus as well. Well, we have done that as well.

Then the argument was, well, we cannot cut taxes, of course, because we have not paid down the public debt. Well, we have paid off over $625 billion in debt; and we will pay off another $2 trillion over the next 10 years.

We have balanced the budget, set aside every penny of Social Security, set aside every penny of the Medicare surplus. We are on track to retire $2 trillion in public debt over the next 10 years. And still the call is, well, we cannot support that tax cut.

What is the real excuse? I think we heard it portrayed pretty eloquently from some Members on the minority side. The real reason is because we want to spend it. Because we want to spend it on every program that one can imagine.

We have heard about a lot of programs at the Federal level that are good strong programs delivering benefits and services to those that need them. But if we triple funding for every worthwhile program at the Federal level, we will bankrupt this country. The American people do not want that; Members of Congress do not want that.

We need to recognize that expanding the size of the Federal Government by 4 percent, it is about what the economy will grow, about what the average family budget will grow over the next year. I think that is reasonable.

I think Congress should live within its means. We pay down debt. We set aside for national security, increasing the funding of the NIH and education. But at the end of the day, we need to recognize that we have collected more in money than we need to run government. It is your money, and we should give a piece of it back.

The CHAIRMAN pro tempore (Mrs. BIGGERT). The gentleman from Iowa (Mr. NUSSLE) has 4 minutes remaining. The gentleman from South Carolina (Mr. SPRATT) has 3½ minutes remaining.

Mr. NUSSLE. Madam Chairman, I would just alert the gentleman from South Carolina (Mr. SPRATT) that I have 4 minutes, and I plan to use that to close the debate tonight if that would be appropriate.

Mr. SPRATT. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, just quickly in response to the last gentleman from New Hampshire (Mr. SUNUNU), with respect to taxes, we all came together on a tax cut in the Balanced Budget Agreement in 1997, $270 billion, which I helped negotiate. Our budget resolution on the floor right now provides $910 billion out of the surplus, one-third of the surplus, for tax reduction.

Madam Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. HOLT).

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Mr. HOLT. I thank the gentleman for yielding me this time.

Madam Chairman, I call my colleagues' attention once again to the inadequacies of the majority budget in the area of general science research. An increased commitment to scientific research is essential to future economic prosperity. The majority budget includes $22 billion for research. Now, that sounds good, but as this chart shows, that means that while in the past 3 years the NSF funding has increased 6.8 percent, the majority budget offered this year offers no increase above inflation.

The Democratic substitute would add $3 billion through fiscal year 2011. Now, this is not fluff. These are necessary. This is the ingredient of a successful economy. President Bush's science adviser said this is essential to accomplish those things that the Republican majority says they hope to accomplish with their budget. As he puts it: ''No science, no surplus.'' It is that simple.

Mr. SPRATT. Madam Chairman, I yield the balance of my time to the gentlewoman from New Haven, Connecticut (Ms. DELAURO), the assistant minority leader.

The CHAIRMAN pro tempore (Mrs. BIGGERT). The gentlewoman from Connecticut (Ms. DELAURO) is recognized for such time as may remain.

Ms. DELAURO. Madam Chairman, a budget for America should reflect the values of America. It should be realistic. Above all, it should be responsible.

It should balance the need for tax cuts for working and middle-class families against the need to provide a world-class education for our children, a Medicare prescription drug benefit for our seniors, and strengthening our national defense. And most of all, America's budget should do nothing to break faith with millions of seniors who rely on Social Security and Medicare, so that they can grow old with respect and the dignity that they so richly deserve.

But the Republican budget is neither responsible nor balanced. Based on inflated projections for economic growth, it places a nearly $2 trillion tax cut that benefits largely the wealthy ahead of Medicare, Social Security, education, defense and agriculture. In fact, Republicans spend more on a tax cut just for the wealthiest 1 percent than they spend on nearly every other need in the budget. And worst of all, the leadership budget raids Medicare to pay for this unfair tax cut. With accounting gimmicks to mask the fact that the numbers just do not add up, the Republican budget attempts to hide the fact that it raids Medicare to pay for a tax cut. This is just plain wrong.

By dipping into Medicare money to pay for an irresponsible tax cut, the Republicans break faith with millions of our parents and grandparents who rely on Medicare to meet their health care needs. At a time when we should be strengthening Medicare, adding a much-needed prescription drug benefit to it, the Republican budget would shortchange seniors who have paid into Medicare their entire lives.

In the end, what happens if all the budget projections are wrong, as they always have been in the past? We are back in a time of budget deficits, debt, higher interest rates, fewer jobs, less growth and a less secure future for our children.

This is a time for prudence. This is a time to think about our future and not to repeat past mistakes. We should reject the Republican budget. We should support the Democratic alternative. We ought to provide tax cuts for working middle-class families in this country and not crowd out education and prescription drugs.

Mr. NUSSLE. Madam Chairman, I yield myself the balance of my time.

The CHAIRMAN pro tempore. The gentleman from Iowa (Mr. NUSSLE) is recognized for 4 minutes.

Mr. NUSSLE. Madam Chairman, I want to thank my friend from South Carolina for the debate tonight; the spirit of the debate. I think it was a good one. I think we talked about a number of issues that we needed to address.

Again, I would just reiterate the six goals and a little bit of the arguments about them.

Number one is maximum debt eliminations. My good friends and colleagues on the other side say, ''Pay more of the national debt.'' I think it is pretty clear from tonight that we can only pay so much. Chairman Greenspan says that, the Treasury Department says that, and just about every economist has come forward and said, at some point in time 30-year notes do not come due. How do we go out and collect them? We cannot without paying a premium.

We can only pay a certain amount of the debt down. I think that is clear. We have the maximum amount of debt that is responsible to pay down.

Number two is tax relief. We have tax relief for every taxpayer. My friends on the other side say, but, really, if we add this in and we add that in, and then we add this over here and put it all together, and then we multiply by seven, their tax cut is really bigger. Well, but it is not. Read the bill. The bill says $1.6 trillion of tax relief. That is what reconciliation says.

I understand the folks back home sitting around the kitchen counter do not understand reconciliation, but we do. Let us not kid each other. We know the $1.6 is the maximum amount of tax relief we can have under this bill.

Next is education for all of our children. What they say is, we are going to spend more. We can spend more. We can invest more. We will put more tax dollars toward education than the Republicans can. I am sure they can, and they have. And we have tried over the last few years to keep up, and so we have all put more money into education. I grant my colleagues that. The point is nothing has improved. Our kids are not reading any better. Schools have not gotten better. Our programs have not been reformed.

So before we throw one more dollar at all of this, can we not at least talk about some reform? All right, fine, there is some advanced funding in there. The point is that from last year to this year, it will be an 11.5 percent increase. That is a pretty good increase, but with that has got to come needed reform.

Next is defense. A colleague came forward and said they have more money for defense. They are going to put all sorts of money in. What are they going to spend it on? They say, do not spend it on an aircraft carrier. What do we put it in? How are we going to know what to invest in for defense until we do the top-to-bottom review?

And I know my colleagues are cynical about that and are saying that they do not know if they can get it done.

Quite frankly, I do not know if they can get it done either. But the point is somebody has to try, because just having a bidding war toward defense, eventually all we will be doing is shooting pennies at each other, and that will not give us a stronger defense.

Health care reform. My colleagues talk about solvency in Medicare, but they make it a zero sum game. They say if we take a dollar out to reform Medicare, which is what we all voted on when we put the lockbox for Medicare away, we said it could be used for reform, it could be used for modernization, that is what we all voted for, except for a few, in H.R. 2, the Medicare Lockbox, the difference though is that we say it is not a zero sum game. If we take money out of the trust fund for Medicare modernization, that does not necessarily mean the solvency is diminished. It means that with that reform it can be extended into the future.

And that is what we all want. Regardless of the scare tactics that, granted, only a few used tonight, it still, I think, is a shame.

Finally, on Social Security, let me say we are not privatizing Social Security. I defy my colleagues to find the word ''privatized'' in this bill. Find it, then we will talk about it. It is not in there. We do not privatize Social Security in this. What we are saying is we are setting aside all of the Social Security Trust Fund, just as we have in a bipartisan way finally been able to accomplish over the last three budgets. I think that is something we ought to celebrate and not demagogue.

Finally, let me just say that we do recognize that there are some concerns about forecasting into the future, and that is why we put a cushion into this budget. After we set aside all the trust funds, we set aside one additional trust fund, one additional reserve, of $517 billion for that rainy day, for that cushion.

We believe this is a responsible balanced budget, and we urge its adoption.

Mr. STARK. Madam Chairman, the Joint Economic Committee has been granted the authority to control one hour of the budget debate since passage of the Full Employment and Balanced Growth Act of 1978 authored by Senator Hubert Humphrey and Congressman Gus Hawkins. It is our duty to present views on the current state of the U.S. economy and provide input into the budget debate before us.

I am proud to be here today to continue the tradition begun by Senator Humphrey and Congressman Hawkins.

The Budget before us is not one of which those two men would be proud. Rather than leading us down an economic path of balanced growth and full employment, the budget before us today has the real potential to dismantle great strides made in our economy during the past decade.

Each day we anxiously watch stock market fluctuations highlight the fact that this budget is far too dependent upon highly imprecise economic forecasts. If the budget outlook weakens and this bill has already become law, the basic workings of government will be greatly hindered by returning to the days of budget deficits.

My key concerns with the budget before us lie in three areas: (1) The $1.6 trillion in tax cuts are too large, are weighted too heavily toward those with upper incomes, and jeopardize our government's ability to continue necessary funding levels for other important national priorities such as educating our children, defending our borders, and caring for our sick; (2) The budget raids the Medicare Trust Fund. Baby Boomers begin becoming eligible for Medicare in 2011. The time for protecting Medicare's fiscal resources is now. The budget before us fails that test; and (3) Drugs are too integral a part of medical care today for Medicare to continue to serve seniors adequately unless we add a prescription drug benefit. The budget before us fails to dedicate any new dollars to a Medicare prescription drug benefit.

A MATTER OF PRIORITIES: TAX BREAKS FOR THE WEALTHY OVER OTHER NEEDED PRIORITIES

A budget is essentially a statement of priorities and this budget makes abundantly clear that the priority is tax cuts for the wealthy at the expense of needed government spending in other areas.

President Bush and his Congressional followers have crafted a tax plan that on the surface appears to have something for everyone in order to help spur the economy. However, upon closer inspection, it is quite clear that there are many children left behind with the GOP tax cuts, but a generous helping hand offered to workers who earn over $373,000 annually.

First, I would like to dispel any notion that the GOP tax plan will actually help spur the current slowdown in the economy. The tax breaks proposed thus far will only help spur the economy if taxpayers see immediate relief and if the tax breaks are distributed equitably amongst all income groups. This will not happen under the tax plan passed by the Ways & Means Committee. The economic stimulus will happen when the tax cuts are fully phased-in. In order to control the exorbitant cost of the tax package, the Republicans can't allow the tax cuts to take full effect until 2006 or later. Are my colleagues predicting an economic slowdown five years from now?

Even if the tax beaks were to take full effect much sooner, it is highly unlikely that the U.S. would see much economic stimulation. The bulk of the tax package benefits those in the top 1% income group. Workers in the 1% income group receive an average income of $1.1 million annually and will receive an average tax break of $28,608 annually. These folks will account for over thirty percent of the tax revenues lost. Meanwhile, those workers earning less than $27,000 will only see a meager tax break of $239 annually, comprising only six percent of the lost tax revenues. We cannot afford to spend trillions of dollars on a tax benefit that is concentrated on the wealthiest income-earners.

The cost of these tax cuts eat up resources that could otherwise be used for important governmental programs that help many more people. We can and should be increasing our investment in education. President Bush has made education one of his highest rhetorical priorities. Unfortunately, this budget fails to follow through with the resources necessary to make great strides. In fact, it provides less than half the average increase Congress has granted Department of Education appropriations for the last five years.

The budget before us today clearly demonstrates a lack of commitment to our children. Republicans reduce funds for the Child Care Development Block Grant (CCDBG) by $200 million in 2002 and freeze funds after 2002. The child care provided through the CCDBG is important to help poor families move from welfare to work. At the moment, the block grant only has enough money to serve 12 percent of the eligible children. We need more funding in this program, not less. As Secretary of HHS Tommy Thompson said, welfare reform does not come cheap.

The Republicans let Temporary Assistance for Needy Families Supplemental Grants expire in 2001. Even worse, the Republican budget encourages states to divert the remaining federal funds to pay for state income tax credits for charitable contributions. These funds would otherwise provide critical welfare-to-work services. Democrats Boost Title XX Social Services Block Grant Funding in the Democratic budget would allow an increase to at least $2 billion in 2002.

And those are only a few examples of important domestic spending arenas where this budget falls far short.

PROTECTING MEDICARE

Measurements of the solvency of the Part A Trust Fund have been the long-standing mechanism by which we've measured the healthy of the Medicare program. Today, the Part A Trust Fund enjoys the longest solvency time period in the history of Medicare with insolvency now at 2029.

That should not be interpreted to mean all is well with Medicare. We all know that is not the case. In fact, starting in 2011, the baby boom generation will begin becoming eligible for Medicare benefits. That begins a major demographic shift with far fewer workers supporting far greater numbers of seniors on Medicare. Today the ratio is approximately 3.4 workers per Medicare beneficiary. According to the Medicare actuary, that number is predicted drop to about 2.1 workers per beneficiary by 2029. All of this cries out for protecting every cent that we have in the Medicare Trust Fund and making changes to law to ensure that more funds go into the Trust Fund in the future. But, the budget before us does the opposite.

Rather than protect the Trust Fund for the future, this budget takes $153 billion—and maybe more—directly out of the Medicare surplus and allows those dollars to be spent on a Medicare prescription drug benefit.

There are those on the other side of the aisle who will argue that we've always dipped into the Medicare Trust Fund in order to finance current government spending and that this budget is no different. They are wrong. When we have used Medicare's surplus as a funding source in the past, we have always used surplus dollars on a loan basis—and paid back those dollars with interest to the Trust Fund. What the budget before us today would do is use those dollars to fund a Medicare prescription drug benefit—meaning that those dollars will forever disappear from their intended purpose of funding hospital care for future Medicare beneficiaries.

America's hospitals are concerned about this Medicare raid as well. In a letter dated

March 16, the American Hospital Association, the Association of American Medical Colleges, the Catholic Health Association, the Federation of American Hospitals, the National Association of Public Hospitals and Health Systems, Premier, Inc., and VHA, Inc. all joined together to send a letter to Congress stating:

While there is broad consensus that Medicare should include a prescription drug benefit, we believe that this benefit should be adequately funded; should not be financed through trust fund reserves; and should not be combined with a cap on the use of general revenue. Doing so will not only accelerate the insolvency of the Medicare Part A Trust Fund, but will also jeopardize the ability of health care providers to meet a rapidly increasing demand for services.

Make no mistake about it. The dollars being diverted from the Medicare Trust Fund in the budget before us today will NEVER be returned to the Trust Fund. They are being spent elsewhere. And, that means that there are fewer resources dedicated to Medicare's future. No ifs, ands, or buts about it.

MEDICARE PRESCRIPTION DRUG COVERAGE

The Congressional Budget Office estimates that Medicare beneficiaries will spend $1.5 trillion on prescription drugs over the next ten years. Medicare does not cover outpatient prescription drugs. None of us would belong to a health insurance plan that didn't include prescription drug coverage, but we continue to leave the seniors without any Medicare coverage of these necessary medical costs.

It is past time for us to add a prescription drug benefit to Medicare. However, the budget before us today provides no new dollars for a Medicare prescription drug benefit. Instead, it diverts needed dollars from the Part A Trust Fund into an account which is being labeled for use on a Medicare prescription drug benefit by the Majority.

The Majority only makes $153 billion available over a ten-year period for a Medicare prescription drug benefit. Most estimates indicate that an adequate prescription drug benefit could cost upward of $30 billion a year—and a good benefit would cost much more—$153 billion over ten is only a drop in the bucket. It is less than 1/10th the amount of money they are willing to ''invest'' in tax breaks which will have at best a questionable impact on the economy and less than 1/10th of the what CBO predicts will be spent on drugs for Medicare beneficiaries over the next 10 years. But, we know full well that lack of prescription drug coverage in Medicare is causing millions of seniors to choose between needed medications and heat for their homes, and that failure to cover these drugs also means increased health care costs as people forgo the most appropriate drug treatment because they cannot afford it.

A portion of the $153 billion is dedicated to the President's ''Immediate Helping Hand'' program. Unfortunately, that program is neither immediate or much help. It would provide grants to the states to enable them to cover prescription drugs for low-income seniors. However, the need for prescription drug coverage is not just a low-income problem—it is a middle class problem. And, states have made abundantly clear that they do not want to take on the burden of covering prescription drugs for seniors. The National Governors Association states point blank that, ''if Congress decides to expand prescription drug coverage to seniors, it should not shift that responsibility or its costs to the states.'' The Immediate Helping Hand program has not been warmly received by Congress either. To consider it the method for moving forward on prescription drugs in the budget just simply doesn't make sense.

Again, it comes down to priorities. If we were to delete the estate tax provisions in the budget before us, new estimates from the Joint Committee on Taxation indicate we would have more than $600 billion that could be dedicated to a Medicare prescription drug benefit and other important priorities. The Republican estate tax proposal helps some 43,000 decedents of wealthy people. A Medicare prescription drug benefit would help 40 million seniors and disabled people. Over 90% of the beneficiaries of the estate tax cut make over $190,000 a year. The median income of Medicare beneficiaries is $14,500. Who needs more help?

For all of the reasons outlined above—and many more I have not had time to elucidate—I oppose this budget before us today. It fails to appropriately prioritize the needs of our nation and could put us back in the economic ditch that the Reagan tax package created in the 1980's, and from which we only recently emerged. During this time of unprecedented surplus, we should be shoring up the federal programs that people rely on, we should be increasing our investment in education, we should be improving the quality and availability of child care in our nation, we should be covering prescription drugs through Medicare, and doing much, much more. Instead, this budget squanders projected resources on tax cuts that disproportionately benefit the most well-off and puts at risk our ability to finance important government priorities now and in the future. I urge my colleagues to vote no on the budget before us.

Mr. RAHALL. Madam Chairman, I rise in my capacity as the Ranking Democratic Member on the Resources Committee to point out that among the many worthy and valid reasons why this budget resolution should be defeated is the fact that it runs roughshod over last year's landmark bipartisan agreement on conservation program funding.

This agreement, often referred to as ''CARA light'' but more formally as the Land Conservation, Preservation and Infrastructure Improvement Program was enacted as part of the fiscal year 2001 Interior Appropriations measure.

It seeks, in part, to keep faith with the original purpose of the Land and Water Conservation Fund by providing for a dedicated stream of funds for federal land acquisition as well as for State land and water conservation grants.

But it does more than that. Other eligible programs for the $12 billion set-aside are those which support historic preservation, the Youth Conservation Corps, Payments In Lieu of Taxes, the Forest Legacy Program, and State Wildlife Grants among others.

The pending budget resolution, as does the Bush Blueprint, would skim $2.7 billion from the $12 billion agreed to only late last year to help pay for tax cuts for the wealthy.

These are not touchy feely programs we are talking about here. These are programs that are extremely important to America and to Americans. They are endeavors that are part of our birthright and our destiny.

For by investing in America, and out natural resource heritage, we are fulfilling what I believe is an obligation we have to future generations. And that obligation is that this generation, the current generation, will not consume everything and leave nothing to our children and our children's children.

This budget resolution fails to meet that obligation. It fails to meet our obligations to this country in many other respects as well. So again, I urge the defeat of the pending resolution.

Mr. DINGELL. Madam Chairman, I wish I could say I was shocked and dismayed at the budget proposal the Republicans have put before us today. Unfortunately, I am not shocked. It is a typical Republican budget which slashes funding for programs that help the elderly, women, children and the public interest in order to give a fat tax cut to their fat-cat buddies.

Allow me, if you will, to give a brief synopsis of this draconian document:

Cuts funding for land conservation; Cuts the budget for environmental protection; Cuts funding for the Department of Agriculture, including the field offices which are there to help our farmers, the engine of America's prosperity since founding of our Republic. This budget also fails to provide any emergency income assistance for farmers; Cuts funding for NASA; Cuts funding for renewable and alternative energy research and development. This is the very research and development that could hold the answers to today's energy shortage; Cuts funding for the Army Corps of Engineers, the builders of America's infrastructure; Cuts Federal support for the railroads; Cuts funding for the Small Business Administration; Cuts funding for Community Development Block Grants; Cuts funding for the Department of Justice, the agency charged with enforcing our laws; Cuts funding for the Legal Services Corporation; and Cuts funding for the Equal Employment Opportunity Commission.

Though that is the end of this year's cuts, it is not the end of the rascality

Republican CHRISTOPHER SMITH, Chairman of the Veterans Affairs Committee, and Republican LANE EVANS, Ranking Democrat on the Veterans Affairs Committee, have stated that, ''$2.1 billion is the minimum needed to keep the promises made to care for those who risked their lives and answered this country's call in its hour of need.'' This budget falls $1 billion short of this minimum.

The Budget only designates $135 billion for a prescription drug benefit and Medicare reform. I would note to you that Representative BILLY TAUZIN said, ''everybody knows that figure is gone.'' Additionally, CBO estimates that last years Republican prescription drug bill would cost well over $200 billion today.

Now that I have told you what this scandalous budget does not do, I will tell you what it does do.

Raids Medicare Part A's trust fund

Threatens the solvency of Social Security and Medicare

Mortgages our future based on a riverboat gamble. Make no mistake, the projected surplus is only a prediction 10 years into the future.

This disgrace of a budget grossly underfunds programs which deserve full funding and which the American people have told us time and again are important to them.

You may ask why the Republicans have created a budget which does not reflect America's priorities, why they have produced such

a dim-witted ''financial plan.'' I will be happy to tell you why. Because they are determined to give a massive and fiscally irresponsible tax cut to their fat-cat buddies. Do not be fooled, it is not working families who would benefit from this tax cut, it is the top 1 percent.

I would ask you to vote against this outrageous plan.

Mr. KLECZKA. Madam Chairman, I rise today in opposition to the Republican Budget Resolution and to urge my colleagues to support the more sensible Democratic alternative.

The Republican Budget Resolution before us calls for a massive $1.62 trillion tax cut. I am troubled by this for a number of reasons. First, the House is already on track to exceed this figure.

The Ways and Means Committee has already reported out two bills that cut taxes by almost $1.4 trillion. The Committee has yet to consider the remaining pieces of the President's tax cut plan, most notably the estate tax repeal—which the Wall Street Journal today reported would cost an astonishing $662.2 billion if made effective immediately.

This brings the price tag to over $2 trillion without providing funds for making the Research and Development tax credit permanent or allowing non-itemizers to deduct charitable contributions—both of which are included in the President's plan.

Secondly, I have serious concerns about pinning such a large tax cut on a budget surplus that may never materialize. Predicting so far into the future is fraught with uncertainties, especially in an economic downturn like we are currently experiencing. Would any reasonable person plan a vacation relying on a weather forecast for year 2009 or 2011?

Furthermore, the American people have been told that the tax cuts are necessary to stimulate our economy right now.

Well, Madam Chairman, your budget plan totally fails in this regard. Taxes are cut by $5.8 billion this year, or 50 cents per day per taxpayer—hardly a drop in the bucket of a $10 trillion dollar economy. This budget resolution directs that two-thirds of the benefits be withheld for 5 years.

An economic stimulus plan has been developed by our colleagues in the other body which calls for an immediate $60 billion tax cut for this year. This plan would achieve the goal of pumping up the economy.

Finally, I would like to call attention to a serious flaw contained within the Republican Budget Resolution. This budget diverts $153 billion away from the Medicare Hospital Insurance fund under the guise of a yet-to-be-determined prescription drug benefit. However, this money is being raised to pay hospital costs for current and future beneficiaries—it can't be spent twice. The resolution also earmarks another $240 billion in Medicare HI surpluses to a contingent fund. We cannot allow the Medicare Trust Fund to be used for other purposes because it will dramatically shorten the solvency of the Medicare Trust Fund. Our Democratic Budget locks away the current surpluses in both the Medicare and Social Security.

Madam Chairman, Congress must be prudent and cautious when developing budgets based on less-than certain surplus estimates. We have the resources to give a responsible tax cut to the American people and the Democratic plan does just that. I urge Members to reject the Republican Budget Resolution and support the Democratic substitute.

Mr. BLUMENAUER. Madam Chairman, today, Congress is debating the Fiscal Year 2002 Budget Resolution, a document that is sadly, fraudulent.

Common sense dictates that budget forecasting should be realistic and conservative. The document before us today is neither. The projections used in this document are not only widely optimistic, but also prone to extreme error. If the Congressional Budget Office used the same economic assumptions that the Social Security Trustees use when forecasting the future financial solvency of Social Security and Medicare, the two largest government programs, there would be no surplus. Despite this fact, the majority has pressed ahead with a financial plan that leaves no room for error, leading us down a fiscally dangerous path.

The Majority has based spending decisions on unrealistic spending assumptions. Four years ago, I watched this Congress engage in much backslapping and self-congratulating after passing the last Balanced Budget Act of 1997. Almost immediately, Congress began to wink and nod at spending limits imposed in that bill, tortuously bending and breaking the rules in order to claim spending limits had been honored. Two years ago, Congress dropped the charade, shattering spending limits and effectively giving up on the 1997 act. Now we are again holding down spending to unrealistic levels. Even the Republican Chairman of the Senate Budget Committee has already stated that the spending limits in the legislation are not feasible.

The document before us today drastically underfunds critical health, environment, and veterans programs. As our country is facing what the President and GOP claim is an energy crisis, they have proposed cutting funding for the Department of Energy by 7 percent. Energy conservation programs, the only truly feasible solutions for helping us address the short-term energy problems, are cut by nearly 10 percent. President Bush has repeatedly called for improved spending on America's veterans, yet he under funds VA programs by one billion dollars. Finally, this budget resolution cuts funding for environmental programs by 11 percent. While this is consistent with the Administration's anti-environmental actions, it threatens the important progress we've made in environmental policy over the last decade.

The budget resolution before us is not a financial blueprint, but rather a tax cut dressed up as a budget outline. All of the optimistic surplus assumptions and draconian cuts in needed programs are simply a charade to allow the President and my Republican colleagues to claim they can cut taxes and balance the budget. But they can not. This document does not protect the Medicare trust fund and triple counts the Social Security Trust fund in order to fit the President''s tax proposal. The tax cuts described in this resolution are heavily tilted to those who need help the least and premised on questionable economic forecasts.

Since coming to Congress in 19996, I have based my fiscal policies on five basic principles:

1. Fair tax relief for working Americans.
2. Honoring our promises to Social Security and Medicare.
3. Paying down our $6 trillion national debt.
4. Avoiding future funding shortfalls.
5. Funding commitments to our children, seniors, veterans, and the environment.

I believe these are important goals that most of my colleagues share. Unfortunately, the document we are debating today accomplishes none of these principles. Oregonians have repeatedly told me they want to see budget and tax policies that are fiscally prudent and deal with for the challenges our country faces. This resolution doesn't and I oppose it.

The CHAIRMAN pro tempore. All time for general debate has expired. Pursuant to the order of the House of Thursday, March 22, 2001, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. NUSSLE) having assumed the chair, Mrs. BIGGERT, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the subject of the concurrent resolution on the budget for fiscal year 2002, had come to no resolution thereon.

CONGRATULATIONS TO SARA ABERNATHY

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

Mr. SPRATT. Madam Speaker, at the appropriate time we will, on both sides, recognize our staffs, because although we do the talking, they do the arduous work that goes into this enormous task of putting together a budget.

We have one particular staffer that I want to recognize tonight. Late last week, as we were working another night well past midnight, I looked at Sara Abernathy and I said, ''When are you due?'' She said, ''Next Wednesday.'' I said, ''For goodness sake, get yourself home.''

Well, the baby was not born Wednesday, it was born March 26 at 10:30 p.m. It is a Democrat. And I would simply like to say to Sara Abernathy, who has worked arduously in putting this budget together for us and for the good of everybody, ''Congratulations on the birth and arrival of Nicholas Colum Butler on March 26.''

PERIODIC REPORT ON NATIONAL EMERGENCY WITH RESPECT TO UNITA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mrs. BIGGERT). The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to the

National Union for the Total Independence of Angola (UNITA) that was declared in Executive Order 12865 of September 26, 1993.

GEORGE W. BUSH.

THE WHITE HOUSE, *March 27, 2001*.

HOUR OF MEETING ON WEDNESDAY, MARCH 28, 2001

Ms. ROS-LEHTINEN. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, Wednesday, March 28, 2001.

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

There was no objection.

CONGRATULATIONS TO CO-FOUNDERS OF ''WOMEN OF TOMORROW''

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

Ms. ROS-LEHTINEN. Madam Speaker, I congratulate news anchor Jennifer Valoppi and Don Brown, president and general manager of NBC 6, for outreaching to at-risk young women who choose to further their educational goals.

With the sponsorship of NBC 6, Jennifer and Don cofounded Women of Tomorrow, a mentoring and scholarship program for high-school-aged girls. The women of Tomorrow mentoring program currently operates in 17 schools in South Florida, and by January of next year, the program is expected to operate in every public high school in Miami, Dade and Broward Counties.

This year the program will award several academic scholarships as well as scholarships for books and supplies for low-income, at-risk girls.

I applaud the devotion of mentors Marita Srebnick, State Attorney Kathy Fernandez-Rundle, Judge Judy Kreeger, Attorney Sherry Williams, and the many prominent women of South Florida who dedicate their time to help mold today's young girls into tomorrow's leaders.

Madam Speaker, I ask that my colleagues join me in congratulating Jennifer, Don, and NBC 6, and, indeed, all of the women of tomorrow for contributing to the promise of our future and for leaving a lasting legacy that is sure to benefit all of society.

□ 2145

SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. BIGGERT). Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

(Ms. MILLENDER-MCDONALD addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. BILIRAKIS) is recognized for 5 minutes.

(Mr. BILIRAKIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CONGRATULATING BANGLADESH ON ITS 30TH ANNIVERSARY OF INDEPENDENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Madam Speaker, I come to the House floor tonight to celebrate the anniversary of the struggle the Bengalis went through to become an independent nation 30 years ago on March 26, 1971.

I visited Bangladesh a year ago with President Clinton at this time and was impressed with the progress that the country has made. The people and the government received us very warmly as we visited the capital Dhaka and the surrounding cities.

Madam Speaker, the independence of Bangladesh was hard fought. In 1970, a strong opposition within the masses arose in east Pakistan against the injustices and discrimination levied on the Bengali people. In the early spring of 1971, Pakistani forces moved in and ruthlessly tried to suppress the uprising with death squads and indiscriminate killings. Indira Gandhi, the prime minister of India, became very vocal in her opposition to Pakistani oppression and in 1971 the Indian army was sent in to help the Bengali fighters.

In 12 days' time, the Bengali liberation force, with the help of the Indian army, drove the Pakistani forces out of the region and Bangladesh was born. I salute the brave Bangla fighters, as well as the soldiers of the Indian Army who stood firm together to help the dream of a free Bengal nation become a reality.

Madam Speaker, U.S./Bangla relations have been developing positively since Bangladesh's declaration of a free republic in 1972. Current U.S./Bangla relations are excellent as demonstrated in several visits to Washington by the Bangladeshi premiers over the last 20 years.

In 1995, First Lady Hillary Clinton visited Bangladesh. The current prime minister of Bangladesh, Ms. Sheikh Hasina, also visited the United States in 1996 and 1997.

Relations between Bangladesh and the United States have further strengthened since the participation of Bangla troops in the 1991 Gulf War Coalition. The Bangladeshi soldiers also served jointly with the 1994 multinational force in Haiti.

The current government of Prime Minister Sheikh Hasina, elected in June 1996, has indicated that it will continue along the path of privatization and open market reforms but progress has been slow.

In the government's first year, real GDP growth of 5.7 percent and inflation of 2.6 percent were the best figures in the 1990s. We must collaborate in many ways with Bangladesh and continue our aid package to Bangladesh, and I want to congratulate my colleague, the gentleman from New York (Mr. CROWLEY) for starting the Bangladeshi caucus.

I have joined the same and hope to work with him for Bengali issues.

Under Madam Hasina, Bangladesh pursues a positive foreign policy based on friendship with all and malice towards none. While relations between the United States and Bangladesh are good, clearly there is ample room for improvement. One such area I believe U.S./Bangla relations can be improved is trade.

Madam Speaker, I would like to draw your attention to the African-Caribbean trade initiative that was introduced last year. The initiative gives only textile industries in Africa and the Caribbean duty free access to U.S. markets. A stark reality has to be understood that presently Bangladesh derives 76 percent of its foreign reserves from these exports. Taking this market away, most of which is the U.S. market, would deal a very heavy blow to the democracy of Bangladesh as it struggles to improve the conditions of its people.

Another important area where we can help, and I think my colleague, the gentleman from New York (Mr. CROWLEY) again has drawn attention to this, is the arsenic poisoning occurring in the drinking water wells in the Nawab Ganj district in Bangladesh. In the early 1970s, UNICEF, in an attempt to bring clean drinking water to the Bengali people, dug two wells to access shallow water ducts. At that time, arsenic testing was not conducted and arsenic's inherent slow-working poisonous effects were not recognized.

I ask my colleagues to urge the current administration to work on a long lasting solution for this problem affecting a great number of Bangladeshis.

Madam Speaker, on this historic occasion of Bangladesh's 30th anniversary of independence, we must show our sincere appreciation for all that Bangladesh is doing to improve itself and express solidarity with its democratic principles of governments in progress. I ask my fellow colleagues to join me in celebrating this occasion in wishing Bangladesh the very best of success in the years to come.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. CON. RES. 83, CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2002

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 107–30) on the resolution (H. Res. 100) providing for consideration of the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011, which was referred to the House Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. CRENSHAW). Under a previous order of the House, the gentlewoman from New Mexico (Mrs. WILSON) is recognized for 5 minutes.

(Mrs. WILSON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

NATIVE HAWAIIAN EDUCATION REAUTHORIZATION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Hawaii (Mrs. MINK) is recognized for 5 minutes.

Mrs. MINK of Hawaii. Mr. Speaker, I rise to ask for support of the Native Hawaiian Education Reauthorization Act, which I have today introduced with my colleague the Honorable NEIL ABERCROMBIE.

The Native Hawaiian Education Act has been in effect since 1988. Congress has recognized its special responsibilities to the native, indigenous peoples of the United States by creating education programs to meet the special needs of American Indians, Alaskan Natives, and Native Hawaiians.

Programs supported with the modest appropriations provided under the Native Hawaiian Education Act have helped to improve educational opportunities for Native Hawaiian children, youth, and educators. Through the establishment of Native Hawaiian Education Councils, the Act has given Native Hawaiians a voice in deciding how to meet the critical education needs of their community.

Native Hawaiian students begin their school experience lagging behind other students in terms of readiness factors, such as vocabulary scores, and they score below national norms on standardized education achievement tests at all grade levels. In both public and private schools, Native Hawaiian students are over-represented among students qualifying for special education programs provided to students with learning disabilities. They have the highest rates of drug and alcohol use in the State of Hawaii. Native Hawaiian students are under-represented in institutions of higher education and among adults who have completed four or more years of college.

Why are Native Hawaiian students so disadvantaged? The poor showing of Native Hawaiian students is inconsistent with the high rates of literacy and integration of traditional culture and Western education historically achieved by Native Hawaiians through a Hawaiian language-based public school system established in 1840 by King Kamehameha III. But following the overthrow of the Kingdom of Hawaii in 1893, by citizens and agents of the United States, middle schools were banned. After the United States annexed Hawaii, throughout the territorial and statehood period of Hawaii, and until 1986, use of the Hawaiian language as an instructional medium in education in public schools was declared unlawful. This declaration caused incalculable harm to a culture that placed a very high value on the power of language, as exemplified in the traditional saying:

I ka ʻōlelo nō ke ola; I ka ʻōlelo nō ka make

In the language rests life, In the language rests death.

Our nation must make amends for the terrible damage that has been done to the Native Hawaiian people since the overthrow of the Hawaiian monarchy by military force in 1893. From 1826 until 1893, the United States had recognized the Kingdom of Hawaii as a sovereign, independent nation and accorded her full and complete diplomatic recognition. Treaties and trade agreements had been entered into between these two nations. In 1893, a powerful group of American businessmen engineered the overthrow with the use of U.S. naval forces.

Queen Liliuokalani was imprisoned and over 1.8 million acres of lands belonging to the crown, referred to as crown lands or ceded lands, were confiscated without compensation or due process.

A Presidential commission, led by Congressman James Blount declared that the takeover was an illegal act by the U.S. government. The U.S. Minister of Hawaii, John Stevens, was recalled. President Grover Cleveland sent a message to Congress calling the takeover an act of war committed by the United States against another sovereign nation and called for the restoration of the monarchy. This request was ignored by the Congress.

I say that the takeover was illegal because there was no treaty of annexation. There was no referendum of consent by the Native Hawaiian people. In recent years, we have learned that in the vaults of the National Archives is a 556-page petition dated 1897–1898 protesting the annexation of Hawaii by the United States. The petition was signed by 21,259 Native Hawaiian people; a second petition was signed by more than 17,000 people. Historians advise that this number constitutes nearly 100 percent of the native population at the time. Their voice was totally ignored.

Since the overthrow of the Kingdom and up until the present, Native Hawaiians have suffered from high rates of poverty, poor health status, low educational attainment, and high rates of alcohol and drug abuse and incarceration. By 1919, the Native Hawaiian population had declined from an estimated 1,000,000 in 1778 to 22,600. In recognition of this severe decline and the desperate situation of the native people of Hawaii, Congress enacted the Hawaiian Homes Commission Act, which returned 200,000 acres of land confiscated by the federal government (out of the total of 1.8 million acres stolen) to the Native Hawaiian people as an act of contrition.

Unfortunately, the lands that were returned were in places where no one else lived or wanted to live. They were in the most remote areas of the islands. Relegated to isolation, without infrastructure, with no access to jobs, Native Hawaiians live today in segregated reservations, much like Indian tribes. Their current despair and conditions of poverty is due to this forced isolation.

Progress has been made over the years, even with the modest funding provided under the Native Hawaiian Education Act. One of the outstanding successes of the program is the dramatic increase in the number of young people who are fluent in the Native Hawaiian language. Once a dying language spoken only in isolated Native Hawaiian communities, primarily by elders, the Hawaiian language is now taught through a number of immersion programs, beginning in kindergarten and continuing through high school. The University of Hawaii at Hilo now has a program for a Masters' degree in Native Hawaii Language and Literature—the first program in the United States focusing on a Native American Language.

It is important to note that Congress does not extend services to Native Hawaiians because of their race, but because of their unique status as the indigenous people of a once-sovereign nation with whom the United States has a trust relationship. The political status of Native Hawaiians is comparable to that of American Indians and Alaskan Natives.

Justice requires that the United States fulfill its trust obligations to Native Hawaiians who lost everything at the time of their annexation. The $28 million authorized for Native Hawaiian education programs in this bill can't begin to make up for the loss of a nation.

I call upon my colleagues to support the reauthorization of the Native Hawaiian Education Act and justice for the Native Hawaiian people.

PRESIDENT BUSH'S EDUCATION PLAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. KELLER) is recognized for 5 minutes.

Mr. KELLER. Mr. Speaker, as the only Member of Congress from Florida on the Committee on Education and the Workforce, I am proud to be an original cosponsor of President Bush's No Child Left Behind Act of 2001.

Mr. Speaker, I rise today in strong support of this important education reform legislation. This legislation will

do three key things. First, we will invest an additional $5 billion in reading over the next 5 years for children in grades K through 2. This is critical since right now 70 percent of the fourth graders in our inner-city schools cannot read at basic levels.

Second, we will require the States to conduct annual tests in grades 3 through 8 in reading and mathematics. This is critical to ensure that none of our children somehow fall through the cracks. How many times have we turned on the television only to see a college athlete explain that he is not able to read even though he somehow graduated from high school?

We are going to put a stop to that right here, right now in this Congress.

Third, in exchange for pumping historic levels of money into our public education system, we are going to insist on accountability. There must be a safety valve for students who are trapped in persistently failing schools. Therefore, if a school continues to fail for 3 consecutive years, the student is going to have the option of staying in that school and receiving $1,500 to use toward tutoring or he could transfer to a public school or he could transfer to a charter school or even a private school if that is in his best interest.

Now why do I support this legislation? Because I know it will make a meaningful difference in the lives of young people, and it will ensure that every child in this great country of ours will have the opportunity, whether he is rich or poor, to get a first class education.

Now how do I know this to be true? Because we have already implemented these same principles, measuring performance and demanding accountability, in the great State of Florida. What happened as a result? We went from having 78 F-rated schools based on low test scores to only 4 F schools in the course of only a year.

Let me give you two examples. First, in my district of Orlando, Florida, there is a school called Orlo Vista Elementary School. At this school, 92 percent of the children are from low-income families and they are entitled to receive the free hot lunch program. Eighty-six percent of the students are minorities. This school was rated as an F school by the State of Florida based on abysmally low test scores.

However, after measuring the students' performance, pumping Federal title I dollars into the school, along with local school board money and State dollars, we were able to make sure that we cured the problem and that all children were able to read, write and perform math appropriately. As a result, the school went from having 30 percent of the children pass a standardized test in 1 year to over 79 percent of the students being able to pass that same test a year later. It is no longer an F school.

Earlier this month, I had the pleasure of taking our U.S. Secretary of Education, Rod Paige, on a personal tour of this same Orlo Vista Elementary School in Orlando. I wanted him to see firsthand why the school was successful. I took him into a reading lab, and while there he observed a little 6-year-old African-American boy reading. This is a child who, 1 month earlier, was having problems with reading and was set apart.

The student-teacher ratio for this child was one-to-one. As he leaned over the shoulder watching this little child read, he was blown away and so impressed. This child was flying through that book, reading as well as most adults that I know.

We were making a difference. We caught the problem and solved it with a one-to-one student/teacher ratio.

This particular situation in Orlando was not unique. For example, at Dixon Elementary School, which is up in the Panhandle in Escambia County, another F-rated school existed because of persistently failing test scores. Yet in one year, after implementing similar legislation in Florida, we saw the students go from only 28 percent being able to pass a standardized test to this year over 94 percent passing that same test.

I genuinely believe that we can replicate the same success that we have had in Florida all across the United States by passing the No Child Left Behind Act of 2001, and I urge my colleagues to support this important education reform legislation.

THE BUDGET RESOLUTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Wisconsin (Mr. KIND) is recognized for 60 minutes as the designee of the minority leader.

Mr. KIND. Mr. Speaker, I want to first of all start my remarks this evening by commending the chairman of the Committee on the Budget, my friend, the gentleman from Iowa (Mr. NUSSLE), as well as our ranking member, the gentleman from South Carolina (Mr. SPRATT), given the collegiality and the civility that they have demonstrated in the course of putting together a budget resolution, whether it was the work that they specifically were involved with on the committee in putting together the package that we started debate on tonight and will finish tomorrow but also the conduct of the debate that we saw here this evening. I think they demonstrated by their leadership that we can have some real differences of opinion on what the best direction is that we should be taking for the sake of the country, have differences of opinion in regards to what the budget resolution should look at but do so in a civil manner. I think that was demonstrated here this evening.

Mr. Speaker, I wanted to take this time, along with a few of my colleagues from the new Democratic Coalition, to continue the discussion that we are having on the budget resolution this evening. This is a very important time in the legislative process of this session of Congress because it is the budget resolution that establishes the broad frameworks that we will be filling in the spaces and the details throughout the course of this legislative year that will set the tone in regards to many of these programs, the size of tax cuts, the commitment to debt reduction, the commitment to trying to preserve and protect Medicare and Social Security for future generations. We want to devote a little bit more time this evening in regards to where we see things going as part of the new Democratic Coalition.

It is a coalition that comprises roughly 80 Members now within the Democratic Caucus. We believe in pro growth strategies. We believe in the necessity to reduce the national debt. We believe in tax relief for working families, and we believe that there are also some very crucial investments that we need to make collectively as a nation in order to see the type of economic progress and the expansion of economic opportunities, not just in the coming year but for future years.

Many of us have some severe reservations in regards to the Republican budget resolution that has been submitted; not the least of which is that the cornerstone of what they are offering is a very large, very sizable tax cut that is based on economic forecasts not this fiscal year or even next year but over the next 10 years.

Many of us believe that if surpluses do, in fact, materialize during the course of future years, and many of us hope that they will, that the economy will remain strong; that the current projections will prove accurate; that this is an excellent time for us to get serious on national debt reduction; to be serious about finding some long-term bipartisan solutions to preserve Medicare, Social Security; deal with the rising crisis that we have in this Nation in regards to the cost of prescription drugs, while also being able to deliver a responsible tax relief package that all Americans will benefit from.

□ 2200

That is where our major point of contention is with the Republican proposal. We believe in tax relief like they do, but we would like to see tax relief that is done in a responsible and fair manner.

There have been a lot of numbers bandied about during the course of this evening and undoubtedly they will again tomorrow; but basically, the corner of the budget resolution that the gentleman from Iowa (Mr. NUSSLE) and his committee has reported out calls for a $1.6 trillion tax cut over 10 years. To be honest, this is not tax relief that will happen this year or to any great extent next year; but most of the tax relief that they are talking about is backloaded severely to the 6th, 7th,

8th, 9th year from now. They have to do that for one simple reason: we do not have the surpluses and no one is predicting that the surpluses will be generated within the next 5 years, at least, in order to pay for a tax cut of that magnitude, so they have to backload it, hoping that the surpluses will, in fact, materialize 8, 9, 10 years from now.

Now, the average person in my district knows what is going on with this game. In fact, many of them are highly suspicious of these 10-year forecasts. They know that this is very speculative, these forecasts that are being bandied about right now, that no one can predict with any degree of certainty what the economy is going to be doing next year let alone what it will be doing 8, 9, 10 years from now. In fact, it has been said that God created economists in order to make weather forecasters look good. That is exactly what we are talking about, when we are talking about economic forecasts and projected budget surpluses that may or may not materialize 7, 8, 9 years from now.

There was a lot of talk earlier this evening that this tax cut they are offering does not even compare to the size of the tax relief that President Kennedy introduced back in 1960, that Ronald Reagan had introduced with his economic plan back in 1981, and perhaps in real dollar terms, the size of it does not compare. However, there is one very important significant difference, and that is the context in which these tax cut proposals were offered back in 1960, 1981, and today. Because I submit that back in 1960 and 1981, they were looking at an entirely different economic and demographic situation than we are today.

We could afford to take a chance back in 1960 and 1981 to pass large tax cuts because of two very important reasons. One was that we did not at that time have a $5.7 trillion national debt staring us in the face that is draining precious resources from the Federal budget every year just on the interest payments that we are making on our national debt, which totaled over $220 billion alone in the last fiscal year. That money is money that could be better spent for tax relief, for instance, for investments in education, in math and science programs and basic scientific and medical research in this country, but it is not. It is not because there is a large $5.7 trillion national debt that we have to make interest payments on, which comprises roughly the third largest spending program in the entire Federal budget.

But back in 1960, they were still keeping the budget in relative balance. In fact, during the decade of the 1960s, they were exercising fiscal discipline and responsibility by maintaining budgets that were within balance. In fact, the last time before the 1990s that we had a balanced budget in this country was 1969, LBJ's last budget that he submitted in his last year in office. Also, back in 1981 we were not looking at a $5.7 trillion national debt. I believe back then the national debt was roughly $1 trillion as opposed to what we are facing today.

So there is a significant difference between what we are calling for today and what the circumstances that existed back then were.

The other significant difference too is that they were not at that time facing a demographic time bomb waiting to explode. By that I mean the aging population that we have in this country, the baby boomers who are all going to start to retire at approximately the same time early next decade entering the Medicare and the Social Security programs, bringing incredible fiscal pressure to bear if we cannot find long-term reforms for those programs, and that is something that I feel is getting lost in this debate. There is so much focus on the next 10 years which do look relatively optimistic when we look at budget situations, economic forecasts; but what is missing in the debate is what the second 10 years are going to look like in this century, and that is where I am afraid things are going to come home to roost.

Mr. Speaker, if we make bad decisions today, if we gamble on these projected surpluses today, lock in on large tax cuts that do not materialize, finding ourselves in a position of not being able to afford them, going back to a series of years as we just came out of during the 1980s and early 1990s of annual structural deficits, adding to, rather than reducing, our national debt, I am very concerned then about our children's capacity and our grandchildren's capacity to deal with that type of fiscal situation that they will be asked to have to deal with. That is a significant difference.

Just to tell my colleagues briefly how tenuous these forecasts really are, even according to the Congressional Budget Office that is offering these numbers that a lot of people are basing the tax cuts upon, they are telling us that if we are off by just one-tenth of 1 percent of GDP growth over the next 10 years, that translates into $250 billion of surplus that we will be off. So if we are off by even a half a percentage point on GDP growth in 10 years, that is roughly $1.5 trillion that we will be off with our surplus calculations, which I think is very speculative and very risky at this time.

The demographic aspect of what is happening I think is equally compelling. Let me show this graph briefly. Everyone in the House realizes that over half of the projected surplus is surplus that is generated by the surpluses in both the Social Security and the Medicare trust fund. We are collecting more than what is needed to go out in Social Security and Medicare. This is a great time in order to download the national debt so we are in a better position to deal with the baby boom generation's retirement.

This graph illustrates what the next 10, 20, 30 years are going to look like in regards to those surpluses in the Social Security Trust Fund. Over the next 10 years, we are running some surpluses; and to a large extent, this budget resolution is based on those surpluses. But what has not been discussed in any great detail is what the second 10 years and beyond look like in the Social Security Trust Fund. We are going to have some unfunded liabilities that are going to come due starting early next decade with the baby boomers starting to retire. That black ink, red on this chart, suddenly turns into a sea of red ink that we need to come to grips with.

Mr. Speaker, this is as good a time as any for us to start looking in generational terms when we start making some of these budget decisions that we now have. Most of the decisions that I make when it comes to the budget and the fiscal policies that we pass, I try to make through the eyes of my two little boys who are just 4 and 2. I could not think of anything more patently unfair to do to them and their economic future than to saddle them with a large national debt because we did not have the courage to do something about it when we had a chance, or to make it more difficult for them to deal with an aging population in this country, when we have an opportunity with economic forecasts and surpluses that hopefully will materialize, to make the reforms that are needed to preserve and protect Social Security and Medicare, to make sure that we pass a prescription-medication component in this year's budget, to download the national debt as much as we can humanly do so that we are in a better position next decade of dealing with some of these other fiscal challenges that we are going to face, as well as making the crucial investments that need to be made in education programs, job training programs, research into medicine and the sciences, and a greater emphasis on math and science in the country generally.

So this is hopefully something that will be discussed in greater detail in the coming weeks as we develop the budget, in the coming months as we work on the budget details, because way too much emphasis, I am afraid, is being placed on economic forecasts that are so far out into the future that I would venture to guess that no one really, in all honesty, would be willing to bet their own personal finances on the realization of those forecasts today, when there is so much uncertainty in the air.

Mr. Speaker, at this time I yield to the gentleman from New Jersey (Mr. HOLT), my good friend, who I serve with on the Committee on Education and the Workforce, one of the foremost leaders on emphasizing the importance of math and science and scientific research on budget issues.

Mr. HOLT. Mr. Speaker, I thank the gentleman from Wisconsin. I would

like to pick up on a point that the gentleman made. The Congressional Budget Office, not a Democratic organization nor, for that matter, a Republican organization, has talked about the uncertainty in the budget projections; and they have made it clear that what looks like a surplus in some of the future years could actually be a deficit.

Now, we have a surplus today, an honest-to-goodness surplus, and the projections that tell us that we will have a net surplus to work with of more than $5 trillion have been gone over by lots of experts; and these projections are every bit as good, I would say, as the projections of several years ago that said we would be in deficit right now. So we should keep that in mind.

But the Democratic alternative budget that calls for paying down more debt and somewhat smaller tax cuts is arrived at not out of fear. This is not a fear of that uncertainty; this is not an eat-your-spinach austerity budget. No. We are trying to do, really, what the other side has said, which is to put more money in the pockets of the people of America, of the working families.

Mr. Speaker, we want to give a tax cut, not like the Republicans, one that pays off 6 or 8 or 11 years from now; and we want to pay down the debt. We would pay down the debt as rapidly as possible, more rapidly than the majority's budget.

This is not only the responsible thing to do, but it is important in demonstrating that our government has fiscal discipline, financial discipline. This leads to greater investor confidence and greater consumer confidence, lower interest rates, and that alone would put more money in the pockets of Americans, every homeowner getting a mortgage, every farmer buying a combine, every student with a student loan, every small businesswoman raising capital. And if we add to that the fact that what we are trying to do is to create a budget that leads to productivity growth, productivity growth that powers our economy leads to people having jobs. If we are going to have that productivity growth, we need a smart, well-trained workforce and we need new ideas.

Quite simply, we need to invest in education and we need to invest in research and development. In both of those areas, our budget does a better job than the majority party's budget. Mr. Speaker, in other words, we want to invest in teacher recruitment, teacher training, smaller class sizes, Pell Grants that will help everyone have the advantage of a college education. The Republican budget quite simply shortchanges the American people in education and in research.

So the Democratic budget is not an austerity budget. By paying down the debt, by investing in education and research, we are convinced that we will have a richer country; and that, I think, has been lost in the debate tonight. Yes, we can talk about who is spending more on this program and who is spending more on that program, but what we think we will end up with here is a program that is more fiscally responsible because we do not commit money over the long term when there is uncertainty in the projections, and we invest in those things that are necessary to have the economic growth that we need.

I thank the gentleman for putting together this discussion. There are a lot of differences in what the majority budget has and what we propose to do.

Mr. KIND. Mr. Speaker, I appreciate the gentleman's comments tonight. He makes a very valid point, one that will just take a second to emphasize again, and that is that Chairman Greenspan, whether he deserves it or not, has received a lot of credit in regards to the economic circumstances in the country. A lot of people listen to what he has to say; and he has consistently since day one, when he comes before the Committee on the Budget or the Committee on Financial Services testifying, emphasizes debt reduction, talking about the merits of debt reduction, how it will help the Federal Reserve interest rates, which is really the true economic stimulus in the economy; by making it cheaper for businesses to invest capital in their business, create more jobs, increase worker productivity. Then the average worker is going to see financial relief through lower interest rates, lower mortgage payments, car payments, credit card payments and, as the gentleman mentioned earlier, student loan payments will be cheaper to do. That is real money in real people's pockets as well, so there is a lot of value to continuing to emphasize debt reduction.

□ 2215

If the gentleman will yield, the Democrats would retire all redeemable public debt by 2008. The Republicans' budget would not.

Mr. KIND. Mr. Speaker, that is a very important point, a very important difference between the competing budget resolutions.

Mr. Speaker, I yield to my good friend, the gentleman from North Carolina (Mr. PRICE), one of the true authority figures when it comes to budgetary matters here in the House of Representatives.

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman for yielding.

I would like to begin by picking up on the point our colleague, the gentleman from New Jersey, was making about debt retirement. It seems strange to see our Republican colleagues arguing that, really, we had better not retire too much debt. After years and years and years of piling up debt and red ink and deficit spending, here we finally see the light of day. We are running modest surpluses, and we have the opportunity to reduce that mountain of debt.

Let us remind ourselves, that debt is not just an abstract number, that debt is costing this country over $200 billion a year in interest payments alone. Think what we could do with that money. Think of the more profitable public and private investments that could be made with that over $200 billion. We need to systematically and in a disciplined way get that debt paid down.

It seems to me that our Republican friends are making a couple of mistakes. In the first place, they are underestimating how much of that debt we can pay down over the next 10 years without incurring unreasonable penalties.

Then, secondly, they are using a device in their budget which they call a reserve fund, but they at the same time are making commitments that almost certainly will spend down that reserve fund: increases in defense spending, agricultural assistance. Goodness knows, they are not even taking any account of the kinds of farm payments we have had to make in recent years.

They are promising us a prescription drug coverage under Medicare. How much of that is it going to take for those reserve funds to vanish and, therefore, even less debt reduction to be achieved?

It seems to me that the approach we are taking in the Democratic alternative is far more reasonable, far more responsible. We are reducing the debt by a good deal more than our Republican friends. At the same time, we are taking more realistic account of the investments that they and we say that we are going to have to make.

Instead of the Republican approach, which has been to shout through a tax cut here mainly benefiting the wealthiest people in this country, and then say, well, we will figure out a few months later what the rest of the budget looks like, our approach on the Democratic side has been to roughly take one-third of the surplus and say we are going to commit that to a disciplined paying down of the national debt, beyond what we are already doing with the Social Security surplus, which is applied to debt reduction and to the long-term future of Social Security.

We take another one-third of the surplus and say we are going to apply that to tax relief. That is a large tax cut, and one from which this country will benefit.

Then we take the remaining third and apply it to investments which really both parties have committed to, in strengthening defense, providing a prescription drug benefit under Medicare, investing in education, investing in research.

I do want to return to what our colleague said about the National Science Foundation, an important component of that. We will be investing in roads and transit. Goodness knows, my district in North Carolina is well aware of the need for that investment.

It will be one-third, one-third, one-third, a balanced program of debt retirement, tax relief, and targeted, prudent investments. It seems to me that is a sound basis on which to proceed. I very much hope that before this process is over, that is the kind of process that we can all be part of.

Mr. KIND. I appreciate the gentleman's insight in this matter. Obviously, he has been directly involved in the creation of many budgets, and analyzing them as a member of the Committee on the Budget and the Committee on Appropriations.

I think that is one of the great differences between the Democratic alternative and what the majority is offering this week, is that we are taking a more balanced approach on projected surpluses.

First of all, we are hedging our bets a little bit. We are saying a lot of the surplus is speculative. Let us be honest, over two-thirds of the projected surplus will not even happen, if at all, until 6, 7, 8 years from now, so there is not a lot of wiggle room right now.

Mr. PRICE of North Carolina. If the gentleman will yield, well over two-thirds of that projected surplus is more than 5 years out. There have been a number of analysts in recent days that have pointed out the ominous fall in the stock market and what that will do to capital gains receipts, and the effect that will have on the projected surpluses.

Then look at what is happening in the States. In my State of North Carolina, and I understand something like half the States, the budget is taking a dive. The economic situation is deteriorating. We hope that that does not become worse, but surely it would be foolish for us to ignore those signs in projecting our Federal surplus.

Mr. KIND. Reclaiming my time, Mr. Speaker, I agree with the gentleman wholeheartedly, even in the State of Wisconsin, where we are following on the heels of a big tax cut that was just enacted, and now we are looking at a revenue shortfall of over 600 million to $1 billion in the next biennium. This is a consistent theme now from State to State to State from perhaps ill-considered economic gains in the coming years.

In just looking at the Republican budget resolution, to be honest, there are some smoke and mirrors being played here. If anyone believes they are only going to go with a 2 percent defense increase in this budget, take the fact that they are not allocating any money at all to a missile defense program, when we know the Bush administration has made this one of their top priorities, and missile defense can be extremely costly; or calling for an 8 percent real budget cut in agriculture programs when we know we are in the middle of an agriculture depression right now. We have seen the farm relief packages that have passed this Congress with bipartisan support in the last few years. It is just not realistic with the American people or honest with the American people on what their true spending costs are going to be in the budget.

The point I was making earlier is that back in 1981, we could afford to make a mistake. We could afford to take a gamble on passing a large tax cut plan that President Reagan was advocating. He was also advocating a large increase in defense spending. That is, in fact, what happened. So if we couple a large tax cut with a large increase in spending, that is what occurred within the 1981 economic plan. It led to a decade of annual deficits, which led to the $5.7 trillion of national debt that we now have and that we are wrestling with and trying to dig ourselves out from under.

Back then we could have an opportunity to recover from that type of fiscal mistake that was made. I am not confident at all that if we go down the same road, that we can recover in time for the baby-boom generation's retirement.

President Bush was here in the well not too long ago quoting Yogi Berra saying, ''When you come to a fork in the road, take it.'' Yogi Berra was also famous for saying, ''This is deja vu all over again.'' What they are offering in their budget resolution, with the large tax cut plus what will inevitably lead to a large increase in spending, especially in the defense area, and there will be bipartisan support for defense modernization, is a redo of the 1981 economic plan that led to the $5.7 trillion of national debt that we are trying to recover from, which resulted in the 1990s, in the Clinton administration, of putting together budget packages that would get us the balance, and then start running these surpluses.

So I hope we do not repeat the mistakes of the past, and we learn from what happened then so we can better prepare for the challenges of the future.

Mr. PRICE of North Carolina. If the gentleman will continue to yield, I cannot imagine that with the surpluses that we are running now, and seeing the baby boom retirement ahead and the implications that has for Social Security and Medicare, I cannot imagine that we would not want to get that national debt reduced down to the absolute minimum so we do not have this $200-plus billion in debt service each year awaiting us now, and so that we are in a better position to meet that challenge when it arises.

It is just incredible in this context to be saying, let us not pay down the debt too much. As one of our colleagues said, it is like a 400-pound man deciding he had better not go on a diet lest he become anorexic. That is not really our problem. Our problem right now is to systematically and in a disciplined way pay down that national debt, get that debt service off our back, get ourselves in a strengthened position to meet the challenges that surely lie ahead.

Mr. KIND. I could not agree with the gentleman more. Interestingly enough, that is the feedback I constantly hear from my constituents in western Wisconsin. They look at me and say, ''What are you guys doing out in Washington?'' Because they kind of view these Federal budget terms the same way they look at their own family finances. If there is debt they are responsible for, they understand they have a responsibility for taking care of that first before they embark on new spending programs or large new tax cuts. That seems to be the overwhelming, clear preference for the people living back home in Wisconsin.

Mr. Speaker, I yield to the gentleman from Maine (Mr. ALLEN), a good friend and someone who has some very strong opinions with regard to this budget resolution.

Mr. ALLEN. Mr. Speaker, I thank my friend, the gentleman from Wisconsin, and my colleagues for being here tonight to talk about this budget resolution. At last it seems like we are going to be discussing at least the beginnings of an overall budget resolution with a few numbers; not a lot of numbers, not the kind of detail that apparently we may not see until May or June, but at least we are starting to engage in an important debate here.

I want to follow up on what the gentleman from North Carolina (Mr. PRICE) and the gentleman from Wisconsin (Mr. KIND) have been saying about the need to pay down the national debt and to meet our responsibilities. That word ''responsibilities'' seems to have been lost in terms of our friends on the Republican side of the aisle as they get into the debate on this budget resolution.

We have several responsibilities. I am struck by one in particular. That is the responsibility to meet the authorized Federal share of funding for special education. This is a program that was created in 1975, and within a few years the Congress authorized the Federal Government to pay up to 40 percent of the cost of special ed.

I suspect that it is as true in Wisconsin as it is in Maine. When I go out and talk to educators in Maine, the business people involved in education, the teachers, the superintendents, the members of the school boards, their number one concern, their number one request, is full funding of the Federal share of special education.

In Maine, that would be an additional $60 million per year. It is a huge amount of money. Yet, in our districts, over and over again, the local taxes and State taxes are being used to pick up the abdication of the Federal Government for its responsibility to fund special education. So local money and State money is being put into educating special ed students, and a good many of our regular students are finding that they do not have textbooks. They are in classes that are too large, and they are in schools that are rundown.

Before we have dessert first with a tax cut of this size, we really ought to meet our responsibilities. We ought to pay down a larger share of the national debt, and we ought to fully fund special education.

Today I went before the Committee on Rules with a proposed amendment that I hope will be approved to come to the floor tomorrow, but I cannot count on that, an amendment that would take this historic opportunity to fully fund the Federal portion of special education. It would mean an additional $11 billion. It has nothing to do with a new program. This is an old program that deserves a new promise, or, rather, the fulfillment of an old promise to fully fund special education.

That sum, $11 billion, is something we could not have conceived of except for this year, only with the kinds of projected surpluses that we see in front of us.

I believe that we have the right approach. We can have a tax cut about half the size of what the President proposes, and if we do that, we can do a Medicare prescription drug benefit, we can fully fund special education, and we will still have close to $800 billion to shore up Medicare and Social Security, and to have some sort of cushion against the possibility that these projections just will not work out as they are projected to be now.

□ 2230

We need balance.

The final thing I would say is this: the President came up to the State of Maine last Friday, and he made his usual pitch. To hear him describe and to hear our friends on the other side of the aisle describe what is going on, they say, well, we have met our responsibilities, and we have a trillion dollars contingency fund, which my colleagues and I know is not there; and then they say we are dealing with the money that is left over.

Mr. Speaker, I ask, does anyone in the country believe that the President's last priority is tax cuts? We all know that is the first priority. That is where the money is coming from. As the American people begin to understand, as they see real numbers, they will realize that a tax cut of $1.6 trillion is so large that we cannot deal with other priorities fully funding old programs like special ed or dealing with new emergencies like the high cost of prescription drugs for our seniors.

It seems to me we have to take account of the fact, as all of my colleagues have been saying, that we do not know that these projections will come in as promised or as projected and, therefore, we have got to be disciplined.

This is the time to shore up Social Security and Medicare, to prepare for a future when we will have more claimants in those programs and be responsible about our budgeting. The Republican budget resolution is not responsible and, therefore, it should be rejected.

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

Mr. KIND. Mr. Speaker, I just want to commend the gentleman from Maine (Mr. ALLEN) for the leadership that he has provided this House in regards to getting this Congress to live up to the Federal Government's responsibility for funding special education costs.

The gentleman mentioned the 40 percent level where we should be, but I do not think too many people back home realize we are only funding it at slightly less than 15 percent of that 40 percent share. This is a challenge that is not going to go away.

We have a collision course with school budgets and modern medicine, where we are seeing more and more children who in the past normally would not have survived to live to school age entering the school systems, bringing the special needs with them and the increased costs. That is what IDEA is; that is what special education is all about.

If we can get one thing right in the education component of this budget, it is getting to our full share, that 40 percent level, of special education, which would provide tremendous relief to local school districts so they can use resources to implement the reforms that they would like to make; but they cannot because so much of their resources are being diverted to cover for our shortfall in IDEA and special education.

The gentleman and I have been working together on a task force to elevate this issue and to highlight it and we are going to continue doing it, reaching across the aisle trying to gather bipartisan support, because it is more than just funding IDEA. It is really a civil rights issue as well.

These children bring special needs to the classroom. They deserve to have access to a quality education like any other children in this country, but we are selling them short. We are not living up to our responsibility, our commitment to them to get the job done.

We can very easily do that if we make it a budget priority, and that is what this budget resolution is all about. It is a reflection of our priorities and our values as a country and what we are willing to invest in or not invest in.

Mr. Speaker, I yield to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. The gentleman reminds me of a point I wanted to make. Fully funding special education by the Federal Government would help special ed students obviously. It would also help regular students because, frankly, State and local money that is now being diverted to fund special education would be available for textbooks and additional programs for regular students.

Third, it would really help relieve pressure in the future on local property taxpayers. There is no question in my mind if we have a $1.6 trillion tax cut, the pressure on local property taxpayers is going to go up much faster than if we have a more responsible tax cut, balanced with investment in education and health care and with a reserve left to shore up Social Security and Medicare.

Mr. Speaker, I thank the gentleman for yielding.

Mr. KIND. I thank the gentleman for his leadership.

Mr. Speaker, I yield to the gentleman from New Jersey (Mr. HOLT), my friend.

Mr. HOLT. Just on that point, we wanted to talk about education funding and the obligations we have. With all of the talk about increased attention to education, the fact of the matter is that the budget of the majority party is less as a percentage increase in spending than any of the past 6 years; and to put it really into perspective, to see what is really at work here, when we face an obligation of something on the order of $100 billion to meet our obligation for special education, the majority party is presenting as a tax cut for the top 1 percent of Americans 13 times as much money as they are proposing for all of their educational reform and new educational initiatives. That, I think, is a stark difference.

I thank the gentleman for yielding.

Mr. PRICE of North Carolina. If the gentleman will yield for a brief point, I am sure we all remember that back during the campaign, George W. Bush campaigned on a $5,100 Pell Grant, wanting to get the maximum Pell Grant award for freshman up to $5,100; and yet in this education budget, we are dealing with, it appears, a $1 billion increase in the entire Pell Grant program. And our budget analysts tell us that would get the maximum award up about $150. So the maximum award would become something like $3,900.

To say the least, that is not $5,100. And it just does not represent the kind of investment in education we need to be making and that the political rhetoric would indicate that both parties want to make.

Mr. KIND. Suffice it to say, as a member of the Subcommittee on 21st Century Competitiveness of the Committee on Education and the Workforce, we are waiting with baited breath for the details of the President's higher-education funding priorities because this is all about access to higher education for students.

And if we want to slow down economic growth in this country, that is one sure way of doing it is underinvesting and access to postsecondary educational opportunities.

I would like to yield to the gentleman from Washington (Mr. INSLEE), my friend.

Mr. INSLEE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I appreciate the gentleman's leadership in getting this group together. I just have a couple of points I want to make; and perhaps it expands

on a few issues people have been talking about. First is personal disappointment by a guy who turned 50. I turned 50 last week, and it made me think about, besides imminent mortality, of course, the generation we are in and how this budget is such a disappointment to those of us who are in the baby boom generation and really see this as an opportunity for the baby boom generation to grow up; a real opportunity for the baby boom generation, who at times have been accused of being a little self-absorbed, a little selfish, to really decide we are going to do something pretty dramatic, which is take responsibility for our own retirement.

Because the baby boom generation with all of our great attributes, having given birth to the Beach Boys and rock and roll and some of those good things we brought to the country, but what we give to the country is a prospective economic collapse starting about 10 years from now when we start to retire. This budget which we are going to vote on in the next few days is really going to tell us what the baby boomer generation is about, whether we are going to be about irresponsibility and sort of hiding behind these fiscal hallucinations saying these things are honky dory for the last 10 years and pass the majority's budget, or whether the baby boom generation is going to stand up and say we are going to be responsible for our own retirement.

Because everybody knows from the Members the gentleman has up here today shows that when we start to retire 10 years from now, that looks fairly decent the next 10 years, but the day we start to retire 10 years from now all heck breaks lose, and we go right down back into the enormous hole in Social Security and Medicare benefits, unless we make some investments today in our future and paying down the debt and taking care of Social Security and Medicare, which this budget in a starkly obvious fashion does not do.

I do not think this budget is about numbers. This budget is about whether the baby boom generation is going to grow up and take personal responsibility for their own retirement. And this budget proposed by the Republicans says we will not, and I think that is wrong.

As a recently turned 50-year-old, I think we ought to stand up and take care of our own retirement. And the majority party has sort of said, they show us these numbers, we have seen their charts, and they say during the next 10 years, we are going to have these rosy surpluses. There may be some surpluses, if things go perfectly. We do not know that, but there may be some.

But after those 10 years, what they do not tell you, everything goes negative. It is really interesting. Almost 10 years to the day, almost everything goes negatively very, very rapidly when we start to retire.

I think what their economic policy is tantamount to is the guy who has fallen out of the 20-story, the 20th floor of the building, and he goes through and we know the stories, he passes the 10th floor on the way down and the guy says how are you doing, he says okay so far.

I think it is time for the baby boomers to reject this budget and take responsibility for our own retirement. It is the right thing to do to our kids and for our kids, and I hope we will be successful as we go down this road.

Mr. KIND. I thank the gentleman for his comments and a point well made.

Mr. Speaker, I want to thank the gentleman from South Carolina (Mr. SPRATT) for all of the work and the effort that he has and his staff has put in during the course of the last couple of months in putting together a solid Democratic alternative, one that recognizes that we need to maintain balance, that there is strong support within the Democratic party to provide responsible and fair tax relief to all Americans, that there is support within the Democratic party and recognizing the need to modernize our defense capability, which is going to costs some investments.

It is going to require investments over the next 10 years to get there, someone who is recognized in the alternative budget proposal that he has offered and the need to invest in scientific and medical research, and the importance of investing in education for our children and access to education for the higher-education programs that we support, so that the financial aid will be there for our students to go on to college or to technical school.

Mr. Speaker, I think it is a solid proposal. It is well balanced. One third being devoted to debt relief, one third being devoted to tax relief, and one third recognizing the individual responsibilities that we have existing right now.

I commend the gentleman for all of his work that he has put in and his staff has put in.

Mr. Speaker, I yield to the gentleman from South Carolina (Mr. SPRATT), our leader on the Committee on the Budget, the ranking member.

Mr. SPRATT. Mr. Speaker, I thank the gentleman from Wisconsin for the recognition.

This is a complicated chart, but it says everything about the budget, why we are still here at this hour of the evening talking about it, trying to make the case, the point that this budget really cuts to the bone.

And I have three problems with the budget in general. First of all, it cuts so close to the margin that it leaves no room for error. If these projections over 10 years, a period that everybody agrees is a precarious amount of time in which to cast economic projections, if these projections are off by the slightest amount, this bottom line here, the so-called on-budget surplus, the surplus remaining after backing out Social Security and Medicare, it is just $20 billion next year, and by 2005, it is actually negative, because it begins to decline in 2004.

It is never a significant number until about 2008 or 2009. That is the margin of error, the cushion fund, if you will, in case these projections go wrong. So that is a first problem I have with the budget.

What can happen? We just talked about education. If we are wrong here and that goes into the red, then we will see education under pressure again. Discretionary accounts like that that are funded every year will be under the gun again.

Secondly, by committing the lion's share of our surpluses to the massive tax cut they are proposing, and when you provide for the additional interests that we will have to pay because we are using the surplus for tax reduction rather than debt reduction, very little room is left for any other priority.

If we want to see where the difference is, look at education, critically apparent when we look at education, because we have a balanced approach.

We put a third on debt reduction, a third on tax reduction, and a third on priority spending. We have money for the first time, real money for education, $130 billion over 10 years more than what the Republicans are proposing in their budget, $130 billion. There is no difference, no comparison between us and them when it comes to education.

That begins at the beginning when we set our framework and said we have got an unusually good stroke of fortune here.

We are now reaping the consequences of fiscal good behavior. We, therefore, want to set aside something for those programs which we have denied and deferred in prior years as we tried to subdue the deficit.

Education leads the list. We think it is the future. We think it is the ladder that holds up opportunity in America. So we allocate $130 billion more than they do to education.

□ 2245

Finally, Social Security and Medicare, we all know that, in 2008, the first of the baby boomers will retire. Seventy-seven million of them are marching to retirement right now. They are already born. They are not going anywhere. They will soon be claiming their benefits. We have got about 10 years to get ready. All through the 1990s, we knew this, but we did not have the wherewithal to deal with it. Now that we have the wherewithal, the $5.6 trillion surplus, we have an obligation. We have an obligation to deal with it.

As I have said earlier, we may be sitting on what appears to be an island of surpluses, but we are surrounded by a sea of debt. A large part of that debt is not monetized. It is unfunded, so to speak. It is represented by the promises that have been made to the beneficiaries that have yet to retire but, nevertheless, need those benefits when they do retire for Social Security and Medicare.

The unfunded liability of those programs today, if we funded the account adequately to provide for their solvency indefinitely into the future is $3.1 trillion. That is the unfunded liability. Now, we can either take some of our surplus and use it for that, or we can slough the problem off on to our children and let them pay for our retirement, the baby boomers' retirement.

What is the morally responsible thing to do? It is to take some of the surplus we have now and set it aside for Social Security and Medicare, and that is exactly what we do.

The first thing we do in our budget, we take a third of the surplus, $910 billion, we assign it to the future of these two programs in equal accounts, to Medicare and Social Security; and it ensures the solvency of these programs, Medicare to 2040, Social Security to 2050. That is not fiscally irresponsible. That is fiscal responsibility.

Mr. KIND. Mr. Speaker, the gentleman from South Carolina (Mr. SPRATT), as the ranking member, is obviously much more familiar with the numbers of the budget resolution than I. I have a question for the gentleman. There is a lot of talk about this $5.6 trillion surplus over the next 10 years. But what is that reduced by if we do, in fact, take the Social Security and Medicare trust funds out of the equation? Where does that leave the surplus total at that point?

Mr. SPRATT. Mr. Speaker, even if we do that, what we are doing when we take them out of the equation is using the surpluses accumulating for now in those two trust accounts to buy up debt we incurred in the past, outstanding debt. In the past, we used it to fund new debt; and the proceeds of that new debt we used to fund new spending.

Now, we have both agreed, I will give the other party credit, we have both come to an accord that we will use both of these programs solely to buy up existing debt. Unfortunately, our Republican counterparts are breaking faith with us on the Medicare part A trust fund, the HI trust fund, because they are effectively saying we can use some of that to pay for prescription drug benefits under Medicare. $153 billion of the $392 billion that will accumulate over the next 10 years, they say we can spend it on Medicare drug coverage. But if we do that, it will not be there to pay for the other hospital insurance in-patient benefits to which it is primarily obligated.

Mr. KIND. Mr. Speaker, it is my understanding, correct me if I am wrong, a large part of that $5.6 trillion in surplus everyone is talking about are the surpluses being run in Social Security and Medicare. There seems to be pretty much a universal agreement, at least in this House, that we should not touch that, that that should be set aside and dedicated in preparing for the baby boomers' retirement.

If we did that, that $5.6 trillion number then is immediately reduced to roughly $2.7 trillion of surplus over 10 years, again if the projections prove true. But the gentleman from South Carolina (Mr. SPRATT) was just mentioning earlier how close they are cutting it with this budget resolution.

If we look at the $1.6 trillion tax cut proposal that they have out there, that is not entirely honest with the American people as well because they are not reducing debt as much as we are proposing. There would be an additional half a trillion or $500 billion on debt interest over the next 10 years, so that $1.6 trillion tax cut immediately jumps up to $2.1 trillion that we would have to pay for.

If we are going to deal with the alternative minimum tax, and everyone around here understands we need to deal with that so more working families are not included, that is going to be an additional $200 billion, $300 billion over 10 years to fix that problem.

If we extend the tax extenders as we do every year in this place, it is an additional $100 billion that is going to be added to the 1.6. So that $1.6 trillion tax cut would actually balloon up to roughly $2.6 trillion. If we only have roughly $2.7 trillion as a margin of error, that does not leave us with a heck of a lot of room to do virtually anything else, let alone reforming Social Security, Medicare, dealing with the prescription medication program, which I think a lot of people believe we need to take action on, or the education investment that we have to make.

Are those numbers pretty accurate?

Mr. SPRATT. Absolutely, Mr. Speaker. Look at the bottom line on this chart again, complicated as though it may be. In 2002, the amount left over is $20 billion. It is a lot of money. But keep in mind that that does not include the plus-up for defense, and it does not include the plus-up for agriculture. The two of those could easily be $15 billion, even $20 billion, in which event we are in the red again. We are dipping into those trust funds as early as 1 or 2 fiscal years from now. It is right there. The numbers are right there. It is their particular budget proposal. That is how close to the margin it comes.

Now, there is an appearance abroad that this budget allows us to sort of have our cake and eat it, too, to have big tax cuts and not really to have any significant programs cut that are important to people, particularly children.

One of the things that the President touts in his budget is he increases NIH by $2.8 billion and takes it one step away from doubling over a period of 5 years. So do we. It is important. We agree with that. However, if we read on, we find that that $2.8 billion increase in the NIH budget comes out of its parent agency, the Department of Health and Human Services. It comes out of its hide.

They also have other important agencies: the Center for Disease Control, the CDC, the community health centers. They suffer so that NIH can get the plus-up. We provide NIH the plus-up and also adequately raise the HHS budget so that other good important health programs do not have to suffer to pay for the widening wedge for NIH. They do not.

Let me tell my colleagues something else. One of the reasons that I do not think we should be out here tonight or today or tomorrow doing the budget is we still do not have the detail we need to know exactly what is in this budget proposal.

When we press the Secretary of HHS for further detail, he said, ''I do not have it. It will come to me April 3 or thereabouts from OMB.'' When we press the Secretary of Agriculture for further details, we could not get it. She told us she would find out on April 3 also. When we asked the Secretary of Defense to come testify, he would not testify because he is not ready to testify. But we know he is coming back with a big bag for more money.

However, look at what happens as a result of trying to plus-up some things while holding other things constant. In HHS, here we have a President who ran on the campaign slogan that he would leave no child behind. He told us in his State of the Union message that his wife, a lovely woman, Laura, was a librarian, and she would see to it that children's programs were properly attended to.

Look carefully at the HHS budget when it comes. Based on documents released last week to the New York Times, there are three major cuts. Where are they coming in the HHS budget? In children's program. Why did he cut them? They have no voice.

We finally got the child care and development block grant up to $2 billion last year. Why were we pushing to get it up? It is a central ingredient for welfare to work. If mothers do not have child care, they cannot leave their kids alone at home. So we had to do it. We raised it $800 million to $2 billion. Still not enough. But it includes and covers 214,000 additional children. What has been targeted at HHS for reduction by OMB? You got it, $200 million out of children, child care.

We also added money to the account for abused and neglected children, just $178 million in the whole budget of HHS. What has been targeted for cuts? According to the New York Times, that particular program, taking money from abused, neglected children.

Finally, we dealt with some huge omissions that have been overlooked for years and is not at all defensible. Most Americans do not know it, but graduate medical education, interns and residencies, are paid for through the Medicare program, indirectly, but substantially, to the tune of about $10 billion. That is fine for everybody but pediatricians. They do not see patients on Medicare.

So our children's hospitals have not enjoyed that kind of subsidy in the

past that all other specialties have enjoyed at the teaching hospitals. We finally corrected that last year with a $235 million fund, and that, too, is under target.

So when one talks about a budget that is providing for our needs and wants, not leaving any child behind, what one sees is that this big tax cut has even shoved the most critical and sensitive programs on the back burner.

Mr. KIND. Mr. Speaker, I want to thank the gentleman from South Carolina (Mr. SPRATT) for his insight tonight, his expertise, the work product that he has been able to produce in the alternative budget resolution. Hopefully it is opening up a lot of eyes in regards to what the majority party is offering, the promises that they are making, and the lack of details that they are providing right now. I thank the gentleman for his work.

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

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

Mr. Speaker, I would like to follow on some of the things that our distinguished ranking member has covered. In addition to some of the things that the gentleman from South Carolina (Mr. SPRATT) has talked about, the Republican budget would result in cuts in the following programs: the Environmental Protection Agency; the Department of Agriculture, including field offices; the National Aeronautics and Space Administration; Renewable and Alternative Energy, which is critically important, we have been reminded recently; Army Corps of Engineers; Federal support for railroads; the Small Business Administration; Community Development Block Grants; the Department of Justice. We had talked earlier about the hit that the community-oriented policing program would take. Legal Services Corporation, and on and on.

Something that troubles a lot of us a great deal is what would happen to environmental initiatives and land use initiatives. President Bush has made two environmental promises. One is to provide $900 million or what is called full funding for the Land and Water Conservation Fund. This is a fund for acquiring open space and parks and recreation and to eliminate $4.9 billion of maintenance backlog in the National Park Service. However, with his funding totals, he can only live up to these promises by consulting other vital environmental and natural resource programs.

So the Republican budget does not add up. The Republican budget would shorten the solvency of Medicare as the gentleman from South Carolina (Mr. SPRATT) and others have pointed out. The Republican budget would not live up to our obligations in education and would fall short of our obligations in providing health care for veterans.

All of this is because, seen from a 10-year projection, it looks like there is so much money that it seems possible to offer a two point something trillion dollar tax cut. Well, it is not possible if we are going to do these other things, if we are going to meet our obligations, if we are going to be fiscally disciplined so that we can have consumer confidence and investor confidence and a sound economy.

Mr. KIND. Mr. Speaker, I thank the gentleman from New Jersey (Mr. HOLT) for joining us here this evening.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Mr. GEPHARDT) for today on account of personal business.

Mr. LAMPSON (at the request of Mr. GEPHARDT) for today and the balance of the week on account of official business.

Ms. BALDWIN (at the request of Mr. GEPHARDT) for today on account of family illness.

Mr. SHAW (at the request of Mr. ARMEY) for today and until 3 p.m. March 28 on account of illness in the family.

Mr. STEARNS (at the request of Mr. ARMEY) for today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. KIND) to revise and extend their remarks and include extraneous material:)

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mrs. MINK of Hawaii, for 5 minutes, today.

(The following Members (at the request of Ms. ROS-LEHTINEN) to revise and extend their remarks and include extraneous material:)

Mr. BILIRAKIS, for 5 minutes, today and March 28.

Mrs. WILSON, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, today and March 28.

Mr. KELLER, for 5 minutes, today.

Mr. SHIMKUS, for 5 minutes, March 28.

Mr. PLATTS, for 5 minutes, March 28.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 295. An act to provide emergency relief to small businesses affected by significant increases in the prices of heating oil, natural gas, propane, and kerosene, and for other purposes; to the Committee on Small Business in addition to the Committee on Agriculture for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 395. An act to ensure the independence and nonpartisan operation of the Office of Advocacy of the Small Business Administration; to the Committee on Small Business.

ADJOURNMENT

Mr. KIND. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 59 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 28, 2001, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1346. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Diflubenzuron; Pesticide Tolerance Technical Correction [OPP–301112; FRL–6776–4] (RIN: 2070–AB78) received March 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1347. A letter from the Principal Deputy Under Secretary, Department of Defense, transmitting a Report on Restructuring Costs Associated With Business Combinations; to the Committee on Armed Services.

1348. A letter from the Principal Deputy Under Secretary, Department of Defense, transmitting a report on the Use of Employees of Non-Federal Entities to Provide Services to Department of Defense; to the Committee on Armed Services.

1349. A letter from the General Counsel, Consumer Product Safety Commission, transmitting the Commission's final rule—Dive Sticks—received March 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1350. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Aviation—received March 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1351. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Startup and Restart of Nuclear Facilities—received March 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1352. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Facility Safety—received March 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1353. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units [AD–FRL–6939–9] (RIN: 2060–AF91) received March 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1354. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Project XL Site-Specific Rulemaking for Georgia-Pacific Corporation's Facility in Big Island, Virginia [FRL–6767–8] (RIN: 2060–AJ39) received March 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1355. A letter from the Deputy Associate Administrator, Environmental Protection

Agency, transmitting the Agency's final rule—Control of Air Pollution from New Motor Vehicles; Amendment to the Tier 2/Gasoline Sulfur Regulations [AMS–FRL–6768–1] (RIN: 2060–AI69) received March 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1356. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Primary Drinking Water Regulations; Arsenic and Clarifications to Compliance and New Source Contaminants Monitoring: Delay of Effective Date [WH–FRL–6958–3] (RIN: 2040–AB75) received March 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1357. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works [AD–FRL–6955–7] (RIN: 2060–AF26) received March 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1358. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Spain [Transmittal No. DTC 005–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1359. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 003–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1360. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 027–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1361. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Luxembourg, France [Transmittal No. DTC 020–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1362. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Germany [Transmittal No. DTC 004–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1363. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 024–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1364. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 025–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1365. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with the United Kingdom [Transmittal No. DTC 026–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

1366. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Technical Assistance Agreement with Israel [Transmittal No. DTC 022–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1367. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Technical Assistance Agreement with Canada, Australia and New Zealand [Transmittal No. DTC 021–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1368. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Greece [Transmittal No. DTC 002–01]; to the Committee on International Relations.

1369. A letter from the Chairman, National Mediation Board, transmitting the 2000 Annual Performance Report; to the Committee on Government Reform.

1370. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's ''Major'' final rule—Adjustment of Status To That Person Admitted for Permanent Residence; Temporary Removal of Certain Restrictions of Eligibility [INS No. 2078–00; AG Order No. 2411–2001] (RIN: 1115–AF91) received March 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1371. A letter from the Acting Assistant Secretary for Communications and Information, National Telecommunications and Information Administration, transmitting a report on the Study Examining 17 U.S.C. Sections 109 and 117 Pursuant to Section 104 of the Digital Millennium Copyright Act; to the Committee on the Judiciary.

1372. A letter from the Deputy Assistant Secretary, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's ''Major'' final rule—Distribution of Fiscal Year 2001 Indian Reservation Roads Funds (RIN: 1076–AE13) received March 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1373. A letter from the Acting Secretary of the Army, Department of Defense, transmitting a report on Reeds Beach and Pierces Point, New Jersey Interim Feasibility Study; to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMAS: Committee on Ways and Means. H.R. 6. A bill 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 allow the nonrefundable personal credits against regular and minimum tax liability; with amendments (Rept. 107–29). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOSS: Committee on Rules. House Resolution 100. Resolution providing for consideration of the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011 (Rept. 107–30). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ABERCROMBIE:

H.R. 1211. A bill to amend the Internal Revenue Code of 1986 to restore a 100 percent deduction for business meals and entertainment and to restore the deduction for the travel expenses of a taxpayer's spouse who accompanies the taxpayer on business travel; to the Committee on Ways and Means.

By Mr. BARR of Georgia (for himself, Mr. BISHOP, Mr. COLLINS, Mr. CRAMER, Mr. DEAL of Georgia, Mr. GREEN of Texas, Mr. HILLEARY, Mr. JONES of North Carolina, Mr. LEWIS of Georgia, Mrs. MYRICK, Mr. SCHAFFER, Mr. SESSIONS, Mr. SMITH of New Jersey, Mrs. ROUKEMA, Mr. WELDON of Pennsylvania, and Mr. WICKER):

H.R. 1212. A bill to provide grants to law enforcement agencies that ensure that law enforcement officers employed by such agency are afforded due process when involved in a case that may lead to dismissal, demotion, suspension, or transfer; to the Committee on the Judiciary.

By Mr. GREENWOOD (for himself, Mr. DOYLE, Mr. UPTON, Mr. DINGELL, Mr. BUYER, Mr. BARRETT, Mr. SAWYER, Mr. STUPAK, Mr. SHERWOOD, Mr. BONIOR, Mr. PETERSON of Pennsylvania, Mr. HOLDEN, Mr. KANJORSKI, Mr. MORAN of Virginia, Mr. EHLERS, Mr. KILDEE, Mr. LEACH, Mr. SOUDER, Mr. VISCLOSKY, Ms. BALDWIN, Mrs. JONES of Ohio, and Mr. LEVIN):

H.R. 1213. A bill to impose certain limitations on the receipt of out-of-State municipal solid waste, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GREENWOOD (for himself, Mr. DOYLE, Mr. MORAN of Virginia, Mr. UPTON, Mr. BONIOR, Mr. EHLERS, Mr. DINGELL, Mr. PETERSON of Pennsylvania, Mr. STUPAK, Mr. HOLDEN, Mr. GILCHREST, Mr. KILDEE, Ms. RIVERS, and Mr. LEACH):

H.R. 1214. A bill to authorize State and local controls over the flow of municipal solid waste, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GREENWOOD:

H.R. 1215. A bill to ensure confidentiality with respect to medical records and health care-related information, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA (for himself and Mr. LUTHER):

H.R. 1216. A bill to ensure that schools develop and implement comprehensive school safety plans; to the Committee on Education and the Workforce.

By Mr. BACA (for himself, Ms. CARSON of Indiana, Mr. FILNER, Mr. GONZALEZ, Mr. MEEKS of New York, Ms.

MCKINNEY, Mr. SERRANO, and Ms. VELAZQUEZ):

H.R. 1217. A bill to provide grants to local educational agencies to provide financial assistance to elementary and secondary schools for obtaining computer software for multilingual education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BACA:

H.R. 1218. A bill to provide for an African American Health Initiative under which demonstration projects conduct targeted health campaigns directed at high-risk African American populations; to the Committee on Energy and Commerce.

By Mr. BACA:

H.R. 1219. A bill to provide for a study to determine the costs to the public and private sectors of hip fractures among elderly individuals and spinal cord injuries among children, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SESSIONS (for himself, Mr. POMEROY, and Mr. HALL of Texas):

H.R. 1220. A bill to amend the Internal Revenue Code of 1986 to encourage a strong community-based banking system; to the Committee on Ways and Means.

By Mr. BACA:

H.R. 1221. A bill to expand the Officer Next Door and Teacher Next Door initiatives of the Department of Housing and Urban Development to include fire fighters and rescue personnel, and for other purposes; to the Committee on Financial Services.

By Mr. BACA:

H.R. 1222. A bill to require the Secretary of Housing and Urban Development to conduct a study of developing residential mortgage programs that provide low-cost health insurance in connection with low-cost mortgages; to the Committee on Financial Services.

By Mr. BACA:

H.R. 1223. A bill to make grants to States for providing information regarding parolees to local law enforcement agencies, and for other purposes; to the Committee on the Judiciary.

By Mr. BACA:

H.R. 1224. A bill to amend the Internal Revenue Code of 1986 to permit teachers at the elementary and secondary school level, whether or not they itemize deductions, to deduct reasonable and incidental expenses related to instruction, teaching, or other educational job-related activities; to the Committee on Ways and Means.

By Mr. BURR of North Carolina:

H.R. 1225. A bill to amend the Elementary and Secondary Education Act of 1965 to establish programs to recruit, retain, and retrain teachers, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CAPUANO (for himself, Mr. BALDACCI, Ms. BERKLEY, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. DELAHUNT, Mr. FRANK, Mr. GONZALEZ, Mr. JACKSON of Illinois, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. KILDEE, Ms. KILPATRICK, Mr. KUCINICH, Mr. LARSON of Connecticut, Mr. LATOURETTE, Mr. LEWIS of Georgia, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MCGOVERN, Mr. OLVER, Mr. PASCRELL, Mr. RANGEL, Mr. SANDLIN, Ms. SCHAKOWSKY, Mr. SHAYS, Mr. SMITH of New Jersey, Mr. TIERNEY, Mr. TOWNS, Ms. WATERS, and Ms. WOOLSEY):

H.R. 1226. A bill to provide grants to assist State and local prosecutors and law enforcement agencies with implementing juvenile and young adult witness assistance programs that minimize additional trauma to the witness and improve the chances of successful criminal prosecution or legal action; to the Committee on the Judiciary.

By Mr. COLLINS (for himself and Mr. FOLEY):

H.R. 1227. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refund of 5 percent of the income tax otherwise payable for taxable year 1999; to the Committee on Ways and Means.

By Mr. DAVIS of Illinois:

H.R. 1228. A bill to provide fairness in voter participation; to the Committee on the Judiciary.

By Ms. DEGETTE:

H.R. 1229. A bill to amend titles V, XVIII, and XIX of the Social Security Act to promote smoking cessation under the Medicare Program, the Medicaid Program, and the maternal and child health program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DINGELL:

H.R. 1230. A bill to provide for the establishment of the Detroit River International Wildlife Refuge in the State of Michigan, and for other purposes; to the Committee on Resources.

By Ms. DUNN (for herself, Mr. SMITH of Washington, and Mr. WAMP):

H.R. 1231. A bill to amend the Safe and Drug-Free Schools and Communities Act of 1994 to allow for increased use of school resource officers by local educational agencies; to the Committee on Education and the Workforce.

By Mr. FILNER:

H.R. 1232. A bill to amend title 10, United States Code, to repeal the two-tier annuity computation system applicable to annuities for surviving spouses under the Survivor Benefit Plan for retired members of the Armed Forces so that there is no reduction in such an annuity when the beneficiary becomes 62 years of age; to the Committee on Armed Services.

By Mr. FILNER:

H.R. 1233. A bill to amend title 10, United States Code, to authorize military recreational facilities to be used by any veteran with a compensable service-connected disability; to the Committee on Armed Services.

By Mr. FATTAH (for himself, Mr. PAYNE, Mr. OWENS, Mr. BRADY of Pennsylvania, Mr. BORSKI, Ms. CARSON of Indiana, Mrs. CLAYTON, Mr. DAVIS of Illinois, Mr. JACKSON of Illinois, Mr. SAM JOHNSON of Texas, Ms. KILPATRICK, Ms. MCKINNEY, Ms. NORTON, Mr. RODRIGUEZ, Mr. STARK, Ms. VELAZQUEZ, Ms. WATERS, Ms. BROWN of Florida, Mr. CUMMINGS, Mr. FILNER, Mr. GUTIERREZ, Mr. HINOJOSA, Mr. JEFFERSON, Mrs. JONES of Ohio, Ms. LEE, Mrs. MALONEY of New York, Mr. MCDERMOTT, Mr. RUSH, Mr. SCOTT, Mr. THOMPSON of Mississippi, Mr. CONYERS, and Ms. JACKSON-LEE of Texas):

H.R. 1234. A bill to require States to equalize funding for education throughout the State; to the Committee on Education and the Workforce.

By Mr. FOLEY:

H.R. 1235. A bill to amend the Internal Revenue Code of 1986 to reduce the holding period for long-term capital gain treatment to 6 months; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 1236. A bill to amend the Tariff Suspension and Trade Act of 2000 to provide for the permanent designation of the San Antonio International Airport as an airport at which certain private aircraft arriving in the United States may land for processing; to the Committee on Ways and Means.

By Mr. HOEFFEL (for himself, Mr. PITTS, Mr. DOYLE, Mr. GEKAS, Mr. KANJORSKI, Mr. PETERSON of Pennsylvania, Mr. FATTAH, Mr. TOOMEY, Mr. ENGLISH, Mr. HOLDEN, Ms. HART, Mr. PLATTS, Mr. MASCARA, Mr. BORSKI, Mr. MURTHA, Mr. GREENWOOD, Mr. SHERWOOD, and Mr. COYNE):

H.R. 1237. A bill to designate certain lands in the Valley Forge National Historical Park as the Valley Forge National Cemetery; to the Committee on Resources, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOUGHTON (for himself and Mr. RANGEL):

H.R. 1238. A bill to amend the Internal Revenue Code of 1986 to permanently extend the work opportunity credit and to allow the credit for employment of certain older individuals; to the Committee on Ways and Means.

By Mr. HUNTER (for himself, Mr. CUNNINGHAM, Mr. FILNER, and Mr. ISSA):

H.R. 1239. A bill to establish a moratorium on approval by the Secretary of the Interior of relinquishment of a lease of certain tribal lands in California; to the Committee on Resources.

By Mr. HUTCHINSON (for himself, Mr. SNYDER, Mr. BERRY, and Mr. ROSS):

H.R. 1240. A bill to make supplemental appropriations for fiscal year 2001 to provide emergency disaster relief for damages resulting from ice storms; to the Committee on Appropriations.

By Mr. JOHN (for himself, Mr. HOUGHTON, Mr. TANNER, Mr. CRAMER, Mr. DOOLEY of California, Mr. SPRATT, and Mr. CARSON of Oklahoma):

H.R. 1241. A bill to provide for the reissuance of a rule relating to ergonomics; to the Committee on Education and the Workforce.

By Mr. KING (for himself, Mrs. MCCARTHY of New York, Mr. SWEENEY, Mr. CROWLEY, Mr. DIAZ-BALART, Mr. GUTIERREZ, Mr. RYAN of Wisconsin, Mr. HOUGHTON, Mr. WYNN, Mr. HINCHEY, Mr. SERRANO, Mr. ACKERMAN, Mr. QUINN, Mrs. KELLY, Mr. NEAL of Massachusetts, Ms. SLAUGHTER, Mr. WALSH, Mr. WEINER, Mr. GRUCCI, Mr. ENGEL, and Mr. ISRAEL):

H.R. 1242. A bill to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings; to the Committee on the Judiciary.

By Mr. KLECZKA:

H.R. 1243. A bill to amend title 5, United States Code, to require executive agencies to pay the premiums for health care coverage provided under the Federal Employees Health Benefits program for reservists in the Armed Forces called or ordered to active duty for more than 30 days; to the Committee on Government Reform.

By Mr. LUCAS of Oklahoma:

H.R. 1244. A bill to name the national aviation center operated by the United States Customs Service as the ''Glenn English Customs National Aviation Center''; to the Committee on Transportation and Infrastructure.

By Mr. MCKEON:

H.R. 1245. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of a project to reclaim and reuse wastewater within and outside of the service area of the Castaic Lake

Water Agency, California; to the Committee on Resources.

By Mr. MEEHAN (for himself, Mr. OLVER, Mr. FROST, Mr. WEINER, Mr. SANDERS, Mr. BENTSEN, Mr. BONIOR, Mr. PRICE of North Carolina, Mr. KILDEE, Mr. NADLER, Mr. STARK, Mr. FILNER, Mr. WYNN, Mrs. MINK of Hawaii, Mr. MCNULTY, Mr. GUTIERREZ, Mr. LANTOS, Mrs. CHRISTENSEN, Mr. MCGOVERN, Mr. FRANK, Mr. RUSH, Ms. WOOLSEY, Ms. MCKINNEY, Mr. EVANS, Mr. OWENS, Mr. RANGEL, Ms. NORTON, Mr. HINCHEY, Ms. CARSON of Indiana, Mr. BAIRD, Mrs. LOWEY, Mr. DELAHUNT, and Ms. KILPATRICK):

H.R. 1246. A bill to amend chapter 89 of title 5, United States Code, to provide that any health benefits plan which provides obstetrical benefits shall be required also to provide coverage for the diagnosis and treatment of infertility; to the Committee on Government Reform.

By Mr. MEEHAN (for himself, Mr. DELAHUNT, Mr. GEORGE MILLER of California, Mr. HOEFFEL, Mrs. MALONEY of New York, Ms. MCKINNEY, Mr. ABERCROMBIE, Mr. MCGOVERN, Mr. RUSH, Ms. SCHAKOWSKY, Ms. CARSON of Indiana, Mr. TIERNEY, Ms. LEE, Ms. NORTON, Mr. WEXLER, and Mr. KENNEDY of Rhode Island):

H.R. 1247. A bill to provide for the implementation of a system of licensing for purchasers of handguns and for a record of sale system for handguns, and for other purposes; to the Committee on the Judiciary.

By Mr. MEEHAN:

H.R. 1248. A bill to prohibit the possession of a firearm in a hospital zone; to the Committee on the Judiciary.

By Mrs. MINK of Hawaii:

H.R. 1249. A bill to ensure that crop losses resulting from plant viruses and other plant diseases are covered by crop insurance and the noninsured crop assistance program and that agricultural producers who suffer such losses are eligible for emergency loans; to the Committee on Agriculture.

By Mrs. MINK of Hawaii (for herself and Mr. ABERCROMBIE):

H.R. 1250. A bill to amend the Elementary and Secondary Education Act of 1965 to improve Native Hawaiian education programs, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. NAPOLITANO (for herself, Mr. CALVERT, Mr. DREIER, Ms. ROYBAL-ALLARD, and Mr. HORN):

H.R. 1251. A bill to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to increase the Federal share of the costs of the San Gabriel Basin demonstration project; to the Committee on Resources.

By Mr. SANDERS (for himself, Mr. BONIOR, Ms. LEE, Mr. ABERCROMBIE, Mr. GEORGE MILLER of California, Mr. KUCINICH, Ms. MCKINNEY, Mr. PAYNE, Mr. PALLONE, Mr. SHERMAN, Ms. DELAURO, Mr. TOWNS, Mr. HOEFFEL, and Ms. NORTON):

H.R. 1252. A bill to amend the Safe Drinking Water Act to change the drinking water standard for arsenic from 50 parts per billion to 10 parts per billion by fiscal year 2003 and to 3 parts per billion by fiscal year 2006 and to authorize an $800 million to provide grants to small public drinking water systems to assist them in meeting these standards; to the Committee on Energy and Commerce.

By Mr. SENSENBRENNER (for himself, Mr. HYDE, and Mr. HUTCHINSON):

H.R. 1253. A bill to amend the Shipping Act of 1984 to restore the application of the antitrust laws to certain agreements and conduct to which such Act applies; to the Committee on the Judiciary, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself, Mr. PITTS, Mr. MALONEY of Connecticut, Mr. GILMAN, Mrs. MORELLA, Mr. HINCHEY, Mr. DELAHUNT, Mr. TRAFICANT, Mr. WOLF, Mr. TOWNS, and Mr. SAXTON):

H.R. 1254. A bill to establish a program to provide for a reduction in the incidence and prevalence of Lyme disease; to the Committee on Energy and Commerce, and in addition to the Committees on Armed Services, Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself, Mr. BROWN of Ohio, Mr. GEPHARDT, Mr. DINGELL, Mr. RANGEL, Mr. BONIOR, Mr. WAXMAN, Mr. GORDON, Mr. THOMPSON of Mississippi, Mr. FILNER, Mr. MCGOVERN, Ms. MCCARTHY of Missouri, Mr. FROST, Mr. CLAY, Mr. GEORGE MILLER of California, Mr. KUCINICH, Mr. GONZALEZ, Mr. PAYNE, Mr. PALLONE, Mr. BRADY of Pennsylvania, Mr. GUTIERREZ, Ms. SLAUGHTER, Ms. BERKLEY, Ms. MILLENDER-MCDONALD, Mr. GREEN of Texas, Mr. HINCHEY, Ms. SCHAKOWSKY, Mr. DEUTSCH, Mr. EVANS, Mr. FRANK, Mr. WEINER, Mr. STUPAK, Mr. KILDEE, Mr. CROWLEY, Mr. LANTOS, Mr. BARRETT, Mr. TIERNEY, Mr. LAFALCE, and Mr. MATSUI):

H.R. 1255. A bill to amend title XVIII of the Social Security Act and the Employee Retirement Income Security Act of 1974 to improve access to health insurance and Medicare benefits for individuals ages 55 to 65, to amend the Internal Revenue Code of 1986 to allow a 50 percent credit against income tax for payment of such premiums and of premiums for certain COBRA continuation coverage, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WAXMAN (for himself, Mr. BOEHLERT, Mr. MALONEY of Connecticut, Mr. MCNULTY, Mr. HOEFFEL, Mr. MORAN of Virginia, Mrs. JONES of Ohio, Ms. RIVERS, Mr. MCDERMOTT, Ms. JACKSON-LEE of Texas, Ms. MCKINNEY, Mr. FROST, Mr. JEFFERSON, Mr. KUCINICH, Mr. LEWIS of Georgia, Mr. WU, Mr. ANDREWS, Ms. SCHAKOWSKY, Ms. BALDWIN, Mr. CONYERS, Mr. BLAGOJEVICH, Mr. OLVER, Mr. GEORGE MILLER of California, Ms. WOOLSEY, Mr. GILCHREST, Ms. SOLIS, Mr. KENNEDY of Rhode Island, Mr. SANDERS, Mr. SHAYS, Ms. MCCOLLUM, Mr. GILMAN, Mr. INSLEE, Mr. SMITH of Washington, Mrs. MALONEY of New York, Mrs. NAPOLITANO, Mrs. ROUKEMA, Mr. LANTOS, Ms. CARSON of Indiana, Mrs. TAUSCHER, Ms. LEE, Mrs. KELLY, Mr. DELAHUNT, Mr. FILNER, Mr. BERMAN, Mrs. JOHNSON of Connecticut, Mr. SABO, Mr. WEXLER, Mr. PAYNE, Mr. SAXTON, and Mr. BLUMENAUER):

H.R. 1256. A bill to amend the Clean Air Act to reduce emissions from electric powerplants, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MOORE (for himself, Mr. STENHOLM, Ms. HARMAN, Mr. SANDLIN, Mr. PHELPS, Mr. BOSWELL, Mr. BOYD, Mr. JOHN, Mr. TURNER, Mr. HILL, Mr. SCHIFF, Mr. PETERSON of Minnesota, Mr. BISHOP, Mr. TANNER, Mr. SHOWS, Mr. PASCRELL, Mrs. TAUSCHER, Mr. HONDA, Mr. EVANS, Ms. MCCARTHY of Missouri, and Mr. EDWARDS):

H.R. 1257. A bill to amend the Congressional Budget Act of 1974 to make the budget process more transparent; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA:

H. Con. Res. 84. Concurrent resolution supporting the goals of Red Ribbon Week in promoting drug-free communities; to the Committee on Energy and Commerce.

By Mr. BACA (for himself, Ms. BALDWIN, Mr. BONIOR, Mr. FROST, Mr. FILNER, Mr. GREEN of Texas, Mr. HASTINGS of Washington, Mr. HILLIARD, Mr. HINOJOSA, Mr. HONDA, Mr. HUTCHINSON, Mr. MENENDEZ, Ms. MCCARTHY of Missouri, Ms. SCHAKOWSKY, Mr. SERRANO, and Mr. UDALL of New Mexico):

H. Con. Res. 85. Concurrent resolution recognizing the historical significance of the Mexican holiday of Cinco de Mayo; to the Committee on International Relations.

By Mr. BACA:

H. Con. Res. 86. Concurrent resolution encouraging greater recognition of Memorial Day and Veterans Day; to the Committee on Veterans' Affairs.

By Mr. LATOURETTE (for himself and Mr. COSTELLO):

H. Con. Res. 87. Concurrent resolution authorizing the 2001 District of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capitol Grounds; to the Committee on Transportation and Infrastructure.

By Mr. TANCREDO:

H. Con. Res. 88. Concurrent resolution expressing the sense of the Congress that the President should issue a proclamation recognizing a National Lao-Hmong Recognition Day; to the Committee on Government Reform.

By Mr. BACA (for himself, Ms. BALDWIN, Mr. BLUMENAUER, Mr. CARSON of Oklahoma, Mr. ENGLISH, Mr. FARR of California, Mr. HONDA, Mr. FROST, Mr. MCDERMOTT, Mrs. MINK of Hawaii, Mr. KIND, Mr. PALLONE, Mr. STUPAK, and Mr. UDALL of New Mexico):

H. Res. 101. A resolution expressing the sense of the House of Representatives that schools across the Nation should teach about the role of Native Americans in American history and culture and lead community service projects that further that education; to the Committee on Education and the Workforce.

By Mr. ENGEL (for himself, Mrs. LOWEY, Mr. GILMAN, and Mrs. KELLY):

H. Res. 102. A resolution expressing the sense of the House of Representatives regarding the maltreatment of United States civilian prisoners captured by the Axis Powers during World War II; to the Committee on International Relations.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

7. The SPEAKER presented a memorial of the Senate of the State of Ohio, relative to Concurrent Resolution 5 memorializing the United States Congress to provide the full

forty per cent federal share of funding for special education programs so that Ohio and other states participating in these critical programs will not be required to take funding from other vital state and local programs in order to fund this underfunded federal mandate; to the Committee on Education and the Workforce.

8. Also, a memorial of the Legislature of the Commonwealth of Guam, relative to Resolution No. 6 memorializing the United States Congress to initiate the adoption of an amendment to the Constitution of the United States to read: ''Neither the Supreme Court nor any inferior court of the United States shall have the power to instruct or order a state or political subdivision thereof, or any official of such state or political subdivision, to levy or increase taxes''; to the Committee on the Judiciary.

9. Also, a memorial of the Senate of the Commonwealth of Virginia, relative to Resolution No. 423 memorializing the United States Congress to urge appropriate funds for improvement of rail infrastructure in the Interstate Route 81 corridor. Such improvement shall ensure that the railroad that parallels Interstate Route 81 in Virginia provides a viable alternative to the use of Interstate Route 81 for the movement of interstate freight traffic; to the Committee on Transportation and Infrastructure.

10. Also, a memorial of the House of Representatives of the State of Kansas, relative to Resolution No. 6008 memorializing the United States Congress to provide funding for Gulf War illness research independent of that administered by the Departments of Defense and Veterans Affairs; and to establish a process of independent review of federal policies and programs associated with Gulf War illness research, benefits, and health care; and for other purposes; jointly to the Committees on Energy and Commerce, Armed Services, and Veterans' Affairs.

11. Also, a memorial of the Senate of the State of Kansas, relative to Resolution No. 1824 memorializing the United States Congress to provide funding for Gulf War illness research independent of that administered by the Departments of Defense and Veterans Affairs; and to establish a process of independent review of federal policies and programs associated with Gulf War illness research, benefits, and health care; and for other purposes; jointly to the Committees on Energy and Commerce, Armed Services, and Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COX:

H.R. 1258. A bill for the relief of Sarabeth M. Davis, Robert S. Borders, Victor Maron, Irving Berke, and Adele E. Conrad; to the Committee on the Judiciary.

By Mr. COX:

H. Res. 103. A resolution referring the bill (H.R. 1258), entitled ''A bill for the relief of Sarabeth M. Davis, Robert S. Borders, Victor Maron, Irving Berke, and Adele E. Conrad'', to the chief judge of the United States Court of Federal Claims for a report thereon; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 6: Mr. THOMAS and Mr. HASTERT.

H.R. 8: Ms. BERKLEY.

H.R. 10: Mr. WELDON of Pennsylvania, Mr. FATTAH, Mr. FLAKE, Mr. BARR of Georgia, Mr. ROGERS of Kentucky, Mr. SKEEN, Mr. FARR of California, Mr. INSLEE, Mr. TIAHRT, Mr. JENKINS, Mr. BARTLETT of Maryland, Mr. DEAL of Georgia, Mr. COSTELLO, Ms. DELAURO, Ms. HARMAN, Ms. MCKINNEY, Mr. RUSH, Mr. BOUCHER, Mr. BURTON of Indiana, and Mr. DAVIS of Illinois.

H.R. 12: Mr. CUMMINGS, Mr. RUSH, Mr. CONDIT, Mr. BARRETT, Mr. KOLBE, Mr. ARMEY, and Mr. BARR of Georgia.

H.R. 17: Mr. ENGEL and Mr. BERMAN.

H.R. 31: Mr. TIAHRT and Mr. COLLINS.

H.R. 40: Ms. MILLENDER-MCDONALD, Mr. JACKSON of Illinois, and Ms. LEE.

H.R. 42: Mr. WAMP.

H.R. 65: Mr. BLUNT.

H.R. 87: Ms. SCHAKOWSKY and Mrs. THURMAN.

H.R. 96: Mr. TURNER and Mr. DAVIS of Illinois.

H.R. 97: Ms. HART, Mr. ORTIZ, Mr. COSTELLO, Mr. TURNER, Mr. ANDREWS, Mr. CARSON of Oklahoma, Mr. WAMP, and Ms. LOFGREN.

H.R. 116: Mr. BAIRD.

H.R. 117: Mrs. MCCARTHY of New York.

H.R. 150: Mr. GOODLATTE, Mrs. MALONEY of New York, Mr. MCGOVERN, and Mr. HUTCHINSON.

H.R. 152: Mrs. THURMAN.

H.R. 159: Mr. MANZULLO, Mr. FOLEY, Mr. BARR of Georgia, and Mr. TIAHRT.

H.R. 179: Ms. KAPTUR, Mrs. NAPOLITANO, Mr. POMEROY, Mr. FLETCHER, and Mr. VITTER.

H.R. 218: Mr. COBLE, Ms. BERKLEY, Mr. FRANK, Mr. ANDREWS, Mr. TANCREDO, and Mrs. ROUKEMA.

H.R. 219: Mr. CRANE and Mr. LATOURETTE.

H.R. 236: Mr. OSBORNE, Ms. SANCHEZ, Mr. GILLMOR, Mrs. BONO, Mr. BRYANT, Mr. REHBERG, and Mr. TOM DAVIS of Virginia.

H.R. 239: Mr. PLATTS.

H.R. 250: Ms. SANCHEZ, Mr. WU, Mr. LATOURETTE, Mr. DELAHUNT, Mr. TIAHRT, Ms. LEE, Mr. LUCAS of Oklahoma, and Ms. SLAUGHTER.

H.R. 257: Mr. TOOMEY and Mr. NEY.

H.R. 259: Mr. SHOWS.

H.R. 267: Mr. GRAHAM, Mr. WEXLER, Mr. WELLER, and Mr. LAFALCE.

H.R. 280: Mr. BAKER and Mrs. ROUKEMA.

H.R. 281: Mr. OWENS, Mrs. MALONEY of New York, Mr. RODRIGUEZ, Mr. MASCARA, Ms. DUNN, Mr. ISRAEL, Ms. SANCHEZ, Mr. ETHERIDGE, and Mr. FROST.

H.R. 283: Mr. DAVIS of Illinois and Mrs. THURMAN.

H.R. 285: Mr. LEVIN.

H.R. 303: Mr. RADANOVICH, Mrs. BONO, Mr. TANNER, Mr. CARSON of Oklahoma, Mr. BLUMENAUER, Mr. NORWOOD, Mr. SHERWOOD, Mr. FERGUSON, and Mr. LARSEN of Washington.

H.R. 311: Mr. GILLMOR and Mr. TIAHRT.

H.R. 326: Mr. GILMAN, Ms. DEGETTE, Mr. UNDERWOOD, and Ms. HART.

H.R. 336: Mr. PASTOR and Ms. BROWN of Florida.

H.R. 381: Mr. FRELINGHUYSEN, Ms. BROWN of Florida, and Mr. MURTHA.

H.R. 382: Mr. SHADEGG, Mr. TIAHRT, and Mr. WICKER.

H.R. 428: Mr. MEEKS of New York, Mrs. MYRICK, Mr. HOLDEN, Mr. WOLF, Mr. GILMAN, Mr. TIAHRT, Mr. ENGEL, Mr. TANCREDO, Mr. HOEFFEL, and Mr. HUTCHINSON.

H.R. 432: Mr. MOORE and Mr. VISCLOSKY.

H.R. 433: Mr. MOORE and Mr. VISCLOSKY.

H.R. 436: Mr. ISAKSON, Mr. TANCREDO, Mr. CARSON of Oklahoma, Mr. MALONEY of Connecticut, Mr. COOKSEY, Mr. RAMSTAD, Mr. BALDACCI, Ms. DELAURO, Mr. LEACH, Mr. LATHAM, Mr. DAVIS of Illinois, and Mr. LARSEN of Washington.

H.R. 440: Ms. MCKINNEY and Mr. STENHOLM.

H.R. 478: Ms. MCKINNEY.

H.R. 499: Mr. FILNER and Mr. BERMAN.

H.R. 503: Mr. SOUDER.

H.R. 507: Mr. GANSKE, Mr. WALDEN of Oregon, and Mr. TIAHRT.

H.R. 525: Mr. DAVIS of Illinois.

H.R. 527: Mr. CALLAHAN, Mr. BACA, and Mr. BRADY of Texas.

H.R. 539: Mr. GOODLATTE, Mr. REHBERG, and Mr. UDALL of Colorado.

H.R. 557: Mr. STENHOLM.

H.R. 572: Mr. HALL of Ohio, Mr. MORAN of Virginia, and Mr. HASTINGS of Florida.

H.R. 583: Mr. HILLEARY and Mr. WAMP.

H.R. 586: Mr. CALVERT.

H.R. 606: Mr. RODRIGUEZ, Mr. DAVIS of Illinois, Mr. MENENDEZ, Mr. RYUN of Kansas, and Mr. HONDA.

H.R. 622: Mr. LANGEVIN.

H.R. 630: Ms. KILPATRICK and Mr. BARRETT.

H.R. 634: Mr. BARR of Georgia, Mr. AKIN, Mr. BRADY of Texas, Mr. BROWN of South Carolina, Mr. CHABOT, Mr. GIBBONS, Mr. JOHNSON of Illinois, Mr. MANZULLO, Mrs. MYRICK, Mr. OXLEY, Mr. PENCE, Mr. SHIMKUS, and Mr. TIAHRT.

H.R. 638: Mr. DELAHUNT, Mr. EVANS, Mr. BERMAN, and Mr. MCGOVERN.

H.R. 662: Mr. GRAVES, Mrs. EMERSON, Mr. SHIMKUS, Mr. CALLAHAN, Mr. RILEY, Mr. LEWIS of Kentucky, Mr. TIAHRT, Mr. HOLDEN, Mr. PLATTS, Mr. BISHOP, Mr. GREENWOOD, Mr. BRADY of Texas, Mr. REYNOLDS, Mr. WALDEN of Oregon, Mr. HINCHEY, Mr. ISTOOK, Mr. DOOLEY of California, Mr. KOLBE, Mr. RYAN of Wisconsin, Mr. THORNBERRY, Mr. BLUNT, Mr. GILLMOR, Mr. ENGLISH, Mr. GANSKE, Mr. BASS, Mr. HUTCHINSON, Mr. FROST, Mr. SHOWS, Mr. ABERCROMBIE, Mr. MORAN of Kansas, Mr. WALSH, Mr. LAFALCE, Mr. PITTS, Mr. OSE, and Mr. SHERWOOD.

H.R. 668: Mr. MCHUGH.

H.R. 686: Mr. LANTOS.

H.R. 687: Ms. HARMAN, Mr. MALONEY of Connecticut, and Mr. PRICE of North Carolina.

H.R. 699: Mr. SISISKY and Mr. RYUN of Kansas.

H.R. 737: Mr. HOEFFEL, Mr. DAVIS of Florida, Mr. MATHESON, Mr. DAVIS of Illinois, Mrs. CLAYTON, Mr. SHERMAN, Mr. GRAVES, and Mr. PHELPS.

H.R. 742: Mr. MCDERMOTT.

H.R. 744: Mr. SWEENEY.

H.R. 747: Mr. ROYCE.

H.R. 752: Mr. GRUCCI and Mr. GILMAN.

H.R. 755: Mr. RANGEL, Mr. ROTHMAN, and Ms. BALDWIN.

H.R. 759: Mr. UDALL of Colorado.

H.R. 771: Mr. BACA, Mr. BONIOR, Mr. BOUCHER, Ms. CARSON of Indiana, Mrs. DAVIS of California, Mrs. JONES of Ohio, Mr. LIPINSKI, Ms. MILLENDER-MCDONALD, and Mr. SMITH of New Jersey.

H.R. 778: Mr. SANDLIN.

H.R. 808: Mr. CLEMENT, Mr. LANGEVIN, Mr. WEINER, Mr. ISRAEL, Mr. CLAY, Mr. ALLEN, Mr. LEWIS of Kentucky, Mr. LAMPSON, Ms. WATERS, Mrs. NAPOLITANO, Mr. PETERSON of Minnesota, Ms. SANCHEZ, Mr. PASTOR, Mr. HASTINGS of Florida, Mr. FRANK, Mr. STARK, Ms. ROYBAL-ALLARD, Mr. CAPUANO, and Mr. SABO.

H.R. 817: Mrs. THURMAN, Mr. STENHOLM, Mr. NETHERCUTT, and Mr. TERRY.

H.R. 822: Mrs. MALONEY of New York.

H.R. 823: Ms. LOFGREN and Mr. BERMAN.

H.R. 827: Ms. MCCARTHY of Missouri.

H.R. 865: Mr. WAXMAN, Mr. BROWN of Ohio, Mr. PASTOR, Mr. SANDERS, Ms. BROWN of Florida, Mr. CLAY, and Mr. DAVIS of Illinois.

H.R. 876: Mr. GIBBONS, Mr. SANDERS, Ms. WOOLSEY, Mr. SESSIONS, Mr. BONILLA, and Ms. PRYCE of Ohio.

H.R. 887: Mr. PLATTS, Mrs. ROUKEMA, and Mrs. MINK of Hawaii.

H.R. 891: Mr. LANGEVIN.

H.R. 899: Ms. HART and Mr. DAVIS of Illinois.

H.R. 907: Mr. KANJORSKI.

H.R. 911: Mr. HOLDEN.

H.R. 913: Ms. MCKINNEY.

H.R. 917: Mr. DAVIS of Illinois.

H.R. 923: Mr. GREEN of Wisconsin, Mrs. THURMAN, and Mr. SMITH of Michigan.

H.R. 931: Mr. ROTHMAN and Mr. BENTSEN.

H.R. 933: Mr. OWENS, Mr. CLAY, Mr. BISHOP, Ms. BROWN of Florida, Mrs. CLAYTON, Mr. ANDREWS, Mr. FARR of California, Mr. BRADY of Pennsylvania, and Ms. MILLENDER-MCDONALD.

H.R. 952: Mr. COYNE, Mr. GUTKNECHT, Mr. SOUDER, Ms. MCKINNEY, Mr. CLAY, Mr. FOSSELLA, Mr. WEXLER, and Mr. TIAHRT.

H.R. 961: Mr. PAYNE.

H.R. 962: Mr. CROWLEY and Mr. ACKERMAN.

H.R. 966: Mr. SOUDER.

H.R. 975: Mr. FRANK, Mr. EVANS, Mr. ALLEN, Mr. TIERNEY, Mr. BRADY of Pennsylvania, Mr. LUCAS of Oklahoma, Mrs. WILSON, Mr. CRAMER, Mr. SIMMONS, Mr. MCINTYRE, Mr. WICKER, Mr. CAMP, Mr. LANGEVIN, Mr. LANTOS, Mr. PLATTS, Mr. COYNE, Mr. MCDERMOTT, Mr. LEVIN, Mr. ABERCROMBIE, and Mrs. EMERSON.

H.R. 988: Mrs. MCCARTHY of New York.

H.R. 990: Mr. RANGEL, Mr. ENGLISH, Mr. GEORGE MILLER of California, Mr. WAXMAN, Ms. ROYBAL-ALLARD, Mr. KUCINICH, Mr. SOUDER, and Mr. UDALL of Colorado.

H.R. 994: Mr. LIPINSKI.

H.R. 1015: Mr. JONES of North Carolina, Mr. PAUL, Mr. RYUN of Kansas, and Mr. HALL of Texas.

H.R. 1019: Mr. BASS, Mr. WALDEN of Oregon, Mr. RADANOVICH, Mr. TRAFICANT, Mr. LEWIS of Kentucky, and Mr. HUTCHINSON.

H.R. 1024: Mr. PORTMAN and Mr. FOLEY.

H.R. 1026: Mrs. EMERSON, Mr. GONZALES, Mr. EDWARDS, and Ms. LOFGREN.

H.R. 1031: Mr. WATKINS.

H.R. 1043: Mr. GUTIERREZ and Mrs. LOWEY.

H.R. 1044: Mr. GUTIERREZ and Mrs. LOWEY.

H.R. 1066: Ms. LOFGREN.

H.R. 1073: Ms. SLAUGHTER, Mr. RODRIGUEZ, Mr. CRAMER, Mr. TURNER, Mr. FARR of California, Mr. JEFFERSON, Ms. KAPTUR, Mr. CROWLEY, Mr. SAWYER, Mr. RUSH, Mr. HOLDEN, Mrs. JOHNSON of Connecticut, and Mr. FILNER.

H.R. 1078: Mr. BRADY of Pennsylvania.

H.R. 1079: Mr. ENGLISH and Mr. PAUL.

H.R. 1084: Mr. PETRI.

H.R. 1086: Ms. MCKINNEY.

H.R. 1089: Mr. RAHALL and Mr. POMEROY.

H.R. 1096: Mr. COOKSEY, Mr. CARSON of Oklahoma, and Mr. TURNER.

H.R. 1100: Mr. CALVERT.

H.R. 1110: Mrs. THURMAN.

H.R. 1112: Mr. PASCRELL, Ms. CARSON of Indiana, Mr. PAYNE, and Ms. MCKINNEY.

H.R. 1116: Mr. LANTOS, Mr. KUCINICH, Mr. UDALL of Colorado, Mr. SERRANO, and Mr. ALLEN.

H.R. 1119: Mr. SIMMONS.

H.R. 1121: Ms. HOOLEY of Oregon.

H.R. 1128: Mr. PAUL, Mr. SESSIONS, and Mr. BARTLETT of Maryland.

H.R. 1140: Mr. WELLER, Mr. VISCLOSKY, Mr. BACHUS, Ms. HOOLEY of Oregon, Mr. WHITFIELD, Mr. SKELTON, Mr. LATOURETTE, Mr. CONYERS, Ms. HART, Mr. ISRAEL, Mr. GREEN of Wisconsin, Ms. BROWN of Florida, Mr. NETHERCUTT, Ms. MCCOLLUM, Mr. TERRY, Mr. RAHALL, Mr. BLUNT, Mr. CUMMINGS, Mr. BEREUTER, Mr. DEFAZIO, Mr. WALDEN of Oregon, Mrs. TAUSCHER, Mr. FLETCHER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GILLMOR, Mr. LIPINSKI, Mr. COLLINS, Mr. BERRY, Mr. PLATTS, Mr. MURTHA, Mr. PETERSON of Pennsylvania, Mr. BLAGOJEVICH, Mr. FERGUSON, Mr. JACKSON of Illinois, Mr. ISTOOK, Mr. DOYLE, Mr. BAKER, Mr. HOLDEN, Mr. EHLERS, Mr. BORSKI, Mr. SIMPSON, Mr. COSTELLO, Mr. COOKSEY, Mr. BALDACCI, Mr. POMBO, Mr. BARCIA, Mr. TOM DAVIS of Virginia, Mr. ANDREWS, Mr. MORAN of Kansas, Ms. ROYBAL-ALLARD, Mr. SMITH of New Jersey, Ms. VELAZQUEZ, Mr. SWEENEY, Mr. RANGEL, Mr. SIMMONS, Mr. MATSUI, Mr. JOHNSON of Illinois, Ms. KAPTUR, Mr. PETRI, Mr. KANJORSKI, Mr. FOLEY, Ms. KILPATRICK, Mr. ISAKSON, Mr. LUTHER, Ms. PRYCE of Ohio, Mr. MENENDEZ, Mr. SHIMKUS, Mr. LARSEN of Washington, Mr. DUNCAN, Mr. MASCARA, Mr. MCNULTY, Mr. EHRLICH, Mr. NADLER, Mr. HAYES, Ms. DELAURO, Mr. KING, Mr. BONIOR, Mr. GILCHREST, Mr. UDALL of New Mexico, Mr. DOOLITTLE, Mr. PAYNE, Mr. WATKINS, Ms. BERKLEY, Mr. TAUZIN, Mr. KLECZKA, Mr. TIAHRT, Mr. RUSH, Mr. BOEHNER, Mr. UDALL of Colorado, Mrs. ROUKEMA, Mr. BLUMENAUER, Mr. LATHAM, Mr. HOYER, Mr. BARTLETT of Maryland, Mr. PETERSON of Minnesota, Mr. SAXTON, Mr. HOEFFEL, Mr. HORN, Mr. TURNER, Mrs. KELLY, Mr. MATHESON, Mr. BOEHLERT, Mr. CARSON of Oklahoma, Mr. WATTS of Oklahoma, Mr. FROST, Mrs. EMERSON, Mr. SANDLIN, Mr. LAHOOD, Mr. MEEKS of New York, Mr. LEACH, Mr. WYNN, Mr. GRUCCI, Mrs. CLAYTON, Mr. UPTON, Mr. DELAHUNT, Mr. LOBIONDO, Mr. SHOWS, Mr. MICA, Mrs. JONES of Ohio, Mrs. CAPITO, Mr. TIERNEY, Mr. CRENSHAW, Mr. CARDIN, Mr. GILMAN, Ms. MCKINNEY, Mr. HUTCHINSON, Mr. PASTOR, Mr. GOODE, and Mr. SANDERS.

H.R. 1141: Mr. HAYWORTH.

H.R. 1162: Mr. DAVIS of Illinois, Mr. SAWYER, Mr. PRICE of North Carolina, Mr. LAFALCE, and Ms. KILPATRICK.

H.R. 1167: Mr. HOEFFEL, Mr. BRADY of Pennnsylvania, Mr. KUCINICH, Mr. GILMAN, Mr. FILNER, Mrs. MINK of Hawaii, and Ms. CARSON of Indiana.

H.R. 1168: Mr. HOEFFEL, Mr. BRADY of Pennsylvania, Mr. KUCINICH, Ms. PELOSI, Mr. GILMAN, Mr. FILNER, Mrs. MINK of Hawaii, Ms. CARSON of Indiana, and Mr. WOLF.

H.R. 1173: Ms. JACKSON-LEE of Texas, Mr. MORAN of Virginia, Mr. SISISKY, Mr. EDWARDS, Mr. FROST, Mr. REYES, Mr. SKELTON, Mr. KENNEDY of Rhode Island, Mr. CONDIT, Mr. CRAMER, Mr. Abercrombie, Mrs. TAUSCHER, Mrs. JONES of Ohio, and Mr. MALONEY of Connecticut.

H.R. 1184: Mr. WYNN, Ms. MILLENDER-MCDONALD, Mr. MCDERMOTT, and Mrs. NORTHUP.

H.R. 1187: Mr. WEINER, Mr. BOUCHER, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. DEGETTE, and Mr. FARR of California.

H.R. 1194: Ms. KILPATRICK and Mr. SHAYS.

H.J. Res. 27: Mr. STARK.

H.J. Res. 36: Mr. LATHAM.

H.J. Res. 38: Mr. TIAHRT.

H. Con. Res. 3: Mr. UDALL of Colorado, Mr. GUTIERREZ, Ms. SANCHEZ, and Mr. GONZALEZ.

H. Con. Res. 17: Ms. ROYBAL-ALLARD and Ms. KILPATRICK.

H. Con. Res. 19: Mr. MCGOVERN and Ms. SLAUGHTER.

H. Con. Res. 23: Mrs. EMERSON.

H. Con. Res. 25: Mrs. MALONEY of New York.

H. Con. Res. 30: Mr. SCHIFF.

H. Con. Res. 45: Mr. SAXTON, Mr. CONYERS, and Mr. CAPUANO.

H. Con. Res. 59: Mr. HINCHEY.

H. Con. Res. 61: Ms. CARSON of Indiana and Mr. CUNNINGHAM.

H. Con. Res. 68: Mr. SOUDER and Mrs. JO ANN DAVIS of Virginia.

H. Con. Res. 73: Ms. ROS-LEHTINEN, Ms. BALDWIN, and Mr. KING.

H. Con. Res. 35: Mr. MALONEY of Conecticut.

H. Con. Res. 56: Mr. DAVIS of Florida.

H. Con. Res. 87: Mr. MCHUGH, Mr. LANTOS, Mr. JOHNSON of Illinois, Ms. HART, Ms. MCKINNEY, Mr. ETHERIDGE, Mr. HASTINGS of Washington, and Mrs. MINK OF HAWAII.

H. Con. Res. 91: Mr. BARTLETT of Maryland, Mr. DAVIS of Florida, Mr. TANCREDO, Mr. FOLEY, and Mr. GOSS.

H. Con. Res. 97: Mr. BLAGOJEVICH, Ms. BALDWIN, Mr. CUMMINGS, Mr. TOWNS, Ms. MILLENDER-MCDONALD, Ms. BROWN of Florida, Mrs. MALONEY of New York, Mr. HASTINGS of Florida, Ms. KILPATRICK, Mrs. JONES of OHio, Mr. THOMPSON of Mississippi, Mrs. CLAYTON, Mr. WATT of North Carolina, Ms. NORTON, Ms. MCKINNEY, Mr. JEFFERSON, Mr. JACKSON of Illinois, Mr. HILLIARD, Mr. CONYERS, Ms. WATERS, Mrs. MINK of Hawaii, Ms. HARMAN, and Ms. MCCOLLUM.

PETITIONS, ETC.

Under clause 3 of rule XII,

8. The SPEAKER presented a petition of the Council of the City of Knoxville, Tennessee, relative to Resolution No. R–90–01 petitioning the United States Congress to amend the Internal Revenue Code of 1986 to allow for the deduction of state sales taxes in lieu of state and local income taxes; which was referred to the Committee on Ways and Means.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, FIRST SESSION

Vol. 147 WASHINGTON, TUESDAY, MARCH 27, 2001 No. 42

Senate

The Senate met at 9:15 a.m. and was called to order by the Honorable LINCOLN CHAFEE, a Senator from the State of Rhode Island.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Dear Father, bless the Senators today. You are the Potter; they are the clay. Mold them and shape them after Your way. Americans have prayed for Your best for this Nation, and You have answered their prayers with these women and men, chosen by You because they are people open to Your guidance. Meet their personal needs today so they can be Your instruments in meeting America's needs. Give them peace of mind, security in their souls, and vigor in their bodies so they can lead with courage and boldness. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable LINCOLN CHAFEE 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. THURMOND).

The assistant clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 27, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LINCOLN CHAFEE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. CHAFEE thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

BIPARTISAN CAMPAIGN REFORM ACT OF 2001

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of S. 27, which the clerk will report.

The bill clerk read as follows:

A bill (S. 27) to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

Pending:

Specter amendment No. 140, to provide findings regarding the current state of campaign finance laws and to clarify the definition of electioneering communication.

Hagel amendment No. 146, to provide meaningful campaign finance reform through requiring better reporting, decreasing the role of soft money, and increasing individual contribution limits.

AMENDMENT NO. 146

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the Hagel amendment No. 146. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, the remaining time on the proponent side of the Hagel amendment is how much?

The ACTING PRESIDENT pro tempore. Eighty minutes.

Mr. MCCONNELL. I expect Senator HAGEL to be here momentarily. I yield myself 5 minutes of the Hagel proponent time.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

Mr. MCCONNELL. Mr. President, I never thought I would be putting a Richard Cohen column in the CONGRESSIONAL RECORD for any purpose on any issue, and certainly not on campaign finance reform. But I think this liberal columnist of the Washington Post must have had an epiphany. His column this morning I think is noteworthy, and I want to read a couple parts of it before putting it in the RECORD.

Richard Cohen said this morning in the Washington Post with regard to the underlying bill that it would do damage to the first amendment. He said:

There is no getting around that. The AFL-CIO is right about it. The American Civil Liberties Union is right too. Some senators who support McCain-Feingold do not quibble with that assessment; they say only that no bill is perfect. . . .

Further in the article, Cohen says:

The trouble is that the lobbyists on K Street will ultimately figure out a way around any campaign finance reform. This is virtually a physical law in Washington, like water seeking its own level. It happened following the Watergate reforms, and it will happen this time, too.

And so when that happens we will be left with nothing much in the way of reform. But we will be left with a bit less free speech. Specifically, we will be left with severe restrictions on so-called issue advocacy. Sometimes these efforts are scurrilous and underhanded: Remember the scuzzy attack by friends of George Bush on John McCain's record on cancer research? But sometimes such attacks are valuable additions to the political debate. However you judge them, they are speech by a different name, and the First Amendment protects them all.

He goes on to say:

Still, Congress has no business enacting a law—any law—that contains provisions it knows will not pass constitutional muster. . . .

So there is a great desire to do something—almost anything, it seems, to convince the public that not all Washington is for sale. Much of the Washington press corps, symbiotically tied to government for its sense of importance, also cries out for reform. But this particular reform comes at a steep price, even the criminalization of what heretofore was free speech.

No doubt the power and wealth of special interests pose a problem for the political system. But worse than the ugly cacophony of a

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

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last-minute smear campaign is the chill of any government-imposed silence. That's not reform. It's corruption by a different name.

I ask unanimous consent that the Richard Cohen column be printed in the RECORD.

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

[From the Washington Post, Mar. 27, 2001]

. . . PRESERVE FREE SPEECH

(By Richard Cohen)

To tell the truth, I had no intention of ever writing about campaign finance reform, as in the McCain-Feingold bill. It is a complicated matter, clotted with arcane terms like ''soft money,'' ''hard money'' and now—and God help us—''non-severability.'' This is the sort of mind-numbing issue that I felt could be better handled by a panel of experts on the Jim Lehrer show—people with three names, like Doris Kearns Goodwin.

But an unaccountable sense of professional obligation got the better of me. I have done my reading, done my interviewing, consulted some very wise people and asked myself one basic question: What is it that I hold most dear in American public life? The answer, as always: the First Amendment.

Sen. Charles Schumer (D–N.Y.), one of those wise men I consulted, tried to make me see matters differently. He essentially stated his case in an eloquent speech on the floor of the Senate, pleading for campaign finance reform as a way to restore the people's confidence in the political system—to make us all feel that the votes of our representatives are not for sale.

Oddly enough, it was just that quality—a restoration of faith or idealism—that attracted me to Sen. John McCain's presidential campaign. Here was a candidate who in words, deeds and something undefinable had many convinced that good people could do good in government, and that the power of money had to be met by the power of ideas. McCain deserves all the credit he can get for putting the issue before the public.

But his bill would do damage to the First Amendment. There is not getting around that. The AFL–CIO is right about it. The American Civil Liberties Union is right too. Some Senators who support McCain-Feingold do not quibble with that assessment; they say only that no bill is perfect and no constitutional right is absolute. In this case, they say, we will have to give up some free speech rights to gain some control over a very messy and sometimes corrupt campaign finance system.

The trouble is that the lobbyists of K Street will ultimately figure out a way around any campaign finance reform. This is virtually a physical law in Washington, like water seeking its own level. It happened following the Watergate reforms, and it will happen this time, too.

And so when that happens we will be left with nothing much in the way of reform. But we will be left with a bit less free speech. Specifically, we will be left with severe restrictions on so-called issue advocacy. Sometimes these efforts are scurrilous and underhanded: Remember the scuzzy attack by friends of George Bush on John McCain's record on cancer research? But sometimes such attacks are valuable additions to our political debate. However you judge them, they are speech by a different name, and the First Amendment protects them all.

McCain-Feingold has various restrictions on issue advocacy. I will not bore you with the details. But those details are what so worries the AFL–CIO, the ACLU and—if they are to be believed—some of the GOP opponents of the bill in the Senate.

Probably, the courts will toss these provisions—that's why non-severability is so important. (Non-severability means that none of the law will take effect if any part of it is ruled unconstitutional.) McCain calls non-severability ''French for 'kill campaign finance reform,' '' and undoubtedly he is right. Still, Congress has no business enacting a law—any law—that contains provisions it knows will not pass constitutional muster.

But Congress is feeling real sorry for itself. Many of its members work long and hard and don't make anything like the money you can get just for failing at a big corporate job. On talk radio, they're denounced by intellectually corrupt personalities who make much more money, work many fewer hours and talk about Congress as if it were entirely on the take.

So there is a great desire to do something—almost anything, it seems, to convince the public that not all Washington is for sale. Much of the Washington press corps, symbiotically tied to government for its sense of importance, also cried out for reform. But this particular reform comes at a steep price, even the criminalization of what heretofore was free speech.

No doubt the power and wealth of special interests post a problem for the political system. But worse than the ugly cacophony of a last-minute smear campaign is the chill of any government-imposed silence. That's not reform. It's corruption by a different name.

Mr. MCCONNELL. I also noted with interest David Broder's column this morning. Broder can best be described as something of a moderate on the campaign finance issue. He has been at several different places over the years. He makes this point about raising the hard money limit.

Much has changed in America since 1974, the year that Richard Nixon was forced to resign from the Presidency. Since then, we have had six other Presidents, the arrival of the Internet, and enough inflation to make the 1974 dollar worth 35 cents. That debate will, of course, occur during the course of the Hagel amendment.

Broder goes on to point out:

Twenty-six years ago, Congress said that contributions below $1,000 were free of that taint. Is there something magical about that figure, or could it be bumped up to $2,000 or even $3,000 in order to finance robust campaigns without forcing candidates to spend as much time organizing fundraisers or dialing for dollars as they do in the current money chase?

Further in the article:

Democrats and liberal interest groups claim that raising the $1,000 limit would benefit only a few wealthy givers. Only one-tenth of one percent of adult Americans made a political contribution of $1,000 in the last cycle. Of course, politics would be healthier if more Americans contributed something, but only a small minority now check their returns to divert $3 of their taxes to the presidential campaign fund—which would cost them nothing.

All this does is reflect a basic lack of interest in politics on the part of the Americans, which is not something we applaud, but it is certainly understandable.

Mr. President, I ask unanimous consent David Broder's column be printed in the RECORD.

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

[From the Washington Post, Mar. 27, 2001]

RAISE THE LIMIT . . .

(By David S. Broder)

Much has changed in America since 1974, the year that Richard Nixon was forced to resign from the presidency. Since then, we have had six other presidents, the arrival of the Internet and enough inflation to make the 1974 dollar worth about 35 cents.

This week the Senate faces the question of whether a campaign contribution limit of $1,000 should be adjusted upward for the first time since it was written into law in 1974. Amazingly enough, there are people inside and outside Congress who would jeopardize the passage of meaningful campaign finance legislation in order to preserve that $1,000 limit.

The Senate clearly has enough votes in sight to pass the McCain-Feingold bill, whose central provision would ban unlimited ''soft-money'' contributions to political parties from corporations, unions and wealthy individuals. These contributions, which can run from $100,000 upward and often are extorted by persistent pressure from candidates and officeholders, are rightly seen as potential sources of political corruption.

But before McCain-Feingold comes to an up-or-down vote, senators will confront the question of lifting the $1,000 limit on individual contributions to federal candidates. That ''hard money'' limit applies to regulated contributions that the candidates can use to buy ads or pay for other campaign costs. Raising the hard-money limit will offset some of the revenue lost to the parties if the six-figure soft money is banned.

Common sense says—and the Supreme Court has held—that contribution limits are justified by the public interest in preventing corruption or the appearance of corruption. Twenty-six years ago, Congress said that contributions below $1,000 were free of that taint. Is there something magical about that figure, or could it be bumped up to $2,000 or even $3,000 in order to finance robust campaigns without forcing candidates to spend as much time organizing fundraisers or dialing for dollars as they do in the current money chase?

Some Democrats and liberal interest groups, avowedly champions of reform, are finding creative rationalizations for opposing an increase in the hard-money contribution limit. Notable among them is Sen. Tom Daschle of South Dakota, the Democratic leader, who has been warning that if the $1,000 limit is raised (or raised by an unspecified ''too much'') he and others will have to reconsider their support for the McCain-Feingold soft-money ban.

It may be sheer coincidence that Democrats caught up to Republicans in the past election in the volume of soft-money contributions, while Republicans actually increased their hard-money lead, collecting $447 million to the Democrats' $270 million. Republicans have more contributors, especially small donors, thanks to their well-established direct-mail solicitations, while Democrats have failed to cultivate a similar mass base.

Democrats and liberal interest groups claim that raising the $1,000 limit would benefit only a few wealthy givers. Only one-tenth of one percent of adult Americans made a political contribution of $1,000 in the last cycle. Of course, politics would be healthier if more Americans contributed something, but only a small minority now check their returns to divert $3 of their taxes to the presidential campaign fund—which would cost them nothing.

The reality is that campaigns are going to be funded by relatively few people, but the notion that the $2,000 contributor of today is

more corrupting than the $1,000 contributor of 1974 is nonsense.

The second argument is that raising the contribution limit is bad because the goal should be to reduce the amount spent on campaigns. Why? Political communication is expensive in mass-media America. Candidates are competing not only with each other but with all the commercial products and services vying for viewers' attention with their own ads and promotions. Contributions of reasonable size that help candidates get their messages out are good for democracy, not a threat.

McCain and Feingold are seeking to negotiate what a ''reasonable'' increase in individual limits would be. Such an amendment would strengthen their bill, not damage it, and certainly should not provide an excuse for Daschle or other Democrats to abandon it.

Political journalism lost a notable figure last week with the death of Rowland Evans, for many years the co-author with Robert Novak of one of the most influential columns in this country. Like his partner and many others of us, Evans had his biases, but his hallmark was the doggedness of his reporting. A patrician by birth, he brought a touch of class to his work, and he will be missed.

Mr. MCCONNELL. It is noteworthy that nothing in the bill is going to quiet the votes of people with great wealth. Here is a full page ad today, in the Washington Post, paid for by a gazillionaire named Jerome Kohlberg who firmly believes everybody's money in politics is tainted except his. His money, of course, is pure. This is the same individual who spent $½ million in Kentucky in 1998 trying to defeat our colleague, JIM BUNNING, and I have defended his right, obviously, over the years to do what he wants to do with his money.

It further points out that no matter what we do in the Senate, people of great wealth are still going to have influence. You are not going to be able to squeeze that out of the system. The Constitution doesn't allow it. This is a classic example of how big money is financing the reform side in this debate, underwriting Common Cause, underwriting ads.

Essentially, great people of great wealth are paying for the reform campaign. They are free to do that. I defend their right to do it, but I think it is noteworthy.

I ask a reduced version of this ad in today's Washington Post be printed in the RECORD.

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

THE TIME HAS COME

After two rejections by the Senate of a meaningful Campaign Finance Reform Bill it is now time for the Congress to act.

This is not a Democrat or Republican problem. The two operative parties of government now are ''those who give'' and ''those who take,'' coupled with the exorbitant amounts of money involved. This collaboration calls into question the legitimacy of our elections and of the candidates in pursuit of office.

Citizen voters are increasingly making it evident that they are disgusted with the process, and questioning the integrity of a system that flies in the face of equal representation. They feel more certain with each election cycle that they are getting a President or Congress mortgaged with ''due bills'' that must be repaid by legislative favors.

It is a system that is inimical to our democratic ideals. One that convinces citizens that their government serves powerful organizations and individuals to their detriment. It is this perception that any new legislation must finally address.

The time has come for the Congress to demonstrate the statesmanship that the people of our country expect and deserve.—Jerome Kohlberg.

Mr. MCCONNELL. I see Senator HAGEL is here and fully capable of controlling his time. I yield the floor.

Mr. HAGEL. Mr. President, I yield up to 15 minutes to my colleague from Kansas.

Mr. ROBERTS. Mr. President, a week ago yesterday Senator HAGEL, our colleague from Nebraska, took the floor of the Senate and with straight talk said some things that made a great deal of sense. They bear repeating at this point in this debate.

First, he said it was time for this debate. Our current campaign finance laws make absolutely no sense. That is true. Since the proponents are bound and determined to take up their version of what I call ''alleged reform,'' before we get to the business of tax relief, the energy crisis, foreign policy, and national security concerns, not to mention a host of other pressing issues, it is time, certainly, to dispense with this issue. However, in so doing, let me remind my colleagues of our first obligation. That is to do no harm.

Senator HAGEL warned we must be careful not to abridge the rights of Americans to participate in our political system and have their voices heard. He understood and underscored the paramount importance of the first amendment to the Constitution, that being the freedom of speech.

Second, the Senator from Nebraska then emphasized we should not weaken our political parties or other important institutions within our American system. He stressed we should encourage greater participation, not less.

I want my colleagues and all listening to listen to Senator HAGEL.

I start from the fundamental premise that the problem in the system is not the political party; the problem is not the candidate's campaign; the problem is the unaccountable, unlimited outside moneys and influence that flows into the system where there is either little or no disclosure. That is the core of the issue.

On that, Senator HAGEL was right as rain on a spring day in Nebraska.

He went on to say political parties encourage participation, they promote participation, and they are about participation. They educate the public and their activities are open, accountable and disclosed. And, then he nailed the issue when he said:

''Any reform that weakens the parties will weaken the system, lead to a less accountable system and a system less responsive to and accessible by the American people.

''Why,'' Senator HAGEL asked, ''Why do we want to ban soft money to political parties—that funding which is now accountable and reportable? This ban would weaken the parties and put more money and control in the hands of wealthy individuals and independent groups accountable to no one.''

It makes sense to me, Senator.

Finally, Senator HAGEL warned the obvious. In this regard, I simply do not understand why Members of this body and the proponents of alleged reform—and all of the twittering media bluebirds sitting on the reform windowsill—are so disingenuous with the obvious. It seems to me either they are blinded by their own political or personal prejudice or they just don't get it or they just don't want to get it.

Senator HAGEL warned last week:

When you take away power from one group, it will expand power for another. I do not believe that our problems lie with candidates for public office and their campaigns. I believe the greatest threat to our political system today is from those who operate outside the boundaries of openness and accountability.

Three cheers for CHUCK HAGEL. He has shined the light of truth into the muddle of reform.

My colleagues, at the very heart of today's campaign law tortured problems are two simple realities that cannot be changed by any legislative cleverness or strongly held prejudice.

First, private money is a fact of life in politics. If you push it out of one part of the system it re-enters somewhere else within the shadows of or outside the law. Its like prohibition but last time around it was prohibition with temples, bedrooms, and labor union payoffs.

More to the point with members of this body deciding every session some two trillion dollars worth of decisions that affect the daily lives and pocketbooks of every American, there is no way anyone can or should limit individual citizens or interest groups of all persuasions from using private money, their money, to have their say, to protect their interests, to become partners in government—unless of course you prefer a totalitarian government.

Second, money spent to communicate with voters cannot be regulated without impinging on the very core of the first amendment, which was written as a safeguard and a protection of political discourse.

We got into this mess by defying both of these principles with very predictable results. Lets see now, here is a reform, let us place limits on money spent to support or defeat candidates.

Whoops, those who want to have their say now run ads that are called issue advocacy, and we are running at a full gallop in that pasture—can't stop that expression of free speech; it is constitutionally protected, or at least it was until yesterday in Senator WELLSTONE's amendment. When my colleagues placed tight limits on contributions to candidates and called that reform, we went down the same trail again. Whoops, those who want to

have their say in a democracy began giving to political parties with unregulated soft money.

So now we have hard regulated disclosed and soft unregulated disclosed, and express advocacy and issue advocacy, and they are all wrapped up in a legalistic mumbo-jumbo that defies understanding or enforcement and has given reform and the Federal Election Commission a bad name.

My friends, this money-regulating scheme is bankrupt. Yet here we are again with the same medicine show, same horse doctor, and the same old medicine. But this time around we are to ban soft money given to political parties, and then to really make sure that works, we are going to restrict independent issue advocacy. We have solved the problem. Right? Wrong.

Whoops, instead of less money, we will have more—lots and lots of money. Pass McCain-Feingold, or the bill that is the underlying bill now, as amended, and interest groups will bypass the parties and conduct their own campaigns. Why give to individual candidates or their political party when you can run your own independent advocacy campaign, especially given the amounts of money these organizations have at their disposal? We are not talking thousands here, folks. We are talking millions. Talk about a negative ad Scud missile attack in 2002. I will tell you what. With this bill, there will be no party missile shield for those candidates trying to weather the storm.

This entire business reminds me of the times I would take my three children to a well-known fast-food pizza and entertainment center; I think it is called Chuck E. Cheese's. As I recall, for the price of one ticket, my kids would run amok from one game to the next, the favorite being called Whackamole, where kids would smack mole-like creatures whose heads popped out of dozens of mole holes. Smack one down, and another two would suddenly jump up. Well, campaign reform is a lot like Whackamole.

Well, not to worry now; we will fix that. Let's just add on another layer of reform. We will just limit ads that mention candidates within 60 days of an election. Now, last week, that ban was limited to corporations and unions and by groups they support if the ad was run on television and radio—not any mention of newspapers, posters, or billboards, just radio and television. Yesterday, in a fit of consistent unconstitutionality, we added another layer, making the ban apply to all groups. Thus, now the bill limits free expression.

Good grief, Mr. President. How in the world can we say we will improve the integrity of any political system by letting politicians restrict political speech? Can you imagine how everybody concerned will try to game the speech police?

By the way, there is an exemption for journalists. I used to be a journalist. Have we stopped to figure out who and what is a journalist and how we will get around that loophole? That is another story altogether. Hello, ACLU. How many court cases, indeed?

What a deal. Pass this so-called reform and candidates will spend more time asking for contributions, the very thing they want to avoid, forced by the current low limits to beg every day. Our political parties will lose their main source of funds or become hollow shells, and if the speech controls are upheld, why, our political discussion will be both chilled and contorted. Of course, the real campaigns would be run by the special interests with independent expenditures rather than by the candidates and the parties.

My colleagues, we have a choice. We can continue to go down this road of one party basically trying to unilaterally disarm the other and destroying our two-party system and the first amendment in the process or we can really support something that truly deals with the real problems within our campaign finance laws, and that ''something'' is the legislation offered by my friend and colleague, Senator HAGEL.

His reform does three basic things:

First, he protects the first amendment to the Constitution and calls for full and immediate disclosure and identity.

Second, he addresses the basic reason that our campaign funds are going around, under, and over the public disclosure table today, the antiquated limit on the amount of contributions that citizens may give to candidates unchanged over two decades.

Third, he proposes a limit on soft money that is of concern to me, but at least it is semi-reasonable. I will accept the cap given the full disclosure and the increase of the amount of money that our individual citizens could and should be giving to candidates.

Finally, if we are truly serious about getting a reform bill passed, if we want a bill signed by the President as opposed to an issue, it might be a good idea to see if the base bill amended by Senator HAGEL would fit that description.

President Bush listed six reform principles:

First, protect the rights of individuals to participate in democracy by updating the limits on individual giving to candidates and parties and protecting the rights of citizen groups to engage in issue advocacy. Hagel passes; the underlying bill, as amended to date, does not.

Second, the President said we should maintain strong political parties. Hagel passes that test; the underlying bill without Hagel does not.

Third, the President said we should ban the corporate and union soft money. I don't buy that, but under Senator HAGEL, he does limit soft money.

Fourth, the President said we should eliminate involuntary contributions. Hagel doesn't deal with that issue. The underlying bill as amended or, to be more accurate, as not amended, does not meet this criterion.

Fifth, require full and prompt disclosure. The Hagel bill meets this test.

Sixth, to promote a fair, balanced, and constitutional approach. Here, the President supports including a nonseverability provision, so if any provision of the bill is found unconstitutional, the entire bill is sent back to Congress for further deliberation.

Well, we still have that issue before us. However, the bottom line is that if you want a campaign reform measure that President Bush will sign, you should support the measure I have cosponsored with Senator HAGEL.

There is one other thing. Too many times, common sense is an uncommon virtue in this body. Here we have a paradox of enormous irony. Legislation that is unconstitutional, that endangers free speech, that advantages independent special interests and the wealthy and that will cripple the two-party system and individual participation has been labeled and bookshelved by many of the hangers-on within the national media and the special interests that are favored in the legislation as being ''reform.'' I just heard on national television before driving to work that reform was being endangered. What is endangering reform, on the other hand, is these same folks branding the effort by my colleague as a poison pill.

Well, colleagues and those in the media, all that glitters is not gold. All that lurks under the banner of reform is not reform. There are a lot of cacti in this world; we just don't have to sit on every one of them. McCain-Feingold, the current bill, is another ride into a box canyon. On the other hand, legislation I have cosponsored with CHUCK HAGEL is a clear, cold drink of common sense, a good thing to have on any reform trail ride.

I salute you, sir, and yield the floor.

Mr. HAGEL. Mr. President, I am overwhelmed with my colleague from Kansas. I note that the senior Senator from Arizona was taking note, making reference to all of his hangers-on friends.

Mr. MCCAIN. If the Senator will yield for a 10-second comment?

Mr. HAGEL. Yes.

Mr. MCCAIN. As usual, the Senator from Kansas illuminated, enlightened, and entertained all at once, and I enjoyed it very much.

Mr. HAGEL. If he passes the Senator's test, then we are making progress and we are grateful.

The Senator from Wyoming is present. I understand he would like to make some comments. I ask Senator THOMAS, how much time does he need?

Mr. THOMAS. I think 10 minutes, if that is satisfactory.

Mr. HAGEL. I yield 10 minutes to the senior Senator from Wyoming.

Mr. FEINGOLD. Mr. President, I ask unanimous consent, following the remarks of the Senator from Wyoming,

the Senator from New York be recognized for 15 minutes.

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

The Senator from Wyoming is recognized for 10 minutes.

Mr. THOMAS. Mr. President, I thank Senator HAGEL for the time and also thank Senator HAGEL for the work he has put in on this bill. I supported this bill in the beginning, last year—I was an original cosponsor—because I think it deals with the issue that is before us, and deals with it in a way that is relatively simple, that we can understand, and does the things that, in the final analysis, we want to have happen.

I have the notion that after spending all last week and another week this week on this whole matter of campaign reform, it is not very clear as to what has been done, what is being suggested, where we will be when it is over, which is the most important thing. What is it that we would like to have happen? I must confess, it has been very confused. That is why I supported the Hagel bill; it makes it rather clear that it does the things we want to do. It ends up providing an opportunity for more participation in the election process and for a constitutional limit, if there are some limits, and the strong parties which, of course, is the way we govern ourselves.

First of all is the constitutional importance of free speech. That is the most important thing we have to protect. This country was founded on the principle that people could express themselves and express themselves in the political process and be able to participate in it.

Kids ask often: How did you get to be in politics? I can tell you how. I got involved in issues. I got involved in agriculture, in talking about the process. It became very clear as I worked in the Wyoming Legislature that politics is the way we govern ourselves. The decisions by the people are made in the political process, are passed through the governmental process, and that is how it works. That is how I became involved. I think it is a way many people have become involved and, indeed, they need to be involved that way.

The first amendment is based primarily on a premise that if free society is to flourish, there has to be unfettered access and willingness to participate. McCain-Feingold, I believe, has unintended consequences. It limits political expression, certainly specifically 30 days before the primary and 60 days before the general election. We had some amendments about that yesterday. We need to be very careful about that in terms of our ability to participate and our ability to exercise that right of ours that is constitutional—free speech.

The Supreme Court upholds laws which prevent ''the appearance of corruption,'' but surely that doesn't mean the Congress ought to ban the freedom of speech. In fact, in the Buckley case:

> Discussion of public issues and debate on the qualifications of candidates are integral to the operation of the system of government established by our Constitution. The First Amendment affords the broadest protection to such political expression in order ''to assure the unfettered interchange of ideas for the bringing about of political and social changes desired by the people.''

That is what it is all about.

State parties would be limited. My background and involvement as I moved through this process was being active in the State party. I was secretary of our State party. State parties are out there to encourage people to participate, to organize in counties, to bring county organizations and chairmen and young people into the party to represent the views they share. That is what parties are for. To limit the opportunity for those parties to do those things seems to me to be very difficult.

Parties cannot, under this process, use already-regulated soft money for party building. I think that is wrong. McCain-Feingold, in my view, federalizes elections. We already allow for a mix of Federal and State funds to be used for basic participation. Parties would be able to assist challengers. We should not make it terribly advantageous to be an incumbent. There ought to be challengers so we can make changes. State parties do that.

These are the issues that are very important and we need to preserve them and we need to understand them. We need to be clear about. It is my view that McCain-Feingold would decrease voter turnout, would decrease the interest in participation in elections. That is the strength of this country, for people to come together with different views and express those views in elections so the people, indeed, are represented. It would devastate the parties if McCain-Feingold were passed as it is proposed. It would devastate grassroots activity.

Political involvement ought not be limited only to professionals or people who have expert legal advice on the intricacies of Federal legislation.

I just came from a meeting with some folks who were talking about how difficult it is for trade associations to deal with people within their trade associations unless they get some kind of approval from the company and it can only last for 3 years and they can only do it in one company. Those are the kinds of restrictions that should not exist.

Frankly, I get a little weary of the corruption idea all the time, as if everyone in this Chamber votes because of somebody providing money. In my view and in my experience, you go out and campaign and tell people what your philosophy is, you tell people where you are going to be on issues, and they vote either up or down to support you. The idea that every time there is a dollar out there you change your vote is ridiculous. I am offended by that idea, frankly. I do not think it is the way it really is. In any event, McCain-Feingold fails on a number of points. It presents constitutional roadblocks regarding speech and restricts State parties from energizing voters.

The Hagel bill deals clearly with many things. It increases the opportunity for hard money, brings it up to date for inflation. No. 2, it provides a limit to soft money at a level that can be controllable. Most important, it provides for disclosure. It provides the opportunity for voters to see who is participating in the financial aspect of it. Then they can make their decisions.

I think it is something that brings accountability to campaign finance. It is something the President will reform. I am very pleased to be a supporter of the Hagel bill. I urge my friends in the Senate to support it as well.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the senior Senator from New York is recognized for up to 15 minutes.

Mr. SCHUMER. Mr. President, I rise in strong opposition to the amendment offered by Senator HAGEL to deal with soft money, not by banning it, as the McCain-Feingold bill does, but by capping donations to national parties at $60,000 per year per individual. Worse still, not only does this amendment set an awfully high cap for soft money, it would not limit soft money when given to State parties, even when the obvious purpose is to influence Federal elections.

Let me say right off the bat that I commend Senator HAGEL for his effort in this area. He is sincerely concerned about the mess that our campaign finance system has become and has offered the solution he believes is the best one. His integrity and his sincerity in offering this amendment are unquestioned by just everybody in this Chamber.

But in my judgment, and with all due respect to my friend from Nebraska, his amendment falls far, far short of what is needed to clean up our campaigns. This proposal is to reform what Swiss is to cheese: It just has too many holes. Enacting it would be worse than doing nothing, in my judgment, for the simple reason that it would carry the stamp of reform and lead the public to expect a better system while failing to live up to the label.

Should Hagel become law—which I hope it does not—people will say a year after: They tried it. They tried to do something and it failed. And you can't do anything.

Their cynicism, their disillusionment with the system, will actually increase, despite the sincere effort of the Senator from Nebraska.

The main problem with the amendment is how it treats soft money. Imagine that candidate Needbucks wants to run for the Senate. The election is 2 years away. He goes to his old friends, John and Jane Gotbucks, who have done quite well in the booming economy of the last 8 years, and asks them to donate soft money to the party.

Under the Hagel amendment, Mr. and Mrs. Gotbucks can give $240,000 in soft money—$60,000 limit per person, $240,000 per couple per cycle. Under McCain-Feingold, that would not be allowed.

But that is not everything. Throw in the $300,000 in hard money that John and Jane can give under this amendment, and you know what they say: Pretty soon we are talking about real money. The total that a couple can give is $540,000 in hard and soft money to a candidate under the Hagel legislation.

Mr. President, $540,000 a couple limits? That is reform? Give me a break. In fact, that is the kind of money that can't help but catch the gimlet eyes of our friend, candidate Needbucks, and his party.

Let's suppose, in addition, that John and Jane Gotbucks happen to run a corporation. The Hagel amendment would allow their corporation, and all others like it, to give legitimate, regulated money to the parties for the first time since the horse was the dominant mode of transportation and women couldn't even vote. We are allowing corporate money back into the system after nearly 100 years when it was not allowed.

Maybe it is instructive to remember how all this came about. In 1907 Teddy Roosevelt was burned by revelations that Wall Street corporations had given millions to his 1904 campaign. Of course, one of his famous wealthy supporters, Henry Clay Frick, came to despise Roosevelt for his progressivism and commented, ''We bought the S.O.B. but he didn't stay bought.''

But Teddy Roosevelt rose above the scandal and, as he so often did, blazed the trail of reform. He signed the Tillman Act, which outlawed corporate contributions, into law.

And now, for the first time in a century, this amendment would take us back to the Gilded Age when corporate barons legally—legally—could give money directly to political parties.

My friend from Nebraska may say his amendment isn't perfect but at least it keeps most of this corporate and union soft money out of the system. But even that modest claim really isn't accurate. Public Citizen has analyzed the $60,000 cap in the Hagel bill and determined that 58 percent of soft money given to the national parties in the 2000 election cycle would be permitted under these caps.

Even if this were pass-fail, 42 percent is an F. And we have not even reached the worst part of this amendment yet. Bad as it is to allow soft money in $120,000 increments rather than get rid of it, the amendment would do absolutely nothing to limit soft money flowing to the State parties.

In short, the Hagel amendment is like taking one step forward and two steps back—a step forward in terms of some limits, two steps back in terms of corporate contributions and soft money to parties. One step forward, two steps back. My colleagues, we are not at a square dance; we are dealing with serious reform.

The public is clamoring for us to do something. The Hagel bill is so watered down, has so many loopholes in it, it is like Swiss cheese that, again, you may as well vote for no reform at all, in my judgment.

If you tell our friends, our givers, Mr. Gotbucks and his company, that they can only give the minuscule sum of $60,000 a year to the national parties but they can give unlimited amounts to State parties for use in Federal elections, what do you think their lawyers are going to tell them to do? And when State parties get that money, they will use it to run issue ads, to get out the vote, and do other things that clearly benefit Federal candidates, just as they do now.

Let's not forget how this works.

Just last year, as then-Governor Bush was gearing up his run for the nomination, he set up a joint victory fund with 20 State Republican parties. This fund raised $5 million for then-candidate Bush that was meant to be used in the general election. The fund took in soft money contributions ranging from $50,000 to $150,000 from wealthy individuals and their families. This scheme, clearly intended to legally get around the limits, would continue unabated and could actually increase under the amendment that my friend from Nebraska has proposed.

In short, regulating soft money without dealing with the soft money that goes to State parties is like the person who drinks a Diet Coke with his double cheeseburger and fries: It does not quite get the job done.

It isn't enough to say the States will regulate soft money on their own. Mr. President, 29 States allow unlimited PAC contributions to State parties, 27 States allow unlimited individual contributions to State parties, and 13 States allow unlimited corporate and union contributions to State parties. So the notion that States will take care of soft money at the State level just does not stand up. There is no evidence that they will.

So then, if this amendment is so filled with holes, if it is, indeed, the original Swiss cheese amendment, why is it being proposed?

Well, the proponents, including my good friend from Nebraska, say they are concerned that banning soft money will doom our parties and drive all of the money now sloshing around our campaign system into the hands of independent and unaccountable advocacy groups who will run ads and engage in other political activity.

In the first place, there is a glaring inconsistency at the heart of this argument. On the one hand, opponents of McCain-Feingold—such as the Senator from Kentucky, who has led the fight against reform for many years—say they cannot support the bill because it treads on free speech. On the other hand, they say we do not dare enact the bill because then all of these outside groups will be using their first amendment rights in speaking out instead of the parties. And now on the third hand they say, well, we have always said regulating soft money is unconstitutional, but now we support capping soft money.

That is like being a little bit pregnant. You either exalt the first amendment above everything else and say there should be no limits or you don't and you support real reform like my friends from Arizona and Wisconsin have propounded.

As the New York Times put it this morning, my colleague from Kentucky ''has flipped. He cannot now clothe himself in the Constitution in opposing real reform'' as long as he votes for the Hagel amendment.

For my part, I agree with Justice Stevens, who said Buckley v. Valeo got it wrong. ''Money is property—it is not speech,'' he wrote in a decision last year.

> The right to use one's own money to hire gladiators, or to fund speech by proxy, certainly merits significant constitutional protection. These property rights, however, are not entitled to the same protection as the right to say what one pleases.

The more important response to this amendment, however, is not to point out the proponents' contradictions on the first amendment but to chide them for greatly exaggerating the demise of our political parties.

Soft money isn't the cure for what ails the parties; it is the disease. All of us in this business know the parties have become little more than conduits for big money donations by a privileged few. The parties do not have any say. They are simply mechanisms which people who want to give a lot of money go through to make it happen. If we keep going down this road, we risk that parties will become empty shells. They are so busy channeling money in large amounts that they do not do the get out the vote and the party building and the educating that parties should do and did do until this soft money disease afflicted and corroded them, as it does our entire body politic.

The reality is, banning soft money will be good for our political parties, not bad. Banning soft money will strengthen our parties by breaking their reliance on a handful of super-rich contributors and forcing them to build a wider base of small donors and grassroots supporters.

Let me quote the former chairman of the Republican Party, William Brock:

> In truth, the parties were stronger and closer to their roots before the advent of this loophole than they are today. Far from reinvigorating the parties themselves, soft money has simply strengthened certain specific candidates and the few donors who make huge contributions, while distracting the parties from traditional grassroots work.

The fact is, the parties in this country got along just fine without soft money in the 1980s, before this form of funding exploded, to say nothing of their 200-year history before that.

Is my friend from Nebraska saying the great two-party tradition in this country, which is one of the main causes of our political stability and the envy of the rest of the world, rests on the thin read of soft money contributions? I hope not. Let me tell the Senate, if that is true, then we are way too late in terms of strengthening the parties.

Ultimately, the basic premise of Senator HAGEL's argument, which is that the donors who now give soft money to the parties will simply shift it to existing independent groups, is also way off base. Corporations and unions won't be able to just run their own ads favoring a candidate in lieu of giving soft money or get 501(c)(4) groups to run the ads for them because the bill prohibits campaign ads by corporations and labor within 60 days of an election. As Charles Kolb, president of the Committee for Economic Development, a business group supporting reform, has said:

> We expect that most of the soft money from the business community will simply dry up.

Corporations that find it easy to give to a party are not going to set up their whole elaborate mechanism to try to get around reform. A few will; most won't.

It is true that individuals will be able to make independent expenditures supporting campaigns, but how many of them will really do that? Writing a fat check to the party is vastly easier than trying to run an ad or organize voters. As Al Hunt wrote in the Wall Street Journal last week:

> The notion that Carl Lindner or Denise Rich is going to be heavily into issue advocacy is comical.

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

Mr. SCHUMER. Mr. President, I ask the Senator to yield me an additional 3 minutes.

Mr. DODD. I yield 3 additional minutes.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

Mr. SCHUMER. We all know that people such as Johnny Chung aren't giving for ideological reasons. They are giving because to them our Government works ''like a subway—you have to put in coins to open up the gate.''

But, of course, at the end of the day there is nothing we can do to stop independent political spending by individuals. That is clearly protected by the first amendment. The important point is that after this bill passes, any individuals or outside groups who want to support Federal candidates won't be able to coordinate their expenditures with candidates. They will have to go at it alone, if they really want to, without the key information they need about strategy and timing that make an ad campaign effective. So let them do it. The wall against coordination will go a long way to keeping out special interest influence and is a vast improvement over the current system giving directly to the parties.

Mr. President, I quote the words of someone who has invested a lot in this debate, someone who cares about reform, someone I greatly respect. Last year that person said:

> The American people see a political system controlled by special interests and those able to pump millions of dollars, much of it essentially unaccountable and defended by technicality and nuance. As our citizens become demoralized and detached because they feel they are powerless, they lower their expectations and standards for Government and our officeholders.

I completely agree with that speaker whose name was CHUCK HAGEL. If we agree that pumping millions of unaccountable dollars into the system threatens public confidence, which is the lifeblood of any democracy, we have to do something serious about it. We cannot say we are reforming when a couple can give $540,000 through soft and hard money to a candidate. That is not reform. That will not, I am afraid, bolster people's confidence in the system.

I am afraid the Hagel amendment is more words than action. While the system continues its long agonizing slide into greater and greater dependence on the most fortunate few, if we simply pass Hagel, we will do nothing to stop that slide. I urge defeat of the Hagel amendment and support of the original McCain-Feingold effort.

Mr. President, I yield my remaining time to the Senator from Connecticut.

Mr. DODD. Mr. President, I yield 1 minute to the Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I thank the Senator from New York. We have had some rivalries when it comes to the dairy industry. I appreciate the use of the Swiss cheese analog. As a Cheesehead from Wisconsin, that is the most persuasive thing he could possibly use.

Senator SCHUMER has brought forth the absolutely basic point. First of all, under the Hagel amendment, corporate and union treasuries will be writing direct checks to the Federal parties, something we have never allowed.

Secondly, every dime of soft money that is currently allowed can just come through the State parties back to the Federal parties. No reform.

Third, when it comes to the limits that are raised, both soft and hard money under the Hagel amendment, any couple in America can give $540,000 every 2 years.

Finally, under the Hagel amendment, there is no prohibition on officeholders and candidates from raising this kind of money.

Those are four strikes against the bill, and you only need three.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. HAGEL. Mr. President, I yield up to 10 minutes to my friend and colleague, the distinguished Senator from Nebraska, Mr. NELSON.

Mr. NELSON of Nebraska. Mr. President, I thank my colleague from Nebraska for the opportunity today to extend my full support for campaign finance reform. Again, I convey my sincere appreciation for the work of Senators MCCAIN and FEINGOLD and Senator HAGEL, as well as all of my colleagues who are involved in this effort to reform the campaign finance system.

As a veteran of four Statewide campaigns myself, and as a newly elected Senator fresh from the campaign trail, I believe, as many of my colleagues do, that the current campaign finance laws are, in a word, ''defective.''

Our country was founded on principles such as freedom and justice. As I see it, the present system for financing Federal campaigns undermines those very principles.

I believe that in its present form the campaign finance system tends to benefit politicians who are already in office. Some folks call it incumbent insurance. I prefer to call it a problem. Thus, I wholeheartedly believe the time has come for meaningful campaign finance reform.

There is an old adage we all know that goes: Don't fix it unless it is broken. Well, many aspects of our campaign finance system today are broken, and they do need fixing.

Before us today we have several legislative remedies for this flawed system. Not one, though, as far as I am concerned, is a panacea for the maladies afflicting our current campaign finance laws, nor can they be. Both the McCain-Feingold bill and the Hagel bill include provisions which I support. I am a cosponsor of Senator HAGEL's legislation because I am particularly sympathetic to the bill's provision to limit soft money contributions rather than prohibit them.

In an effort to pinpoint the culprit for the faults in the present campaign finance system, I believe soft money has become the scapegoat. As my friend from Louisiana pointed out last night, there is a popular misconception that the McCain-Feingold bill bans all soft money. This is not accurate. McCain-Feingold bans only soft money to the political parties.

While I agree that unlimited soft money contributions raise important questions, I also believe that banning soft money to the parties would only be unproductive and ultimately ineffective. Chances are, if we succeed in blocking the flow of soft money from one direction, it will eventually be funneled to the candidates from another. Furthermore, some soft money contributions are used for valuable get-out-the-vote efforts and for the promotion of voter registration and party building, all very valuable efforts that promote our system.

A more realistic approach in lieu of banning soft money would be to cap the contributions at $60,000, as prescribed by the Hagel bill. Thus, I favor the provision to limit soft money in Senator HAGEL's bill. Also, I strongly support the provisions on disclosure outlined in McCain-Feingold, that are also included in the Hagel amendment.

A lack of accountability within the current system is at the core of the problem. As a matter of fact, if we could enact substantive changes to disclosure laws and remove the facades which special interest groups hide behind, we, at the very least, will be heading in the right direction. This action to increase disclosure, combined with limitations on soft money contributions, will not only refine our current system, but will reform it.

As an individual who spent the majority of the past year on the campaign trail, I have put a great deal of thought into what I believe is the right direction for campaign finance reform. My Senate race has made me all too familiar with the shortcomings of the current system. My campaign experience with one group in particular has bolstered my support for efforts to limit so-called issue ads. This organization funded by undisclosed contributors ran soft-money issue ads throughout my campaign criticizing my stance on one issue, which was unrelated and irrelevant to their purported cause.

Unfortunately this is not the only example of issue-ad tactics I encountered during my most recent campaign. So it only follows that I am pleased with the Snowe-Jeffords provision, which addresses these so-called issue ads funded by labor and corporations. This provision will hold labor and corporations more accountable for these ads by imposing strict broadcasting regulations and increasing disclosure requirements.

I was very encouraged last night by the passage of Senator WELLSTONE's amendment, which expands the Snowe-Jeffords provision to also cover the ads run by special interest groups, whose sole purpose is to mislead voters. This leads me to my final point and the reason why I have come to the floor this morning. I want to express my strong support for this Hagel amendment we are currently debating. The passage of this amendment is crucial for the improvement of our campaign finance system. I commend Senator HAGEL for introducing a measure that realistically addresses soft money contributions. Additionally, the Hagel amendment does not supersede the critical aspects of McCain-Feingold—most notably the Snowe-Jeffords, and now Wellstone, issue-ad provisions, which are imperative if our goal is true reform. The Senate has the opportunity to repair our flawed campaign finance system. And if we don't seize the moment and take action now, it will always be a flaw in our democracy.

Again, I commend my colleagues on their efforts, and I am hopeful that we will succeed in approving this amendment and ultimately in approving a meaningful campaign finance reform package this session.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. How much time remains?

The PRESIDING OFFICER. There are 54 minutes remaining.

Mr. DODD. I yield 15 minutes to my colleague from Massachusetts, Senator KERRY.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KERRY. Mr. President, I thank the ranking member of the Rules Committee. I join my colleagues in opposing the Hagel amendment, and I do so reluctantly on a personal level, but not on a substantive level. I have enjoyed working with the Senator from Nebraska on many issues. I respect and like him.

I regret to say that the amendment he brings to the floor today is simply not reform. I should say that again and again and again. It is not reform. It is not reform.

You don't have reform when you are institutionalizing for the first time in history the capacity of soft money to play a significant role in the political process, when the McCain-Feingold goal and objective, which I support, is to eliminate altogether the capacity of soft money to play the role that it does in our politics. So it goes in the exact opposite direction.

I will come back to that in a moment because I want to discuss for a moment where we find ourselves in this debate and really underscore the stakes in this debate at this time.

Last night, I voted with Senator WELLSTONE, together with other colleagues who believe very deeply in a bright-line test and in the capacity to have a constitutional method by which we even the playing field. I regret that some people who oppose the bill also chose to vote with Senator WELLSTONE because they saw it, conceivably, as a means of confusing reform and creating mischief in the overall resolution of this issue which Senator FEINGOLD and Senator MCCAIN have brought before the Senate.

Let me make it clear to my colleagues, to the press, to the public, and to people who care about campaign finance reform, the next few votes that we have on this bill are not just votes on amendments, in my judgment; they are votes on campaign finance reform. They are votes on McCain-Feingold itself. There will be a vote on the so-called severability issue which, for those who don't follow these debates that closely, means that if one issue is found to be unconstitutional, we don't want the whole bill to fall. So we say that a particular component of the bill will be severable from the other components of the bill, so that the bill will still stand, so that the reforms we put in on soft money, or the reforms we put in on reporting, or the reforms we put in on the amounts of money that can be contributed, would still stand even if some other effort to have reform may fall because it doesn't pass constitutional muster.

Now, opponents of this bill, specifically for the purpose of defeating McCain-Feingold, specifically for the purpose of creating mischief, will come to the floor and say: We don't want any severability. The whole bill should fall if one component of it is found unconstitutional, which defeats the very purpose of trying to put to a test a new concept of what might or might not pass constitutional muster. It is not unusual in the Senate for legislators, many of whom are lawyers, to make a judgment in which they believe they have created a test that might, in fact, be different from something that previously failed constitutional tests.

And so, as in this bill, we are trying to find a way to create a playing field that is fair, Mr. President. Fair. Many people in the Senate legitimately believe that it is not fair to have a limitation on corporations and unions, but then push all the money into a whole series of unregulated entities that will become completely campaign oriented and, in effect, take campaigning out of the hands of the candidates themselves. They won't be regulated at all, while everybody else is regulated.

That is what Senator WELLSTONE and I and others were trying to achieve last night—a fairness in the playing field. I understand why Senator FEINGOLD and Senator MCCAIN object to that. I completely understand it. They want fairness. They understand that that is important to the playing field, but they have tried to cobble together a fragile coalition here that can hold together and pass campaign finance reform.

Some people suggest they would not be part of that fragile coalition if indeed they were to embrace this other notion of a fair playing field. However, the Senate is the Senate. It is a place to deliberate, a place for people to come forward and put their ideas, legislatively, before the judgment of our colleagues.

Last night, the Senate worked its will, albeit, as in any legislative situation, with some mischief by some people who seek to defeat this. But we are in a no worse position today than we were before that amendment passed last night, because if we defeat the notion that this should be non-severable, we can still go out of the U.S. Senate with legislation and we still can put this properly to test before the Supreme Court, which is, after all, the business of our country.

That is the way it works. Congress passes something, and the Supreme Court decides whether or not it is, in fact, going to meet constitutional muster.

That said, I believe it is vital for us to proceed forward on these next votes with an understanding of what is at stake. The Hagel amendment would gut McCain-Feingold. Effectively, the vote we will have this morning will be a test of whether or not people support the notion of real campaign finance reform and of moving forward.

Let me say a few words about why the amendment Senator HAGEL has offered really breaches faith with the concept of reform itself.

The Hagel amendment imposes a so-called cap on soft money contributions of $60,000. That would be the first time

in history the Congress put its stamp of approval on corporate and union treasury funds being used in connection with Federal elections. The Hagel amendment would legitimize soft money, literally reversing an almost century-long effort to have a ban on corporate contributions and the nearly 60-year ban on labor contributions. That is what is at stake in this vote on the Hagel amendment.

The Hagel amendment would institutionalize a loophole that was not created by Congress, but a loophole that was created by the Federal Election Commission.

Worse—if there is a worse—than just putting Congress' seal of approval on soft money is the impact the amendment would have on the role of money in elections. What we are seeking to do in the Senate today is reduce the impact of money on our elections.

I will later today be proposing an amendment that I know is not going to be adopted, but it is an amendment on which the Senate ought to vote, which is the best way to really separate politicians from the money. I will talk about how we will do that later. It is a partial public funding method, not unlike what we do for the President of the United States.

George Bush, who ran for President, did not adhere to it in the primaries, but in the general election he took public money. He sits in the White House today partly because public funding supported him. Ronald Reagan took public money. President Bush's father, George Bush, took public money. They were sufficiently supportive of that system to be President of the United States, and we believe it is the cleanest way ultimately to separate politicians from the money.

That is also what we are trying to do in the McCain-Feingold bill. It does not go as far as some would like to go, but it may be the furthest we can go, given the mix in the Senate today. It seeks to reduce the role of influence of money in the American political process.

The Hagel amendment would actually undo that and reverse it. It would enable a couple to contribute $120,000 per year, $240,000 per election cycle, to the political parties. In the end, the Hagel amendment would allow a couple to give more than $500,000—half a million dollars—per election cycle to the political parties in soft money and hard money combined.

We have heard the statistics. Less than one-half of 1 percent of the American population give even at the $1,000 level. Let me repeat that. Less than one-half of 1 percent of all Americans give even at the $1,000 level, and here is the Hagel amendment which seeks to have the Senate put its stamp of approval on the rich, and only the rich, being able to influence American politics by putting $500,000 per couple into the political system. That increases the clout of people with money, and it reduces the influence and capacity of the average American to have an equal weight in our political process.

Looked at another way, the amendment would allow five senior executives from a company to give $60,000 per year for a total of $300,000 of soft money annually. That could be combined with an additional $60,000 straight from the corporate treasury. That is hardly the way to get money out of politics.

Even with its attempted cap of soft money, the Hagel amendment leaves open a gaping loophole through which unmonitored soft money can still flow. It does nothing to stop the State parties from raising and spending unlimited soft money contributions on behalf of Federal candidates.

It is absolute fantasy to believe the State parties are not, as a result of that, going to become a pure conduit for the money that flows in six-figure contributions from the corporations or the labor unions or the wealthiest individuals.

It simply moves in the wrong direction. It codifies forever something we have restricted and prevented. It is the opposite of reform. It undoes McCain-Feingold, and I urge my colleagues to keep this reform train on its tracks. We need to complete the task, and we must turn away these efforts to overburden this bill or to directly assault its fundamental provisions.

I yield back whatever time remains to the manager.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The Senator from Nebraska.

Mr. HAGEL. Mr. President, I yield to my friend and colleague, the distinguished Senator from Tennessee, 10 minutes.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Mr. President, I rise in support of the Hagel amendment and would like to take a few minutes to paint the larger picture of where we are in campaign finance and show the critical importance, I believe, of adopting this amendment today, especially in light of what I hope to have a chance to do later this week, which is to talk a little bit more about the effects of the McCain-Feingold legislation.

I stress now the absolutely critical importance of adopting the Hagel amendment really for three reasons. I will come back to these charts because they give an overall perspective that I found very useful in talking to my colleagues and in talking to others to understand the complexities of campaign finance and the critical importance of maintaining a balance between Federal or hard money and soft or non-Federal money.

The Hagel amendment really does three things: No. 1, it gives the candidate more voice; yes, more amplification of that voice. I think that is what bothers most people. If we look at the trend over the last 20 years, that individual candidate, Joe Smith, over the years has had a voice which stayed small and has been overwhelmed by the special interests, the outside money coming in, the unions, to where his voice has gotten no louder.

There is nothing more frustrating than to be an individual candidate and feel strongly about education, health care, the military, and say it on the campaign trail, but have somebody else giving a wholly different picture because you have lost that voice over time. The Hagel amendment is the only amendment to date that addresses that loss of voice over time.

No. 2, disclosure. Most people in this body and most Americans, I believe, understand the critical importance of increased disclosure today. What makes people mad is the fact that money is coming into a system and nobody knows from where it is coming. In fact, we saw in past elections the amount of money that came from overseas. It comes through the system and flows out, and nobody knows where it is going or who is buying the ads on television. How do you hold people accountable?

Those are what really make people mad: No. 1, the candidate has no voice; No. 2, the lack of accountability of dollars coming into the system and out of the system.

Does that mean we have to do away with the system? I do not think so. We have to be very careful how we modernize it and reform it, but let us look at the candidate's voice and let us look at disclosure.

The fundamental problem we talked about all last week, money in politics—is it corrupt, is it bad, is it evil? I say no, that is not the problem. I come back to what the problem is—the candidate, the challenger, the incumbent does not have the voice they had historically.

Let me show three charts. They will be basically the same format. It is pretty simple. There are seven funnels that money, resources, can be channeled through in campaign financing. I label the chart ''Who Spends the Money?'' I will have these seven funnels on the next three charts.

First, I have Joe Smith, the individual candidate who is out there campaigning. I said his, or her, voice over time has been diminished. Why? Because you have all of these other funnels—the issue groups: We talked about the Sierra Club, the NRA, the hundreds of issue groups that are out there right now spending and overwhelming the voice of the individual candidate.

Why does the individual candidate not have much of a voice today, relatively speaking? We see huge growth in these three funnels—corporations, unions and issue groups—but we have contained for 26 years, since the mid-1970s, how much this individual candidate can receive from an individual or from a PAC. We have contained the voice but have seen explosive growth in certain spending.

What makes the American people mad is indicated across the top. Individual candidates is one way for money

to come to the system; political action committees is a very effective way. The parties in the box, the Republican Party, the Democratic Party, and other parties can raise money two ways: Federal dollars and non-Federal dollars. Notice all of this money in the yellow and green is ''disclosed.'' The American people want to know where the money comes from and where it goes. This is all disclosed. There is control over that.

However, the explosive growth has occurred in corporations, unions, and issue groups. The problem—and the American people are aware of this, and we have to fix it—there is no disclosure. Nobody knows from or to where money is coming and going. I should add there is money coming into the system from overseas and China. We have to address disclosure.

The contribution limits right now apply just to the individual candidates. An individual can only give so much to an individual candidate. A PAC can only receive so much and give so much.

With the party hard money, the Federal money, again, there are contribution limits. Some people argue, as Senator HAGEL argues: Let's fix this and address the disclosure issue. The Hagel amendment does that. Let's address contributions limits; instead of stopping here with individual candidates, PACs and party hard money, extend it so that all of the party, the hard and the soft money, has contribution limits.

I said I will use the seven funnels from the chart. Money flows into the system at the top and goes out of the system below, the problem being the individual candidates do not have much of a voice.

The next chart looks complicated, but it is useful for understanding from where the money comes. I show how money flows into the funnel. On the left side of the chart, the funnels are the same. There are seven ways money gets to the political system. The problem is the individual candidate's voice has not been amplified in 25 years. We have to fix that, and we can, through the Hagel amendment.

Individuals can give to individual candidates. PACs can give to individual candidates, such as Joe Smith out there. Party hard money, the Republican Party, the Democratic Party, independent, they can give to individual candidates, and that is the only way an individual candidate can receive money to amplify his or her voice.

PACs can receive money from individuals, but they can also receive money, or be set up by corporations through sponsorships, by unions through sponsorships, and issue groups can establish PACs.

I happen to be chairman of the National Republican Senatorial Committee, and I can receive money as part of the senatorial committee from PACs, from individuals, party non-Federal money from individuals, but also corporations, unions, and issue groups can give party soft money.

Corporations receive money from earnings, and unions receive money from union dues. We tried to address this. I think it needs to be addressed.

Now straight to the Hagel amendment. There is not enough of a voice here. Contribution limits probably are too narrowly applied, and we need to move them over.

No. 3, we don't have enough in terms of disclosure. This is what the Hagel-Breaux amendment does and why it is absolutely critical to maintain balance in the system.

Next, disclosure and no disclosure. In this area, the Hagel amendment increases disclosure by requiring both television and radio media buys for political advertising to be disclosed. You would be able to know who, on channel 5 in Middleton, TN, purchased ads and for whom they purchased those ads. Again, much improved disclosure on this side.

Contribution limits: Party soft money had no contribution limits. Under the Hagel amendment, there is a cap, a limit on how much an entity contributes to the Republican Party or to the Democratic Party or to the Republican Senatorial Committee or to the Democratic Senatorial Committee. The contribution limits have been extended.

Third, and absolutely critical if we agree that the individual candidate's voice has been lost by this input on the right side of my diagram, we absolutely must increase the hard dollar limits, how much individuals can give individual candidates and how much PACs can give individual candidates. It has not increased in 26 or 27 years, since 1974. It has not been adjusted for inflation. If it is adjusted for inflation, you come to the numbers that Senator HAGEL put forward, the $3,000.

It increases the voice of the individual candidate. If you increase the voice of the individual candidate, you return to that balance where the candidate Joe Smith out there all of a sudden has more of a voice, again, with contribution limits.

An additional advantage is a challenger out there or an incumbent will have to spend less time. Now it requires so much money to amplify that voice of the candidate out there trying to get $1,000 gifts from hundreds and hundreds of people at 1974 levels; only worth about $300 today in terms of value, it lets you spend less time on the campaign trail doing that.

In summary, I urge support of the Hagel amendment because it addresses the fundamental problems we have in our campaign system today. Not that money in and of itself is corrupt or even corrupting, but the fact is that the individual candidate does not have sufficient voice. The Hagel amendment raises those limits from both individuals and PACs. It addresses the issue of soft money coming into the party system by capping soft money given by both individuals as well as other entities coming into the system at a level of $60,000. It improves disclosure by requiring television and radio media buys for political advertising to be fully and immediately disclosed.

I urge support of this amendment. I know it will be very close. I hope this placement of balance, this understanding of balance, will in turn attract people to support this amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. If the Chair will notify me when 10 minutes expires.

I say to my colleague from Tennessee, his chart looks like a chart made up by a heart surgeon. It looks like a pulmonary tract following various arteries and capillaries.

Let me repeat what I said last evening to my friend from Nebraska. I have great respect for him, as I do the junior Senator from Nebraska, the Presiding Officer. I disagree with them on this amendment.

There is a fundamental disagreement here. Aside from the mechanics of the amendment and how much hard money is raised and how much soft money you cap and who gets disclosed or not disclosed, it seems to me to be an underlying, fundamental difference in not only this amendment but others that have been considered and will be considered. That underlying difference is whether or not you believe there is too much money already in politics or not.

If you subscribe to the notion that politics is suffering from a lack of money, then the Hagel amendment or various other proposals that will be offered are your cup of tea. I think that is the way you ought to go. If you truly think there is just not enough money today backing candidates seeking public office, truly you ought to vote for this amendment or amendments like it. If you believe, as I do as many Members on this side that there is too much money in the process—that the system has become awash in money, with candidates spending countless hours on a daily basis over a 6-year term in the Senate, over a 2-year term in the House, literally forced to raise thousands of dollars every day in your cycle to compete effectively in today's political environment then you believe as I do that we must move to put some breaks on this whole money chase.

It has been pointed out in my State, the small State of Connecticut, you have to raise something like $10,000 almost daily in order to raise the money to wage an effective defense of your seat or to seek it as a challenger. In California, in New York, the numbers become exponentially higher. I happen to subscribe to the notion that we ought to be doing what we can to slow this down, to try to reduce the cost of these campaigns and to slow down the money chase that is going on. But all these amendment are just opening up more spigots, allowing more money to flow into a process that is already nauseatingly awash in too much money. I

believe that, and I think many of my colleagues do as well. I know most of the American public does.

If you want to know why we are not getting more participation in the political process, I think it is because people have become disgusted with it. Today it is no longer a question of the people's credibility or people's ability, but whether or not you have the wealth or whether you have access to it.

My concerns over the Hagel amendment are multiple. First of all, as has been pointed out by Senators FEINGOLD, SCHUMER, and KERRY, and others who have spoken out on this amendment, this is codifying soft money by placing caps on it. Caps which we all know are rather temporary in nature. Caps that are only to be lifted. So even if you subscribe to the notion that you are going to somehow limit this, the practical reality is we are basically saying we ought to codify this. That as a matter of statute, soft money ought to be allowed to come into the process, most of it unlimited, unregulated, and unaccountable. I think that would be a great mistake.

We are allowing a $60,000 per calendar year cap on soft money contributions from individuals to the national parties. It would be the first time in literally almost 100 years, since 1907, when Teddy Roosevelt, a great Republican reformer, thought there was just too much money coming out of corporations into politics. So Congress banned it. It was one of the great reforms of the 20th century in politics.

For the first time since 1943, with the passage of the Smith-Connally Act, and again in 1947 with the passage of the Taft-Hartley Act, Congress would be allowing the use of union treasury money in Federal elections. For almost 60 years we banned such funds from unions, almost 100 years from corporations. Now we are about to just undo all that. We are suggesting that we allow it up to $60,000 per year. We will cap that right now in the Hagel bill, but there are also proposals here that would allow for indexing the hard money limits for future inflation.

It is stunning to me we would include the indexed for inflation factor in politics. We index normally in relationship to the consumer price index, for people on Social Security or for people who are suffering, who are trying to buy food, medicine, clothes or pay rent, so we index it to allow them to be able to meet the rising cost of living. We are now going to index campaign contributions so the tiny minority of wealthy Americans can give more than $1,000—in this case, $3,000 per election or $6,000 per election cycle. Such indexing will enable the wealthy to have a little more undue access and influence in the political process.

That is turning the consumer price index on its head. The purpose of it was to help people who are of modest incomes to have an increase in their benefits to meet their daily needs. We are now going to apply it to the most affluent Americans. Those contributors who want more access and more control in the political process will get the benefit of the consumer price index. That, to me, is just wrong-headed and turning legitimate justification for such indexing on its head.

The hard money provisions are also deeply disturbing to me. Here we are going to say that no longer is a $1,000 per election limit the ceiling. We are going to raise that per election limit. Under the Hagel amendment, the individual hard dollar limit for contributions to candidates has been increased to $3,000 per election. This means an individual may contribute $6,000 per election cycle. A couple could contribute double, or $12,000 per election cycle.

Let me explain this to people who do not follow the minutiae of politics. All my colleagues and their principal political advisers know this routinely. There we say $3,000 per individual per election. What we really mean is that an individual may contribute $6,000 per election cycle, because it is $3,000 for the primary and another $3,000 for the general election. Normally when we go out and solicit campaign contributions we do not limit it to the individual. We also want to know whether or not their spouse or their minor or adult children would like to make some campaign contributions. As long as such contributions are voluntary, then those individuals may contribute their own limit, all the way up to the maximum of $6,000 per year.

So here we are going from $1,000 or $2,000—because the ceiling is really not $1,000, it is a $2,000 contribution that an individual may make to both a primary or general election—and we are now going to pump this up to $6,000 per year. Basically, that is what it works out to be. It could also be $12,000 per year for a couple. How many people get to make these amounts of contributions?

I find this stunning that we are talking about raising the limit because we are just impoverished in the process. It is sad how it has come to this, that we are hurting financially. A tiny fraction of the American public—it has been pointed out less than one-quarter of 1 percent—can make a contribution of $1,000 per election. Last year, 1999–2000, there were some 230,000 people out of a nation of 80 million who wrote a check for $1,000 as a contribution for a campaign; a quarter of a million out of 280 million people actually made contributions for $1,000.

There were about 1,200 people across the country who gave $25,000 annual limit. That is the present cap, by the way under current law.

Let me go to the second case. Under present law, you can give a total of $25,000 per year. Again, I apologize to people listening to this. There are actually people out there who write checks for $25,000 to support Federal candidates for office. Understand, we think this is just too low. This is just too low. We are struggling out here; I want you to know that. We are impoverished. We need more help. So $25,000 from that individual, 1,200 of them in the country—1,200 people out of 280 million wrote checks for $25,000. But, you know, we do not think that is enough. This bill now raises it to $75,000. How many Americans can write checks for $75,000 per year?

There is a disconnect between what we are debating and discussing and what the American public thinks about this. The chasm is huge. We are talking about people writing checks that are vastly in excess of what an average family makes as income a year to raise a family. And our suggestion is there is too little money in politics. We spend more money on potato chips, I am told.

The PRESIDING OFFICER. The Senator has used his 10 minutes.

Mr. DODD. I ask for 2 additional minutes.

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

Mr. DODD. I am told by one of my colleagues we spend more money on potato chips than we do on politics.

Maybe that is a good analogy, because I think too many Americans think this has become potato chips, in a sense. It has almost been devalued to that as a result of this disgusting process. I regret using the word ''disgusting,'' but that is what it has become, when we are literally sitting around here and debating whether or not—with some degree of a notion that this is a reasonable debate—to go from $25,000 a year to $75,000 a year.

If you take this amendment in its totality, that same individual with soft money contributions and hard money contributions could literally write a check for $540,000 to support the candidate of their choice in any given year. That is, in my view, just the best evidence I could possibly offer that this institution is out of touch with the American public, when it tries to make a case that there is too little money in politics today.

Put the brakes on. Stop this. Reject this amendment. We can live with these caps that we presently have. There is absolutely no justification, in my view, for raising the limits. What we need to do is slow down the cost and look for better means by which we choose our candidates and support them for public office.

This is about as important a debate as we will have. I know the budget is coming up. I know health care and education are important, but this is how we elect people. This is about the basic institutions that represent the people of this Nation. We are getting further and further and further away from average people, and they are getting further and further away from us.

I urge my colleagues to reject this amendment and support the McCain-Feingold proposal. It is not perfect, but it is a major step in the right direction. I urge rejection of the amendment.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. Mr. President, I yield to my friend and colleague, the original cosponsor of this amendment, 10 minutes to the senior Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. BREAUX. Mr. President, I thank my colleague from Nebraska for yielding me time. I rise in strong support of the Hagel amendment to the McCain-Feingold bill.

Let me make two points this morning in reference to two arguments on the side that opposes the Hagel amendment.

The first argument I have heard on the floor by my colleagues and friends is that somehow the Hagel amendment institutionalizes soft money going to political parties, as if it makes it legal or something.

I would say to people who make that argument, where have you been? Both political parties receive huge amounts of unregulated, unrestricted money in terms of amounts that can be given to both political parties.

I have in my hand a list. The first page is of soft money contributors to Democrats in our Democratic Senate Campaign Committee, and the second page lists over 100 soft money contributors to the National Republican Senatorial Campaign Committee. There is an exactly similar list that could be made for the House of Representatives, the other body, which would list all the soft money contributors to the House's respective political committees. The same is true for the National Democratic Committee and the National Republican Committee.

The Hagel amendment restricts their ability to do what they are doing to $60,000 a year. Now, you don't think that is going to be one large restriction on the current practice which is legal under the Supreme Court decision? You bet it is.

Let me give you an example of what is occurring now without the Hagel amendment. On my side of the aisle, just to the Senate Campaign Committee, in the last cycle, the American Federation of State and County Municipal Employees gave our side $1,350,000. On the Republican side in relation to soft money going to their campaign committee, Freddie Mac gave them $670,250. Philip Morris gave them $550,000. On our side, the Service Employees International Union gave us $1,015,250.

So the arguments somehow that the Hagel bill institutionalizes or legitimizes or makes legal the concept of soft money contributions to political parties is nonsense. What it does do is restrict it for the first time by an act of Congress to no more than $60,000 contributions. Every one of the contributors shown on these two pages is substantially in excess of $60,000. In fact, the lowest one—they quit counting them at $100,000. They do not even bother to list them below $100,000. There are two pages of over 100 soft money contributions currently going to the political parties to do voter registration, to do party-building activities, get-out-the-vote activities. For the first time an effort by Congress will say that they cannot give $1,350,000 to Democrats and they cannot give $670,000 to the Republican Senate Campaign Committee; they are limited to $60,000 for party-building activities.

So the concept that somehow the Hagel legislation makes something legitimate that is not legal already is simply nonsense. It is already legal. For the first time, the Hagel bill restricts it, and in a major, major way.

The second point I will make is the following. The popular concept and the argument that I read daily in the press and listen nightly to in the news is that McCain-Feingold somehow eliminates soft money in Federal elections. Nothing could be further from the truth. I get deeply upset by people in the press reporting this issue when they say that somehow the debate is over eliminating soft money in Federal elections. It does not do that. It limits it only to the political parties that can best use the money in a fair and balanced manner.

The list behind me, which has been floating around for several days now—and I think it has caught the attention of many of our colleagues—is a list of advocacy groups that are not restricted by the soft money contributions that will be able to continue to be spent right up to the election—unrestricted, unreported, and are not affected in any way by this so-called soft money ban.

You all remember some of the names on this list because you have seen them time and again on the airways in your States attacking you. And not being able to respond to these types of groups is the real fallacy of this legislation. Do you remember Charlton Heston? Do you remember ''Moses'' campaigning against many people on my side of the aisle, through the National Rifle Association? Well, if the McCain-Feingold bill passes, they would still be on the air; they would still have Charlton Heston, and they would still be attacking Democrats for their support of gun control. They could not be affected by the legislation that is working its way through the Senate. They use soft dollars. If anyone thinks somehow prohibiting Members from helping them raise money is going to have an effect on them, believe me, it will not. They have plenty of sources without anybody helping them. They have enough money to continue to run the ads, primarily against Democrats who support gun control.

Do you remember the ''Flo'' ads on Medicare, Citizens for Better Medicare? Old Flo was there almost daily going after people who did not support what they thought was an appropriate Medicare reform bill and Medicare modernization. They will continue to have Flo on television. Flo will continue to be supported by soft money dollars, unrestricted, in any amount.

Do you remember Harry and Louise? The Health Insurance Association of America would totally be unaffected by the McCain-Feingold bill. They would continue to do their ads right up to the election.

Believe me, anyone who has the idea that 60 days before the election is going to adversely affect their activities has not been around very long. These groups do not wait until 60 days before the election. They start 2 years before an election. They are on the air in many of our States right now, today, going after incumbents that they do not like. They are unrestricted in how they can raise their money or how much they can spend. They don't care too much what happens 60 days before an election because their damage is already done. They will spend a year and 10 months beating you up. The only groups that are able to help in responding in kind is our State parties and our national parties.

So my argument is simple. No. 1, the McCain-Feingold bill does not restrict soft money where it should be restricted: Special interests, single interest organizations, which could continue to operate, going after candidates every day right up to an election. I know that most of these groups also do not have a lot of moderates. By definition, special interest groups generally are not moderate-type organizations. They generally reflect the hard-core positions of both of our parties.

Therefore, moderate Members who find themselves in the center of the political spectrum do not have any of these groups that are going to be out there defending their positions of moderation on particularly controversial issues. But the extreme wings of both of our parties, in many cases, will continue to be out there using unlimited amounts of soft money.

If we are talking about Members being somehow beholding to these organizations, if you have these groups on your back for 2 years, see if they do not have an affect on how you vote and what your positions are going to be, particularly if the only groups that can help you in order to defend your position are the State parties which will not have a level playing field and the same ability to run ads. These groups are not keeping with what the American people would like to see us do.

Therefore, my point is that the Hagel bill is a legitimate compromise. No. 1, it restricts the amount of soft money to $60,000 that can go to parties. That is a major restriction to both of our parties over what we currently are getting in terms of the millions from individual groups and individuals that the Hagel amendment would dramatically bring down to a more reasonable amount.

Secondly, I think it is incredibly unfair. It creates a very serious unlevel playing field to say to Members in the real world that we will allow all of the special interest, single-issue organizations to continue to use soft money—

unrestricted in terms of the amount, unrestricted in how they can spend it—and yet we will be defenseless in terms of the parties coming to our defense.

I urge the support for the Hagel amendment.

The PRESIDING OFFICER (Mr. THOMAS). The Senator's time has expired.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. I yield 5 minutes to the distinguished Senator from North Carolina, Mr. EDWARDS.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. EDWARDS. Mr. President, last night we voted on an amendment that was adopted by the Senate, the Wellstone amendment. I will add a few comments about that briefly and then talk about Senator HAGEL's bill.

First, I want to make clear that the idea of leveling the playing field and doing something about these 501(c)(4) advocacy groups is an idea I support. It makes a great deal of sense. So it is a substantive matter. I support the reasoning behind the Wellstone amendment, but I remain concerned about the serious constitutional questions raised by the Wellstone amendment given the fact that the U.S. Supreme Court, in 1984, ruled that these corporations, these advocacy groups, 501(c)(4) advocacy groups are treated differently than unions and for-profit corporations for purposes of electioneering.

That serious question still remains, but I don't think that amendment or the fact that it has passed should in any way undermine our effort to pass McCain-Feingold, to support McCain-Feingold, and to do what is necessary to change the campaign finance system in this country.

With respect to Senator HAGEL's bill, first, I thank him for his work in this area. I know he is trying to do a positive thing. There are some fundamental problems with his bill.

No. 1, not only does it not solve the problem of soft money, it arguably makes it worse. Although he places limits on soft money contributions to national parties, all that has to be done to avoid that problem is to raise the money through State parties. In addition, he does absolutely nothing about the fundamental issue, which is the appearance that candidates and elected officials are raising unlimited, unregulated contributions in connection with elections. There is nothing under his amendment that would prevent a candidate for the Senate from calling to a State party, raising $500,000, $1 million contributions that can then be used for issue ads in connection with that candidate's election. There is a fundamental flaw in the bill.

In addition to that, it legitimizes what has been used to avoid the legitimate Federal election laws, which are soft money contributions that are flowing into these issue ads. We should not put our stamp of approval on the soft money process.

Furthermore, we should not have candidates for Federal office, candidates for the Senate, continuing to be allowed to call contributors, ask for these huge contributions to be made to State parties, and that money can then be spent on that candidate's election. The problem is not solved and arguably the problem, in fact, is made worse.

With respect to Senator Breaux's argument that this long list of interest groups can continue to raise soft money and spend soft money, the response to that argument is that the McCain-Feingold bill prohibits any of us, an officeholder or a candidate for office, from calling and asking for unlimited soft money contributions from those special interest groups. It removes us, the elected officials, which is ultimately what this is all about, the integrity of the Senate, the integrity of the House of Representatives, the integrity of the Congress.

The PRESIDING OFFICER (Mr. ENZI). The Senator's time has expired.

Mr. EDWARDS. I ask for another 2 minutes.

Mr. DODD. Make it 1 minute.

Mr. EDWARDS. I will do it in 1 minute.

It removes us from that process, which is a critical fact, because what we are trying to do is restore the integrity of the candidates, the integrity of the election process, and the integrity of the Congress. No longer would we be able to call and ask a contributor to make a large contribution to the NRA or some special interest group, for that money to be used in connection with our campaign.

Fundamentally, the Hagel bill does not solve the problem. The problem continues to exist. McCain-Feingold moves us in the right direction.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. Mr. President, I yield 7 minutes of my time to my friend and colleague, the senior Senator from Idaho.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, first, I thank my colleague from Nebraska for the work he has done in this area. You have not heard my voice on campaign finance reform in the last several years, largely because I believed the legislation that was on the floor was not campaign finance reform. I do believe now that the Hagel amendment brings to the floor the kind of reasonable and appropriate adjustment in the campaign finance law that fits and is appropriate for the political process.

Just for a few moments, I will address some of the comments of my colleague from Connecticut a few moments ago, when, in a rather emotionally charged way, he suggested that the political process is awash in money. I only can judge him by his statement, but I have to assume that the perspective he has offered is from a 1974 view.

If you step back into 1974 and look forward into the year 2000, that judgment can be made, that the political process is awash in money. But you cannot buy a car on the street today for a 1974 price, as much as you or I might wish. You cannot buy a house today at a 1974 price. Is he alleging that the auto industry and the real estate industry and all other industries of our country are awash in money? He has not made that statement, nor should he.

This is the reality: In 1980, I ran for political office in the State of Idaho as a congressional candidate for the first time. I spent about $185,000 on that campaign. At that time a campaign for Congress was about $175,000. Today that same campaign costs about $800,000 or $900,000. Why would it cost so much? At that time I was paying about $5,000 for polling advice. Today that same candidate would pay $13,000 or $14,000. At that time I was paying $400 or $500 for a political ad. Today in Idaho, I would pay $3,000 or $4,000 for a political ad. Does that mean politics is awash in money or does it simply mean you are having to pay for the cost of the goods and services you are buying for the political process today in 2000 dollars and not 1974 dollars?

I do believe that is what the Senator from Connecticut meant, but what he alleges is that there is all of this money out there when, in fact, it is the money that comes to the system based on what the system has asked for and what it believes it needs to present a legitimate and responsible political point of view.

There is nothing wrong with that. What is wrong or what needs to be adjusted is how that money gets directed and how that money gets reported so the public knows and can make valid and responsible judgments when they go to the polls on election day whether candidate X or candidate Y has played by the rules and is the kind of person they would want serving them in public office.

I do believe that is what the Hagel amendment offers. It offers to shape and control and disclose in the kind of legitimate and responsible way that all of us should expect, and that is important to the credibility of the political process.

It is tragic today when politicians malign politicians and suggest that there is corruption and evil in the system. Not all of us are perfect, but about 99 percent of us try to play by the rules. We are judged by those rules. For any one of us to stand in this Chamber and suggest that the system is corrupt and therefore, if we are in it, we are also corrupt or corruptible is a phenomenal stretch of anyone's imagination and should not happen. It is too bad it does happen. Only on the margin has it happened in the past. Usually those individuals who fail to play by the rules ultimately get destroyed by those rules.

What we are trying to do is to adjust those rules in a right and responsible

fashion that brings clarity to the process, that reflects the fact that you cannot run a 2002 campaign in 1974 dollars or cents, for that matter. You cannot reach back well over a quarter of a century and expect that you can find the goods and services that you once purchased back then as something you will employ now in the political process.

So when the Senator from Connecticut gets so excited about the money that is in politics, why don't we be more concerned about directing it and clarifying it instead of trying to step back a quarter of a century to buy the goods and services that he bought then and that I bought then for the political process that have gone up by at least 25 or 30 percent in the interim?

Let me talk for a few moments on disclosure. Without question, disclosure is critical. The public clearly deserves to know and we have the tools and the technology today to disclose almost on a daily basis, certainly within a weekly process. Everyone should have their Web page and be up on the Internet and allow the world to know where their money is coming from and who is giving it. What is wrong with that? Nothing is wrong with that. And we should all be held accountable for it. The soft money issue—well, I think my colleague from Louisiana painted it very clearly: Disarm the political party, but let the open and uninhibited speech on the outside go unfettered. We can't touch that. The Constitution has said so. And we should not touch it.

What is wrong with a full, open, and robust political process? Nothing is wrong with that. That is how we make choices in this country, how we decide who will represent us in a representative republic. That is the way our system works. Those are the kinds of judgment calls the public ought to be allowed to make, and the Hagel amendment, in a very clear, clean, and appropriate fashion, makes those kinds of determinations.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, I yield 5 minutes to the Senator from Minnesota.

Mr. WELLSTONE. I say to Senator DODD that I believe he gave one of the best speeches I have ever heard on the floor on this question.

I have two colleagues on the other side whom I like very much. I think Senator HAGEL commands widespread respect, as does Senator CRAIG. I want to pick up, so I don't go with some rehearsed remarks, with what Senator CRAIG said. He talked about he didn't understand what the Senator from Connecticut was saying because we have this open and full process. That is on what we really ought to be focusing.

The fact of the matter is, that is the issue, I say to my colleague from Idaho. The vast majority of the people in the country don't believe this is an open and full process. Too many people in the country believe if you pay, you play; if you don't pay, you don't play. Too many people believe that their concerns for themselves and their families and their communities are of little concern to Senators and Members of the House of Representatives because they don't have the big bucks and because they are not the big players or the heavy hitters. That is exactly the point.

When we talk about corruption, I want to say again that I don't know of any individual wrongdoing by any Senator of either party. I hope it doesn't happen. But I do think we have systemic corruption, which is far more serious. That is when you have a huge imbalance between too few people with too much wealth, power, and say, and the vast majority of people who feel left out. If you believe the standard of representative democracy is that each person should count as one, and no more than one, we have moved dangerously far away from that. I think that is what my colleague from Connecticut was saying.

It is within this context that I have to say to my good friend from Nebraska that I do not believe the American people will believe this is a reform amendment if they should see a headline saying ''U.S. Senate Votes to Put More Big Money into American Politics.''

We now have, with the Hagel proposal, a huge loophole, unlimited soft money that now goes directly into State parties, and in addition we are talking about going from $1,000 to $3,000 and $2,000 to $6,000, when it comes to individual contributions.

Again, I was so pleased to hear my colleague from Connecticut say that when one-quarter of 1 percent of the population contributes $200 or more and one-ninth of 1 percent contributes $1,000 or more, why do we believe it is a reform to put yet more big money into politics and to have all of us more dependent upon these big givers, heavy hitters, or what some people call the ''fat cats'' in the United States? It doesn't strike me that this represents reform. I think it really represents more deform. And I am not trying to be caustic, but I just think this proposal on the floor of the Senate now is a great step backward. I hope my colleagues will vote against it.

Finally, I realize that with the proposal of my good friend from Nebraska, one individual would be authorized—if you are ready for this—to give a total of $270,000 in hard and soft money to a national party in an election cycle—$270,000? People in the Town Talk Cafe in Willmar, MN, scratch their heads and say: That is not us. We can't contribute $270,000 to a party in one cycle. We can't contribute $1,000, going to $3,000, or $3,000 going to $6,000. This is not reform. We want you to pass McCain-Feingold with strong amendments, which will be a bill that represents a step forward.

This proposal of my friend from Nebraska is not a step forward. It is a great leap, not even sideways but backward. I hope Senators will vote against it.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. HAGEL. Mr. President, I yield 5 minutes to my friend, the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, I think everybody knows I would prefer not to have restrictions on soft money contributions to parties. The reason for that is I would like for the parties to be able to defend candidates and compete with these outside groups, that I confidently predict are not going to be restricted by anything we do here in this debate under the first amendment to the Constitution.

But legislating is always a matter of compromise. It seems to me the Hagel proposal casts a middle ground between people such as I who would not restrict the parties' ability to compete with outside groups, and people such as the Senator from Arizona and the Senator from Wisconsin who would take away 40 percent of the budget of the RNC and the DNC and 35 percent of the budget of the two senatorial committees—a middle ground. We have the prohibitionists on one side who want to completely gut the parties, and those such as I who would like to see the parties continue to have an unfettered opportunity to compete with outside groups. What Senators HAGEL and BREAUX have done is try to strike a middle ground.

In addition, they deal with what I think is the single biggest problem in politics, the hard money contribution set back in 1974 when a Mustang cost $2,700. Let's look at campaign inflation, which has been much greater than the CPI for almost everything else. For a 50-question poll, over the last 26 years, the cost has increased 150 percent. The cost of producing a 30-second commercial, over the last 26 years, has increased 600 percent. The cost of a first-class stamp, over the last 26 years, has increased 240 percent. The cost of airing a TV ad, per 1,000 homes, over the last 26 years has increased 500 percent. Meanwhile, the number of voters candidates have to reach—which is the way they charge for TV time—has gone up 42 percent over the last 26 years.

Back in 1974, when this bill was originally passed, the Federal Election Campaign Act, we had 141 million Americans in the voting age population. In 1998, it was 200 million in the voting age population. An individual's $1,000 contribution back in 1980 to a $1.1 million campaign represented only .085 percent of the total. That was the average cost of a campaign in those days. If the contribution limits had been tripled for the last election to adjust for inflation since 1974, an individual's $3,000, which would have been allowed had we allowed indexation initially, to the average $7 million campaign would have been only .04 percent of the

total—less as a percentage of the campaign than it was 26 years ago. There is no corruption in that.

In addition to that, raising the contribution limits on hard money gives challengers a chance. They typically don't have as many friends and supporters as we do. To compete, they have to pool resources from a much smaller number of people. One of the big winners, if we indexed the hard money limit, would be challengers. The contribution limits date to a time of 50-cents-a-gallon gasoline and 25-cent McDonald's hamburgers.

This is absurd. That is the single biggest problem we need to deal with. Michael Malbon, one of the professors active in this field, said:

> We expected thousand-dollar contributors to include many lobbyists who would favor incumbents. That is not what we found. In Senate races in 1996 and 2000, 70 percent of the thousand-dollar contributions went to non-incumbents.

With regard to constitutionality, let me say again that I am not wild about limiting the party's ability to speak while allowing outside special interest groups to use large, unregulated, undisclosed contributions.

There is a legitimate constitutional question as to whether the courts will uphold the restrictions on the ability of political parties to engage in free speech.

The all-or-nothing debate over banning soft money has grown a bit tired and stale for many in the Senate—and, I would guess, many in the press who have had the misfortune of covering this issue for the past several years.

Senator HAGEL and Senator BREAUX along with their cosponsors have sought a middle ground that leaves neither side particularly happy—which leads me to believe that they have probably gotten it about right.

Those like myself who want to see our great political parties prosper and compete with unregulated outside special interest groups prefer no additional restrictions on soft money.

Those, like my colleague from Arizona or my colleague from Wisconsin, who want to take away 30 to 40 percent of the budgets of the great political parties by banning all non-Federal money are adamant that it must be their way or no way. A total ban on party soft money is their starting point in the negotiation and, unfortunately, their ending point.

I say to my friend from Nebraska, he has probably hit it about right. He is somewhere in the middle between me and my colleague from Arizona, JOHN MCCAIN.

I commend the cosponsors of Hagel-Breaux for their thoughtful effort to find a third way, a middle ground between those who want a total ban—the prohibitionists, you might call them—and those who want unfettered speech by America's political parties.

I want to briefly touch on two points in discussing the bipartisan Hagel-Breaux compromise. First, I want to talk about the dire need to increase the hard money limits, and, then I will offer my thoughts as to why the Hagel-Breaux compromise is more likely to be upheld as constitutional than McCain-Feingold.

I must state again that I am not wild about limiting the parties' ability to speak while allowing the outside special interest groups to use large, unregulated, undisclosed contributions to drown out the voices of parties and candidates.

There is a legitimate constitutional question as to whether the courts will uphold restrictions on the ability of political parties to engage in issue speech.

Ultimately, however, I believe that Hagel-Breaux is far more likely to be upheld than McCain-Feingold.

First, and most importantly, McCain-Feingold completely bans party soft money from corporations and unions. The Hagel-Breaux compromise, however, only places a cap on party soft money from unions and corporations, thus leaving unions and corporations with a meaningful avenue for supporting America's political parties.

There is a significant qualitative and constitutional difference between a ban and a cap. For example, the Supreme Court in Buckley upheld a contribution cap in the 1974 law. The legacy of Buckley is reasonable caps, not bans. A cap sets limits on the right to speak. A ban completely forecloses the right to speak. I would argue that we should have neither. But, if you have to choose one, then the lesser restriction has a far greater chance of being upheld under first amendment analysis.

In short, there is clearly a constitutional difference between a reasonable cap and a total ban. It is the difference between prohibition and moderation. I submit to my colleagues that corporations and unions participating in American politics and supporting our great parties is a virtue, not a vice. It may be wise—as Senators HAGEL and BREAUX suggest—to moderate that influence, but it is certainly unwise to prohibit it.

Let me touch on one other point—a myth, really. We have heard some in the Senate argue that corporations and unions have been banned from politics for the better part of the 20th century. No myth could be more pervasive or more untrue. Corporations and unions have never been banned from participating in politics in America. Anyone who knows the history of labor unions will tell you that the unions have been and continue to be one of the most significant players in American politics. Regardless of what you think of the labor unions, what they are doing today with non-Federal money is not illegal activity. I hear speaker after speaker on the other side get up and directly imply that labor unions are somehow doing something illegal by participating in politics. I may disagree with the unions on some of their issues, but I will firmly and proudly defend there right to participate in politics. The often-repeated and implicit statement that big labor is engaging in illegal activity by participating in politics is just plain wrong, and, that implicit and pervasive allegation should stop.

There is absolutely nothing in the Tillman Act or the Taft-Hartley Act that prohibits corporations and unions from giving to political parties. This is a gross misstatement and misreading of the plain language of well-established law.

Of course, the Hagel-Breaux compromise—unlike McCain-Feingold—seeks a constitutional middle ground on regulating outside groups by requiring that files on ad buys be available for public inspection. This increases accountability without requiring donor disclosure and membership lists of outside groups who dare to speak out on public issues in proximity to elections. The McCain-Feingold, Snowe-Jeffords approach has been struck know as recently as last year by the Second Circuit Court of Appeals. I commend my colleagues for recognizing the boundaries of the first amendment's guarantee of free speech and free assocaiton.

Finally, unlike McCain-Feingold, Hagel-Breaux recognizes that there is not only a first amendment, there is a tenth amendment. The tenth amendment limits the Federal Government's powers to mandate and dictate to States. McCain-Feingold tramples the tenth amendment almost as vigorously as it does the first amendment.

For example, McCain-Feingold would tell State and local parties that they must follow Federal law and Federal contribution and expenditure limits for a whole host of activities in years where there happens to be a Federal candidate on the State or local ballot.

Let me give you an example: Under McCain-Feingold, if the Sioux City Republican Party decided next year that it wanted to register voters in the final 4 months before election day to increase turnout for the Sioux City sheriff's race, then it would have to pay for the voter registration with money raised under strict Federal contribution limits. The same would be true if the local party in Sioux City wanted to print up buttons and bumper stickers that said ''Vote Republican'' to increase turnout for the local jailer's race. The Sioux City Republicans would have to operate under Federal law on contribution limits.

Hagel-Breaux, on the other hand, avoids understands the varied and diverse role of political parties at the national, State and local level and avoids such massive, overbearing, and unwise Federal regulation.

Finally, the Hagel-Breaux compromise provides a rational justification for its limits. The Hagel-Breaux compromise takes the exact contribution limits upheld by the Supreme Court in Buckley and adjusts those

its for a quarter-century of inflation. I believe there is a good chance that the courts would view that sensible rationale as reasonable and constitutional.

In closing, let me say that I am not wild about this legislation, but I think it seeks and finds a middle ground, a third way for Senators on both sides of the aisle to come together and move forward in the spirit of bipartisan compromise. I commend my colleague from Nebraska and my colleague from Louisiana for their willingness to step into the breach.

Mr. DODD. Mr. President, I yield 5 minutes to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I thank my good friend from Connecticut. Let us start with a few basic truths. We are supposed to have limits. They have been completely evaded, destroyed by the soft money loophole. The current law says no individual is supposed to give more than $1,000, or give more than $25,000 in a year totally, and because of the soft money loophole, there are no limits. That is a given. The question is whether or not we want to close the soft money loophole.

It seems to me, unless we close this soft money loophole, we are going to destroy public confidence in the election process in this country, and the cynicism which exists and the impact and effect of large money on politics is simply going to grow.

How do we close the soft money loophole? In McCain-Feingold we close it. We simply end the soft money loophole, not just for national parties, but also to make sure that Federal officials and officeholders and candidates do not raise money for State parties in a way to avoid our new prohibition. That is missing from the Hagel amendment.

We have to be clear on that critical point because we have seen charts which say: Look, we are going to reduce the amount of soft money in the campaigns because we are going to put a cap on the amount of soft money. Putting aside the fact that this goes exactly opposite the principles in McCain-Feingold and putting aside the fact that Hagel then would enshrine soft money into our national law, it also means that unless you close the possibility and end the possibility of Federal candidates, Federal officeholders, and national parties just simply raising money for State parties in Federal elections, you leave the loophole open.

What the Hagel amendment does is shift the loophole. It does not close it. It continues to allow Federal officeholders, Federal candidates, and national parties to raise the money for State campaigns and State parties that will in turn continue to use that money in attack ads and in so-called sham issue ads. It does not close the soft money loophole, it shifts the soft money loophole.

That is simply not good enough. That is not campaign finance reform. That is sham reform.

The other thing it does, relative to hard money limits, is it raises the hard money limits to $75,000 per year per individual which means that a couple can give in a cycle of 2 years $300,000 in hard money contributions. That is not reform. That simply says that big money, big bucks, and big contributions will continue to be solicited by those of us who are in office, those of us who seek office, and those of us who are in the national parties. That means that the role of big money in these campaigns is going to continue.

I close by quoting something the Supreme Court said in the Missouri case, in the Shrink Missouri Government PAC case a year or two ago. This is what the Supreme Court said about the appearance of impropriety, the appearance of corruption created by big contributions:

> While neither law nor morals equate all political contributions, without more, with bribes, we spoke in Buckley of the perception of corruption ''inherent in a regime of large individual financial contributions'' to candidates for public office as a source of concern ''almost equal'' to quid pro quo improbity. The public interest in countering that perception was, indeed, the entire answer to the overbreadth claim raised in the Buckley case. This made perfect sense. Leave the perception of impropriety unanswered, and the cynical assumption that large donors call the tune could jeopardize the willingness of voters to take part in democratic governance. Democracy works ''only if the people have faith in those who govern, and that faith is bound to be shattered when high officials and their appointees engage in activities which arouse suspicions of malfeasance and corruption.''

I thank the Chair, and I thank my good friend from Connecticut.

Mr. DODD. Mr. President, I yield 5 minutes to the Senator from Florida, Mr. GRAHAM.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, in 1971 when the Senate last visited this issue in earnest, it did so with every belief that the legislation that would be produced would end abuses of our Federal electoral system. It helped for a time until loopholes came to light and new abuses surfaced.

In every series of actions on this issue, there have been unintended and unexpected consequences. I want to talk about one of those consequences, and that is the effect that the current Federal campaign finance law has had on American politics.

It has converted American politics by requiring and facilitating a fundamental alteration in the conduct of campaigns. It takes candidates into the shadows—the closeted shadows—of an office dialing for big dollars and the flickering shadows of a television studio spending those big dollars on self-serving or, more frequently, attack ads disparaging the opponent.

What is given up by going into the shadows? What is given up is the public's open participation in the critical purposes of a political campaign. Let me suggest three of those purposes.

First, a purpose of a political campaign is mutual education. Both the voter and the candidate should conclude the campaign with a better understanding of each other. I cite as an example of that mutual education a former colleague and very close personal friend, Senator and then-Governor Lawton Chiles of my State of Florida.

In 1970, he commenced a campaign for the U.S. Senate as the most distinct long shot in a large field of candidates. He had no money. He had almost no statewide name recognition. He had no organization. But what he did have was a powerful desire and an idea. His idea was that he was going to take 3 or 4 months in the middle of the campaign, not to dial for dollars or to make TV spots, but to get to know the people of Florida in a very intimate way. He did it by walking almost 1,000 miles from the northwest corner of the State to the Florida Keys.

In the course of that walk, Lawton Chiles became a different human being. He had learned from the people of Florida, and then they responded to what he had done by electing him, and he in turn responded by 18 years of outstanding service in the Senate.

That is eliminated as people rush to the shadows to both dial and then produce TV ads.

A second purpose of a political campaign is to establish a contract between the candidate and the voters as to what is expected once elected.

I suggest this contract is especially important in our form of government. We do not have a parliamentary government where, when the people believe that the party elected has drifted away from its commitment, they can overturn that government and install a new government. We are all elected for a fixed term, so it is important that as that term commences and in the process of the development of the relationship between citizen and candidate, there is a clear understanding of what that candidate is going to do if he or she is elected.

That contract development is largely abrogated by the process of focusing the campaign exclusively on raising money in order to support 30-second television ads.

Finally, a purpose of a political campaign is to test the aptitudes, the character of the candidate should he or she be elected. I believe one of the most telling statements of what kind of a person one would be in office is how they conduct themselves as a candidate. Do they make quality decisions in public, under pressure? Do they exercise self-discipline? The kind of people they surround themselves with in the campaign will be a telling commentary on the kind of people they are likely to surround themselves with in office.

Again, what do we learn about the character and aptitude of a candidate if all we see is their own self-financed and self-produced TV ads? The public is

telling us of its disgust with the move of the campaigns from the sunshine to the shadow. The American voters are shouting, particularly young voters. How are they shouting? They are shouting by their nonparticipation. Ever since the Constitution was amended to allow 18-year-olds to vote, the message of those 18-year-old voters has gone down at every Presidential election. If that is not telling us what the newest generation of American citizens has to say about the current process, we are deaf.

The Hagel amendment would increase the torrent of money into politics. It would increase the time and effort spent on raising and spending money on television ads. It would accelerate the slide of public involvement and interaction in a political campaign. We need to reject this amendment and adopt the legislation offered by Senators MCCAIN and FEINGOLD.

Mr. ALLARD. Mr. President, I should offer an amendment that says: on page 3, between line 27 and line 28, insert the following: 30 days after enactment of this Act, the starboard deck chairs of the R.M.S. *Titanic* shall be moved to the port side, and vice versa.

Because if we step back and examine the campaign finance issue, I believe that in the end all this legislation affecting details of the campaign finance system is doing just that rearranging deck chairs on the *Titanic*. If I can just stretch this metaphor a bit farther, the iceberg looming out there in front of us is not soft money, or disclosure requirement, or compulsory union dues, but rather the simple fact that our federal government is so bloated and intrusive that Americans are desperate to find ways to affect it's actions.

I believe the absolute best ways to ensure there are no undue special interest influence is to suppress and reduce the size of government. If the government rids itself of special interest funding and corporate subsidies, then there would be less of a perception of any attempts to buy influence through donations. A simplified tax code, state regulation flexibility, free markets, local education control—these are less government approaches to problems that would also lower the desperate need for influence.

I am not alone in that belief. The Colorado Springs Gazette ran an editorial on Thursday, March 22 saying that ''The best way, and the constitutional way, to limit campaign contributions is to reduce government itself, and thus the need interests have to manipulate government to their advantage.''

That editorial is proof that perhaps those outside the beltway see the forest instead of all the individual trees we keep getting caught up by here on the Senate floor. They know that all we are doing is addressing symptomatic, not causal, problems.

There are two reasons why McCain-Feingold is ineffective. One of those reasons is the United States Supreme Court, and I will address that later. The other reason speaks to the futility of these alleged reforms—these various deck chair amendments. That reason is human nature. Even if we could constitutionally ban soft money, human nature dictates that people whose interest, both financial and otherwise, are constantly and severely being abused or threatened by our 1.9 trillion in federal spending will continue to seek to influence the government, some out of just basic self defense.

In the Eighties the complaint was against the PACs. In the Nineties and now, the complaint is against soft money. Even if there was a constitutional soft money ban, there will be something else later. What needs to be done is to address the problem, not try and hide the effect of the problem. But, since we are here, moving our chairs around, I must say that I favor certain chair arrangements. And so do my constituents.

Then Denver Rocky Mountain News, for instance, ran an editorial during the last Congress in response to the passage of the Shays/Meehan bill, expressing the paper's belief that soft money campaign contributions are a form of political expression and, as such, are protected by the First Amendment.

In the editorial they use an example of an average citizen who might decide to distribute leaflets against a city pot hole problem. If this hypothetical citizen is stopped from doing so by a city council, it would be a clear-cut violation of freedom of speech. The editorial then goes on, correctly, to explain that the difference between this simple form of election activity control and the kinds contained in McCain-Feingold is merely a difference of degrees, not type. Donors who want to give to the Republican National Committee or the Democrat National Committee are expressing their political views. As the Supreme Court has ruled, political spending equals political expression. Attempting to completely ban this political expression, however distasteful some might find soft money, is an attempt to stifle activities protected by the constitution. And so it is our duty as legislators to find a better way.

Let me explain also that I feel that a soft money ban is biased. It might just be coincidental that the McCain-Feingold has 34 Democrat co-sponsors and 6 Republican ones, but it might also have something to do with the fact that a ban on party soft money will ultimately benefit Democrat candidates over Republican ones. If political parties are curbed, the Democrats already have a cohesive constituency ready and able to step up and assume party functions. Organized labor is just that—coordinated people ready to work. They are also ready to spend. I don't begrudge the Democrat National Committee this labor and funding base, but it is unbalanced and blatantly partisan to attempt to shield this type of spending—which has been done in amendment after amendment on this floor—while attacking its counterbalancing force, the areas where the Republican National Committee instead has the advantage.

I have cosponsored Senator HAGEL and LANDRIEU's legislation because it shared some aspects of what I have previously proposed for campaign finance reform. The bill calls for increased disclosure, aspects of which we have embraced here already. Sunshine is a strong disinfectant. The bill calls for an increase to campaign donor limits. Hard money is called for a reason, and so we should encourage as much campaign spending as feasible to move into that category, where the rules are tighter and more defined.

The Hagel-Landrieu legislation is one of the best deck chair arrangements before us. I urge its passage.

Mr. WARNER. Mr. President, today I rise in support of the Hagel amendment to the McCain-Feingold campaign finance reform bill. This legislation is similar to legislation that I introduced in each of the last two Congresses, ''The Constitutional and Effective Reform of Campaigns Act,'' or ''CERCA.'' My bill has proven to be a good faith effort to strike middle ground in this important debate and offered an alternative to the bills that have been debated before the full Senate in the past. The principal points in my bill were enhanced disclosure, increased contribution limits, a cap on soft money and paycheck protection. Senator HAGEL's amendment does much the same thing.

As Chairman of the Rules Committee during the 105th Congress, I had the honor of presiding over at least twelve hearings on campaign finance reform. My legislation was a result of these two years of hearings, discussions with numerous experts and colleagues, and the result of over two decades of participating in campaigns and campaign finance debates.

It is well documented the growth of soft money in recent years is an issue of public concern. The $60,000 soft money cap found in the Hagel amendment addresses the public's legitimate concern over the propriety of large soft money donations while allowing the political parties sufficient funds to maintain their headquarters and conduct their grassroots effort.

In addition to the issue of soft money, there is the issue of raising the hard money caps. Politicians spend too much time fundraising at the expense of their legislative duties for incumbents, and, for both incumbents and challengers, at the expense of debating the issues with voters. The current individual contribution limit of $1,000 has not been raised, or even indexed for inflation for over 20 years. This situation requires candidates to spend more and more time seeking more and more donors. The Hagel amendment triples the individual contribution limits to $3,000 and indexes that limit for inflation. My campaign finance legislation contained the exact same provision.

These are issues that I believe can be solved in a bipartisan fashion. I look forward to working with my colleagues to enact meaningful campaign finance reform, and I encourage my colleagues to support the Hagel amendment as a mechanism to reach bipartisan consensus on campaign finance reform.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. Mr. President, please notify me when I have used 5 minutes of the remaining time.

Mr. President, as I have listened this morning and throughout the days of last week about the dynamics of campaign finance reform, I believe it is well summarized in a piece that appeared in the New York Times on Sunday. I will read part of that piece because it does strike to the essence of real reform of campaign finance.

Joel Gora, general counsel to the New York Civil Liberties Union, and Peter Wallison, a fellow at the American Enterprise Institute, wrote this thoughtful op-ed in last Sunday's New York Times. This is some of what they had to say:

> Despite all the noise [about campaign finance reform] soft money is not the monster it's made out to be. By definition, it consists solely of contributions to political parties for such things as party building, getting out the vote and issue advertising; it cannot be used for direct support of candidates. . . . But eliminating soft money contributions to parties sacrifices other values that we believe are fundamental to our democratic system. . . .
>
> Political parties are groups with broader interests, more intertwined with the electoral process. . . . Banning soft money denies parties the rights that we would not think of denying to other organizations. . . .
>
> The National Abortion Rights Action League can attack the Republican Party with money it raises from any source and in any amount; the National Rifle Association can attack the Democratic party with the same unlimited resources; however, if soft money is eliminated, neither political party will have the resources to counter these attacks. . . .
>
> There is also the free-speech guarantee of the First Amendment. Can there be any doubt that the core of the Constitution's protection of free speech and a free press is to inform the electorate? . . .
>
> The McCain-Feingold bill goes beyond even limiting contributions. It actually prohibits speech. . . .
>
> There are no real winners in this situation, but there are real losers—the voting public.

And so said the New York general counsel to the New York Civil Liberties Union.

I think Mr. Gora said it well.

In these final minutes of debate, I go back to the basics that brought us here. We are here to reform our campaign finance system. My friends from Arizona and Wisconsin have offered one alternative. I believe it is the wrong approach. Their intentions are good, but the unintended consequences of their legislation would weaken our political system at the point where it should be the strongest. The McCain-Feingold bill would not open the process to more people; it would restrict the process to those who can afford to play outside the process.

What do we gain by weakening the vital dynamic institutions of the political process, the political parties, the one group of institutions that is accountable to the American public and the only institution that will help a challenger take on an incumbent?

We have heard an awful lot in this body in the last few days about incumbent protection, a lot of incumbent protection debate and amendments passed to protect our jobs.

My bipartisan colleague and I have offered an alternative. It is real reform. It will change our campaign finance system. It will make it better, more accountable, more responsible.

Our amendment provides more disclosure. It limits soft money. It increases the ability of individuals to participate by increasing the outdated 1974 limits on soft money. My goodness, where were all my colleagues in 1974 when this terrible corrosive corrupting factor of $1,000 was out there? I went back and read that debate. I was in Washington in 1974. There were Members of this body today who voted for that. Not a peep was made in 1974 about any corrupting influence. This is the same dollar amount. So how is that bad or how is that some way more corrupt?

We face serious questions today. Are we going to reform our campaign finance system? I think we can. I encourage my colleagues to vote for this amendment that amends the McCain-Feingold bill.

Mr. DODD. Parliamentary inquiry: The opponents have 8 minutes remaining?

The PRESIDING OFFICER. Your side has 8 minutes remaining.

Mr. DODD. I yield 3 minutes to the Senator from Rhode Island. I believe Senator THOMPSON of Tennessee would like to be heard and we will close with 3 minutes from the Senator from Arizona, just to inform my colleagues of the remaining allocation.

Mr. REED. Mr. President, I rise in opposition to the Hagel amendment. I respect Senator HAGEL immensely and compliment him for his efforts, but I think it is the wrong direction for campaign finance reform. The core of our debate about campaign finance reform is to restore the confidence of the American people in our political system—to make them believe, as we hope they once did, that their vote is the most significant aspect of a Federal election. Today I fear they believe their vote is less important than the contributions of special interests or economic elites.

The Hagel amendment would amplify significantly the bankrolling of economic elites in elections by raising the limits on contributions that these individuals can make.

I think it is very important to point out today the limits on contributions are only reached by approximately one-ninth of 1 percent of our country's citizens. This infinitesimal fraction of individuals are donating significant amounts of money to political campaigns. This does not represent, as a result, this effort to raise the limits, an attempt to reach out to the broad spectrum of American voters. It would, in fact, increase and enhance the role of a very small minority of America.

That is not the direction we should take for campaign finance reform. We should not increase the amount of dollars going to the system. We should create a system in which people again believe their vote, rather than any contribution by a special interest or a wealthy American, is the most important part of our system.

The other aspect of the Hagel amendment which is troubling is the institutional savings of soft money. His proposal allows wealthy individuals to donate $60,000 per calendar year to a political party, congressional campaign committee of a national party and others. This institutionalization once again exacerbates the role of money in campaigns and once again focuses away from the individual voter to the very wealthy contributor.

I think it is the wrong direction to take. As I said, the perception of our constituents is that this system is not working for them.

I yield the floor.

Mr. DODD. I yield 2 minutes to my colleague from Wisconsin.

Mr. FEINGOLD. I focus for a moment on the State party loophole and address the new provisions of the Hagel amendment concerning party soft money. I also want to respond to the argument that the new provisions of the Hagel bill are necessary because the McCain-Feingold bill will starve the parties or will, in their minds, federalize State elections. These charges are just untrue.

I talked yesterday about the Hagel amendment legitimizing and sanctioning the soft money system. I was referring primarily to the $60,000 cap on corporate, labor, and individual soft money contributions. The same can be said about the State soft money loophole, and even more so after the changes Senator HAGEL made in his amendment before he offered it yesterday. The amendment codifies the FEC's allocation rules used for soft money expenditures by the State party. The FEC currently requires expenditures on certain activities including get-out-the-vote and voter registration efforts to be paid for with a combination of hard and soft money. What the Hagel amendment does is write these allocation formulas into law. It takes the soft money system started in the States and makes it permanent.

We support the kinds of activities for which soft money now pays. It is not that we think get-out-the-vote or voter registration activities are somehow corrupt. Quite the contrary, we believe these activities are extremely important to the health of our democracy. But the approach of the McCain-Feingold bill is to get more hard money to

the States, not to allow soft money to live on.

Senator MCCAIN and I strongly support vital political parties at both the State and national level. What we don't support is using unlimited soft money from corporations, unions, and wealthy individuals to elect Federal candidates.

The McCain-Feingold bill doubles the amount of hard money an individual can give in hard money to state and local parties—to $10,000 per year, or $20,000 per cycle. That is a little-noted provision in our bill. To hear the Senator from Nebraska tell it, you would think that we were looking to severely restrict party activity in the States. Far from it.

All our bill says is that when a State party is spending money on Federal elections, it has to be hard money. That includes voter registration activities within 120 days before a Federal election. We all know that voter registration in States helps Federal candidates. Likewise, get out the vote activity and generic campaign activity—like general party advertising—when Federal candidates are on the ballot. Those kind of activities, regardless of how laudable they are and how much we want to encourage them, assist Federal candidates in their election campaigns. So we believe they must be paid for with Federal money. Obviously, so should public communications that refer to a clearly identified federal candidate and support or oppose a candidate for that office.

Does that mean that we are trying to weaken the parties? Not at all. We simply ensure that soft money raised by the states cannot be spent on federal elections. As I have said, to leave that State soft money loophole wide open cannot be considered reform. And at this point I would remind my colleagues that both parties consistently raise more hard money than soft money. It is not true that if you can't spent soft money on an activity, that activity won't take place. The parties raised more than $700 million in hard money in the 2000 cycle. The idea that we are somehow shutting down State party activities because they must now use hard money for certain activities—those connected to Federal elections—is simply untrue.

My colleagues might recall that the parties did just fine without a significant amount of soft money for many years. In the 1984 election cycle, soft money accounted for roughly 5 percent of the total receipts for the political parties, and voter turnout in the 84 elections was 53 percent. In the 2000 cycle, soft money accounted for 40 percent of the parties' receipts, and voter turnout was 51 percent. Soft money does not get out the vote any better than hard money. Soft money doesn't provide some kind of magic bullet that States need to conduct get out the vote activities, or other activities surrounding Federal elections. The States just need adequate funds to conduct those activities, and McCain-Feingold makes sure that they have the money—we double the amount of hard money an individual can give to a state party and increase the aggregate annual limit a commensurate amount.

We want to help state parties stay a vibrant part of our politics. And there are plenty of activities where States can spend whatever soft money they might raise through their State party. We don't attempt to exert any control over what a State party spends on election activities that are purely directed at State elections. But we do say—a million dollar contribution to the party from Philip Morris, or the AFL–CIO, or Roger Tamraz, or Denise Rich has the appearance of corruption, whether the money is used for phony issue ads attacking candidates, or voter registration.

Mr. DODD. Senator THOMPSON of Tennessee was going to try to get to the floor but is unavoidably detained. He would oppose the Hagel amendment on constitutional grounds.

Mr. President, what time remains now?

The PRESIDING OFFICER. Two minutes 50 seconds.

Mr. DODD. The remaining time I yield to my colleague from Arizona, the author of the McCain-Feingold bill.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I appreciate the hard work and sincere conviction that my friend—my dear friend and comrade—the Senator from Nebraska has invested in his amendment. I would, as always, prefer to be on the same side of the fight with him, as we have been so many times in the past, and as we will be again. He is a man of honor and a patriot. I admire him and consider his friendship to be a treasure of inestimable value to me. And whatever faults I might have as a human being and as a legislator, I hope it could never be fairly said of me that I was ungrateful to men and women of character who have honored me with their friendship.

I should also acknowledge that there are provisions of Senator HAGEL's amendment that I could support, or that, at least, could provide the basis for bipartisan negotiations. The Senator's broadcast provision, for instance, merits support. And I believe there are ways that Democrats and Republicans could come together to address Senator HAGEL's central concern about making sure that our legislation does not weaken the two political parties even more than, what I believe, is the case today.

But recognizing both the Senator's hard work and sincere concern, I must oppose this amendment. I must oppose it because it preserves, indeed, it sanctions the soft money loophole that has made a mockery of current campaign finance law, and which has led directly to the many, outrageous campaign finance scandals of recent years that have so badly damaged the public's respect for their government, and for those of us who are responsible for protecting the public trust.

As I said in my opening statement, I believe it is self-evident that contributions from a single source that run to the hundreds of thousands of dollars are not healthy to a democracy. And I believe that conviction is broadly shared by the people whose interests we have sworn an oath to defend. My friend's amendment would allow this terribly damaging flaw in our current system to remain. It would, in fact, sanction it.

Thus I cannot support it. Even if every other provision of our bill were to be struck down by the opponents of campaign finance reform, along with all the good work done by both sides last week in reaching compromises on related issues, even if it were all to fall, a ban on soft money—the huge unregulated six and seven figure checks that come from corporations and unions, from Democrats and Republicans, from Denise Rich and Roger Tamraz—a ban on soft money, while not perfect reform, or comprehensive reform would still be good service by this body toward alleviating the appearance of corruption that afflicts our work here.

A cap of $120,000 per individual per campaign, along with absolutely no limits on soft money used by state parties for the benefit of candidates for federal office, will do little to address this problem. In fact, and I say this with the greatest respect and affection for my friend, it will do nothing but give this much abused system the Senate's stamp of approval.

Mr. President, at the end of debate, I will move to table the Hagel amendment, and I urge all my colleagues to join me in opposing it.

Mr. MCCONNELL. Am I correct that at the end of my 5 minutes we go to the vote?

The PRESIDING OFFICER. That is correct.

Mr. MCCONNELL. Mr. President, I yield 3 minutes to the distinguished Senator from Nebraska.

Mr. HAGEL. Mr. President, over the last few days many of my colleagues, both Republicans and Democrats, including many of my cosponsors, have expressed a desire to vote on each of the three main issues in our amendment to McCain-Feingold. I note that my dear friend JOHN MCCAIN mentioned that there might be some areas in my bill, which now is in the form of an amendment to McCain-Feingold, where we could find some agreement. The senior Senator from Arizona mentioned specifically that the disclosure part of my bill might be something on which we could find some common ground.

Therefore, in order to allow my colleagues to vote on all three of the main issues of my amendment, I demand a division of my amendment into three parts by subtitle.

The PRESIDING OFFICER. The Senator has that right. The amendment is so divided.

Mr. DODD. Parliamentary inquiry, Mr. President: What was the request?

The PRESIDING OFFICER. Will the Senator yield for a parliamentary inquiry?

Mr. MCCONNELL. I am happy to yield for a parliamentary inquiry.

Mr. DODD. What was the request of the Senator from Nebraska?

The PRESIDING OFFICER. The Senator demanded a division of his amendment into three parts, and it has been so divided.

Mr. DODD. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The Senator from Kentucky has the floor and controls the time.

The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, what the Senator from Nebraska has provided us is an opportunity to have three votes on the three component parts of his amendment. That is allowed under the rules of the Senate. It gives us an opportunity to deal with the core issues the Senator from Nebraska has laid out here: The increase in hard money, increased disclosure, and the soft money cap. It is my understanding that when I yield back my time, we will go to the vote on those three amendments. I therefore yield back my time.

Mr. DODD. Mr. President, may I make a further parliamentary inquiry? I ask unanimous consent I be allowed to address the Chamber for 1 additional minute.

Mr. MCCONNELL. Reserving the right to object, let me just say all this provides is an opportunity for three separate votes, as the Senator from Nebraska has pointed out: On the hard money contribution limit, increased disclosure, and the soft money provisions. Mr. DODD. I appreciate that. All I want to inquire is: There was a unanimous consent agreement entered into for the consideration of this bill, with no second-degree amendments, no intervening motions. Is it the understanding of the Senator from Connecticut, then, that that unanimous consent agreement entered into for the consideration of this bill did not include a motion to divide? That is the first question.

The PRESIDING OFFICER. Division is not a motion; it is a right of any Senator.

Mr. DODD. Second, are motions to table in order?

The PRESIDING OFFICER. The first division will be open to a motion to table, followed by the second division, followed by the third division.

Mr. DODD. I thank the Chair and thank my colleague.

Mr. MCCONNELL. Mr. President, I ask for the regular order.

Mr. REID. If the Senator will yield for another parliamentary inquiry, and that would be simply——

The PRESIDING OFFICER. The Senator from Kentucky has the floor.

Mr. MCCONNELL. I believe the time has basically run out. I think the Chair has explained there would be three votes, each subject to a tabling motion should the Senator from Nevada——

Mr. REID. Mine has to do with scheduling, if the Senator will yield for that.

Mr. MCCONNELL. I yield for that sole purpose.

Mr. REID. We have our party conferences at 12:30. If we have three votes, that will not work. I am wondering what the Senator's idea is.

Mr. MCCONNELL. I suggest to the distinguished Democratic whip we have a 15-minute rollcall vote on the first vote and then 10 minutes on each of the next two. We should not have any problem getting to our policy luncheons.

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. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. REID. Objection.

The PRESIDING OFFICER. Objection is heard.

The senior assistant bill clerk continued the call of the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, as I said earlier, I ask unanimous consent that the time on the first vote be 15 minutes, and the two subsequent votes be 10 minutes each.

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

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. I yield to the Senator from Arizona.

Mr. MCCAIN. I move to table and ask unanimous consent that that be for all three divisions. I move to table all three.

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

Mr. MCCAIN. I 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.

VOTE ON DIVISION I, SUBTITLE A, CONTRIBUTION LIMITS

The PRESIDING OFFICER. The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

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

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 49 Leg.]

YEAS—52

Akaka	Bayh	Bingaman
Baucus	Biden	Boxer
Byrd	Edwards	McCain
Cantwell	Feingold	Mikulski
Carnahan	Feinstein	Miller
Carper	Graham	Murray
Chafee	Harkin	Nelson (FL)
Cleland	Hollings	Reed
Clinton	Inouye	Reid
Cochran	Jeffords	Sarbanes
Collins	Johnson	Schumer
Conrad	Kennedy	Snowe
Corzine	Kerry	Specter
Daschle	Kohl	Stabenow
Dayton	Leahy	Wellstone
Dodd	Levin	Wyden
Dorgan	Lieberman	
Durbin	Lincoln	

NAYS—47

Allard	Frist	Nelson (NE)
Allen	Gramm	Nickles
Bennett	Grassley	Roberts
Bond	Gregg	Santorum
Breaux	Hagel	Sessions
Brownback	Hatch	Shelby
Bunning	Helms	Smith (NH)
Burns	Hutchinson	Smith (OR)
Campbell	Hutchison	Stevens
Craig	Inhofe	Thomas
Crapo	Kyl	Thompson
DeWine	Landrieu	Thurmond
Domenici	Lott	Torricelli
Ensign	Lugar	Voinovich
Enzi	McConnell	Warner
Fitzgerald	Murkowski	

NOT VOTING—1

Rockefeller

The motion was agreed to.

Mr. DODD. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the third vote occur notwithstanding the 12:30 p.m. recess.

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

VOTE ON DIVISION II, SUBTITLE B, INCREASED DISCLOSURE

The PRESIDING OFFICER. The question is on agreeing to the motion. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 0, nays 100, as follows:

[Rollcall Vote No. 50 Leg.]

NAYS—100

Akaka	Corzine	Hollings
Allard	Craig	Hutchinson
Allen	Crapo	Hutchison
Baucus	Daschle	Inhofe
Bayh	Dayton	Inouye
Bennett	DeWine	Jeffords
Biden	Dodd	Johnson
Bingaman	Domenici	Kennedy
Bond	Dorgan	Kerry
Boxer	Durbin	Kohl
Breaux	Edwards	Kyl
Brownback	Ensign	Landrieu
Bunning	Enzi	Leahy
Burns	Feingold	Levin
Byrd	Feinstein	Lieberman
Campbell	Fitzgerald	Lincoln
Cantwell	Frist	Lott
Carnahan	Graham	Lugar
Carper	Gramm	McCain
Chafee	Grassley	McConnell
Cleland	Gregg	Mikulski
Clinton	Hagel	Miller
Cochran	Harkin	Murkowski
Collins	Hatch	Murray
Conrad	Helms	Nelson (FL)

Nelson (NE)	Sessions	Thompson
Nickles	Shelby	Thurmond
Reed	Smith (NH)	Torricelli
Reid	Smith (OR)	Voinovich
Roberts	Snowe	Warner
Rockefeller	Specter	Wellstone
Santorum	Stabenow	Wyden
Sarbanes	Stevens	
Schumer	Thomas	

The motion was rejected.

CHANGE OF VOTES

Mr. GRAHAM. Mr. President, on rollcall No. 50, I voted ''aye.'' It was my intention to vote ''no.'' Therefore, I ask unanimous consent that I be permitted to change my vote since it would in no way change the outcome of the vote.

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

Mr. KOHL. Mr. President, on rollcall vote No. 50, I voted ''aye.'' It was my intention to vote ''no.'' Therefore, I ask unanimous consent that I be permitted to change my vote since it would in no way change the outcome of the vote.

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

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

Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. Is the Senator from Kentucky correct that in order to adopt the Hagel amendment, division II, just voted on, by voice vote would require unanimous consent?

The PRESIDING OFFICER. That is correct.

Mr. McCONNELL. I so ask unanimous consent.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. It is adopted.

(Amendment No. 146, division II, was agreed to.)

Mr. McCONNELL. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

VOTE ON DIVISION III, SUBTITLE C, SOFT MONEY OF NATIONAL PARTIES; STATE PARTY ALLOCABLE ACTIVITIES

The PRESIDING OFFICER. The question now occurs on agreeing to the motion. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 60, nays 40, as follows:

[Rollcall Vote No. 51 Leg.]

YEAS—60

Akaka	Daschle	Kerry
Baucus	Dayton	Kohl
Bayh	Dodd	Landrieu
Biden	Dorgan	Leahy
Bingaman	Durbin	Levin
Boxer	Edwards	Lieberman
Byrd	Ensign	Lincoln
Cantwell	Feingold	Lugar
Carnahan	Feinstein	McCain
Carper	Fitzgerald	Mikulski
Chafee	Graham	Miller
Cleland	Harkin	Murray
Clinton	Hollings	Nelson (FL)
Cochran	Inouye	Reed
Collins	Jeffords	Reid
Conrad	Johnson	Rockefeller
Corzine	Kennedy	Sarbanes
Schumer	Stabenow	Torricelli
Snowe	Stevens	Wellstone
Specter	Thompson	Wyden

NAYS—40

Allard	Frist	Nelson (NE)
Allen	Gramm	Nickles
Bennett	Grassley	Roberts
Bond	Gregg	Santorum
Breaux	Hagel	Sessions
Brownback	Hatch	Shelby
Bunning	Helms	Smith (NH)
Burns	Hutchinson	Smith (OR)
Campbell	Hutchison	Thomas
Craig	Inhofe	Thurmond
Crapo	Kyl	Voinovich
DeWine	Lott	Warner
Domenici	McConnell	
Enzi	Murkowski	

The motion was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. DODD. Mr. President, just to notify the Chamber, the next amendment to be offered will be by Senator KERRY of Massachusetts.

I ask unanimous consent that the recess be extended until the hour of 2:30 p.m. today.

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

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until the hour of 2:30 p.m.

Thereupon, at 1:15 p.m., the Senate recessed until 2:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. INHOFE).

BIPARTISAN CAMPAIGN REFORM ACT OF 2001—(continued)

The PRESIDING OFFICER. The Chair, in his capacity as a Senator from the State of Oklahoma, suggests the absence of a quorum. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCAIN. 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. McCAIN. Mr. President, I am very pleased at the progress we have made. We have disposed of a number of amendments. I think we have had a level of debate with which Americans are pleased, as are certain Members of the Senate, by the significant participation that has taken place.

We really only have two major issues remaining. One is the issue of severability, which is, if there is a constitutional challenge to this legislation, if one part falls, whether or not all of it falls. The other is the hard money issue, with lots of negotiations and discussions going on as I speak.

It was agreed at the beginning we would spend 2 weeks on this issue, and that was my understanding. It is now my understanding that there are some Members who think perhaps we would not move to final passage. I am committed to moving to final passage.

As I have said before, it is not the 2 weeks that counts; it is the final disposition of this legislation which I think not only I but the American people deserve.

As I say, we have disposed of the major issues with the exception of two. Therefore, in regard to further consideration of the bill before the Senate, I ask unanimous consent that first-degree amendments be limited to 10 each for the proponents and opponents of the bill; that relevant second-degree amendments be in order, with 1 hour for debate per second-degree amendment; and after all amendments are offered, the bill be immediately advanced to third reading for final passage, with no intervening action or debate.

Mr. McCONNELL. Reserving the right to object, and I will object, let me say to my friend from Arizona, he knows, and we worked on it together, the consent agreement under which we took up this legislation scripted the beginning of the bill. It did not script the end.

The Senator from Arizona made very plain from the beginning he wanted this debate to end in an up-or-down vote. It may well end in an up-or-down vote, but the consent agreement did not determine that, and it would not be possible to get consent to structure the end at this time.

Let me say this to my friend from Arizona. I agree with him the only big issues left are the hard money limits and the nonseverability question. I do not think it is likely we would go beyond Thursday night, in any event.

However, Mr. President, to the unanimous consent request, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Arizona.

Mr. McCAIN. Mr. President, I appreciate the thoughts of the Senator from Kentucky. It is hard for me to understand now, with just 2 full days, 2½ days, why we wouldn't, as is our practice around here once we have considered a lot of amendments and a lot of proposals, as we reach the end, narrow down amendments. One, then, has to wonder what the intentions are.

I don't perhaps disagree with the Senator from Kentucky about the language of the unanimous consent agreement. I believe everyone was laboring under the impression that we would reach final resolution of this issue with an up-or-down vote. There are some Senators who now question that.

So I will be back with another unanimous consent request, and if that is not agreeable, then one can only draw the conclusion that there is an objection to a final disposition of this issue and that, obviously, would be something we would have to then consider.

I want to make perfectly clear again what I said at the very beginning, and I will be glad to read the CONGRESSIONAL RECORD when the unanimous

consent was entered into with this distinguished majority leader. No matter how long it takes, as long as I can maintain 51 votes, we will not move to other legislation until we dispose of this legislation. For years we were blocked. For years we were not allowed to have this process which we now all agree has been valuable and helpful. But we need to take it to a final vote. I will be back with further unanimous consent requests so that we can fully bring this issue to closure.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I join in the remarks of the Senator from Arizona. I am pleased to see the distinguished majority leader on the floor, whom I have heard say on a number of occasions with regard to this process that he would not support a filibuster or an approach that would involve preventing us from getting to final passage on this bill. I appreciated those assurances, and I assume they still hold.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Let me make it clear once again, there would have been no consent agreement at all had the end been dictated by the agreement. I fully understood from the beginning that it was the desire of the Senator from Arizona to press for an up-or-down vote at the end of this debate. No one has been more aggressive than he has. Had it not been for the Senator from Arizona, we would not have been on this issue at all, at this point, which would have been my preference given the fact we have an energy crisis in the country, we have a stock market that is in trouble, and I, frankly, am somewhat stunned that we have spent 2 weeks on this issue.

Having said that, we have been on this issue because of the tenacity of the Senator from Arizona. The consent agreement was entered into because of the tenacity of the Senator from Arizona. But let me assure the Senate it was not just the Senator from Kentucky who would not have agreed to a consent agreement that dictated how this debate ends. So that is why I objected, not just for myself but for others.

It could well be that in the next day or so I will have a different view of that. But there are important votes yet to be cast, and I am sure we will be consulting—the Senator from Arizona and I—on the end game as we move along.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, Senator DODD has worked tirelessly with the Senator from Kentucky. He spent long hours here. I think we are arriving at a point where perhaps this evening or tomorrow sometime we can get a finite list of amendments. We have been working on that. We have a number of people on both sides who believe very strongly in their amendments and would not want to be told they are not important.

I have virtually been with my friend from Wisconsin on every vote we have taken this past 10 days. I think the leadership from Senator FEINGOLD, with his partner, the Senator from Arizona, has been exemplary. But the fact is, we have spent a lot of time on this bill. I do not expect at this time we should rush on some program to suddenly end it. As I said, there are a number of people who have submitted requests to Senator DODD about amendments that need to be offered. We expect to offer those amendments. I think we should move along as quickly as we can, and we certainly have tried to do that.

As I said, I think one way we can expedite things is to come up on both sides with a finite list of amendments and have that locked in. I hope to have that, after conferring with the leader and Senator DODD, at the earliest possible date.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, let me just comment before I introduce an amendment and start the process of the clock.

With respect to the question of how this issue finishes, I hope the leader on the other side, and those who oppose this, will not move back from what I think was an understanding by most people who entered into that agreement that we were in fact going to have an opportunity to come to final resolution on this bill.

Obviously, if we are deprived of that, then I suspect many of us are going to try to find every opportunity the Senate presents us over the course of the next months. There is a long schedule yet ahead of us. It would be a waste of the time of the Senate and an insult to the process to somehow try to sidestep an appropriate, complete, and total resolution, having invested the time we have in the last days. I think everybody has moved in good faith in an effort to present the amendments that represent bona fide efforts to improve campaign finance. But I certainly will join with a number of other colleagues, I am confident, if there is some sidestepping procedural effort to deprive us of the appropriate voting conclusion. We will tie up the Senate, I am confident, for some period of time in an effort to try to resolve it.

AMENDMENT NO. 148

Mr. KERRY. Mr. President, I send an amendment to the desk on behalf of myself, Senator BIDEN, Senator WELLSTONE, and Senator CANTWELL. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Massachusetts [Mr. KERRY] for himself, Mr. BIDEN, Mr. WELLSTONE, and Ms. CANTWELL, proposes an amendment numbered 148.

Mr. KERRY. I ask unanimous consent the reading of the amendment be dispensed with.

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

The text of the amendment is printed in today's RECORD under ''Amendments Submitted.''

Mr. KERRY. Mr. President, this amendment is one that I think Senator BIDEN, Senator CANTWELL, Senator WELLSTONE, and I understand is not going to pass today. I hate to say that. I regret to say that. But it is a vote that we ought to have in the Senate. It is a vote that, in our judgment, represents the best of what could be achieved in the context of campaign finance reform. It is steps beyond Senator MCCAIN and Senator FEINGOLD, both of whom, I might add, have great sympathy for it notwithstanding the fact that they know, if it were to pass, you would have a very different mix in terms of what they began with as sort of a legislative agreement, if you will. I know Senator FEINGOLD is a strong supporter nevertheless.

What we are proposing is something the Senate has visited before. We have voted on this before. In fact, the Senate in 1994 passed, by a vote of 52–46, a campaign reform bill. It never got out of the Senate in 1994. This particular one fell victim to the House of Representatives and to the delay of the schedule. Nevertheless, it reflected the willingness of colleagues in the Senate to embrace a partial funding by the public, a partial match funding in order to reduce the dependency of politicians on going out and becoming supplicants in their search for funds.

This is, in effect, translating to the Senate races the same principle that has been in place and has been used, even through the current election for President of the United States, in our national elections. It is a partial funding, a match, if you will, that seeks to address the extraordinary amounts of money that are in our campaigns today.

We bring this particular amendment because this effort of campaign finance reform is not just to create a regulation on how much money you can raise in a particular request from a particular person, not just an effort to put limits on. There is a larger purpose that brings us here. That purpose is to undo the appearance of impropriety that comes with the linkage of money to the fact of getting elected, the act of getting elected. Most people in the Senate who have been here for awhile have watched colleagues sometimes squirm with discomfort because questions have been raised about those linkages.

We have had investigations, both of the Senate, of the Ethics Committee, and of outside groups, that have often been pointed at the way in which we are forced to raise money. I think most people in any honest assessment would be prepared to say when somebody sitting on a particular committee has to

go out and raise money from people who have business before that committee, or when someone in the Senate has to ask for money from people who have legislative interests in front of them on which they will vote, there is almost an automatic cloud. It is not something we define for ourselves, it is something that is defined by the system itself. It is there whether we like it or not.

I do not think there is one of us in the Senate who has not been asked at one time or another: Gee, did those people who contributed to you somehow have an influence on the way you voted? For most people in the public, it is a natural connection. If people see the milk industry, or the insurance industry, or the banking industry, or the farmers, or the truckers—you could name any group. I am not being pejorative in naming any of those I named. Name any interest in America that conglomerates its money, and then look at the people who are elected, and you have an automatic connection, like it or not, of the money and the election process.

When you measure the fact that most of America does not contribute, most of America does not have the money to contribute—we have one-half of 1 percent of the people in this country who give the $1,000 donations. I think all of the soft money in this country was given by about 800 people in the last election cycle. Think of that—800 Americans out of 280 million giving tens of millions of dollars to affect the political process.

Most of the average citizens sit there and say: I can only afford $10, or maybe I can afford $15 or $20 or $50. But they know; they sort of say to themselves: Boy, my $50 is not going to do much to alter the impact of $50,000 from some big, large interest, et cetera. They feel powerless and they turn off the system. They go away. They look at the system and they say: It doesn't represent me.

I don't know how many of my colleagues have stopped to ask, but why is it that a majority of the Senate is made up of millionaires? Are we representative of the United States of America as a group? The answer is no. But most people cannot afford to run for office, particularly for the Senate. So the question is, Do we have the guts, do we have the courage to come here and fight for real campaign finance reform that affords a more even playing field?

Is it a perfect playing field? The answer is no. We do not do that. And I understand that. But we can try to make it fair so a lot of people can get involved in the process.

Let me share with my colleagues this idea that we are submitting to the Senate today comes from a group of business leaders. This is not an idea that has been created by some sort of interest group that might arouse the normal suspicions of those who oppose campaign finance reform. This idea has been put together by a group called the Committee for Economic Development. Over 300 business leaders have endorsed this proposal. They include top executives of Sara Lee, Nortel Networks, State Farm, Motorola, Bear Stearns, American Management Systems, Hasbro, MGM Mirage, Guardsmark, Kaiser Permanente, Prudential, Saloman Smith Barney. They also include retired chairs or CEOs of AlliedSignal, Bank of America, GTE, International Paper, Union Pacific, General Foods, Monsanto, Time, CBS, Fannie Mae, Dow Chemical, and B.F. Goodrich.

I suppose the question might be asked, Why would past CEOs, why would corporate chieftains, why would corporations themselves be so interested in supporting a campaign finance mechanism that includes some public funding?

The reason is, these are the corporate entities that keep getting asked to contribute and contribute and contribute, that keep feeling as if they are dragged into a process that they themselves know is not in the best interests of the democracy of our country.

We are supposed to be, as Senator BYRD reminded us in our caucus a few minutes ago, a republic. A republic means we are people who represent the people who elect us—not the money that puts us here, the people who elect us.

The question is, Are we prepared to pass a campaign finance reform regime that distances us, to the maximum degree possible, from the fundraising and connects us, to the maximum degree possible, to the people who elect us? That is the purpose of this particular amendment.

This amendment is voluntary. I emphasize, it is voluntary. There is no mandate that anybody in the country has to follow this particular way of campaign financing. So there is no constitutional challenge here. You can choose to go in and live by a limit that you are given as a matching amount of money.

I want to explain exactly how it works. We want to encourage the small donor to participate in America again. We want to emphasize that it is the smaller contribution that is the most important contribution. So what we do is provide a matching amount of money doubled by the Federal Treasury for those small contributions up to $200. That means if somebody contributes anywhere up to $200 to a candidate, they would get up to $400 in a matching amount of money. And they would agree to live by a specific formula limit for each State in the country. That formula is: $1 million, plus 50 cents, times the number of voters in that particular State.

We did an analysis of the last two election cycles. When you compare the amounts that would be provided to candidates under this formula, it demonstrates that in only three races in the last cycle would you not have had enough money under this formula to be able to meet what happened in those races. The spending limit formula in 23 States would have provided candidates with more money than they had to go out and hock the system in order to be able to run. In an additional seven States, the formula would have brought candidates within $500,000 of the average amount that was spent in the last Senate election in that State.

Given what we have already passed in McCain-Feingold with respect to lowest unit charges, in effect, this formula would allow people to be able to spend more, if not the same, because they would be able to get more media buy for the dollars spent; and that result would be that they would be, in fact, greatly advantaged by this kind of formula.

What they also allow them to do is: If a candidate is not able to raise up to their limit, we allow the parties, through their hard money contributions, to be able to make up the difference to that candidate, much as they do today through the section 441(a)(d) contributions.

The virtue of this particular approach is that it does the most that we believe we can do to separate candidates from the fundraising process, to reduce the capacity of people to question the large contributions. We would still allow contributions up to the amounts of McCain-Feingold. So if that amount remains $1,000 in the primary and $1,000 in the general election, you can still raise it, but you only get credit for the first $200 toward your match. That means you would be encouraged to go out and bring people into the system for low-donor-amounts of contributions.

In every other regard we stay with McCain-Feingold. We want to see the ban on the soft money. We want to see the increased scrutiny, increased transparency, but we are trying to provide people with an ability to avoid the extraordinary arms race of fundraising that takes place in this country and to begin to restore every American's confidence that we are not in hock to the interests that support the campaigns.

There is a reason for having to do that. I remember when I was chairman of the Democratic Senatorial Campaign Committee in 1988. As Chairman, I refused to take soft money back in 1988. We did not take any soft money in the committee. That was the last year the campaign committee did not take soft money because they could not in order to compete. From that time until now, we have seen this extraordinary growth in the amount of soft money being raised, so that there was almost $½ billion of soft money in last year's campaigns. Think about that—an extraordinary amount.

But for 1992, the Republican Party raised $164 million in hard money, $45 million in soft money. In 1996, the $164 million jumped to $278 million in hard money; and it went from $45 million to $120 million in soft money. And this year, it went from the $278 million to

$447 million in hard money; and the $120 million went up to $244 million in soft money. This is so far outside of inflation or any legitimate costs with respect to campaigning, it is insulting. The only way we are going to end that is to put in place a system where we bring Americans back into the process of contributing smaller amounts of money.

It is interesting that corporate contributions outnumbered the amount of small and union contributions by 15 to 1. Americans are currently looking at a political system that is effectively a corporately subsidized, corporately supported system. If you were the leader of any corporation in America—there are a few who are making a different decision—some of them have decided spontaneously they are simply not going to contribute, but unfortunately, an awful lot of them still decide: I can't be left behind, I can't suffer the vagaries of the system unless I can weigh in, unless I get sufficient access. So most of them, answerable to their board of directors and their shareholders, as a result, play the system as hard as they can.

Most of them will also tell you privately, they pray and hope the Senate will have the courage to change that system because they don't like it any more than many of us do.

The one thing we are going to hear from the opponents—and you can hear it right now—we have politics that are really good right now in using little phrases: ''It is not the Government's money; it is your money. You deserve a refund.'' That is a quick, easy hit. People get applause. Everybody feels good and they forget about the fact that there are a whole lot of other issues.

We are going to hear them say: Gee whiz, politicians shouldn't depend on the public treasury to run for office. They are going to say this is welfare for politicians, ''welfare for politicians'' because somehow the Federal Government contributes. Ronald Reagan was elected using this Federal money. George Bush, in 1988, was elected using this money. Even the current President Bush was elected using Federal money. Bob Dole ran for President using Federal money. Countless numbers of candidates have run using Federal money.

It is not welfare for politicians. What it is is protection for politicians. That is what they want. They are afraid of a system that allows the average American to have a full voice. They are afraid of a system which requires them to go out and do anything except play sweetheart with a whole bunch of givers who give them big amounts of money so they can just swamp the average person who wants to run for office.

The fact is, if you analyze the amount of Federal dollars that are wasted and spent only because those interests are able to get the laws they want and ride roughshod over a broader consumer interest, there are billions upon billions of dollars that are spent as a result of the current system.

What this represents is liberty money for people in this country, freedom, the ability to be able to cut the cord of the system we have today and free themselves to be able to go out and have a fair system in which Americans can have confidence. Most Americans, if they were presented with that argument fair and square, would say: That is precisely what I want. I am willing to pay a $400, $500 amount to cover the cost of elections in this country in order to guarantee that people are free from the kind of special interest process today.

Moreover, you might see a lot more of your Senator and your Congressman because they wouldn't have to travel all around the country on weekends and weeknights to raise money from fundraisers in States everywhere other than their own.

It doesn't make sense. That is what this is an effort to try to achieve. I hope my colleagues will think hard about it. Fifty-two Members of the Senate in 1994 voted for a bill that had a partial component of public funding in it. Many people have acknowledged that ultimately this is the only way for us to free ourselves from the current system. While we can't deal with the primaries, that is too expensive and it doesn't work. What we do is set up a structure where in the general election, there is a clear ability of people to spend a limited amount of money, commensurate with the amounts of money and in some cases more than even the amounts they spend today.

I yield 15 minutes to the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. It seems as though the Senator from Massachusetts and I have been doing this a long time. We lost one of the musketeers in Senator Bradley. I don't know how many times we have come to the floor to talk about this issue. What is discouraging is, we seem to be moving backwards now instead of forward.

I have a reputation that doesn't always serve me well of being relatively blunt. I am going to continue to exacerbate that a little bit today and depart from my prepared remarks at the outset and speak to the last point the Senator from Massachusetts was talking about.

Our friends who oppose this will say to any idea of any public financing: Why should the public pay for bumper stickers and billboards and the like? I will bet you if you sat down with every American, and were able to do it one on one, and said: Here is the deal: Do you want me taking money from a checkoff system on your income tax, as the Presidential campaign is run, or from a direct appropriation that may cost you a couple bucks a year? Would you feel better about me and my independence if you did that and I had a limited amount of money if I were the nominee that I could spend, a limited amount of money based on the size of my State? Or would you rather have me hanging around in Hollywood, New York, Detroit, Los Angeles, San Francisco, Chicago, the major money centers of the world, sitting down with investment bankers and with corporate heads and union leaders and listening to them telling me what they think is important for the future of America and my knowing full well if I disagree with what they think is important for the future of America, that they are not likely to contribute to me and, therefore, if I have to rely totally on the people with the big money, that I may very well find myself rationalizing that, well, maybe it is not such a bad idea to be for that idea because it is better for me to get elected intact with most of my views in place than it is for me to be pure about this and not be able to run. I think the American people understand.

I may be mistaken, but I believe Dick Clark, a former Senator from Iowa, and I, were the first two to introduce public financing as an idea back in 1974, in the middle of the Watergate scandal, to try to take polluting influence out of the system—I don't think there is an American out there who thinks if they get a chance to come up and lobby me on a particular issue and say, Senator, I sure hope you will vote for this tax cut or that tax cut or vote for or against something, that they have as much influence on me as somebody who walks in having contributed $10,000 to my campaign through two PAC contributions. I wonder what the American people think. I wonder do they think their voice is as easily heard as the rest of those folks.

The thing that has surprised me over the years that I have been pushing this idea, along with others, is that we who hold public office aren't tired of this, aren't worried, why it doesn't bother us, whether we are lily pure or not, why it doesn't bother us being associated with the notion that what we do is a consequence of the financial influence placed upon us.

For example, I don't think there is anything morally wrong, per se, about PAC money. That is an organization getting together and representing a particular interest—whether it is a labor organization, business organization, social organization—and giving a candidate $5,000 at a crack. I admit that is no more debilitating, no more immoral, no more unsavory than five people getting together in one family and coming up with $1,000 apiece to give $5,000. But I don't accept PAC money, and I haven't accepted PAC money—not because I think it is immoral or wrong, and I don't question the morality or judgment of those who accept it. I think I am one of the few people who don't accept it, and maybe one of the few in the whole Congress.

The reason I don't accept it is that I like the fact that no one can—and I am a pro-labor Senator—question my pro-

labor votes because labor gives me any money. They don't. I can stand up and say I like the feeling at home that when I am for something that maybe not all my constituents like, but labor likes, nobody can use the argument that BIDEN has been bought off by labor because the following labor groups got together and contributed to him X amount of dollars.

A lot of Senators who talk about being lily white and pure accept PAC money. That is OK. But the only reason I don't is I don't like looking at my constituents and them thinking that I have taken a position because somebody contributed to me. That just bothers me. That just bothers my independence. There may come a day I have to take PAC money. I may run against somebody who raises $5 million in PAC money and I can't raise the money, so I have to take it to compete. But I don't accept it simply for my own gratification. I love walking into a meeting with a businessperson, or a business organization, or labor organization, and deciding for or against them based on the merits and never having to talk about money. I feel liberated. It is my sort of self-imposed, tiny victory against this system that I rail against all the time.

What has surprised me is why people of this body would not want limits on spending. Do you think the majority of us like traveling two-thirds of the way across the country to sit down at a fundraiser in the home of somebody who is going to ask us stupid questions, who may be an absolute idiot, and is going to raise us $20,000, and we have to sit there and listen. Now I'll have everybody who has ever done a fundraiser for me saying, ''Is he talking about me?'' If anybody likes that, you probably should be doing something else because you can't be that bright.

So I don't get this. I don't get it. I don't get why we haven't gotten to the point that just for our own living standard, so that we don't have to get on planes at 7:30 at night and sit in an airport, and then miss it, and 47 thank-you notes why we could not be there and apologize and set a new date, and you miss your kid's first communion, or you miss your daughter-in-law's birthday, or something because you are out raising money. I don't think anybody sitting in here has any idea how much of our time is spent raising money. The more scrupulous you are about how you raise it, the more hurdles you place in your way to make sure everybody knows that you are clean and you are not like what people think you are, the harder it is—the harder it is.

We all do it. We all sit here and say, wait a minute now; we just voted on a bill that will affect some of the people who are going to be there. I can't go to that fundraiser now. It will look like I did it for the wrong reason. I don't want them thinking that is why I did that because that is not why I did that. All Members here are moral, decent people. The irony is, this place, in terms of personal rectitude is probably squeakier than any Congress in the last 200 years because of all the disclosure rules. That is the irony. You used to have a person standing at a desk right over there—one of the leading Senators in history—who would write letters to the railroad company saying, ''By the way, I just defeated a thing that would have hurt you. Send more money or I won't do it next time.'' The money that was being sent was in his pocket.

When I ran for the Senate in 1972 and won, there were no limits on what you could spend or what could be given to you. My goodness, you would think by now the irony of all ironies is that I would be dumbfounded if any Member of this body was taking money under the table or doing anything illegal. They are the cleanest bunch I have dealt with. Yet we are viewed as being among the dirtiest bunch. Why? Because we are associated with all this money.

My mom had an expression when I was a kid. I would say, ''Mom, can I go hang out on the corner by Buffington's with the rest of the guys?'' She would say, ''Those guys get in trouble.'' And I would say, ''But I won't.'' She would look at me and say, ''JOE, if it walks like a duck and quacks like a duck and looks like a duck, it is a duck.'' I used to say, ''What does that have to do with anything?'' She would say, ''Those boys down there are not good boys. When you hang with them, even if you are not doing anything wrong, you are going to be presumed to be.''

What happens now when anybody within earshot, not holding public office, hears your child say, ''Mom, I want to be a politician.'' I am not allowed to reference the gallery, but I bet if I looked at their expressions right now, they would all have the same expression: Oh, no, no, you don't want to do that. Why, when in fact they have more honest men and women in the business now than have ever have been in it? The likelihood of people doing untoward things relative to financial gain is almost unheard of now. When you have a billion plus dollars spent on elections, the conclusion to the American people is that if it looks like it is corruption, sounds like it is corrupt, it appears to be corruption, then it is probably corrupt.

So this has always amazed me. I would have thought by now that we would be so afraid of being burned by our association, unintentionally, with unsavory notions, causes, or people, through contributions, that we would say let's get out of this. I will tell you right now. I don't think anybody here would disagree. I would rather be beholden, or thought to be, to 280 million Americans than to 200 contributors. I would think they would want me to be beholden to them, not only in fact but in perception.

So what have we done? As my friend from Massachusetts has said—and we have been allies in this for a long time, and I am a great admirer of his—just since 1976, the total congressional campaign spending has gone up eightfold. In 1976, the average race for the House of Representatives cost $87,000. Today, it cost $816,000. Where are you going to get that money? Where are you going to go for that money? Do you think there is $816,000 worth of folks out there saying: Just because I love this system, I don't care what your positions are on any issues. I just want honorable men and women like you involved, so here is a contribution.

What do you think? Do you think that is how it happens? You know what it is for Senate races? In 1976, the average cost of a Senate race was $609,000. Now it is $7 million.

So I have gotten to the point where I am even more concerned about the amount than I am about the source—more about the amount than I am about the source. Let me explain that. If, in fact, we are going to ever do anything about the influence of money and the ability of people like me to be able to get involved in politics—I say people like me. No one who ever held State office, no one with any personal fortune or money, and who has a dubious distinction along with one other Senator on the floor being listed as one of the poorest men in the Senate.

How can a guy like me get involved today knowing that for me to get out of the box, I am going to have to raise, even in a tiny State such as mine, potentially $4 million to $5 million? How does one start that? Where does one go?

Why are we surprised with a lot of millionaires? Do you know what a lot of us Democrats do, as Dale Bumpers, one of the best speakers I heard on the Senate floor in past years, used to say, in the bosom of the lodge here? Because we cannot match their money, do you know what we do? When we recruit candidates, whom do we look for, I say to the Senator from Connecticut? We try to find millionaire Democrats. We try to find Democrats who are millionaires to front their own campaigns because we do not have enough money around to front all the campaigns. We try to find people who are millionaires.

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

Mr. BIDEN. I ask for 5 minutes more.

Mr. KERRY. Mr. President, how much time remains on our side?

The PRESIDING OFFICER. Fifty-four minutes.

Mr. KERRY. I yield 5 minutes to the Senator from Delaware.

Mr. BIDEN. Mr. President, the fact of the matter is, we are never going to make any really fundamental change in the system until we adopt the position of setting limits on the total amount of money that can be spent in a single State on a single election.

Our approach provides the candidates with partial public financing when they commit to voluntary limits, and if the other person does not commit to

those voluntary limits, then we allow that funding to go up so that person can keep in parity with the person against whom they are running.

It is a simple, basic proposition. By the way, it is complementary to the so-called soft money ban. It is not contrary to, it does not undermine it; it is complementary to the ban on soft money.

The spending limits for the Senate candidates are different in each State based on a rather simple formula that my friend from Massachusetts pointed out: A million bucks to start and then, on top of that, 50 cents for each person of voting age in that State. In my State of Delaware, that means one could not spend more than $1.3 million. In a State such as Illinois, where there are 9 million potential voters, one could spend $5.5 million.

I will not go through all the detail beyond that except to say that our amendment also includes a provision to counter those last-minute sham ads that have become all too common in the closing weeks of campaigns. Our amendment says if your campaign is a victim of one of those drive-by sham ads, you will receive additional public funding to enable you to respond to keep you in the game.

I have been calling for public financing for congressional campaigns for a very long time, since 1973, my first year in this body. I thought Watergate would have been enough to take us to the brink of trying to do something serious about campaigns. We did make some initial progress until the Supreme Court ruling in Buckley v. Valeo which set everything on its head, and now here we are back again.

The time has come, as my old math teacher would say, to work the problem and to stand at the blackboard until we come up with an answer that will pass the test of public confidence. The amendment we are offering today I think passes that test, and I urge all of my colleagues, for once and for all, do something that really will impact upon who can run, their ability to stay in the game, the ability to compete and reengender some confidence in the American people.

My closing remark is this: We have gotten to the point, as my friend from Massachusetts pointed out, of businesspeople dreading this funding process because they get held up for contributions. Beyond that, we have reached a point where, because we have had to become so brazen in the way in which we raise money, those who used to contribute to us who never were brazen in return are now equally brazen, suggesting they want to know more about what we will do before they give us the money.

It is a bad system. This could go a long way to changing it. I have no hope that it is likely to be adopted this time, but someday—someday—it will, and I suspect only after some additional major scandal occurs. I want to make sure for my own safety's sake I am recorded on the right side of this argument again so no one misunderstands what I think we should be doing.

I thank my friend for his leadership, and I thank him for yielding the time he has. I yield back whatever time is remaining.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I thank the Senator from Delaware for his comments. As he said, he started this crusade back when he was elected in 1972. We had a high water mark in the Senate when we actually passed it. We also had 49 votes at one point in time. We know we are not at that high water mark today for a lot of different reasons.

It is very interesting what the Senator just said about businesspeople. I cited the types of businesspeople who support this—major executives of major companies in the country. Here is what they said when they announced it:

> As business leaders, we are . . . concerned about the effects of the campaign finance system on the economy and business. . . . A vibrant economy and well functioning business system will not remain viable in an environment of real or perceived corruption, which will corrode confidence in government and business. . . . In addition, the pressures on businesses to contribute to campaigns because their competitors do so will increase. We wish to compete in the marketplace, not in the political arena.

I applaud these business leaders for recognizing the truth that a lot of the opponents of reform refuse to acknowledge.

The fact is that even the Supreme Court in the cases we so often cite—Buckley v. Valeo, Colorado, and others, all of those cases—talks about the legitimate right of Congress to try to curb the perception of corruption which they acknowledge on the Supreme Court is a component of trying to have good campaign finance reform.

What they have deemed to be constitutional, they have deemed to be constitutional partly making the judgment that it was necessary to combat that concept of corruption.

Moreover, I point out to my colleagues, sometimes we all know Congress does not do what the American people think it should do or want it to do, but the American people want us to put together a better system. A national survey conducted by the Mellman Group in April last year found that by a margin of 68 percent to 19 percent, voters favored a proposal that eliminates private contributions, sets spending limits, and gives qualifying candidates a grant from a publicly financed election fund.

In other words, every time the Congress votes against public funding, the Congress is explicitly denying what the majority of the American people want, which is the capacity to separate the people they elect from the fundraising process.

That same survey found that 59 percent of voters agree that we need to make major changes to the way we finance elections. But perhaps the most telling statistic was the fact that overwhelming majorities think special interest contributions affect the voting behavior of Members of Congress.

Eighty-seven percent of voters believe that money impacts Members of Congress, with 56 percent expressing the belief that it affects Members a lot. We ought to want to do something to eliminate that perception and to restore people's confidence in this institution.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, assuming all the time is used on both sides, when would the vote occur?

The PRESIDING OFFICER. At 5:55 p.m.

Mr. MCCONNELL. This should be such an easy vote that I don't think I will need all my time. I will withhold it for the moment to see how many speakers there are on the other side. Suffice it to say, that taxpayer funding of elections is about as unpopular as voting to raise congressional pay.

We have the most complete poll ever taken on any subject, every April 15, when taxpayers get an opportunity to check off on their tax return the diversion of $3 to the Presidential campaigns and to help subsidize the conventions. It doesn't add to their tax bill. It is just diverting $3 of their tax money to politics.

The high water mark of the checkoff was back in 1980 when 29 percent of taxpayers checked off. Last year it was 12 percent. In fact, the lack of taxpayer interest in checking off some of the tax dollars already owed to this cause, the drop off was so alarming that in the early 1990s when the opposition party controlled the House, the Senate, and the Presidency, they upped the checkoff from $1 to $3, so fewer and fewer people could check off more money.

Clearly, this is an idea that is overwhelmingly unpopular with the American people. We had a vote the other day on the Wellstone amendment. The Wellstone amendment gave States the option of having taxpayer funding of elections of congressional races. It was defeated 64–36. Maybe you could have argued on that vote that it wasn't really a vote for taxpayer funding of elections because it only gave to States the option—the option—to have taxpayer funding of elections, yet only 36 Members of the Senate supported that.

This is the real thing before the Senate now. This is not giving any State the option to have a taxpayer-funded system. This is the real thing, taxpayer-funded elections for Senate races.

I have been somewhat chagrined and mystified that we have spent 2 weeks on the whole subject we have been on when the stock market is tanking, we have an energy crisis in this country. What are we doing in the Senate? We

are talking about campaign finance reform. At the very least, the underlying bill didn't have taxpayer funding of elections in it, but there have been first one, and now the second effort to add that to this underlying bill.

So I don't think the American people would be particularly amused if they were paying any attention to this debate, which they are not—I don't think they would be particularly amused to find out what we are doing while we have these emerging problems in our country of energy and the stock market.

The argument over taxpayer funding of elections is a blast from the past. This debate over taxpayer financing is an idea whose time has come and gone. One of the huge victories on my side of this debate that we can savor is that reformers gave up on the horrible notion of taxpayer funding of elections some years ago. That is, most of them. We still have some people offering these amendments, and that is what is before the Senate at the moment.

It may surprise some of the people who are watching C–SPAN that we actually have had taxpayer financing of Presidential elections since 1976. This system has squandered over 1 billion tax dollars. In the 2000 Presidential race alone, taxpayers kicked in $238 million; 30 million of those dollars went toward the conventions in Philadelphia and Los Angeles. Fun weeks for those of us who were privileged to attend, but most taxpayers could surely come up with a better use of their tax dollars than underwriting political conventions.

Proponents of using taxpayer money for political campaigns get very creative in devising their polling questions so they can get results suggestive of some reservoir of support for this notion.

First off, they never refer to the money as the ''taxpayers money.'' You will never see that in a polling question asked by a proponent of using tax money for buttons and balloons and TV commercials. They always call it ''public funding,'' sort of like a public beach, public park, or public parking, leaving out the fact that the money started out in the taxpayers' private pockets.

Then they link the concept of public financing of campaigns to reducing special interest influence. Gee, that sounds like a bargain, except they can still get their numbers over 50 percent when they call it public funding and when they say it is for the purpose of reducing the nasty special interest. We all know the definition of a special interest. That is somebody against what I am trying to do. Those groups on my side are great Americans pursuing a wonderful cause. Those nasty special interests are the guys on the other side.

When someone such as myself frames a polling question in a more straightforward fashion, such as, do you support using taxpayer dollars for political campaigns—very straightforward and very truthful—respondents are decidedly less receptive than in the gimmicky polls that I suspect we have heard cited on the other side of this debate.

A reform group study in 1994 concluded that Americans remain skeptical of public funding for congressional campaigns. Remember, they were using that good word ''public.'' Moreover, a careful examination of the core coalitions both in favor and against leads us to conclude that this proposal tends to be a hot button for a group that is not exactly a microcosm of America. Who is interested in this issue of taxpayer funding of elections when you call it ''public funding''? It is a hot-button issue for liberals who are postgraduates, people who went to graduate schools. Liberals who graduated from graduate school think this is a great issue, that is, about 2 percent of the public—not, I submit, a microcosm of America or anywhere near the average American.

When we look at the biggest poll of all that I referred to earlier, the checkoff on the 1040 tax forms which allows filers to divert $3 from the U.S. Treasury to the Presidential election campaign funds—remember, this is money they already owe; if you ever change the law to make people actually cough up an additional $3, this fund would disappear entirely. It would be gone with the wind. It would be out of here. We would have to appropriate dollars to make up for the zero balance in this fund—nearly 90 percent of Americans choose not to check yes to the use of taxpayer dollars for Presidential elections. Last year's forms, 11.8 percent checked ''yes.''

As I said earlier, at its peak popularity in 1980, less than 30 percent checked yes. Imagine the results if the checkoff was for a congressional election campaign fund, which is what this amendment is about. Imagine the question on the tax form if it were crafted ''congressional election campaign fund.'' People would not confine themselves to checking no. They would no doubt be compelled to include commentary in the margins on their tax returns. Such is the disdain for taxpayer funding of elections.

We haven't even gotten to another essential part of this whole issue. The Supreme Court does not allow us to just provide tax funding to the good guys, the Republicans and the Democrats. No, no. If you are going to provide tax dollars for campaigns, you can't constitutionally limit those taxpayer-funded schemes to the Republicans and to the Democrats—which is all of us in here. No, the Reform Party, Ralph Nader's Green Party, and for that matter, any individual eager for some name identification paid for by the taxpayers would be eligible to qualify.

Let me give a couple of examples. That great American, Lenora Fulani, of many parties over the years, and most recently the Reform Party, has collected 3.5 million of our tax dollars for her in 1984, 1988, and 1992 Presidential campaigns. The taxpayers of America have given Lenora Fulani $3.5 million to run for President of the United States.

In 1992, in fact, Ms. Fulani was the first in line to receive matching funds, even beating Bill Clinton to the funds.

Lyndon LaRouche got taxpayer funds for the 1992 Presidential campaign. It was a little difficult for him to function that year because he was in jail. It was something of an inconvenience. But the fact that he was in jail did not prevent him from getting tax dollars to run for President. He was in the middle of serving a 15-year sentence for fraud. But, by golly, we got him some tax money to run for President of the United States.

Imagine, if we extend this great idea to congressional races, we are going to have Lenora Fulanis and Lyndon LaRouches running in every House and Senate race in America. Every crackpot who got up in the morning, looked in the mirror, and said, ''By golly, I think I see a Congressman,'' is going to get a subsidy from the taxpayers to go out and see if he can pull this thing off.

LaRouche has received over $2 million for his 1980, 1984, 1988, and 1992 Presidential campaigns. If you take out the 2 percent of Americans who are liberal postgraduates, there is not a lot of enthusiasm out in the hinterlands for this kind of reform. Indeed, there is disdain for this kind of reform. I suspect there is not a whole lot of support in the Senate.

Looking at the Wellstone amendment the other day, which got 36 votes, maybe I will be surprised, but I will be surprised if there are 36 votes there to have this proposal replace the current system of electing Members of Congress.

Let me say again, I can't think of anything that would frost the average taxpayer more than the idea of fringe candidates, maybe even in jail, running for Congress, running for the House and Senate.

I do not know how this amendment is crafted, but I can tell you, you cannot constitutionally restrict public funds, taxpayer funds, to just the people we would like to get it, which is people such as us who are Republicans or Democrats. We can't do that. It has to be crafted in such a way that these funds are not unreasonably denied to people who aspire, regardless of their ideas or present circumstance, such as being in jail—their present circumstance—you cannot unreasonably deny them their opportunity to have their say with our tax money.

I do not know how much more debate is needed on this idea from the past. But, not knowing yet, I will just retain the remainder of my time for the moment. How much is that?

The PRESIDING OFFICER. The Senator has 76 minutes.

The Senator from Massachusetts.

Mr. KERRY. Mr. President, I listened with interest to my colleague from Kentucky. I listened to him label this as an idea from the past. I am interested in that because it always struck me that the idea of the past was the perception of corruption of the Congress. The idea that ought to be passed is the notion that unlimited funds and unlimited amounts of money in our system corrupt and corrode the system.

If you were to ask the American people what they would like to see be the idea of the past, they would resoundingly, overwhelmingly tell you, as they have in every indication in the country, that they want us separated from these large sums of money.

It is no surprise my opponent comes to the floor and derides the concept of public funding as some sort of thing from the past which doesn't command a lot of votes. I understand that. I know we are not coming to the floor from a great position of strength. But we have to start from somewhere again on this effort.

We once passed it in the Senate, and we passed it once because it was the right thing to do and it was a good idea. I believe that the judgment made by those Senators who were then here is not now out of date; it is not now outmoded; it is not a judgment of the past. It was sound thinking. Once again, this body will one day come to understand that we need to separate ourselves from this money.

Senator MCCAIN above all set a standard for making clear that this is an idea of now, not of the past. My colleague does not even support campaign finance reform. He doesn't think McCain-Feingold ought to pass, let alone this amendment. It is no surprise he comes to the floor derisive about the concept of some level of public money being used to separate the politicians from the perceptions that cloud this institution.

My colleague from Kentucky brought an amendment a few years ago, with other people, I believe, to terminate the funding process of the Presidential races. Guess what. He lost. The Senate said we want to continue to have our Presidential races funded the way they are, even if it means that a fringe candidate such as a Lyndon LaRouche may get a couple of million dollars to run for office. That is the price in America of having a system that is free from special interests. That is the price.

The fact is, none of us can choose and pick who the candidates are. My colleague from Kentucky just acknowledged he does not know how this bill is structured. Maybe it would help him if he understood to some degree that it is structured in a way that not just anybody can run under this bill. You do not get the public funding unless you raise some money, and you can only raise some money if you have some kind of base of support. You only get some funding for the larger numbers of people you can entice to support you. So presumably there is a reflection in how much money you would ultimately get that is a reflection of what kind of candidate you are—whether you come with legitimacy or you do not come with legitimacy; otherwise, you are not going to get much.

Second, contrary to what my friend from Kentucky said, we do not mandate this on anybody. If you do not want to do this, you do not have to do this. If you are more content to go out and raise millions of dollars from all the interests, go do it. This system is only for those who choose to live by the limits. But the one differential would be involved if some multimillionaire is running against you, or someone wants to go out and court all the other interests and get $50,000, $150,000 at a whack, and have ads run that are completely outside of what even the 1974 election reforms tried to achieve. We are driving through the largest loophole we have ever seen in this process. I regret to say that began in 1996—not before. But the fact is, we have ads run under the guise of being issue ads that everybody knows are directed to either tear down someone's character or argue against their election. They are completely outside the mainstream of the election, except to the degree that they have a profound impact on it.

What we are really talking about is whether or not you want to have a voluntary system where, if somebody is spending those extraordinary amounts of money, you get to raise an additional amount by virtue of the public system.

I do not expect somebody who does not believe in any kind of campaign finance reform, who thinks we ought to have more money in the system, not less, and who equates money exclusively with the determination of elections and power—I do not expect that person to support or like this amendment.

I guarantee that over a period of time, as Americans continue to be disenchanted, as Senator MCCAIN's campaign so aptly showed—and the reason Senator MCCAIN's so aptly showed it is that what he did was he connected the dots for people. People want prescription drugs in Medicare. People want health maintenance organizations to be accountable to them. They want to know a doctor will make a medical decision about their potential illness or real illness if they have one. What Senator MCCAIN did was show them the reason they do not get a lot of these things that they want is that the money manages to completely cloud the issues and real choices.

Americans are subjected to this cacophony of funding which, frankly, crowds out even the voices of the candidates themselves in many cases. That is what this is about, a voluntary system giving people choice, allowing them to make up their own minds.

What are my colleagues so afraid of? What are they afraid of? That another candidate might have the voluntary choice to decide to do this? They don't have to do it. What are they afraid of? There is far more taxpayers' dollars spent and wasted as a result of the campaign system we have today than this system would cost any American.

Senator MCCAIN always talks about an aircraft carrier being built that the Navy did not ask for. That aircraft carrier alone would fund 10 years of election cycles under this bill—that one alone. How many different examples are there of things that get passed because of the money in politics, not because the voice of the American people asked for it?

He talks about the $3 checkoff. Yes, he is right. The $3 checkoff has diminished. But has anybody in America seen an advertisement asking them to participate? Has anyone in America had any kind of public input suggesting to them that if they were to check off, they could have a system that is perception-corruption free? The answer is no. We do not advertise. We do not ask accountants to suggest to their clients that they ought to check it off. There has been no effort whatsoever to try to bring Americans into the process of participation.

I will tell you, for most Americans who look at the system the way it is today, it is no wonder they do not check it off because they have no sense of the connection of that system to the potential that they would be participating in something that actually works and that is free and clear from the kind of cloud they see today.

I know the Senator from Washington wants to speak. How much time would the Senator like?

Mr. President, I yield 5 minutes to the Senator from Washington.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from Washington.

Ms. CANTWELL. Mr. President, I will be short.

I am in support of my colleagues and in support of the Kerry-Biden-Wellstone-Cantwell amendment. I want to make three points today about this amendment.

First, as you have heard earlier in the debate, it is an addition to McCain-Feingold. We are trying to ban soft money, limit out of control issue ads, and increase disclosure on independent expenditures. But we also want to give candidates the opportunity to try a system that will free them, their time and their energy, to focus on the issues of the people.

Second, counter to some of the things that have been said on the floor today, this is a system that is supported by whom? Not just a few Members of the Senate; it is supported by business.

You have heard some of the CEO's and officials of the businesses that are part of this Committee for Economic Development, the CED. Why are they supporting such an amendment? Because they understand the world

around us is changing, that they live in an information age, and that as they make better decisions, with more information and a more-informed public, they would like to see a better decision making process in the Senate.

Those businesses that have joined this effort to try to reform our political system, and to have a better decision making process, include Nortel, State Farm, Bear Stearns, the Frank Russell Company, the Vista Corporation of Spokane, Allied Signal, GTE, Dow Chemical—a variety of people who are not just a bunch of Members of the Senate.

This is a movement grabbing hold in businesses across America because they know our decisionmaking process is flawed. And this will only grow if this amendment is defeated, and we will see this organization and its supporters back again.

The third point that I would like to make is that this is in the best interest of the taxpayers. Do not be fooled. The discussion has been that if you vote for public financing, that is a vote for the public's paying for this process. That somehow it is going to cost them in their pocketbook.

We have heard a lot about the Presidential system and the checkoff. But I would ask you to think for a minute, how much is this system costing us when we do not get a prescription drug bill? How much does it cost senior citizens who live on a fixed income, who have to pay thousands of dollars a year for prescription drugs? Because we have been smart enough to figure out the new technologies for new drug therapies—smart enough to figure that out in a new information age—but not smart enough to make prescription drugs affordable.

Why is that? Because our campaign system does not reward that kind of thinking. It rewards a very short-term decision making process that does not discuss the fact that prescription drugs have become 30 percent of our overall health care costs, not 5 percent as they were 10 or 15 years ago. That is what is wrong with the decision making process.

The fact that we do not have a Patients' Bill of Rights, the fact that we do not spend the time and energy debating a real Patients' Bill of Rights and getting that issue before the Congress in a more aggressive way, and coming to terms and bringing the amendments and alternatives to the floor. That failure costs citizens of our country real personal and great hardships. This issue of whether it involves the public, I can tell you, it is costing us by not reforming our system.

What this amendment does today is to try to curb the amount of spending in our political campaigns and set limits. And it does so in a very reasonable way, while at the same time giving people the opportunity to get their message out and to participate in the system as they so wish.

I have learned a lot in the last weeks about how deep the cynicism in Washington is when it comes to discussing campaign finance reform. I am deeply committed to overcoming that cynicism and getting a whole generation of young people to take up this torch and change this system as opposed to thinking that government today is not as efficient in dealing with its issues.

But until we craft a campaign system with a shorter, more intensive campaign period, funded with finite and equal resources available to candidates, we will not govern well. Instead, the American public will be subject to the kind of campaigning, the kind of special interest ads deluging them in their living rooms with the discussions, not by the candidates, but by these interest groups of what your choices in America should be.

I am saying, follow the money back to the citizens of this country. Not until we have freed candidates from the time and energy drained from dialing for dollars will we improve the political discourse, play down the dominance of polls, and render the attack-driven, negative 30-second spots ineffective.

I think that day will come. I hate to wait until we have Internet voting, and an information age where citizens will look at all this information and find out exactly, in great detail, what their Senators and Members have been working on. I hope we can get it done sooner than that.

I commend Senator KERRY and the other sponsors—Senators BIDEN and WELLSTONE for their long-term vision on this issue because it is a vision that is headed in the right direction and it has articulated a better vision for campaign finance reform.

This amendment would make a real difference in how campaigns in this country are conducted. I hope, as the CED and Members join in this effort, we can reach a bipartisan consensus to take a step forward in curbing the spending and improving the participation in our campaign system in America.

I yield back the remainder of my time.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. I yield myself a moment that I need, and then I will yield to my colleague.

Mr. President, I thank the Senator from Washington for her support and for her comments and her understanding of the implications of this debate.

Let me point out to colleagues—and I emphasize—this does not change McCain-Feingold at all, No. 1. It embraces everything that is in McCain-Feingold. No. 2, it is purely voluntary. But, importantly, colleagues should note, 23 States in this country already have some form of public funding.

In the last few years, several States—Maine, Vermont, Massachusetts, I think Arizona—have moved to embrace something called Clean Elections, which have an even lower threshold than what I am supporting today.

I support the Clean Elections. Senator WELLSTONE and I have been advocates of it. But what we are coming in with is something that has broader bipartisan support, where businesses across the country—350 major business leaders and corporations—say: We have had enough of this other system. Here is a way we think is fair that encourages small contributions, encourages citizen participation, and provides some measure of public funding.

So I think the trend with the public in America is to move in this direction. I think that further counters the idea that this is somehow an old idea.

This is passing in States, and inevitably it is going to continue as a grassroots State movement where, once again, Washington, unless we change, is going to be not leading but following the American people.

How much time would the Senator from Connecticut like?

Mr. DODD. Ten minutes.

Mr. KERRY. I yield 10 minutes to the distinguished manager of the bill.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for up to 10 minutes.

Mr. DODD. Mr. President, I ask unanimous consent that I be added as a cosponsor to this amendment.

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

Mr. DODD. Mr. President, I commend my colleague from Massachusetts, Senator BIDEN, Senator WELLSTONE, and our new Member, Senator CANTWELL. I didn't hear all of the statements, but I listened to several of them. I was impressed with their astuteness and their level of articulation in support of this proposal.

This amendment, as my colleague from Kentucky knows, is not going to pass. We don't have the votes for this amendment. The Senator from Massachusetts was fully aware of that the moment he stood up and offered the amendment. Unfortunately, that is the case. It doesn't diminish the rationale or reason for offering the amendment and asking our colleagues to consider it and informing the American public about the value this amendment offers.

Let me step back a little and make two points. The details of this amendment have already been discussed. I think my colleagues and others may be aware of specifically how the amendment would work. It is a partial public financing program. As the Senator from Massachusetts has pointed out, some 23 States—almost half of the States—now have adopted some variation of this approach. The trend lines are clearly in this direction.

We are not alone in the world. Most sophisticated allies of ours, the most sophisticated democracies, industrialized nations around the globe, have also adopted partial public financing, not asking people to contribute more in taxation but a part of what they have contributed to support the underlying efforts of sustaining democratic institutions.

Let me make two points that have some value. One is, the reason this is necessary is that the Supreme Court has ruled that money is speech. Justice Stevens argued in a minority opinion back in 1974 that money was property, not speech. I agree with Justice Stevens. But he was of the minority view when the Court ruled on Buckley v. Valeo. For that simple conclusion that money is speech, we have been running this process out over the years where our ability to have some limitations on the amount of dollars that are spent and raised in seeking Federal office is significantly jeopardized because of the constitutionality of such provisions.

In the absence of having some public financing, we have had now for some 25 years public financing of our Presidential elections. Every single candidate for the Presidency, every prevailing candidate for the Presidency—beginning with Gerald Ford through Ronald Reagan, through George Bush 1 and 2, Bill Clinton—has taken public money. No greater conservative than Ronald Reagan took public money to run for the Presidency because, under that scheme, we could limit to some degree the amount that would be spent.

I know we have spent a lot of money on races. I hate to think of what the cost would have been in the absence of the public financing arrangement which every candidate has accepted, almost without exception, since 1976.

What the Senator from Massachusetts and those of us who are supporting his efforts are suggesting is that if it has worked fairly well in Presidential contests, if it is working fairly well in 23 States, if it is working fairly well in major democracies around the world, is it such a radical idea to slow down the money chase of multimillion-dollar campaigns to try something along the lines the Senator from Massachusetts is suggesting? I think not.

This is a modest proposal. In the absence of the constitutional amendment that our friend from South Carolina offered, which would say that money is not speech and amend the Bill of Rights—which many of our colleagues are reluctant to do, and I understand that; I happen to support him out of frustration because I don't know of any other means by which we can begin to try to slow down this exponentially growing foot race to gather the millions of dollars to run for Federal office—in the absence of that, this is the only other way I know that we are really going to make some difference in what is a growing and serious problem in this country, where the cost of running for public office is going way beyond the means and reach of average citizens.

As Senator KERRY has pointed out—I don't recall exactly the numbers, but roughly several hundred thousands of dollars, $300,000 to $400,000 on an average Senate race 25 years ago to around $7 million today—the cost has gone from some $400,000 to $7 million in the last 25 years, with no end in sight. How many Americans can even think about running for the Senate or the House of Representatives, where the factor of increase is almost the same?

This amendment is necessary. It is a reasonable one and one that is worthy of support.

The second thing I will mention about this: I heard my good friend from Kentucky talk about the diminishing response of the public to the checkoff system on the 1040 forms that has gone from a high of 29 percent down to some 12 percent. That is troubling. I believe it has less to do with the fact that there is a checkoff on public financing for Presidential races than the fact that those of us in public life are so devaluing public service, are so devaluing those who dedicate part of their lives or years of their lives to public service, that we demean it. We ridicule it. We attack each other every year.

I am surprised there is any support left. If you were to transfer what we do to each other in the public debate in this country to the private sector, you would destroy most competing businesses.

Someone once drew the analogy of comparing what would happen to McDonald's or Burger King if they engaged in campaigns against each other, competing for market share, with what we do as Democrats and Republicans in competing with each other for the right to represent them in public office. Someone suggested not only would they destroy each other, they would destroy franchised food.

If you look at campaign advertising, the attacks we wage against each other, the personal degradation we attach to and associate with our political competitors, what has happened is, we have so devalued public service and the public life of elected office that the public has become understandably disgusted with the condition of politics in America. We have no one to blame for that but ourselves. In no small measure that has occurred because of the rising amount of dollars that are spent being convinced by political consultants that the best way to win office is not to convince anyone of the merits of your argument but if you can convince people that your opponent is somehow unworthy of even consideration for the office, let alone that his ideas or her ideas may lack substance, then you can win a seat in the Congress of the United States.

Thus we see, as we did last year, where, of the 200 million eligible voters in America, only 50 percent voted; 100 million Americans cast their ballots for the Presidency of the United States, a decision that was made by a handful of votes in one State, and 100 million of our fellow citizens did not even show up on election day, where a tiny fraction, had they shown up in one State, would have resulted in a different outcome than what occurred as a result of the recounts and so forth that occurred in the State of Florida.

I suspect that a good portion of that 100 million didn't show up because they forgot or because they had something better to do that day.

I suspect a substantial portion didn't show up because they are disgusted with the process; they are sick and tired of coming into September and October after an election year and you can't turn on a single bit of programming without some mudslinging going on, attacking of one another, blistering one another. Whether it is through our own ads, or the ads of outside groups just trying to destroy the reputations of people seeking public life, I suspect that has more to do with the declining numbers of people checking off on the 1040 forms, the resource to support Presidential public financing.

One of the reasons why McCain-Feingold deserves support, in my view, is because there is some hope that this will put the brakes on, slow this down enough so we don't have an unending exponential growth of dollars pouring into the coffers of candidates and groups out there year in and year out, destroying not only the candidates, but the public's confidence in a political system that has contributed greatly to this great Nation over 200 years.

For those reasons, I applaud what the Senator from Massachusetts has offered. It is a worthwhile effort. I regret that he has to even go this route, but in the absence of it there is not much hope that we can do anything else in terms of getting the real numbers down. For those reasons, I support this amendment and urge its adoption.

Mr. KERRY. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator from Massachusetts controls 18 minutes 30 seconds.

Mr. KERRY. Let me begin by thanking the Senator from Connecticut. He has been at this for a long time. He has a voice of enormous credibility on the subject, and he is well respected around the country for his political wisdom and abilities. I think his voice is an important one, and I welcome it.

Very quickly—and then I will yield some time to the Senator from Minnesota—when we talk about these perceptions, I am not going to throw names around at all, but I mentioned earlier prescription drugs and some of the health care issues. If you look at what the drug industry spent in the last Congress—$8.7 million on political contributions—the result in the 106th Congress was no prescription drugs for seniors. But it is interesting, the industry got an extension of the R&D tax credit for those companies.

Most Americans would say: That is kind of interesting; I thought I had an interest in getting something, but they got it. Likewise, the juvenile justice bill doesn't happen because the gun lobby doesn't like the restrictions on gun show sales. The gun lobby spent $3.9 million in political contributions in the last cycle. Interestingly enough, the juvenile justice bill died in conference.

You can go down a long list of these things. They may or may not be connected, but the perception among the American people is very clear.

Without using any names at all, let me point out contributions from the oil and gas industry. Three or four of the major proponents of oil and gas interests in the Senate received in the last cycle $129,921; one received $146,779, another $286,000. But it is very interesting. Other people who were not so interested in the issue got figures in the range of $1,500, $1,075. That kind of a range sends a message to the American people about the impact of money in the system.

Mr. President, it is precisely the perceptions—leave alone realities—of that kind of connection that distorts our existence and our ability to have the confidence of the American people.

I yield 5 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for up to 5 minutes.

Mr. WELLSTONE. Mr. President, let me thank Senator KERRY and Senator BIDEN and say I am proud to be an original cosponsor on this amendment.

My colleague has described the amendment, a 2-to-1 match for up to $200 worth of contributions. This is the public financing part that is in exchange for agreed-upon spending limits. I want to make two or three points in less than 5 minutes.

First, very soon we are going to have an amendment to dramatically increase hard money spending limits. The argument is that we really need to do this. As Senator DODD said earlier this morning, poor Senators, gee whiz, we need to be able to raise more money. There is nothing like that. When you do that, you are more beholden. It is the obscene money chase. You are more beholden to big money.

Most people in the country believe big money can pay so they can play, but they can't pay so they can't play. This amendment Senator KERRY has talked about, and Senator BIDEN spoke about, takes us into a different direction. Candidates agree to spending limits, and you have smaller contributions. You get your support from a lot of folks, little folks, middle class people. What a better politics it is. It is an election and a politics in which people can more believe.

The second point is, if you view this as a system—and I don't like saying this because I am an incumbent. But I think it is wired for incumbents. Most people agree that, by and large, that is true. If you want to move toward a more level playing field, in that direction, some system of voluntary, agreed-upon spending limits for public financing really gives the challengers and the people who aren't as well known a much better chance.

It is important to have competitive elections in a representative democracy. I can just tell you, remembering back to 1990—and Senator KERRY can go back to his first race—I certainly remember when it felt as if when people didn't know you or think you had a chance and you could hardly raise any money, there was no kind of system that would give you a chance. We lucked out. I won because of my good looks and brilliance. If not for that, I would have lost.

I got the Presiding Officer's attention on that. I am kidding.

The third point I want to make is that I believe this amendment, if it were part of the McCain-Feingold bill, would be another one of those reform amendments. I hope colleagues will vote for it. I think it is so much a better way of having people believe in the process. It is so much a better way of making sure lots of people think they can run for office as opposed to only a few. It is a better way of having people believe that these elections belong to them and believe they are more a part of politics.

I have heard my friend from Kentucky say more than once that any kind of public financing is ''food stamps for politicians.'' That, again, presupposes that elections belong to politicians. They don't. They belong to the people in our States, to the people in the country.

This is a very good amendment. This is a strengthening amendment, and it is a very important vote. I hope we will have a strong vote for this Kerry amendment. I am very proud to be an original coauthor. I thank my colleague for allowing me to speak on this amendment.

Mr. KERRY. Mr. President, I thank the Senator from Minnesota. He is one of those who doesn't just talk about these things; he really practices it. Everybody in the Senate respects the depth of his commitment to reform and the principles that guide him in politics. I am very pleased to have him as a cohort in this endeavor.

Mr. President, how much time do we have remaining?

The PRESIDING OFFICER. The Senator from Massachusetts controls 11 minutes.

Mr. KERRY. Mr. President, we are nearing the end of this debate. I will take a couple minutes to summarize a few thoughts. I will then reserve the remainder of the time. I understand Senator MCCAIN may be coming to the floor.

I emphasize to my colleagues that this is voluntary. It is absolutely voluntary. No one is mandated to live by this or to accept it. It simply gives candidates an option of being able to choose a different way of trying to be elected to high public office. It does so in a way that maximizes the effort to pull our fellow citizens who have less amounts of income, who have less capacity to influence the system into participating.

It encourages small contributions. It provides a match only for the contribution up to $200. Therefore, if you want to raise a large sum of money or even receive a large sum of money from the Federal Government, you have to include a lot of people in your campaign.

What it does ultimately is end the extraordinary spiral of higher and higher amounts of money governing the elections in our country, the staggering increases of each election.

When I first ran for office, it was about $2.5 million or $3 million. My last race was $13 million. That is why we see so many millionaires running, so many self-funded campaigns.

What we try to do is allow an adjustment against the self-funded candidate. We do not preclude a millionaire who wants to run for office and spend his or her money from doing so. There is no restraint whatsoever on somebody doing that, but what we try to do is level the playing field a little bit for that person who does not have the millions of dollars so their voice can also be heard in American politics.

Most Americans would like to see a Senate that is more reflective of America, that has more people who have varied experiences and who reflect more of the life and real concerns and aspirations of our Nation.

It is important for us to move to reflect that Americans have a right to elect Senators the same way they elect the President of the United States: by freeing them from the extraordinary burden of having to raise these large sums of money from those most interested in what we do, when we do it, and how we do it.

I do not know one colleague who had an advertisement run against them or who lost an election because they voted for this in 1994 or because they voted for this in 1986. I do not ever recall it being raised in campaigns in this country.

The notion of voting for a voluntary system for people to participate in an election, the same way we elect the President of the United States, that that would somehow trip them up in their reelection, is absurd and completely unproven in the process. I reserve the remainder of my time.

The PRESIDING OFFICER. Who seeks time?

Mr. DODD. Mr. President, I suggest the absence of a quorum and ask that the time be charged against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mr. MCCONNELL. Mr. President, there is no particular need to prolong this debate. I want to make a couple observations.

It has been suggested that because Republican candidates accepted taxpayer funds to run for President, that is somehow an endorsement. It is noteworthy that President Reagan always

checked ''no'' proudly on his tax return on the notion of using taxpayer funding for Presidential elections. The reason he accepted the money is because he really did not have a choice, as a practical matter, since the contribution limit was set at $1,000. All of his advisers told him there was simply no way, not enough time to pool together enough funds at $1,000 per person to opt out of the Presidential system.

President Reagan, were he able to observe the last election, would have been proud that our now President, George W. Bush, was able, during the primary season where there is enough time to reach large numbers of $1,000-and-under donors, to refuse to accept the spending limits and the taxpayer funding prior to the convention.

Knowing the President as I do, if there had been enough time between the convention and the general election to have avoided taking taxpayer funds, I am confident he would then, too.

The problem is, when you have a contribution limit of $1,000 a person, and your convention ends around August 1, there is just not enough time to pool together enough resources to run for President.

It is not appropriate to suggest that the Republican Presidents, at least the two I have mentioned, endorse the idea of taxpayer funding of elections; certainly not for House and Senate races.

The other point I want to make is there was some suggestion that large segments of the business community—there was some discussion about the underlying bill—that large segments of the business community were supporting McCain-Feingold. That is clearly not the case. I am only aware of one fringe group that supports the underlying bill. All the major business organizations oppose the bill: the Chamber of Commerce, the National Association of Manufacturers, the National Association of Business PACs, and BIPAC, which is widely known. All the mainline business organizations oppose McCain-Feingold, and any suggestion to the contrary is not accurate.

I do not know who else may want to speak against the amendment. I know Senator FEINGOLD probably supports the principle but opposes the amendment and wants to speak.

I see Senator THOMPSON is here. We have not had a lot of speakers on this side. I think it is because just about everybody on this side has made up their mind on this amendment. Does the Senator from Tennessee want to speak against the amendment?

Mr. THOMPSON. No.

Mr. MCCONNELL. Mr. President, is Senator FEINGOLD going to speak against the amendment? How much time does he need?

Mr. FEINGOLD. Ten minutes.

Mr. MCCONNELL. I yield 10 minutes to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for up to 10 minutes.

Mr. FEINGOLD. Mr. President, I was candid with the Senator that I would be opposing the amendment even though I agree with the principles, and I will use some of my time to speak about the bill generally.

I think the amendment offered by the Senator from Massachusetts is absolutely the right policy. I have always believed completely in public financing, and the mechanism proposed in this amendment is the way we should go.

I have also taken note of the enormous amount of interest around the country in moving toward public financing in a number of States. Senator KERRY is right; this is a new beginning on this issue. It is not an old issue that has died. It is a rebirth that is occurring across the country, and the Kerry-Biden amendment is an important step in that direction.

When Senator MCCAIN and I began this process, coming to the final stages of trying to debate this bill, we agreed we would vote together on all amendments to make sure we show we are unified and that this will continue to be a bipartisan issue. So it is particularly painful for me to have to vote against this amendment, but it is not because I do not think it is the wave of the future and the ultimate solution to this problem.

All the McCain-Feingold bill does is close an enormous loophole that has made a mockery of our campaign finance system. It is the idea and principle behind the Kerry amendment that is ultimately the direction we have to go as a country in campaign finance reform. I hope we can get started on it the day after we get this bill through.

I want to talk about one other issue to which the Senator from Washington, Ms. CANTWELL, alluded. The time has come to talk about commonsense and conventional wisdom in the business community. It is common sense to declare our campaign finance system is broken and needs to be fixed. It is conventional wisdom, however, to say members of the business community must surely and monolithically oppose changes to the campaign finance reform system that has made influence available to them.

The common sense is right, but the conventional wisdom is wrong. Let us take a look at three items in last week's news.

First, we see the release of a list of names of 307 of our most prominent business leaders who have pledged their support for the campaign finance proposals of the Committee for Economic Development, CED. CED is an organization of prominent business leaders which has endorsed the McCain-Feingold bill and issued its own proposal that includes a soft money ban. This list of business leaders is a who's who of America's commerce. It includes CEOs and current or former top executives from Dow Chemical, Sara Lee, Motorola, Goldman Sachs, FMC, Prudential, and dozens of others.

Here is what CED President Charles Kolb had to say:

> As reform nears, the inside-the-beltway cottage industry is scrambling to oppose action, but this list provides real evidence that a growing number of business leaders want reform. They don't fear reform, but think it's desperately needed. They are the leading funders of campaigns, and they're tired of being hit-up for ever-increasing amounts of cash. They know the system—or lack of one—is hurting the business community and our democracy.

I ask unanimous consent that this list of business leaders and the accompanying release be printed in the RECORD following my remarks.

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

(See Exhibit 1.)

Mr. FEINGOLD. Business leaders have common sense and they are changing the conventional wisdom about the need for real campaign finance reform.

Look at the second item, the results of a poll of hundreds of senior executives conducted for CED. In the poll leaders of companies with annual revenues of $500 million or more overwhelmingly supported the provisions of our bill, including strong support for a soft money ban.

The poll, conducted for CED by the respected Tarrance Group included these findings: three in five top business executives back a soft money ban; 74 percent say business leaders are pressured to make big contributions. Half said they ''fear adverse consequences'' if they refuse to contribute; more than 80 percent said that corporations give soft money for the purpose of influencing the legislative process. And 75 percent say that their contributions work—it gives them an edge in shaping legislation; 78 percent of business leaders agreed that the current system is ''an arms race for cash that continues to get more and more out of control''; and 71 percent of executives in big companies say that all of these big dollar contributions are hurting their corporate image.

Business leaders believe that they are victims of a system that allows them to be shaken down. When asked why their companies give, the most frequent answer, from 31 percent, was ''To avoid adverse legislative consequences''. Twenty three percent say it is to buy access to the legislative process.''

As a result, a full three-fifths of senior business executives said that they support a complete ban on soft money. That number was about the same, 57 percent, even in those companies that have been recent soft money givers.

Those findings are grim but they shouldn't surprise anyone who has thought about the political environment businesses in America now face. Business leaders have had enough. They have abandoned the conventional wisdom about the benefits of this corrupt system, and they are beginning to

lead the call for reform. I ask unanimous consent that a release summarizing the results of this poll be printed in the RECORD following my remarks.

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

(See Exhibit 2.)

Mr. FEINGOLD. A piece on the op-ed page of Monday's Washington Post entitled ''Why this Lobbyist Backs McCain-Feingold.'' It was written by Wright Andrews, a long-time lobbyist, and a successful lobbyist, who has used this system to the advantage of his clients, but has finally said: ''enough is enough.'' According to the conventional wisdom, Mr. Andrews is an unlikely advocate for reform. Not long ago, he was the president of the American League of Lobbyists, so it is fair to say that he was the lobbyists' lobbyist, but he seems to be a man of common sense as well, and there is what he had to say. He writes:

> [A]s a Washington insider, I know that on the campaign finance front, things have mushroomed out of control. . . . I know that lobbyists, legislators and the interests represented increasingly operate in a legislative environment dominated by the campaign finance process, and its excesses are like a cancer eating away at our democratic system. . . . [M]illions of Americans are convinced that lobbyists and the interests we represent are unprincipled sleazeballs who, in effect use great sums of money to bribe a corrupt Congress.

Mr. Andrews has put his finger on something. This system, especially soft money, taints everybody who is involved with it. Big money changes hands, things get done in Washington, and the American people think it is only common sense to conclude that corruption abounds. Mr. Andrews seems to understand, as the American business community now understands, that the appearance of corruption is just as bad for our democracy as actual corruption, because the American people don't see the difference. Mr. Andrews candidly admits that he and his clients have used money, within the system, to get legislative results. He continues:

> Campaign-related contributions, and expenditures at today's excessive levels increasingly have a disproportionate influence on certain legislative actions. Unlimited ''soft'' money donations and ''issue ad'' expenditures in particular are making a joke of contribution limits and are allowing some of the wealthiest interests far too much power and influence.

I ask unanimous consent that Mr. Andrews' op-ed be printed in the RECORD following my remarks.

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

(See Exhibit 3.)

Mr. FEINGOLD. This last quote from a Washington lobbyist is common sense and the new, emerging conventional wisdom. These three items make a few things clear. The old conventional wisdom about the opposition of the business community to real reform is wrong, and it is giving way to the common sense of the movement for reform. To those who will strive on this floor to beat back the reform America demands, I say, listen to these business leaders who are saying that they realize that the corrupt system in place does not serve their interests, or our country's. Listen to the corporate executives who say they are tired of the constant fund-raising and the feeling that they are being shaken down. Listen to this veteran lobbyist, and others like him, who are at the center of the current system and can't stand its rotten influence any longer. And if you oppose reform, listen to the common sense of the American people who today can take heart that the old conventional wisdom about the chances for reform is passing away, along with your remaining allies in this fight.

I can't think of anything more illustrative of the very issue that the U.S. Supreme Court asked us to consider in these situations. Is there an appearance of corruption? When the business leaders and the CEOs of this country believe they are being shaken down and that they are being intimidated into giving these contributions, at a bare minimum, this is the appearance of corruption that the U.S. Supreme Court has identified as the basis for legislative action in this area.

EXHIBIT 1

TOP EXECUTIVES AND CIVIC LEADERS BACK PLAN THAT INCLUDES SOFT-MONEY BAN

As the Senate begins to debate campaign finance reform, the Committee for Economic Development (CED) today sent every Senator the names of 307 prominent business and civic leaders who have endorsed its sweeping reform plan, which includes a soft-money ban. About 100 new executives have joined the effort since the Senate last considered reform in October 1999.

''As reform nears, the inside-the-beltway cottage industry is scrambling to oppose action,'' said CED President Charles Kolb. ''But this list provides real evidence that a growing number of business leaders want reform. They don't fear reform, but think it's desperately needed. They are the leading funders of campaigns, and they're tired of being hit up for ever-increasing amounts of cash. They know the sysem—or lack of one—is hurting the business community and our democracy.''

The endorsers include top executives of Sara Lee, John Hancock Mutual Life Insurance, State Farm, Prudential, H&R Block, ITT Industries, Motorola, Nortel Networks, Hasbro, the MONY Group, Chubb, Goldman Sachs, Boston Properties, and Saloman Smith Barney. They also include the retired chairmen or CEOs of Deloitte Touche Tohmatsu, AlliedSignal, Bank of America, GTE, International Paper, Union Pacific, General Foods, Monsanto, Time, CBS, Fannie Mae, Dow Chemical, Texaco, FMC, and BFGoodrich.

Other prominent Americans on the list include a former vice President, former Republican Secretaries of Defense, Treasury, and Labor, a former Senator and Republican National Committee Chairman, and a former Securities and Exchange Commission Chairman.

CED, the leading business group advocating reform, has officially endorsed the legislation offered by Senators John McCain and Russ Feingold, which the Senate will debate next week. The CED proposal calls for a ban on soft-money contributions, increased individual contribution limits (to $3,000), partial public financing for congressional races, and voluntary spending limits.

''Business executives support reform in roughly the same numbers as the rest of the nation's voters,'' Kolb said, pointing to a poll of top corporate executives of the nation's largest corporations that The Tarrance Group conducted on behalf of CED last year. According to the survey, 78 percent support reform, and 60 percent back a soft-money ban. (Importantly, 57 percent of those from companies that recently made soft-money contributions support a soft-money ban.) Many business leaders have called the current system a ''shakedown'' and half of the poll respondents said they fear adverse legislative consequences if they don't give.

EXHIBIT 2

FIRST-EVER CORPORATE POLL RESULTS—SENIOR BUSINESS EXECUTIVES BACK CAMPAIGN FINANCE REFORM

POLL OF BIG-BUSINESS LEADERS SHOWS SUPPORT FOR SOFT-MONEY BAN, OTHER REFORMS SAY FEAR AND BUYING ACCESS ARE TOP REASONS FOR CORPORATE GIVING

Senior executives of the nation's largest businesses overwhelmingly say the nation's campaign finance system is ''broken and should be reformed,'' and three-in-five back a soft-money ban, according to the first-ever survey of business leaders' views on political fundraising, which was released today. The main reasons corporate America makes political contributions, the executives said, is fear of retribution and to buy access to lawmakers.

Nearly three-quarters (74 percent) say pressure is placed on business leaders to make large political donations. Half of the executives said their colleagues ''fear adverse consequences for themselves or their industry if they turn down requests'' for contributions.

The survey provides new evidence to demolish the myth that corporations support the current campaign finance system. It was conducted by The Terrance Group for the Committee, for Economic Development (CED) a non-partisan research and policy group that has emerged as the business community's leading voice for campaign finance reform.

By a more than four-to-one margin, respondents said corporations make soft-money contributions to influence the legislative process rather than for more altruistic reasons. And 75 percent say political donations give them an advantage in shaping legislation.

Nearly four-in-five executives (78 percent) called the system ''an arms race for cash that continues to get more and more out of control,'' with 43 percent strongly agreeing with that statement. Two-thirds (66 percent) said fundraising burdens are reducing competition in congressional races and the pool of good candidates. And 71 percent say stories about big-dollar contributions are hurting corporate America's image.

''As the chase for political dollars has exploded, the business community has increasingly called for reform,'' said Charles E.M. Kolb, the President of CED. ''More executives are saying they're tired of the 'shakedown' and the unrelenting pressure to give ever-increasing amounts—something some say feels like 'extortion.' ''

''This poll demonstrates conclusively that these are not just anecdotal accounts or minority opinions, but rather the widely held views in the top echelons of major corporations,'' Kolb said. ''The business community sees a campaign finance system that's evolved into an influence- and access-buying system that damages our democracy and the way public policy decisions are made. And

they increasingly feel trapped in a system that doesn't work for anyone.''

When asked why corporate America contributes, the most frequently given answer (31 percent) was to ''avoid adverse legislative consequences,'' and nearly a quarter (23 percent) said it was ''to buy access to influence the legislative process.'' Another 22 percent said the business community gives ''to promote a certain ideological position,'' and 12 percent said it does so ''to support the electoral process.''

''The numbers are compelling because the margins are so wide. The poll leaves no doubt that corporate leaders support significant reforms,'' said William Stewart, Vice President of Corporate & International Research for The Tarrance Group, a polling firm that specializing in working for corporations and Republican candidates. ''In nearly all cases, a clear consensus exists, and it exists across all demographic subgroups. These executives feel the system is an escalating arms race, they fear retribution for not giving, and they describe contributions as being tied to legislative outcomes; all of which helps explain why executives overwhelmingly favor reform.''

Perhaps some of the most surprising results of the survey are the levels of support for various reform proposals. Not only do three-in-five executives support banning soft money (the unlimited contributions from corporations, unions, and wealthy individuals), but 42 percent expressed strong support for the move. Even 57 percent of the executives who work for companies that have made soft-money contributions over the last three years, favor a ban.

In addition, the business leaders said they favored voluntary spending limits (66 percent), a publicly financed matching system for donations below $200 (53 percent), and an increase in the current $1,000 individual-contributions limit (63 percent).

''When so many senior executives support spending limits and a partial public-financing system, you know it's time for reform,'' said Kolb. ''This is not a group that casually supports government rules and spending, but they clearly see that it is now vital to fix this broken system.'' Additionally, nearly nine-in-ten (88 percent) said they were concerned about the decline in voter participation, with 53 percent saying they were ''very'' or ''extremely'' concerned about it.

The Tarrance Group surveyed 300 randomly chosen senior corporate executives (vice presidents or above) from firms that had annual revenues of approximately $500 million or more. The telephone survey was conducted between September 12 and October 10. It has a margin or error or plus or minus 5.8 percent.

Of those surveyed, 42 percent work for firms that have made soft-money contributions since 1997. The vast majority (86 percent) had made personal political contributions. A much larger share identified themselves as Republicans (59 percent) than Democrats (19 percent).

In March 1999, CED unveiled a reform proposal that would ban soft money, institute public matching funds for small-dollar donations and voluntary spending limits, and increase individual contribution limit (to $3,000).

Founded 1942, CED is an independent, nonpartisan research and public policy organization. Its Subcommittee on Campaign Finance Reform was co-chaired by Edward A. Kangas, Chairman, Global Board of Directors of Deloitte Touche Tohmatsu, and George Rupp, President of Columbia University. CED's campaign finance program is funded by grants from The Pew Charitable Trusts and the Carnegie Corporation of New York.

EXHIBIT 3

[From the Washington Post, Mar. 19, 2001]

WHY THIS LOBBYIST BACKS MCCAIN-FEINGOLD

(By Wright H. Andrews)

As a Washington lobbyist for more than 25 years, I urge Congress to make a meaningful start on campaign finance reform and pass the McCain-Feingold bill. While many lobbyists privately express dismay and disgust with today's campaign finance process and are in favor of reforms, most have not expressed their views publicly. I hope more lobbyists will do so after reading this ''true confession'' by one of their own.

I am not an ivory-tower liberal, nor do I naively believe we can or should seek to end the influence of money on politics. I have engaged in many activities most reformers abhor, including: (1) making thousands of dollars in personal political contributions over the years, (2) raising hundreds of thousands of dollars, including ''soft money,'' for both political parties and (3) counseling clients on how to use their money and ''Issue ads'' legally to influence elections and legislative decisions.

Why, then, does someone like me now openly call for new campaign finance restraints, at least on ''soft'' money and ''issue'' advertising? Quite simply because, as a Washington insider, I know that on the campaign finance front things have mushroomed out of control. In the years I have been in this business I have seen our federal campaign finance system and its effect on the legislative process change dramatically—and not for the better.

I believe that individuals and interests generally have a right to use their money to influence legislative decisions. Nevertheless, I know that lobbyists, legislators and the interests represented increasingly operate in a legislative environment dominated by the campaign finance process, and its excesses are like a cancer eating away at our democratic system.

There is no realistic hope of change until Congress legislates. I readily admit that I will continue, and expand, my own campaign finance activities—just as will most of my colleagues—until the rules are changed.

Right now there is an ever-increasing and seemingly insatiable bipartisan demand for more contributions, both ''hard'' and ''soft'' dollars. The Federal Election Commission has reported that overall Senate and House candidates raised a record $908.3 million during the 1999–2000 election cycle, up 37 percent from the 1997-1998 cycle. The Republican and Democratic parties also raised at least $1.2 billion in hard and soft money, double what they raised in the prior cycle. Soft-money donations from wealthy individuals, corporations, labor groups, trade associations and other interests have shown explosive growth. In addition, millions of dollars in unregulated ''non-contribution'' contributions are being plowed into the system through ''issue ads.''

Today's levels of political contributions and expenditures are undercutting the integrity of our legislative process.

Ironically, congressional lobbyists in general are better, more professional, more ethical and represent more diverse interests than in the past. Our elected officials today also are generally honest, hard-working and well-meaning. But millions of Americans are convinced that lobbyists and the interests we represent are unprincipled sleazeballs who, in effect, use great sums of money to bribe a corrupt Congress.

Many citizens believe that using money to try to influence decisions is inherently wrong, unethical and unfair. While supporting reforms and recognizing citizens' concerns, I disagree; I find little problem with political interests seeking to influence elected officials through contributions and expenditures at moderate levels, provided this is publicly disclosed and not done on a quid-pro-quo basis. The First Amendment allows every individual and interest to use its money to try, within reason, to influence Congress. And influence comes not just from political contributions; it also comes from using money, for example, to hire lobbyists, purchase newspaper ads and retain firms to generate ''grass-roots'' support.

I nonetheless think the time has come to temper this right. We have reached the point at which other interests and rights must come into play. Campaign related contributions and expenditures at today's excessive levels increasingly have a disproportionate influence on certain legislative actions. Unlimited ''soft'' money donations and ''issue ad'' expenditures in particular are making a joke of contribution limits and are allowing some of the wealthiest interests far too much power and influence.

Moreover, the ability of legislators to do their work is being reduced by the demands of today's campaign finance system. Many, especially senators, now must devote enormous amounts of time to fundraising.

Any significant new campaign finance limits that Congress adopts will have to survive certain challenges in the Supreme Court. If Congress carefully crafts legislative restrictions, the court will, I believe, uphold responsable limits by following reasoning such as it used in the Nixon v. Shrink Missouri Government PAC case, in which it noted that ''the prevention of corruption and the appearance of corruption'' is an important interest that can offset the interest of unfettered free speech.

Some lobbyists continue to support the present campaign finance system because their own abilities to influence decisions, and their economic livelihoods, are far more dependent on using political contributions and expenditures than on the merits of their causes. Others feel strongly that virtually no campaign contribution and expenditure limits are permissible because of the First Amendment's protections. And some, like me, believe additional restraints on campaign finance are required and allowable if properly drafted.

As to those in the last category, I invite and encourage them to work with me in Lobbyists for Campaign Reform, a coalition to urge Congress to pass meaningful campaign finance reforms, starting with the basic McCain-Feingold provisions.

Mr. FEINGOLD. Mr. President, I yield the floor.

Mr. MCCONNELL. I am not aware of any more speakers on this side.

Mr. KERRY. I will be brief and then I will yield back my time.

I thank the Senator from Wisconsin notwithstanding that he has to oppose my amendment. I understand why. I appreciate the gentle and sensitive opposition that he made, and I particularly appreciate the remarks he made about the CED and the business leaders who support what I am attempting to do this afternoon.

I will answer quickly. I always enjoy my exchanges with the Senator from Kentucky. He is very good at what he does. He certainly is one of the best in this body at making arguments. However, I must say I am a bit taken aback by the notion that President Bush made a judgment not to take the Federal money, or to take the Federal

money because he didn't have time to raise the other money. He raised $100 million in $1,000 contributions and Senator MCCAIN suspended his campaign in March.

The notion that President Bush, between March and the August convention, did not have an opportunity through his rather formidable fundraising machine to reask everybody for $1,000 who gave almost $100 million in order to find the $46 million necessary for the general election or some larger amount if he wanted to live by it is absolutely without merit. Everybody in this country who raises money knows he has the ability to raise $1,000 contributions a second time from those same $100 million worth of people who had invested in his nomination and who would not have quit on him and who would have wanted him elected President.

Likewise with President Reagan, the exact same circumstances existed. He took the money because the money was there, but also because Americans knew that is the way they expect to elect their President in the general election. I don't think you could have sustained the arguments that would have been made in the face of campaign finance reform advocates across the country who believe they don't want a President who, during the general election, has to raise that kind of money and be subjected to what we are subjected to here on an annual basis. There is an enormous distinction here and it needs to be made.

I yield back the remainder of my time.

Mr. MCCONNELL. Mr. President, I sum it up, this is an amendment about the taxpayer funding of congressional elections, about as unpopular with the American people as voting for congressional pay raises. We have the most extensive poll ever taken on any issue on this subject every April 15 when our taxpayers in this country get an opportunity to divert $3 of the taxes they already owe into a fund to pay for the Presidential election and for the conventions. The resounding number, 88 percent, choose not to divert money, although it doesn't add to the tax bill. They choose not to divert tax dollars into this discredited system during which one out of four of the tax dollars have been spent on lawyers and accountants trying to comply with the act and, of course, in recent years, more money spent by outside groups and the political parties in issue ads than the amount of money spent in the course of the campaign.

Finally, let me say at the risk of being redundant, you can't restrict tax dollars to the Republicans and the Democrats, as we have learned in the Presidential system which has provided millions of dollars to Lenora Fulani and to Lyndon LaRouche who got tax dollars to run for President while in jail. This is going to provide funding for fringe candidates for Congress and for the Senate all over America. Any crackpot who wakes up in the morning and looks in the mirror and says, ''Gee, I think I see a Congressman,'' is going to have hope under this that he will receive tax dollars to help finance his campaign.

Let me just say for the information of all Senators, the next amendment will be offered on our side of the aisle by the Senator from Tennessee, Mr. THOMPSON, who is present and prepared to offer his amendment as soon as this vote is concluded.

Am I correct that when I yield back my time, the vote will occur on the Kerry amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. MCCONNELL. Mr. President, at this point I yield back the remainder of my time.

The PRESIDING OFFICER. The question then is on agreeing to the amendment.

Mr. KERRY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

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

The result was announced—yeas 30, nays 70, as follows:

[Rollcall Vote No. 52 Leg.]

YEAS—30

Akaka	Dayton	Lieberman
Biden	Dodd	Murray
Bingaman	Graham	Nelson (FL)
Boxer	Harkin	Reed
Byrd	Hollings	Reid
Cantwell	Inouye	Rockefeller
Carper	Kennedy	Sarbanes
Clinton	Kerry	Stabenow
Corzine	Leahy	Torricelli
Daschle	Levin	Wellstone

NAYS—70

Allard	Ensign	McConnell
Allen	Enzi	Mikulski
Baucus	Feingold	Miller
Bayh	Feinstein	Murkowski
Bennett	Fitzgerald	Nelson (NE)
Bond	Frist	Nickles
Breaux	Gramm	Roberts
Brownback	Grassley	Santorum
Bunning	Gregg	Schumer
Burns	Hagel	Sessions
Campbell	Hatch	Shelby
Carnahan	Helms	Smith (NH)
Chafee	Hutchinson	Smith (OR)
Cleland	Hutchison	Snowe
Cochran	Inhofe	Specter
Collins	Jeffords	Stevens
Conrad	Johnson	Thomas
Craig	Kohl	Thompson
Crapo	Kyl	Thurmond
DeWine	Landrieu	Voinovich
Domenici	Lincoln	Warner
Dorgan	Lott	Wyden
Durbin	Lugar	
Edwards	McCain	

The amendment (No. 148) was rejected.

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

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

The motion to lay on the table was agreed to.

Mr. DODD. 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. 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 just consulted with Senator DASCHLE, the managers of the legislation, and all interested parties. We believe the best way to proceed tonight is to go ahead and have the next amendment laid down, which is the Thompson-Collins amendment, and that be debated tonight for whatever time is necessary, 2, 2½ hours.

We will come in in the morning at 9:15, have 30 minutes of debate equally divided, and have the next recorded vote about 9:45 a.m.

I ask unanimous consent that the Senate proceed to the Thompson-Collins amendment and, following the debate tonight, there be 30 minutes equally divided for closing remarks tomorrow beginning at 9:15 a.m., to be followed by a vote on or in relation to the amendment.

The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I do not disagree except to say it is the intention to have a Feinstein second-degree amendment immediately following the vote which will be to table the Thompson amendment. It is my understanding that is perfectly agreeable with the author of the amendment to have that vote on a second-degree amendment as well.

I ask to amend the unanimous consent request that, following that vote, a Feinstein second-degree amendment be in order.

Mr. DODD. I object to that. Let me explain if the leader will yield. We are going to debate the Thompson amendment, and there will be a vote on the Thompson amendment. There has been no decision whether it will be a vote up or down or to table.

Mr. MCCAIN. I amend my unanimous consent request that in the event the Thompson amendment is not tabled, a second-degree Feinstein——

Mr. DODD. I do not even want to agree with that. I understand where the Senator is coming from. At this point, I think we ought to go to the Thompson amendment, debate the Thompson amendment, and tomorrow get a better sense rather than push beyond that.

Mr. LOTT. Mr. President, I say to the Senator from Arizona, I hope he will do that because it will give everybody a chance to talk through everything tonight. In the morning, a whole new strategy may exist on the Senator's behalf or somebody else's behalf.

If we can withhold that now, I assume that is the direction we are going to go, but I think the managers want

to have some further discussion about it.

Mr. McCAIN. Mr. President, I have to say that will be our intention in the event the Thompson amendment is not tabled, and I have discussed this with the author of the amendment and many others, and unless there is some reason for not doing so, I hope that will be agreeable.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Mr. DODD. Reserving the right to object, the only request before the Chair is that posed by the majority leader?

The PRESIDING OFFICER. The Senator is correct.

Mr. DURBIN. Reserving the right to object, I ask the majority leader to give us a general overview, those who have been waiting patiently to offer amendments, as we are going into Wednesday and Thursday of the second week. Are we going to continue on this bill as long as there are amendments to be offered?

Mr. LOTT. There are some additional amendments I understand Senators would want to offer. I don't have a finite list. I don't know whether there are 2 or 3 or 10. The Senator may want to consult with the manager on that side. I don't know that there are more than a couple—I just don't know.

Mr. DODD. We have 21 amendments.

Mr. DURBIN. My inquiry is, there is no understanding that we are going to end this debate on Thursday night or Friday; we are going to continue until we finish the job?

Mr. LOTT. We are enjoying this immensely and we don't want to rush to finish this at a reasonable hour tomorrow. But if that is the will of the Senate, we may want to consider that.

Mr. DURBIN. I do not object.

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

Mr. LOTT. In light of the agreement, the next vote is at 9:45 a.m. on Wednesday.

I yield the floor.

AMENDMENT NO. 149

Mr. THOMPSON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. VOINOVICH). The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. THOMPSON], for himself, Mr. TORRICELLI, and Mr. NICKLES, proposes an amendment numbered 149.

Mr. THOMPSON. 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:

(Purpose: To modify and index contribution limits)

On page 37, between lines 14 and 15, insert the following

SEC. ___. MODIFICATION OF CONTRIBUTION LIMITS.

(a) INCREASE IN INDIVIDUAL LIMITS.—Section 315(a)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)) is amended—

(1) in subparagraph (A), by striking ''$1,000'' and inserting ''$2,500'';

(2) in subparagraph (B), by striking ''$20,000'' and inserting ''$40,000''; and

(3) in subparagraph (C), by striking ''$5,000'' and inserting ''$7,500''.

(b) INCREASE IN AGGREGATE INDIVIDUAL LIMIT.—Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)), as amended by section 102(b), is amended by striking ''$30,000'' and inserting ''$50,000''.

(c) INCREASE IN MULTICANDIDATE LIMITS.—Section 315(a)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(2)) is amended—

(1) in subparagraph (A), by striking ''$5,000'' and inserting ''$7,500'';

(2) in subparagraph (B), by striking ''$15,000'' and inserting ''$17,500''; and

(3) in subparagraph (C), by striking ''$5,000'' and inserting ''$7,500''.

(d) INCREASE IN SENATORIAL CAMPAIGN COMMITTEE LIMIT.—Section 315(h) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(h)) is amended by striking ''$17,500'' and inserting ''$35,000''.

(e) INDEXING OF INCREASED LIMITS.—

(1) IN GENERAL.—Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended—

(A) in paragraph (1)—

(i) by striking the second and third sentences;

(ii) by inserting ''(A)'' before ''At the beginning''; and

(iii) by adding at the end the following:

''(B) Except as provided in subparagraph (C), in any calendar year after 2002—

''(i) a limitation established by subsection (a), (b), (d), or (h) shall be increased by the percent difference determined under subparagraph (A); and

''(ii) each amount so increased shall remain in effect for the calendar year.

If any amount after adjustment under the preceding sentence is not a multiple of $500, such amount shall be rounded to the next nearest multiple of $500 (or if such amount is a multiple of $250 (and not a multiple of $500), such amount shall be rounded to the next highest multiple of $500).

''(C) In the case of limitations under subsection (a), each amount increased under subparagraph (B) shall remain in effect for the 2-year period beginning on the first day following the date of the last general election in the year preceding the year in which the amount is increased and ending on the date of the next general election.''; and

(B) in paragraph (2)(B), by striking ''means the calendar year 1974'' and inserting ''means—

''(i) for purposes of subsections (b) and (d), calendar year 1974; and

''(ii) for purposes of subsections (a) and (h), calendar year 2001''.

(2) EFFECTIVE DATE.—The amendments made by subsection (e) shall apply to calendar years after 2002.

Mr. THOMPSON. Mr. President, I think it would be appropriate at this time to remind ourselves why we are here and to remind ourselves of the need for changing the current system under which we operate in terms of financing campaigns for Federal elections. It has to do with large amounts of money going to small amounts of people.

We have seen over the centuries problems with large amounts of money going to elected officials or people who would be elected officials. That is the basis behind the effort to ban soft money from our system.

We have gone from basically a small donor system in this country where the average person believed they had a stake, believed they had a voice, to one of extremely large amounts of money, where you are not a player unless you are in the $100,000 or $200,000 range, many contributions in the $500,000 range, occasionally you get a $1 million contribution. That is not what we had in mind when we created this system. It has grown up around us without Congress really doing anything to promote it or to stop it.

I think we are on the eve of maybe doing something to rectify that situation. Many Members are tired of picking up the paper every day and reading about an important issue we are going to be considering, one in which many interests have large sums at stake and then the second part of the story reading about the large amounts of money that are being poured into Washington on one side or the other of the issue—the implication, of course being clear, that money talks and large amounts of money talk the loudest.

Of course, that is a reflection on us. It is a reflection on us as a body. As the money goes up, the cynicism goes up, and the number of people who vote in this country goes down. That is not a system of which we are proud. That is not a system that many want to continue.

I read a few days ago about the problems our friends in France are having with their own big money scandal. I read in the newspaper where the French are saying their politics have become Americanized—meaning it is now a system of tremendously large amounts of money.

We learned in 1996 that the President of the United States can sit in the Oval Office and coordinate these large amounts of money on behalf of his own campaign. So the issue of whether or not making these large contributions of the State party ever reaches the benefit of the candidate is a moot issue. We know certainly that it does.

If we are able to do something about this soft money situation, where is this money that is in the system now going to go? I suggest we have seen the beginning of the phenomenon in electoral politics that will continue unabated, and that is the proliferation of independent groups, nonprofit groups, what have you, buying television ads in our system. I think it is protected almost totally by the first amendment. There are some modest restrictions one can make, but basically it is protected by the first amendment and it will continue and there is nothing we can do about it even if we wanted to. I am not sure we ought to. We ought to be subject to discussion and criticism and robust debate.

Having said that, if we get rid of the soft money, it is going to go somewhere—a good deal of it, anyway. Are we going to fuel that independent sector out there even more or are we

going to allow the candidate, himself or herself, to have some voice in their own campaign? It will go to all these outside groups unless we do something about the hard money limits. Of course, we all know what we are talking about, but I hope the American people understand we created a system of so-called hard money, which is the legitimate money that we decided people ought to be able to contribute to Federal candidates for campaigns.

Everybody knows it takes money. It takes large amounts of money, it takes more and more money, and we will see in a few minutes how much it really takes.

We said for an individual in one cycle or in one campaign, $1,000 individual limit. That was back in 1974 when we passed that law. We had other limits for other activities. Individual contributions to parties we capped at $20,000; individual contributions to PACs, $5,000; aggregate individual limit of $25,000 a year. That has been the system we operated under since 1974. The soft money phenomena was very small until the mid-1990s and the system worked pretty well.

It has all changed now. The soft money is there in droves. The independent groups are out there energized on both sides, all sides, and we are still back here at these hard money $1,000 limitations that we created in 1974—a limitation of $1,000 that would be worth $3,500 a day if adjusted for inflation.

That is the nature of the problem. All the other areas have increased exponentially, and these legitimate, the most legitimate, the most disclosed, the most controlled, the area where nobody says there will be any corruption involved because the amounts are so low, has not changed. Inflation has tripled. It has more than tripled since 1974. The costs of campaigns have gone up 10 times.

I have a chart showing the average cost of winning a Senate seat in this country back to 1976. I wish we had 1974 numbers because it would probably be $400,000 or $500,000. We know in 1976 it was $600,000. In 1978, it came up to $1.2 million. The cost in the last election cycle that we had in 2000, the average cost of winning a Senate seat was over $7 million.

That includes one or two very expensive seats and that boosts the number up, but they count, too.

The last cycle, in 1998, was about $4.5 million. So about any way you cut it, you can see the dramatic increase, about a tenfold increase since 1974, of the cost of the election. That is the cost of everything: consultants, television is the biggest part of it, personnel—everything from stamps to the paper that you write on, the material that you send out. Everything has skyrocketed, has increased greatly with regard to campaigns since 1974—10 times. Inflation has increased over 3 times. And we are back at a $1,000 limit pretending we are doing something good by keeping the limit that low.

What has been the effect of that? What has been the effect of everything else running wild and our keeping this low cap on the most legitimate money in politics? It means one thing: incumbents have to spend an awful lot of their time running and raising money in $1,000 increments. In that respect, we get the worst of both worlds because, also, once we get the money, it is an incumbent protection deal because the great majority of Senators who run for reelection win because of inherent advantages that we have.

In the House last time, 98 percent of the sitting House Members to run for reelection won reelection—98 percent—attesting to the fact that by keeping these limits low, you are making it that much more difficult for challengers. You are making it that much more difficult for people who want to get into the system and reach that threshold of credibility by raising enough money to be able to say they are going to buy a few TV ads and such things as that, and tell their supporters: Yes, I am credible; I have that much money in the bank.

It is extremely difficult under our present system to do that now. We have an incumbent protection system in operation now. I do not think that is good for our country. We have been criticized for some of these amendments that have been passed during this debate in the last couple of weeks as, once again, doing something to protect incumbents. One of the things we can do to answer that is to say we are not going to continue to stick with this antiquated hard dollar limitation.

Others have commented upon and made note of the difficulty that challengers have in raising sufficient amounts of money to run. There was an article recently by Mr. Michael Malbin, executive director of the Campaign Finance Institute, a professor of political science in the State University of New York at Albany. In Rollcall last Monday, Mr. Malbin pointed out that the Campaign Finance Institute, affiliated with the George Washington University, analyzed past campaign finance data and reached surprising conclusions about the role that large contributions play in promoting competition in Federal elections. These conclusions are not arguments for or against McCain-Feingold or the Hagel bill.

He points out the $1,000 limitation today would be worth $3,500 if it was just indexed for inflation.

> From a competitive standpoint, upping the individual contribution limit would help nonincumbent Senate candidates, while having little impact on the House.

He points out in races in 1996 and 2000, 70 percent of the $1,000 contributions went to nonincumbents. He says nonincumbents rely more on the $1,000 givers. He says:

> These data do not point to a single policy conclusion. But they do raise a yellow flag. Large givers and parties are important to non-incumbents.

McCain-Feingold would shut off one source of soft money, the banning of donations, without putting anything in its place.

I suggest we should put something in its place. That is the amendment that Senator TORRICELLI and Senator NICKLES and I have submitted. We take that $1,000 limitation that we have operated under since 1974 and we increase it to $2,500. I, frankly, would prefer to raise it closer to what inflation would bear, which would be $3,500.

I have been talking about rounding it off to $3,000. I do not get the indication that we would have the opportunity to pass that nearly as readily as what I am offering. Frankly, that is my primary motivation. I believe so strongly that we must make some meaningful increase in the hard money limit that I want to pare mine down to something that is substantially less than an inflation increase.

So, in real dollars, if we pass my amendment, we will be dealing with less than the candidate dealt with back in 1974 with his $1,000, not to mention the fact that all of the expenses have skyrocketed.

Individual contributions will go from $20,000 to $40,000; aggregate individual limits would go from $25,000 to $50,000 aggregate individual limits. People say $50,000, that is a lot of money. That is not $50,000 going to one person; that is $50,000 aggregate, going to all candidates.

Look at the tradeoff. Again, what I said in the very beginning about the reason we are here: large amounts of money, hundreds of thousands of dollars going to or on behalf of particular candidates. Here the individual candidate would only get $2,500 for an election. In terms of the aggregate amount, what is wrong with several $2,500 checks being made out to several candidates around the country, if a person wanted to do that? No one candidate is getting enough money to raise the question of corruption. I think the more the merrier. In that sense, more money in politics is a good thing. We have more people reach the threshold of credibility sooner and let them have a decent shot at participating in an election and not have a system where you do not have a chance unless you are a multimillionnaire or a professional politician who has been raising money all of his life and has his Rolodex in shape that he can move on, up, down the line.

So I doubled most of these other categories except for the contributions to PACs. On individual contributions to PACs, we move from the current $5,000 a year to $7,500 a year. On PAC contributions to parties, we move from $15,000 a year to $17,500 a year; PAC contributions to PACs, $5,000 to $7,500.

These are modest increments. I don't know the exact percentage—less than half increase.

Some would say, I assume, that though we are not even coming close to keeping up with inflation, and even though these prices are skyrocketing for everything that we buy connected

with the campaign, that going from $1,000 to $2,500 is too rich for their blood. But I must say for those who read any of the articles, any of the treatments that have been out recently by scholars and thoughtful commentators and others, they have to see a pattern that must convince them that they should take a second look at taking such a position.

There is an article recently by Stuart Taylor in the National Journal, saying that increasing these hard money limits to $2,000 or $3,000 is certainly an appropriate thing to do.

There is no commentator, there is no writer, there is no reporter with more respect in this town and hardly in the country than David Broder. Mr. Broder wrote recently that raising it to $2,000 or even $3,000 would be an appropriate thing to do. There is no corruption issue there. There is no appearance issue there. That is what we need to keep in mind. We are not just talking about money. Money is not the same in one category as it is in the other. And more of it is not necessarily all bad, if you are giving a little bit to various candidates around the country. Let's not get so carried away in our zeal to think that all money is bad, that it doesn't take money to run campaigns, when that kind of attitude is going to hurt people who are challengers worse than anybody.

Let's get the amount up decent enough so it will not be so high as to have a corrupting influence or a bad appearance problem, but high enough to make the candidate credible.

Recently, I got the benefit of some legislative history on this matter with regard to this body and some comments that have been made over the years by former Senators who we all remember and we all respect.

Back in August of 1971, they debated a piece of legislation. If you recall, it was 2 years before Watergate. Senators Mathias and Chiles moved to establish a $5,000 limit on a person's contribution to a Federal candidate. That amendment was rejected. But Senator Chiles said: ''to restore some public confidence on the part of the people [we need this amendment].''

He said:

> The people cannot understand, today, why a candidate receives $25,000 or $250,000 from one individual, and they cannot understand how a candidate is not going to be influenced by receiving that kind of money.

He said what we need to do is raise the amount so that it is not so high that we have that kind of improper influence appearance, but raise it high enough to give them a decent chance; and to him, at that point, it was $5,000. Well, that is closer to $20,000 today.

Before a subcommittee in March of 1973—on March 8, 1973—there was discussion between Senator Beall and Senator George McGovern, former Presidential candidate. Senator Beall said:

> [I]n Maryland, we don't have any limit on the total amount that you might spend in an election but we do limit contributions to $2,500.

This is, of course, the amount I am suggesting today.

Senator McGovern said:

> I favor that, Senator. I think there should be an individual limitation. I have proposed that in no race should it go beyond $3,000 by a single individual.

So Senator McGovern was at $3,000, and in real dollars way above what I am proposing. Again, his $3,000 would be $10,000, $12,000 today.

Coming on further, in the Watergate year, 1973, Senator Bentsen, former Senator from Texas, former Secretary of the Treasury, said:

> I believe my $3,000 limit walks that fine line between controlling the pollution of our political system by favor seekers with money to spend and overly limiting campaign contributions to the point that a new man simply does not have a chance.

On the vote to amend the Proxmire amendment with the Bentsen amendment, Senator Mondale voted yes. Senator Mondale and Senator Bentsen voted for a $3,000 individual limit which, again, is—what?—$10,000 or so today. On the vote which carried to adopt the amendment as amended, both Senator Mondale and Senator McGovern voted yes. Senator Cannon summarized the contribution limit provisions, as amended by Bentsen's amendment, and stated: The maximum of $3,000 individual contributions to congressional and Presidential candidates is what is in the bill, and the overall limit is $100,000. That is 100,000 1974 dollars. This is in the wake of Watergate that they were having this discussion at these amounts.

On March 28, 1974—after Watergate—which is the year that the last significant legislation in this area was passed, Senator Hathaway proposed an amendment to increase the amount from $3,000 to $6,000 that organizations may contribute.

During the debate, Senator HOLLINGS—our own Senator HOLLINGS—said:

> I . . . support limiting the amount that an individual can contribute to a campaign, and while I personally favor a $1,000 ceiling, I would agree to a compromise that would set $15,000 as the maximum contribution in Presidential races and $3,000 in Senate and House races.

Again, that is substantially above what we are talking about today.

Senator Hathaway said:

> [T]he President [President Nixon] advocated a $15,000 limitation. It seems to me the $3,000 for individuals and $6,000 for a group limitation, being considerably below the amount recommended by the President, is realistic.

The Hathaway amendment carried, and, again, Senator McGovern voted in favor. Again, it is substantially above what we are talking about today.

Finally, in June of 1974, the Watergate Committee issued its final report. That is a committee I spent a few days and weeks assisting in the writing. Recommendation No. 5 of the Watergate Committee report:

> The committee recommends enactment of a statutory limitation of $3,000 on political contributions by any individuals to the campaign of each Presidential candidate during the prenomination period and a separate $3,000 limitation during the post-nomination period.

And the report also states:

> [T]he limit must not be set so low as to make private financing of elections impractical.

That had to do with Presidential elections. The Watergate Committee did recommend substantially above what we wound up with regard to Presidential elections. What would they have recommended 25 years later with inflation—knowing then what we know now, and that expenses were going to go up tenfold? The amounts would be much, much higher.

I say all of this to make one simple point. The increase in the hard money limits is long overdue and very modest. By trying to be holier than thou—and no one has fought for McCain-Feingold harder than I have since I have been here. When I first ran for political office—the first office I ever ran for—it just seemed to me that something was wrong with a system that took that much money, and it was a whole lot easier to raise money once you got in, and once a big bill came down the pike that everybody was interested in.

In private life you get a little uneasy about things such as that. I was not used to it. So I signed on. I became a reformer. And I have gone down to defeat many times because of it. So I take a back seat to no one in wanting to change the system so we can have some pride in it again.

But I am telling you, by keeping this hard money limit so low, we are hurting the system. We are going to wind up with something, if we are not careful, worse than what we have now. That is how important I think the increasing of the hard money limitation is.

There is another question that we should ask ourselves. I heard one of the commentators refer to this last Sunday. I had not thought about it, frankly, but it makes a lot of good sense. It is a good question. And that is, wait a minute, we just passed a so-called rich, wealthy candidate's amendment. I voted against it. I think it is unconstitutional. But the sentiment is a legitimate one. Everyone is fearful of the prospects of running against a multimillionaire who can put millions of dollars in of their own money. So what was adopted was an amendment that says, if the rich guy puts in money, you can raise your limits to $2,000, $3,000, $4,000, $5,000, I believe $6,000. You can take $6,000 from one person, I believe is what we wound up with. Let me ask you, if the $2,500 that I am proposing is corrupting, what about the $6,000 you are going to be using against the rich guy?

The fact that you are running against a rich guy is not going to make you any more or less susceptible to

corruption, if that is the issue. How can we pass an increase for ourselves based on what somebody else is spending against us, if we are concerned about the corruption issue, unless we acknowledge that those levels of dollars are not a corruption problem? It is something considerably lower than that, such as $2,500, I suggest.

The amendment also has the benefit of being clearly constitutional. We have had a constitutional issue with regard to just about every aspect of this bill that has been brought up so far. We will not have a constitutional issue with this amendment. There is no question that we can increase the hard money limits. The constitutional issues have always been whether or not we could reduce the hard money limits.

I urge the Senate not to be so afraid to do something that is long overdue, and to not try to wear the mantle of reform to the extent that we wind up creating more harm, to take a noble purpose and turn it into a terrible result and have a situation where amendments such as mine are defeated and we go ahead and pass McCain-Feingold and do away with soft money and wind up with a hollow victory, indeed, as we see the candidate is unable to fend for himself, candidates who want to run can't afford to raise the money to run on the one hand and all the independent groups doing whatever they want to do in triplicate from what we have already seen in the future—that would be worse—and inflation continuing to increase and seeing that $1,000 limit continue to dwindle, dwindle down below the $300 that it is today.

I suggest to those who want to come in at some lower limit that we not simply nibble away at this problem, that we face up to it, do what we need to do, index these dollars, do what we need to do so we don't have to revisit this thing every couple of years, so that we can get on with our business. In a practical sense, look how long it has taken us to get here. It has taken us since 1974 to get here for these 2 weeks. A lot of blood has been spilt on the floor just to get here and get this debate. It may be another 25 years before we have another debate such as this. Let's come up with some reasonable amount, index it for inflation, so we don't have to go through this again because, in fact, we probably won't go through this again and nothing will be done about the proliferation of the independent ads and the independent outside groups as that goes on and on and on, and our puny little hard money limitation, the most legitimate, the most disclosed, the most limited part of our whole system continues to dwindle and dwindle and dwindle. That would be a bad result and a hollow victory indeed.

Mr. President, I urge the adoption of the amendment and yield the floor.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I rise in opposition to the Thompson amendment.

The fact is, the Senator from Tennessee was one of the very first persons to get involved in the McCain-Feingold effort. I am grateful for the years of hard work he has put into our effort to try to reform the campaign finance system. We have always had a disagreement about this issue but a polite disagreement. Now the issue is finally joined.

I understand many Members of this body believe it is appropriate to raise the hard money limits. I have said many times that there must be some flexibility on this issue. I have said, half seriously and half kiddingly, that I am willing to go up as much as $1,001 per election for the individual limit. I prefer we not even do that.

When I say that, of course, at this point in the difficult process of bringing this bill together, I don't really mean that that is as far as I am willing to go, as much as I regret it. This is an area that now has to be opened to negotiation, and there have already been several days of discussions about this subject. That said, I don't think a significant increase in the limits is warranted.

In the 2000 election, according to Public Citizen, roughly 232,000 people gave $1,000 or more to Federal candidates. That is just one-ninth of 1 percent of the voting-age population. An elite group of donors don't just dominate the soft money system, frankly; they actually dominate the hard money system as well. To most Americans, $2,000 is still a large sum of money. That is when an individual can give to a single candidate $1,000 in the primary and then another $1,000 in the general election. If we talked about average Americans getting a tax cut for that amount of money, we would say $2,000 is a very sizable tax cut. Somehow when we talk about the same sum in the context of political giving, we act as if this is a small figure.

As I have said, I understand that raising the hard money limits does have to be a part of a final stage of this debate, even though I am reluctant to do so. If we can agree on an increase that doesn't jeopardize the integrity of the McCain-Feingold bill as a whole, I will support it.

I am afraid that this amendment, well-intentioned as it is, simply raises the limit too high by raising the individual limit to $2,500 and by doubling the other contribution limits, including the aggregate limit, the total amount that people give. That is why I must oppose this amendment and urge my colleagues to oppose it as well.

I understand that because this bill bans soft money, those of us who would prefer to leave the limits at their current level may have to compromise. I say to all my colleagues, increasing the individual limit by 150 percent is just not a compromise we should make. Such a small number of Americans can afford to give what the limits even allow now—quite often it is given the nickname of ''maxing out,'' giving the maximum—that a vote to increase the individual limit to $2,500 does mean putting more power in the hands of an even more concentrated group of citizens, and few Americans have the wherewithal to give those kinds of contributions.

A recent study by Public Campaign found that Senate incumbents in 2000 raised on average nearly three times as much as their challenges did from donors of $1,000 or more. It is likely that raising the hard money limit will give incumbents an even bigger advantage than they already have now. So whatever increase we might support, we need to consider that aspect of this very seriously. We should carefully consider any measure that increases an incumbent's advantage, which I am afraid is already so strong in our Federal elections. I am afraid the Thompson amendment does just that.

On this point, the Supreme Court has said Congress may legislate in this area in order to address the appearance of corruption. There is another appearance that is important here, and that is how the bill we are trying to craft as a whole appears to the public at large. That is very important. This bill started out, with the good help of the Senator from Tennessee, as a straightforward effort to ban soft money and address the phony issue ad problem.

We quickly added an amendment that raised individual limits when a candidate faces a wealthy opponent on the first day of the debate. Now we are looking at a doubling of most of the contribution limits for all campaigns. If we keep going in this direction, as others have said, pretty soon this bill starts to look as if it is aimed at raising limits and really protecting incumbents rather than addressing the problem of corruption. We need to pay attention to that perception because our goal here is to reestablish the American people's trust in government, not to drive people further away.

I am afraid the Thompson amendment doesn't just increase the individual limit to 150 percent; it doubles every other important hard money limit as well. For example, the aggregate of what an individual can give to individual candidates would increase from $25,000 a year to $50,000 a year. So in the course of an election cycle, a couple—if there happens to be a couple involved—could give $100,000 in contributions. Now I was just talking about how $2,000 is a lot of money to most Americans. Well, $100,000 is, of course, a staggering sum to most people. I think it is too high to have the name ''reform.''

This bill is about lessening the influence of money on politics. It is not about increasing it. If we are going to raise the limits at all, we must do everything we can to act in good faith with all the American people, not that tiny number of Americans who can afford to open up their checkbooks and

max out the candidate. We have to do everything we can to look out for the Americans who could not even dream of writing a $1,000 check to a candidate, no matter how much they supported what that candidate stood for.

Although I know important negotiations are underway, this is why raising the limits has to give this body pause, because every time we act to empower the wealthy few in our system, we really do a disservice to our Nation. I believe the soft money ban in this bill does a great service to the Nation by ending a system that allows completely unlimited contributions from corporations, unions, and individuals to flow to the party. The soft money ban helps empower the average voter in this country, and that is why it is the centerpiece, the bottom line, the reason to be of the McCain-Feingold bill.

With this bill, we are getting rid of hundreds of millions of unregulated dollars. So I am willing to consider a modest increase in regulated dollars. But this amendment goes too far. I oppose raising the hard money limit 150 percent when only one-ninth of 1 percent of the voting-age population gives $1,000. Increasing this figure by 150 percent would give an unprecedented new level of access to those who would continue to max out under the new limit.

I must urge my colleagues to oppose this amendment. I do hope the Members of this body can work together to reach an increase that will be palatable to both sides of the aisle. I mean that sincerely. If we can't come to an agreement, this bill will be seriously jeopardized. This body has made laudable progress in the course of this debate. I have never been more proud to be a Member of the Senate. I say to my colleagues that we have come too far to let this reform debate stall, even over an issue as tough as this one.

I hope we can come to an agreement on this issue that I can support. Until that time, I do have to oppose the Thompson amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. THOMPSON. What does the Senator from Virginia need?

Mr. ALLEN. Ten minutes.

Mr. THOMPSON. I yield 10 minutes to the Senator from Virginia.

Mr. ALLEN. Mr. President, and Members of the Senate, I rise in support of the Thompson amendment. I have listened to the debate on this issue for the last several days, and I have listened to the many different points of view expressed here. There is quite a spectrum of opinion. On one side of the spectrum, there are those—and they had 40 votes—who want to limit First Amendment rights and, in fact, voted for a Constitutional amendment to do just that. I actually commend the Senator from South Carolina, Mr. HOLLINGS, for at least recognizing that many of these proposals, including the McCain-Feingold bill, have the effect of restricting First Amendment rights, which is part of the Bill of Rights. Nevertheless, that is their view.

On that side of the spectrum, there are also those who want the taxpayers to pay for elections, which would be the result if you actually limited First Amendment rights. They honestly believe that is the approach to take. I find myself on the other end of the spectrum, as one who believes very much in the Bill of Rights. After all, it was first authored by George Mason in the Virginia Declaration of Rights. I think the First Amendment, as well as all of the Bill of Rights, is very important for all Americans. My view is that what we ought to have is more freedom; the maximum amount of individual freedom, and the maximum amount of accountability and honesty in elections, and having contributions made voluntarily as opposed to being taken out of tax money.

All the various amendments that have been offered today, and probably will be offered in the next few days, have as their purpose various restrictions or subterfuge to these two different points of view.

I have been a candidate for statewide office in Virginia twice. Last year, I ran statewide for the U.S. Senate under the Federal election laws. I also ran for Governor statewide, obviously, under Virginia's laws that are based upon the principles of freedom. In my view, the current Federal election laws are overly restrictive. They are bureaucratic, antiquated, and they are contrary to the principles of individual freedom, accountability and, yes, contrary to the concepts of honesty.

I have been working on an amendment with the Senator from Texas, Mr. GRAMM, on what we call the Political Freedom and Accountability Act. I don't know if we will offer that amendment, but this looks like an opportunity to be in support of something that is at least going in that same direction. I have stood by my guiding principles on vote after vote during this debate. Sometimes I do not agree with the Senator from Kentucky on an amendment; to his and my chagrin, because I consider the professor someone very knowledgeable on this subject. Nonetheless, I am trying to advocate greater freedom and greater accountability.

What I am trying to do is make sure that in this debate we are advancing the ideas of freedom of exchange of ideas, freedom of political expression and increasing participation to the maximum extent possible. And equally important are the concepts of accountability and honesty.

First, the issue of freedom. The current laws and limits are clearly out of date. There is no one who can argue that these laws, the current restriction on direct contributions to candidates, are anything but completely antiquated and out of date. Let's take some examples. When TV reporters ask me what kind of reforms do I want, I tell them greater freedom, greater accountability, and to get these Federal laws up to date. I ask the TV reporters: Will you please, in your reporting of this issue, say what it cost to run a 30-second ad in 1974 when these laws were put into effect versus what you charge today for a TV ad.

Well, I am never home enough to watch TV anymore since I have joined the Senate, so maybe they told us. Nevertheless, we did our own research. The average cost of just producing a 30-second commercial has increased seven times, from $4,000 to $28,000. The cost of stamps—because we do send mailings out has increased. The cost of a first-class stamp in 1974 was 10 cents. Today, it is 34 cents, and rising. So that is over three times as much.

The cost of airing a 30-second television advertisement per 1,000 homes has escalated from $2 in 1974 to $11 in 1997. That is fivefold increase.

Candidates are today running in larger districts. There are more people in congressional districts, obviously, than before. There are more people in the United States of America. The voting-age population increased from 141 million in 1974 to over 200 million in 1998.

The reality is that the limits in the Thompson amendment don't even catch up with the increase in costs.

The Thompson amendment is a very modest approach of trying to get the Federal election laws more in line with what are the costs of campaigns.

The accountability and honesty aspect of this amendment is important because I think the current situation has improper disclosure; very poor disclosure and subterfuge. As far as disclosure is concerned, one can get a contribution of $1,000 on July 2 and it is not disclosed until late October under the current law. I very much agree with the efforts of the Senator from Louisiana, Ms. LANDRIEU, to get more prompt disclosure, and that needs to be done.

The contribution limits also force a greater use of soft money. People are all so upset about soft money going to political parties. Why is that being done? Because the cost of campaigns are increasing for all those demographic features and facts I just enunciated. The fact is, you need more money to run campaigns to get your messages out.

If an individual desired to part with $5,000, which is right much money for most people, but they believe so much in a candidate that they want to give $5,000, right now they would have to give $1,000 to the candidate. That would be disclosed, maybe belatedly but it would be disclosed. Then they would have to give $4,000 to a political party that would run ads, run mailings, whatever they would do to help that candidate.

The point is that $4,000, in this example, would not have the same accountability. It would not have the same scrutiny. Fred Smith may be a controversial character. It is one thing for him to give $1,000 and then $4,000 to the

party, but it is all $5,000 to candidate B and you say: Gosh, candidate B has gotten all this money from Fred Smith. But really it only shows up as $1,000 because the rest has gone to the Democratic Party or the Republican Party or some other organization. Therefore, you are losing that accountability and the true honesty in a campaign that you want to have and the scrutiny that a candidate should have for getting contributions from individuals.

It is my view that we need to return responsibility for campaigns to the candidates. We are getting swamped. At least we were swamped—and I know this was not unique to Virginia last year—with these outside groups that are contributing to our campaigns. Mr. President, $5 million, at least the best we can determine, was spent not just by the Democratic Party running ads contrary to my campaign or Republicans running ads in favor of my campaign or in opposition to my opponent, but these independent expenditures—handgun control, attack TV ads, donor undisclosed; Sierra Club running attack ads, radio ads, voter guides, donors undisclosed; pro-abortion groups, dirty dozen ads against us—all these ads and they are all undisclosed. There are people all upset with this. That is part of democracy. That is part of free expression. It would be nice if there would be a constitutional way to disclose those individuals, but that is apparently unconstitutional.

The point is, you end up having to answer those ads. People think: You want to do all sorts of sordid things I will not repeat, but nevertheless you have to get the money to make sure you are getting your positive, constructive message out or setting the record straight.

With these limits, you end up having to raise money through political parties to combat these ads which, as much as I did not like them, they have a right to do. And I will defend the rights of these groups or any other groups to run those ads and have their free expression and political participation.

The point of the Thompson amendment is people are allowed to contribute more directly to a candidate. The candidate is held more responsible and accountable, and to the extent that you can get more direct contributions, it alleviates, negates, and diminishes the need to be using political parties as a subterfuge or a conduit to get the money you need to set the record straight.

Current Federal laws in many cases—one says: Look at how wonderful they are. It is amazing to me people think that, but nevertheless that is their view. They are so unaccountable in so many ways, and by limiting hard dollars, so to speak, or direct contributions, you are back with PACs.

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

Mr. ALLEN. May I have an additional 5 minutes?

Mr. THOMPSON. I yield an additional 5 minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ALLEN. I thank the Senator from Tennessee.

I think the contribution limits definitely create a dependency on soft money, thereby the corollary logically is that by increasing the direct contributions on hard limits, it decreases the necessity. It is pure commonsense logic, at least for those of us who have run under a system of freedom such as that in Virginia.

The other matter is contribution limits also prohibit candidates, except those with personal wealth, from acquiring a stake from which to launch a campaign. We went through this whole debate about what happens when you have millionaire candidates and thereby raise the limits for those candidates, and so forth. Gosh, if you did not have any limits, you would not have to worry about this.

Again, at least the amendment of the Senator from Tennessee addresses that in that we want to encourage more political participation in speech rather than limiting it. We ought to be promoting competition. We ought to be promoting freedom and a more informed electorate, which we would get with the amendment of the Senator from Tennessee. We want to enable any law-abiding American citizen to run for office.

Had the current limits been in place in 1968, Eugene McCarthy never would have been able to mount his effort against President Johnson.

Today's system has failed to make the elections more competitive. The current system hurts voters in our Republic by forcing more and more committees and contributions and political activists to operate outside the system where they are unaccountable and, consequently, more irresponsible and less honest.

I, of course, want to repeal the hard limits, but nevertheless, by increasing these limits, we can open up the political system. Challengers need to raise a great deal of money as quickly as possible to have any real chance of success. The current system, with its very stringent limits, prevents a challenger from raising the funds he or she needs, and I saw that in 1993 when I was running for Governor.

One may say: Gosh, this is all wonderful theory from the Senator from Virginia. You can look at Virginia as a test case of freedom and accountability. People say, sure, they have plenty of disagreements between the legislative and executive branch and between Democrats and Republicans, but you have honest Government in Virginia. If there is anybody giving large contributions, I guarantee you, boy that is scrutinized and there is a lot of answering to do for large contributions. Indeed, it may not be worth the bad press you get for accepting a large contribution.

Again, if you look at Virginia—which has a system where we have no contribution limits and better disclosure—Virginia right now has a Governor whose father was a butcher. His predecessor was a son of a former football coach. The predecessor to that Governor was a grandson of slaves. Virginia's system gives equal opportunity to all. Virginia has a record of which we can be proud.

The amendment of the Senator from Tennessee, while not ideal and exactly like Virginia, it is one that at least increases freedom—freedom of participation, freedom of expression, and coupled with other amendments, such as the amendment of the Senator from Louisiana on disclosure, brings greater honesty.

I urge my fellow Senators to support this amendment. It is a reasonable improvement, it is greater freedom, it is greater accountability, and it is greater honesty for the people of America. I yield back what moments I have remaining.

Mr. McCONNELL. Mr. President, I say to the Senator from Virginia——

Mr. THOMPSON. I yield to the Senator from Kentucky.

Mr. McCONNELL. I say to the Senator from Virginia before he leaves the floor, I hope he adds me as a cosponsor to the Allen-Gramm freedom amendment and indicate my total agreement with the Senator from Virginia about the Virginia law.

As I understand the situation in Virginia, and correct the Senator from Kentucky if he is wrong, Virginia almost never has a situation where candidates cannot get enough money to run.

Mr. ALLEN. You can have that situation if you are not credible.

Mr. McCONNELL. If you are not credible, you do not. The two parties are well funded. The candidates, if they are credible, are well funded. They are able to raise enough money to get their message across because they are not stuck under the 1974 contribution limit.

In fact, as the Senator from Virginia was pointing out, it has produced rather robust competition with minimal or no accusations of corruption; is the Senator from Kentucky correct?

Mr. ALLEN. The Senator from Kentucky is correct and there are no limited contributions from corporations, which I am not arguing at this point, but it is purely on Jeffersonian principles of freedom and disclosure and honesty.

Mr. McCONNELL. In fact, what a candidate does in Virginia is weigh, knowing the contribution will be disclosed, the perception of whether or not the candidate should accept the large contribution, knowing full well it will be fully disclosed and people can make of it what they will. Is that essentially the way it works in Virginia?

Mr. ALLEN. The Senator from Kentucky is correct. As I alluded in my remarks, sometimes you might as well

not have been receiving a large contribution because the negative connotations and everything wrong that person or corporation may have done is somehow besmirching you. You have to be careful with it in trying to get contributions, whether for yourself or for political action efforts.

Mr. MCCONNELL. I say to the Senator from Virginia, I know it must be somewhat depressing, given his philosophy, what we are doing here. But to make the Senator from Virginia feel better, not too far in the past the reform bills we were dealing with had draconian spending limits on candidates, taxpayer funding of elections.

As recently as 1992 and 1993 and 1994, majorities in the Senate were supporting taxpayer funding of elections. It was noteworthy that only 30 Senators in this body supported taxpayer funding of congressional races—the Kerry amendment earlier today. We have made some progress. We are now down to arguing over the impact of campaign finance reform on parties and outside groups. It used to be a lot worse. The whole universe of expression was balled together in these reform bills as recently as 1994.

I say to my friend from Virginia, add me as a cosponsor to the freedom amendment. We have come a long way. We are not quite there yet. The wisdom he has imparted tonight is certainly good to hear.

I yield the floor.

Mr. NICKLES. Mr. President, I will speak for a few minutes. I thank my friend and colleague from Connecticut for allowing me to jump ahead.

Mr. THOMPSON. I yield 15 minutes to the Senator from Oklahoma.

Mr. NICKLES. I thank my friend and colleague from Tennessee for offering this amendment, which I am happy to cosponsor and also congratulate him for the speech he made. I hope my colleagues had a chance to hear what Senator THOMPSON was saying.

I also compliment Senator ALLEN for the comments he made. I appreciate the impact he has had since joining the Senate, including his idea, based on a campaign system that has worked quite well in the State of Virginia, which he has shared with us. Perhaps we will have a chance to vote on that amendment as well.

The pending amendment is the Thompson amendment, which I am pleased to cosponsor, which increases the hard money limits. It is one of the most important amendments we will deal with in this entire debate, in this Senator's opinion.

The amendment increases the hard money limits, hard money representing what individuals can contribute. Every dime of hard money is disclosed and reported. No one has alleged, that I am aware of, that this is corrupt money, that this is illegal money. Every dime is out in the open for everybody to see. The Thompson amendment increases the individual level from $1,000 to $2,500. That increase, if you look back to 1974, doesn't even keep up with inflation.

Senator THOMPSON also would increase some of the other limits that are in the current law. PAC limits would grow from $5,000 to $7,500. That is not keeping up with inflation: if we kept up with inflation over 25 years, we would have over a 300-percent increase. The amendment has a moderate increase in PACs. And the aggregate individual limit goes from $25,000 to $50,000. Somebody has said, isn't that too much? I don't think so. If somebody wants to contribute $2,500 per year, they can only contribute to 10 candidates currently. Under this amendment, you could contribute to 20.

Is that corrupt? No, I don't think that is corrupt. What I see as corrupt are the joint fundraising committees where you have millions of dollars of soft money funneled into some races. That money is not fully disclosed. Who contributed that money? We had a lot of Senate races last year and, the Democrats received around $21 million in these special joint committees last year. And we would like to say, is this the right way to raise and spend money? Does it make sense to do it that way? I don't think so. But with hard money, every single dime is out there for everybody to see in every single instance.

I think the Senator's amendment makes great sense. I hope my colleagues agree.

Some say we need to look for a compromise on this amendment. Senator THOMPSON has already compromised. His original amendment basically kept everything up with inflation, growing the aggregate limit from $25,000 to $75,000. His amendment now is at $50,000.

The limits on giving to parties goes from $20,000 to $40,000. Don't we want to strengthen parties? My friend and colleague has made a good point: parties are healthy to the system. Senator THOMPSON's amendment allows individuals to increase contributions to parties. We should keep party contributions and allow parties to grow.

If we are going to ban soft money, we should allow some increases in hard money. I think that is what the amendment we have before the Senate would do.

I thank my friend and my colleague from Tennessee for offering this amendment. I think it is an important amendment. I urge my colleagues: Isn't this a good improvement over the existing system?

I think it is. I urge the adoption of the amendment when we vote on it tomorrow morning.

I yield the floor.

Mr. MCCONNELL. I ask the Senator from Tennessee if I could have 7 or 8 minutes.

Mr. THOMPSON. I yield 10 minutes to the Senator from Kentucky.

Mr. DODD. Could I be heard at some point?

Mr. MCCONNELL. I will wrap it up really fast.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. I want to commend the Senator from Tennessee for his amendment. It certainly begins to deal with what I think is the single biggest problem in the system today, and that was the failure to index the hard money contribution limit set back in 1974 when a Mustang cost $2,700.

As may have been said by the Senator from Tennessee and others, the average cost of a 50-question poll has increased from about $5,000 to $13,000 over the last 25 years. The average cost of producing a 30-second commercial has increased from $4,000 to approximately $28,000 over the last 26 years. The cost of a first-class stamp was 10 cents in 1974 and today it is 34 cents. The cost of airing a television advertisement per 1,000 homes has escalated from over $2 in 1974 to $11 in 1997. Meanwhile, the number of voters candidates must reach has increased 42 percent since 1974.

The voter population in 1974 was 140 million; today it is 200 million. We have produced a scarcity of funds for candidates to reach an audience. In 1980, the average winning Senate candidate spent a little over $1 million; in 2000 the average winning candidate spent a little over $7 million, an almost sevenfold increase. An individual's $2,000 contribution to a $1,000,000 campaign in 1980 amounted to .17 percent of the total. If the contribution limits were tripled for this last election to adjust for inflation, since 1974 an individual $6,000 contribution to the average $7 million campaign would have been only 0.08 percent of the total. A $60,000 contribution to an average winning Senate campaign in 2000 would be only .83 percent of the total.

What this all adds into, there is no potential for corruption, none based on the 1974 standard, if the amendment of the Senator from Tennessee is adopted. If no one in 1974 thought those limits at that time, based upon the cost of campaign activity at that time, was corrupting, why in the world would the Senator's amendment, which is even less than the cost of living increase—why in the world would anybody say that this has even the appearance of corruption? Certainly not corruption or even the appearance of corruption in today's dollars?

It is also important to note that these low contribution limits are the most tough on challengers. Challengers typically do not have as many friends as we incumbents. They are trying to pool resources from a rather limited number of supporters in order to compete with people such as us. The single biggest winners in the increase in contribution limits in hard dollars would be challengers.

Challengers already took a beating here on this floor when we took away

all of this money from the parties earlier today. We have taken away 40 percent of the budget of the Republican National Committee and the Democratic National Committee. We have taken away 35 percent of the budget of the Republican Senatorial Committee and the Democratic Senatorial Committee. Parties: The only entity out there that will support challengers.

Challengers have lots of problems. Typically they have a really difficult time getting support from individuals and PACs. Now we have nailed the parties. At least under Senator THOMPSON's amendment we give these challengers an opportunity to raise more money from their friends to compete with people such as us.

So this is a very worthwhile amendment. I hope we will have an opportunity to vote on the Thompson amendment up or down, which means a chance to adopt it. We will have that discussion, I gather, at greater length in the morning. But it is a very worthwhile amendment.

I associate myself with the effort of the Senator from Tennessee, congratulate him for making this effort, and indicate my full support.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. DODD. Mr. President, I believe I said earlier I was the only one here. I have been told a couple of colleagues may be on their way to the floor to be heard on this amendment before wrapping up debate tonight.

I am very fond of my friend from Tennessee. We have gotten to know each other a little better over the last number of months. He is a wonderful addition to the Senate. He was not unfamiliar with this institution prior to being elected to it, having worked back in the 1970s as a very successful and influential member of the Watergate Committee staff, and, having worked with Howard Baker and others, he is no stranger to this institution. His participation in any number of issues has enriched the Senate.

So it is with some sense of—again on a personal level, I would like to be supporting his amendment because I am very fond of him. People might understand those inclinations. But, unfortunately, I disagree with my colleague on this amendment. I will explain why.

I always love this story. When they asked Willy Sutton why he robbed banks, I always loved his answer. He said, ''That's where the money is.'' That is why he robbed banks. We are not robbing banks, but my concern about this amendment is we are going to end up gravitating to where the money is. That is what we do. Our staffs and consultants and advisers and people who help raise money will tell you: Look, we have so much time in a day, so much time before the reelection or election campaigns. So if you have an hour to spend, we are going to spend the time going after those large contributors. It doesn't take a whole lot of knowledge to know that you do not go after the ones who cannot give as much. Instead, you go after the ones who can give more.

My concern is not so much that this number goes up and that people who can afford it are going to have greater access and greater influence. What is not being said here is very troubling to me. We are moving further and further in the direction of seeking the support and backing of those who can afford to write a check for $2,500. But, make no mistake about it, we should be clear with the American public, these numbers are somewhat misleading.

It doesn't make any difference whose numbers you are talking about. Under current law, an individual may contribute a $1,000 per election or $2,000 with $1,000 going to the primary and another $1,000 going to the general election. If we are talking about amendments being offered, Senator HAGEL's proposal contained a $3,000 per election, Senator FEINSTEIN is proposing $2,000 per election, while there are still others talking about $1,500 per election. Those numbers are really not a final number. A more accurate number is a doubling of the per election number to reflect one limit for the primary and another for the general, with the potential of yet another limit for a special or runoff election. So every number you read, has the automatic potential to double with respect to the individual contribution to candidates per election.

I know very few cases where Members have gone after the $1,000 contribution and not ended up with the $2,000. That, after all, is how it works. Because, as a practical matter, you can give $1,000 before the primary and $1,000 for the general election. So when we talk about limits here of $1,000 or $1,500 or $2,000 or $2,500, do a quick calculation and double the amount. That is the general formula that an individual can contribute to a candidate per election.

My friend from Tennessee proposes a $2,500 per election limit that individuals can give to candidates. This number may also double to $5,000, because that individual can write $2,500 for the primary and $2,500 for the general election.

You do not have to have a primary, just as long as there was some potential contest within your own party for the nomination. Such a potential contest allows you to get that additional $2,500 limit.

But it goes even beyond that. Frankly, people who can write a check for $2,500 probably can write a check for $5,000. If you can afford to give someone $2,500, there is a good likelihood your pockets are deep enough to write the check for $5,000. Under current law, each spouse has his or her own individual contribution limit. So that $2,500 becomes $5,000. If your spouse is so inclined—and they usually are—the $2,500 under the Senator proposal then becomes $5,000 per election. As a couple, the total they can give is now up to $10,000 per election.

Every single Member of this Chamber knows exactly what I am speaking about with respect to fundraising practices because as a candidate for this body many have done exactly what I have described. The general public may not follow all of this. That is how it is done. When you get that person who is going to give you $2,500 contribution for the primary, you always say: Can't you give me $2,500 for the general as well? In addition you say—Wouldn't Mrs. Jones or Mr. Jones also be willing, as well, to write those checks reflecting the maximum individual contribution limit per election?

Under this proposal, we are talking about potentially a total of $10,000 per couple as opposed to the current levels of $2,000 or $4,000 per election, if you will, if both husband and wife contribute. That is a pretty significant total increase.

My colleague quickly answers that his stamps have gone up, the price of television spots have gone up. I know that these costs have increased. But so has the population of the country and the number of people who can write $1,000 checks.

In 1974 there were not a tremendous number of people who could write a check for $1,000 to a candidate. Today the pool of contributors who can give $1,000 has expanded considerably. Last year there were almost a quarter of a million people who wrote checks for $1,000. That is not a small amount of people: 235,000 people wrote checks for $1,000 to support Federal candidates for office.

But what we are doing here by raising these amounts? We are moving further and further and further away from the overwhelming majority of Americans. I would like to see the average American participate in the electoral process of the country. I would like to see them contribute that $25 or $50 or $100, $200 to a candidate or party of their choice. However, given the average cost of a Senate race today or a House race—the numbers of my colleague from Tennessee suggests of around $7 million, and a House race around $800,000 a congressional district, I do not see many campaigns that are going to bother any longer with that smaller donor.

It is the de facto exclusion of more than 99 percent of the American adult population who could support, financially, the political process in this country, that worries me the most. I am worried about us getting overly concentrated on only those who can afford to write the large, maximum checks to campaigns. But I am more worried that we are getting ourselves further and further and further removed from the average citizen. The Americans who could not dream, in their wildest dreams, about writing a check for $2,500, let alone $10,000 to support a candidate for the Senate or the House of Representatives. They

couldn't dream about doing that. They may be making decent salaries and incomes so they are not impoverished. But the idea of writing out a $10,000 check or any such checks that we would allow if this amendment is adopted is beyond the average Americans' imagination.

To some extent, it ought to be beyond ours as well. However, where we appear to be going is where the money is. That is what Willy Sutton said, and that is what we are saying. We are going to spend our time on that crowd because that is the most efficient use of our time with respect to fundraising. A phone call to Mr. and Mrs. Jones who can afford to make this kind of a contribution are going to get our attention. We are not interested in that individual who may be making $30,000, $40,000, $50,000, $60,000, $70,000, or $100,000 a year, with two or three kids, paying a home mortgage, trying to send kids to college. We are not interested, really, because they cannot even begin to think about contributions like this.

That is the danger. That is the danger. I am really not overly concerned—although it bothers me—over this concentration of wealth and the access that comes with it by adopting this amendment. That bothers me.

What deeply troubles me—what deeply troubles me—is that this institution gets further removed from the overwhelming majority of Americans. Their voices become less and less heard. They become more faint. They are harder to hear. They are harder to hear because we are getting further and further away from them since their ability to participate is being diminished.

One of my colleagues——

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

Mr. DODD. I would be happy to yield.

Mr. WELLSTONE. I don't want to break up the rhythm of what the Senator is saying. It is very powerful. I do not think I can say it as well as you. I would like to ask you one or two questions.

In this debate I don't believe I had really heard your formulation before. We talk about big money, corruption, not individual wrongdoing; some people have too much access. You just used the word ''exclusion.''

There was a young African American man today with whom I spoke. He was talking about Fannie Lou Hamer, a great civil rights leader. By background, Fannie Lou Hamer was the daughter of poor sharecroppers.

This is a question of inclusion. If you take the caps off, and you are relying on people who can afford to make these kinds of contributions, he was basically saying, this almost becomes a civil rights issue because it is a question of whether or not people who do not have the big bucks will be able to participate in the political process, will be able to be there at the table.

I ask the Senator, is this part of what is concerning you, that you are getting away from representative democracy and many people are going to feel more and more excluded as we now rely on bigger and bigger dollars?

I have three questions. And I will not take any more of your time. Is that what you are talking about?

Mr. DODD. That is part of it. I said, we are concentrating on who can give and how much they can give. Every time we raise the bar on the limits, then we are also expanding the number of people who do not, and maybe cannot, contribute their financial support. We are not even seeking their financial support, only their votes. I think there is inherently a danger in that.

I think it is a positive thing, by the way, that people write that check out for $5 and $10 and $20 contributions. In some ways, it can be more significant because sometimes that $10 or $25 check from someone who is trying to make ends meet. It is a greater sacrifice in some ways than it is for some of the people I know who write checks for $1,000 or $2,000 or $10,000. That $10,000 in the context of their overall wealth is a smaller percentage than the person making that $50 or $100 contribution who really cannot afford to do it but believes it is in their interest. It is part of their responsibility of citizenship to support the political process of this country and to support our democratic institutions.

What I am deeply troubled about—I am bothered by the raising of the contribution limits because of where I think it takes us, where it is ultimately going.

Mr. WELLSTONE. Right.

Mr. DODD. If you take the numbers of my friend from Tennessee, I think it is $400,000 in 1976—Is that right?

Mr. THOMPSON. It is $600,000.

Mr. DODD. So $600,000 in 1976, and $7 million in the year 2000. I tried to do some quick math—and I could be corrected of course—but if you extrapolate from that and go to the next 10 years, to the year 2010, we are buying into the notion that there is nothing we can do about this. It is just going to keep getting more expensive, guys.

So we are just going to make it a little easier for you to reach the levels of $13 million. I think that is about where we go in 10 years if the trend lines are accurate and continue.

I realize there can be changes here because it is not a perfect trend line. But if you take where it was 10 years ago, I think in about 1990 it was $1.16 million——

Mr. THOMPSON. That was 1993.

Mr. DODD. Sorry. So that was 1993. It has doubled. It is roughly about the same. So we may be talking about roughly $12 or $13 million in 10 years.

So as we raise the bar to make it easier for us to get up there, we are shrinking the pie of people who can contribute. Getting smaller and smaller and smaller and smaller are the number of people who can write these kinds of contributions. Make no mistake about it, that is where the money is. That is where we are going to go. You are not going to hold $100 fundraising events. You might do it because it is good politics. Maybe it will pay for the hotdogs and chips, and so forth, but you are not going to have a fundraiser doing that. It is a political event. Fundraisers have, as their minimum contribution, $500, $1,000, $1,500, or whatever it is as the bars go up.

In response to the question of my friend from Minnesota, that bothers me. What troubles me—what deeply troubles me—is that as that pool shrinks of those Americans who can make those large contributions, the pool expands of those Americans who are excluded from the process. And that is a great danger. That is a peril.

For us to enter the 21st century having inherited 200 years of uninterrupted democracy in this country, the only responsibility we have as life tenants, charged with however long we serve in this body, is to see to it that future generations will inherit an institution as sound and as credible and as filled with integrity as it was when we inherited it. To go in the direction we are headed here puts that, in my view, in peril and danger because of the very reason we are excluding too many Americans from having a voice to participate in our political process.

Mr. WELLSTONE. Will the Senator from Connecticut yield for another question?

You might call it a plutocracy, but let me ask you this. To my understanding, our colleague from Tennessee is talking about individual limits that basically amount to $5,000 for the 2-year cycle. The amount an individual can give to a party goes from $20,000 to $40,000 to $80,000 per cycle. What concerns me maybe even more is that the aggregate limit, am I correct, goes from $30,000 to $50,000, so it is $100,000 per cycle?

Mr. DODD. Yes. I did not get to that, but that is further down the line.

Mr. WELLSTONE. Let me ask my colleague this. I would argue that what we are now doing with the proposal of the Senator from Tennessee is actually making hard money soft money when you get to the point where people can now contribute up to $100,000 per cycle.

Mr. DODD. I say to my colleague, I will regain my time a little bit here, and then I will yield to him.

Mr. WELLSTONE. Here is my question. Do you think that when people in Connecticut—and I see Congressman SHAYS is here—or people from Minnesota, or people from Rhode Island—people around the country—read a headline, if this amendment passes—I certainly hope it is defeated—''The Senate Passes Reform, Brings More Big Money Into Politics,'' do you think people are going to view this as reform? Do you think taking these spending limits off and having us more dependent on the top 1 percent of the population—do you think most people in the country in the coffee shops are going to view this as reform, or do you

think they are going to feel even more disillusioned about what we have done, if we support this amendment?

Mr. DODD. I suggest more of the latter. I didn't get to that part of the amendment yet, but the Senator from Minnesota is correct.

I have a hard time saying this and keeping a straight face. Today, and for the last number of years, you could give up to the limit of $25,000 per calendar year to Federal candidates. There were 1,200 people in America last year in part of the national campaign, including the Presidency, the entire House of Representatives and one-third of the Senate, who wrote checks contributing the $25,000 limit. I think it was 1,238 Americans to be exact.

But now we are saying—This is too tough. This is a real burden. These poor people out there, they are upset about this. We have to do something for these folks. This is outrageous that they have an aggregate limit for each individual of $25,000. We are going to double that cap.

We are going to say to them—The aggregate limit is now $50,000 per individual per calendar year. As I have suggested, as a practical matter, a husband and wife have their individual limits. If you can write a check for $50,000, I will guarantee that the couple can write checks totaling $100,000 in aggregate limits.

My colleague from Minnesota is correct. This is the softening of hard money. I don't know of anybody who keeps personal accounts—I am not talking about candidates no. I am talking about the average citizens. If they have a bank account at the Old Union Savings and Trust, or whatever it is, then they have their soft account and their hard account. I don't know of anybody, particularly average citizens, who segregates their own wealth that way. They write checks for politicians. They are told they have to send this to the soft money non-Federal account or instead, to the hard-money Federal account. But the average citizens do not keep money nor accounts that way. When they are writing checks for $100,000 and we say, ''That could be all hard money,'' we make the contributor dizzy. They get nervous when you start telling them about soft and hard money. Money is money.

The fact is, it is too much money in the political process. The average citizen who hears about this throws up their hands. They shake their heads in utter disgust. They must think, what are these people thinking about. How disconnected can they be from the people of their States and their constituencies. It is not understandable to the average American if we sit here with a straight face and suggest that raising the maximum aggregate annual limits from $25,000 to $50,000 per year, which could total $100,000 per year per couple.

Mr. THOMPSON. Will the Senator yield on that point?

Mr. DODD. I am happy to yield.

Mr. THOMPSON. Does the Senator realize that the $50,000 he is concerned about now, which is doubling the $25,000, would be about $75,000 in 1974 terms? In other words, when our predecessors looked at this problem in 1974, they decided that for an individual limit for that year, it ought to be $75,000, roughly, in 2001 dollars. So actually by doubling it, we are not keeping up with inflation.

In terms of real purchasing power, they were higher than we are today. Did they miss the boat that badly back when they addressed this?

Mr. DODD. I suggest they may have.

I am not sure I heard my friend from Tennessee talk about statements made in 1971 or 1972. Prior to the adoption of the legislation after Watergate in 1974, people such as former distinguished colleague George McGovern and others who had suggested limits that were higher than even what we are talking about. I would be curious to know, had we said to them at that time, by the way, as a result of what you are doing, what the cost of an average Senate race would be 25 years from now, that even with $1,000 limits, we would be looking at a $7 million cost, when in 1976, the average cost was $400,000, and if you buy into this, it is going to rise to $7 million.

My concern is, by doubling the limits, we are inviting those numbers to go up. We are doing nothing about trying to at least slow this down from the direction it is clearly headed in: $13 million in 10 years, an average cost of a Senate seat. We are going to make this the Chamber of the rare few who can afford to be here or have access to these kinds of resources.

I accept the notion that costs have gone up. I also accept the notion that there are many more people today who could make that $1,000 contribution than could in 1976. It was a relatively small number of people then. Of course, that law also had other limitations which the Court threw out after the adoption of the campaign finance reform measures of 1974.

I realize the contribution limit is going to go up. I am even willing to accept some increase in the numbers. I am not suggesting we ought not to have any increase, although I could make a case for that.

I hope my friend from Tennessee and others who care about this—I know a lot of Members do—that we can find some numbers here that would be more realistic. The stated purpose must demonstrate that we are trying to slow down the money chase. It should not get any more out of hand than it has.

If you don't think it is out of hand—I know there are Members who don't—if you don't think the direction we are heading in is dangerous, if you don't think we are excluding more and more people every year, when you should look at the tiny percentage of people who actually can write these checks. During the 1999–2000 election cycle, the were only 1,200 people who could write checks totaling $25,000 per year. Out of a Nation of 280 million people, there were 230,000 people who wrote $1,000 checks. Basically we disregard most of the other contributors. If you think we are heading in the right direction, then you ought to support this amendment.

If you think this is getting us dangerously close to the point where fewer and fewer people are going to participate in the process, then you should oppose this amendment. I remind my colleagues that in the national Presidential race last year, one out of every two eligible adult voters did not show up at the polls. Despite the fact we spent over $1 billion in congressional races, not to mention what was spent on the Presidential race, one out of every two eligible adult voters of this country did not vote. There is a reason for this statistic.

I suggest in part it is because people are feeling further and further and further removed from the body politic. If you will, the body politic of our own Nation is being pulled further and further by excluding the average American. They do not believe they have the ability to have some say in politics. Their voices are being drowned out. Average Americans are further and further removed from being involved in the decision making process of who will represent them. That worries me deeply. That is what troubles me about this amendment.

For those reasons, I will oppose the amendment when the vote occurs. I urge that others see if we can't find some configuration. I am still hopeful, I say to the Senator from Tennessee, that maybe some configuration here that can be founded. There are a couple of numbers I didn't address, such as PAC limits, the State and local parties limit, the national parties limit. I don't really disagree with my colleague regarding where he has come out on those numbers. In fact, he could even move them around a little more. I accept that.

The number I have objected to is the aggregate annual limit of $50,000 per calendar year. There has been another number suggested by our colleague from California. There is a possibility of a compromise in there somewhere that we might be able to reach. I am not interested in seeing us go through an acrimonious debate and having a series of amendments where I think people recognizing the realities, could come to some reasonable compromise.

Our colleague from Tennessee has already reduced his original proposal by $500—as I think his original proposal was $3,000. He is now proposing $2,500 with this amendment. It is presently $1,000 per election under current law. It seems to me that if we are serious about this, we will attempt to come to a compromise. For those of us who support McCain-Feingold, who want to see us send a bill to the President that he could sign, then I would urge, between this evening and tomorrow, that we might try to find that ground.

I know that there are many people here interested in doing that. I add my

voice to that. I am more than prepared to sit down with others who may be so inclined to see if we can't find some numbers that we can live with and defend. Numbers, I hope, that will both restrain the exponential growth of the cost of campaigns and not get us even further removed from the average citizens' ability to participate in the process financially and otherwise.

I put that on the table for whatever value it may have. I hope there is something we can do. I commend my colleague. I mentioned how fond I am of him personally and what a contribution he has made to the Senate. He has made very good suggestions in this amendment. While I disagree with some basic points, there are elements with which I do not disagree. I commend him for that and want to be on record in support of those efforts he has made.

My colleague from New York has arrived. I don't know what my colleague from Tennessee wants to do.

Mr. THOMPSON. Mr. President, I will make a couple comments first. I thank my friend from Connecticut, who is eloquent, as usual, in his advocacy. Clearly, what we are trying to do is reach a balance where we have limits that are high enough for people to run decent campaigns, and allow challengers in large States such as California, Texas, and others to have a decent chance to get a campaign off the ground, so you don't have to be a multimillionaire or a professional politician in order to have a chance. That is what we are doing—trying to get it up enough so they have a fighting chance, while not getting so high that we have a danger of corruption, or appearance of corruption. I don't really detect that we are in that ballpark yet.

There is some talk that increasing the aggregate individual limits from $25,000 to $50,000 is somehow outrageous. But I don't think that the ability to give several contributions, let's say, of $2,500 around the country s going to corrupt anybody. No one person is receiving all this money. No one person is receiving more than $2,500. So you don't have a corruption issue there. And why we are doing something on behalf of democracy by limiting the number of potential candidates out there who can get $2,500 kind of escapes me; plus the fact that in 1974, after the Watergate scandal, when everyone was rather sensitive, shall we say, about these issues and we addressed these issues, they came up with a $1,000 limitation, which would be $3,500 today. They came up with this $25,000, which—I am going to round it off 3 times—would be $75,000 today.

My colleagues heard my reference to Senators of the past, Democratic Senators and Republican Senators, many of whom wanted to go higher than what we are talking about today. My colleague is correct that I have scaled mine down because I had the temerity and audacity to think there was a chance that we could index this to inflation and have basically actually a little less than inflation. But let's round it off and say basically we can have the same dollars they had in 1974, right after the scandal of the century, when people were most receptive and responsive to this. But I found that was not to be the case. I don't think that would have flown. Certainly, Senator HAGEL's amendment today did not fly. So I came back and said: OK, let's move down from inflation, move down from 1974 dollars, go to $2,500. There is no corruption issue here. And these other limits, too, let's double some of them. We don't double all of them. But let's do something that will enhance McCain-Feingold, my friends.

As you know, I have supported McCain-Feingold from the beginning through thick and thin. My colleagues talk as if McCain-Feingold has already passed and that the scourge of soft money has totally left us. That is not the case.

Mr. SCHUMER. Will my colleague yield for a question?

Mr. THOMPSON. Yes.

Mr. SCHUMER. I thank my friend. I have respect for him and I know his commitment to reform is so real. I want to ask him a question because I have a concern. I would not go as high as $2,500. I can support a $2,000 raise. But that doesn't bother me very much. It is the aggregate limit that bothers me.

A minute ago, my friend from Tennessee who, I repeat, I have such respect for on this issue and on so many others, said it is not going to one person.

Why the aggregate limit raise gives me trouble is this. And I ask my friend from Tennessee a question. It is true that in 1974, when this law passed, the aggregate limits didn't go to one person. Now, however, they do—much of it. The reason is a series of Supreme Court rulings, as well as all of us, Democrats and Republicans, have become much more clever, and I know that people will donate the maximum limit to the national party, and the national party then gives that money to the candidate in their State, or the candidate they wish to see the national party give the money to; and given the first 1996—maybe 1998—Colorado decision, the party and the candidate can coordinate completely.

So I don't think it is correct for my good friend from Tennessee to say the aggregate limits don't go to one person. They didn't in 1974; they do now. If my friend from Tennessee had just decided to raise the individual limits and kept the party limits the same, I would not have much of an argument with him. It is silly to quibble over $500, if I believe $2,000 is the right amount and he has an amendment for $2,500. But it seems to me that under the new cases and under my friend's bill, somebody could donate $40,000 per year to the national party, could do that for 6 years, and thereby get $240,000 back to their candidate.

One other point, and I will ask my friend to comment. If the Supreme Court in the second Colorado case rules that the limits that the national party can give to the candidate, which is now 2 cents per voter age person per State, or per district in the House—but if they rule, as many think they will, to eliminate those limits, then it would not just be three or four people giving $240,000. It could be unlimited numbers of people giving $240,000 to the national party, which then gives it back to the candidate, with complete coordination allowed.

So, frankly, even though I know this was not the intent of my friend from Tennessee, I shudder to think that the party limits would go up. And unless there were provision in my friend's bill that would not allow that to happen—and I think with Supreme Court rulings it would be difficult to prevent—I think this would be a giant step backward, not because of simply raising the limits but because of all the new ways—I will be introducing tomorrow an amendment that tries to deal with the 441(a)(d) problem. But I say to my friend—and this is not his fault—that even if McCain-Feingold were to pass as is, if the Supreme Court rules that the 441(a)(d) limits go, then maybe we will accomplish a 10-percent improvement in corporate and in labor changes. True, you could not give more than whatever—you could not give $500,000 or a million, but you would not accomplish much.

The reason I am so worried about the amendment of my friend from Tennessee is it makes it even easier; instead of saying $180,000 that somebody could give in a Senate cycle, or $50,000 in a House cycle, they could give $400,000 in a cycle and, again, without those limits, out the window everything goes.

I just ask my colleague from Tennessee, am I wrong in thinking that now with the new Supreme Court decisions the aggregate limits are such that they do allow just what my friend from Tennessee said he didn't want the aggregate limits to do, which is give lots of money—call it hard or soft, whatever—to one campaign? I thank him for yielding and will give him a chance to answer.

Mr. THOMPSON. Mr. President, I respond first by saying that, based on my recollection, I disagree with his analysis of the Colorado case. I do not believe the Colorado case would allow coordination. I believe coordination would run afoul—in the amounts we are talking about, would run afoul of the hard money limits. Coordination would deem it as a hard money contribution, and therefore that is not allowed.

With regard to the issue of an individual contributing to a State party and having that earmarked for some particular candidate, again, I think you get into a coordination problem.

I am somewhat amazed with this alchemy going on here. This piddling increase that does not even keep up with

inflation has doubled, tripled, quadrupled, and now we are up into the stratosphere. A couple is automatically doubled. Are we assuming the husband is going to tell the wife what to do or is the wife going to tell the husband what to do? I am not prepared to assume that. I do not think my friend from New York is either.

Mr. SCHUMER. It depends on the family.

Mr. THOMPSON. I think the Senator from New York might agree that we should not automatically double whatever the head of the household might want to do politically.

Let us get back within the realm of reason. Clearly, the real world being what it is, there is certainly a risk of some things going on in terms of parties helping individual candidates at the expense of other candidates. I do not think you can stop that.

My point is that the areas about which we are talking are infinitesimal compared to the problem we are supposed to be addressing. We are concentrating on the tail of the elephant instead of the elephant or we are concentrating on the tail of the donkey instead of the donkey. We are talking about hard money, incremental increases that do not amount to very much in terms of the increase but are very significant in terms of their being hard dollars instead of soft because it is not union money, it is not corporate money, if they are hard dollars to start with. I think we can agree that would be progress.

Again, yes, the world has changed. Perhaps people have gotten more clever. They have gotten attorneys general who will give them interpretations they like, and things of that nature, but when the people addressed this back in 1974, they were talking about much more buying power than we are talking about today.

Again, my colleagues are assuming they have soft money. That is the situation in the bank, and now we are talking about the details. I suggest that what my amendment will do is strengthen McCain-Feingold and ultimately make it something that will be more likely to pass the Senate, more likely to pass the House, and more likely to be signed by the President of the United States.

I am trying to help my friends, as I always have, with regard to this issue.

We overlook what is going to happen if we do not make some progress in this hard money area. I am encouraged to hear my friend from Connecticut say he is willing to talk about it, and obviously I am, too, but I have been doing all the coming down and I have not seen much coming up.

If we do not make some progress with regard to this area, we are going to create a situation where we have eliminated soft money, and we have impoverished the hard money side of the equation. Both parties have neglected the hard money side of the equation, the side that used to be predominant, by far, in terms of running these campaigns.

We are going to eliminate soft money, have an impoverished hard money situation and have these independent groups continue doing what they have been doing more and more.

People are going to react to that. That will not work. That will not work in my estimation. I want to get rid of soft money. I am tired of reading all these stories about the money pouring in and this vote on this major issue is going to go one way because the Democrats got this money and another way because the Republicans got that money. I am tired of all that.

I am telling my friends, if we do that and nothing else, we are going to wind up with a disfigured system that is worse than what we have today, and we will be back on the floor and all regulations will be taken off.

There is sentiment out there that I think will be energized under a few years of the system I just described, and we will be back here and people will be making credible arguments that we tried this, we tried that, candidates can no longer compete, and instead of having 98-percent reelection in the House, we will have 100 percent. They cannot get any higher than that. Challengers will not have a prayer, especially in the larger States. The independent groups will double, triple, and quadruple their buys in all of our States. Everybody will be running our campaigns except ourselves, and these are just the incumbents. The challengers will have no prayer at all.

That, I say to my colleagues, will result in a reaction that none of us want, a reaction to take off absolutely all the limits. I say some of us—none of us on the reform side of this issue want. I had to stop and remind myself that some of my colleagues think that would be a jolly good idea, which makes my point, that we are not as far away from that possibility as we might think.

In summary, I say to my friend from New York and to my other colleagues on this issue with whom I have worked side by side, it boils down to this: $5,000—let's say you double it to take care of the primary and the general election. Somebody can contribute $5,000.

Mr. President, $5,000 is different than $100,000; $5,000 is different than $500,000; $5,000 is different in every way quantitatively and qualitatively from $1 million. That is what we ought to be concentrating on, but in order to get rid of those large dollars, we have to give a candidate an even chance of running so he is not totally dependent on that soft money and he is not even totally dependent on his party and having somebody in Washington dole out the checks and decide which one of the potential challengers has a chance and which one does not.

Hopefully, at the end of this, we will have an opportunity to adopt this amendment and still be open for further discussion.

I reiterate, this amendment strengthens the cause. This amendment strengthens the cause; it does not weaken the cause. The fact that someone cannot contribute to the limits we might raise, to that point I say there are plenty of people who cannot contribute to the $1,000 limit we have today. We have diminished their freedom when we raise it to $1,000, recognizing you have to have some money to run.

If somebody can give $200, do we diminish their freedom? Are we causing their levels of cynicism to rise because we had a $1,000 limit? If we have a $2,500 limit, there will be some people who can give $1,000 or $500 or $700. Maybe not the full amount. The fact that you can give the full amount does nothing to my freedom or to my citizenship because I cannot at the present time give as much as you can.

As long as we live in a free country and I can aspire to that, there is no legal impediment to me doing that. I do not think we do anything to empower those who cannot necessarily give to the maximum of whatever level we raise because they cannot do it now. We are getting off the focus.

The focus ought to be on the issue of corruption, which cannot be the case. If so, our forbears in 1974 missed the mark, if we say corruption kicks in in these cases or the appearance of corruption. The other side of the equation, of course, is making it so people can run a decent campaign and get their message out and especially challengers.

I cite, again, the independent study that was done by the Campaign Finance Institute affiliated with George Washington University. It says from a competition standpoint, upping the individual contribution limit helps nonincumbent Senate candidates while having little impact on the House.

I can understand all the positions that my friends who oppose this amendment take with regard to it, but one might listen to that and think this is something outrageous we are proposing. I cite David Broder, I cite Stuart Taylor, I cite almost any commentator I have read on the subject. I think I am paraphrasing correctly. It was certainly reasonable to raise the limits to $2,000 or $3,000, and of course we are coming in the middle of that.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. Mr. President, I ask unanimous consent I be given 7 minutes from the time of the opposition.

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

Mr. SCHUMER. Mr. President, I reiterate a statement made in my dialog with the Senator from Tennessee. I did not hear him actually rebut what I said.

We focus too much on the smaller individual limits which go up from $1,000 to $2,500. I have no problem keeping

them at $1,000. I have no problem raising them to $2,000. Yes, $25,000 is pretty large but hardly worth falling on a sword in terms of the bill.

There is truly an egregious problem with the amendment of my friend from Tennessee, and that is the raising of the aggregate limits. Under the new aggregate limits, there is complete coordination allowed by the Supreme Court when a national party contributes to the candidate. It is an expenditure. There is total coordination allowed. Under his proposal, a candidate could give to that national party $40,000 a year—this is not $1,000 or $2,000 but $40,000 a year. In the Senate, which is 6 years, that is $240,000. Assume for the sake of argument the spouse is of a different political persuasion, $240,000 under the Thompson amendment going directly to one candidate. That could be done over and over and over again if the 441(a)(d) limits go to candidate after candidate after candidate.

There is a serious problem with the amendment of my friend from Tennessee. It is not the raising of $1,000 to $2,500. It is the huge raise of the aggregate limits. We all know right now people raise money for their campaigns in $20,000 bits, the maximum allowable to a party. It is limited by the 441(a)(d) expenditure limits, 2 cents a voter. Those are likely to go in a month or two. Once they go, it won't matter, for most contributors, the contributors of wealth, whether the limit is $1,000 or $2,000 or $3,000; they can give to the candidate of their choice $40,000; $40,000 to the national party, again, constitutionally protected by the United States Supreme Court. That national party can coordinate with the candidate.

This is not a minor increase. That is not simply a rate of inflation increase. That is undoing a large part of eliminating soft money.

My friend from Tennessee talks about it being hard money. The way I thought about it, a large amount of individual money that goes to a candidate, whether it is funneled through a party or goes directly to a candidate, is what we are trying to prevent. You can call it hard money, but $40,000 is awfully soft hard money.

The amendment is a serious mistake under present law. But the only saving grace is that couldn't be done very often because there are limits on how much the party can give each candidate. I repeat, if the 441(a)(d) limits are eliminated, which many think they will be, then we have gone amok. And we will go doubly amok with the amendment of my friend from Tennessee.

This is not about raising the limits from $1,000 to $2,500. That is the least of it. If the Senator from Tennessee were good enough to keep all the other limits in place and just raise the individual limit to $2,500 or even raise the PAC limit to $7,500, I would have an argument. But it would be an argument against the current system. When he doubles the amount of money that can be given to national party committees from $20,000 to $40,000, he makes it a heck of a lot easier—call it soft, call it hard—for large amounts of money to be channeled directly to individual candidates.

If I were a well-to-do person who wanted to aid a campaign, I wouldn't give $1,000 directly to the candidate. I wouldn't give $2,500 directly to the candidate. I would give $40,000 to the Senate Republican committee, to the Senate Democratic committee and they, then, could coordinate with the candidate I liked and give them all of that money.

What are we talking about? The Senator from Tennessee keeps going back to 1974. We are not in 1974. We have had a number of Supreme Court rulings. We have had all sorts of consultants who have found ways around the law. The aggregate limit in 1974 seemed rather benign. It said, OK, you can only give to 25 candidates at $1,000 a head. The aggregate limit in 2001 is pernicious because the combination of court rulings and figuring out ways around the law have allowed all of that money to be channeled to an individual candidate.

I yield the floor.

Mr. THOMPSON. Mr. President, I simply say the issue has been joined. My position is my friend from New York is incorrect in terms of the law, his interpretation of the law in terms of a donor's legal right to coordinate or direct the direction of his contribution to a particular candidate. I do not think that is a correct interpretation of the law.

For anyone concerned about that, perhaps the Senator from New York and I can get together and hash this out tonight or in the morning, but I did want to state that issue. We have a disagreement on that.

I ask unanimous consent the Senator from Utah be given 10 minutes.

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

Mr. BENNETT. Mr. President, as I listened to the Senator from New York give a hypothetical circumstance, I am reminded of the statement that I was taught by a lawyer. As the Chair and my colleagues know, I am unencumbered by a legal education, so I have to defer to those who have been to law school, but I am told that one of the factors in law school they teach is hard cases make bad law.

The Senator from New York has described a theoretical, highly unlikely, hard case. If we were to legislate entirely on the basis of that theoretical circumstance, we would make bad law. I am interested to hear the Senator from Minnesota go on at great length about how few people give in these upper ranges. For the Senator from New York to be talking about many people giving $40,000 to many candidates every year flies in the face of the actual circumstance and experience about which the Senator from Minnesota talks.

As I say, I cannot comment on the legality of the cases that have been cited. But as an outside observer, listening to it, I simply say we had a theoretical hard case which would, if we followed it, make bad law.

Let me comment on why I am in favor of the Thompson amendment. As the Senator from Tennessee indicated earlier, I am one who would be delighted to see all limits disappear for a variety of reasons that I have stated over the years about campaign finance and its challenges.

Let me run through a historic demonstration of why the green bars on the Senator's chart keep going up. I got chastised in the press the other day for quoting Founding Fathers and talking about the Founding Fathers—as if they were irrelevant.

Quite aside from the philosophy, there is much we can learn from the Founding Fathers because every one of them was a very practical, very real politician. They had to run for election, too. They understood the political process. As I pointed out, George Washington won his elections by buying rum punch and ginger cakes for the assembled electorate. That is how they did it in those days. James Madison refused to do it and got defeated. So this issue is not new.

But when they were writing the Constitution, George Washington, as the President of the Constitutional Convention, never spoke except when he recognized one or the other delegates to the convention—except on one issue and that issue was how big congressional districts should be. The original proposal was that a congressional district should represent 50,000 people. The motion was made; no, let's cut that down to 30,000 people.

George Washington stepped from his chair as President of the Constitutional Convention to endorse the idea that it be cut down to 30,000 because, he said, a Representative has too much to do if he has to represent as many as 50,000 people. That is just too big for a congressional district.

So it was written into the original Constitution, 30,000, with, of course, the understanding that Congress could change that.

I now come from the State that just by 800 people missed getting a congressional seat in the last redistricting. Our State has the largest congressional districts, therefore, of any in the country—roughly 700,000 people per congressional district.

So if you want to talk about inflation in campaigns, go for a House campaign that, in George Washington's day, had to go for a population of 30,000 people to, today, where the seat represents 700,000 people—more than 20 times increased.

So it is not just inflation of money; it is inflation of challenge to meet that many people. How do you do it? You do not do it shaking hands. You do not do it speaking to Rotary Clubs and Kiwanis Clubs. You do not do it by

holding town meetings. The only way you can reach 700,000 people for a congressional seat, and 10 times that or more in many Senate seats, is to buy time. That is the only way you can do it. There is no other physical way to let the people of your State know who you are, unless you are an incumbent who has already had 6 years of free publicity, a sports hero—and we are getting more and more of those in Congress and some of them are pretty good Members of Congress, but they would not be Members if they had not had their names emblazoned on the front pages of the papers, a circumstance that is worth millions.

If somebody wants to start from scratch, run from obscurity, they have to raise a lot of money because they have not been on the sports pages and they have not been on the front pages. They have not had all the free exposure. If they are not wealthy, they have to raise a lot of money. Raising money becomes harder and harder to do if you have a limit on the amount you can raise that does not grow with inflation and does not grow with the number of people in your district.

The days when Abraham Lincoln and Stephen A. Douglas could go around the State of Illinois and hold debates where thousands of people would come and stand in the Sun for 3 hours listening to them are over. We do not have that kind of attention being paid to politics today.

When I run a campaign ad, I do not have to just compete with my opponent. We talk as if all the campaign advertising is between two opponents. When I run a campaign ad, it has to compete with the Budweiser frogs. It has to compete with all the other ads that are out there that will crowd it out as far as public attention is concerned. I can't just say here is where I am, and put my ad up and my opponent says here is where I am and put his ad up because people are turning off the ads. They are going into the kitchen for a sandwich while the commercials are on. I have to have so many that I cut through the clutter of all the competition that has nothing to do with politics. And that means I have to raise a lot of money.

It becomes harder and harder to do that if the limits do not grow, either with inflation in money or with inflation in the population I represent or with inflation in the amount of competing advertising that is there.

In my first race, we bought ads on all of the network stations, and I thought we were reaching the public. Then my ad adviser came to me and said we were getting killed in the ad war. I said: What do you mean? We are doing fine.

He said: You are not on cable and your opponent is on cable.

I hadn't thought about cable. I don't have cable in my house. So we had to buy ads on cable.

The number of outlets keeps increasing and the number of challenges to meet those outlets keeps going up. Yet we stick with a limit of the amount we can raise in the face of all of these increases.

So it only makes sense to index the amount we spend, not only to inflation of dollars but index to the inflation of the challenge that we face in spending those dollars to reach the voter because you get less and less bang for your buck, even if the number of bucks goes up according to monetary inflation.

I support this amendment. It is only common sense. It will not lead to the kind of theoretical disaster about which the Senator from New York talks. It will only make it possible, slightly easier, for challengers to get a little traction against incumbents. I still think it is not easy enough and I quote again the primary example of a challenger who took on an incumbent and knocked him off, which was Eugene McCarthy in 1968, who went to New Hampshire against an incumbent President and won enough votes in the New Hampshire primary to cause Lyndon Johnson to resign the race and announce he would not run.

Understand how he did that; that is how McCarthy did that. He got five people to give him $100,000 each. So he went to New Hampshire with a war chest of $500,000 in 1968. In today's money, that is $2 million or more. Under today's rules, he could not begin to do that. Under today's rules, for him to raise $100,000, he would have to go to 100 different people and do that five times over. His chances of getting that done would be very slim.

So I endorse this amendment. I am happy on the occasion of campaign finance reform to finally be in agreement with my friend from Tennessee on something relating to this bill. I hope we reject all of the theoretical arguments and live in the real world where this amendment makes enormous good sense.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. Mr. President, I yield myself 10 minutes in opposition.

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

Mr. LEVIN. Mr. President, first, let me say I know how much Senators THOMPSON and COLLINS believe in campaign finance reform. They have been two of the real stalwarts of trying to help us get rid of the soft money loophole. So this is a disagreement in which I take no particular pleasure, to put it mildly. They have been some of the strongest supporters for campaign finance reform.

I do not agree with their amendment. The limits that are created are way too high, and it is going to create some of the same problems that the soft money loophole has created in terms of the size of the contributions that will be permitted. It will not be through unregulated money, the soft money loophole, but it will be through regulated increases in the total aggregate amounts which are simply too high to create public confidence that we are doing the right thing, that we are not selling access to ourselves for large amounts of money, that we are not accepting contributions of large amounts of money from people who have significant business before the Congress.

We are at an important moment in the Senate's consideration of this bill. It is a point where we are going to have to decide whether we are going to hold the line on real reform, which not only means eliminating the soft money loophole, which I think we are on the verge of doing, but also in terms of putting some reasonable, modest limits on contributions so we do not have aggregate contributions that are so large that the public will lose confidence in the electoral process. They could lose confidence, whether we call it soft money or hard money, if the amounts which flow into these campaigns, either directly or indirectly, are too large.

We become addicted to large sums of money. It is easier to raise a large sum of money from a few people than it is to raise a small sum of money from many people. That is how we got started on soft money. That is why it is called soft money. And that is why regulated money is called hard money.

It is hard to raise money with real limits. But now that we are close to banning soft money—hopefully—to going cold turkey on the enormous contributions that the soft money loophole has let us raise from a small number of individuals, now I am afraid we are going to be looking around for other opportunities to raise large sums of money.

It is like a smoker who wants to quit who looks under the sofa cushions for a cigarette they may have dropped 3 months ago. We are looking around for someplace to still get large contributions.

The categories for the amount of money that an individual can give to a party and the aggregate that an individual can give in any 1 year to candidates, parties, and PACs looks to be a very large pot of money. We have to resist the temptation—that is what it is properly called, at least for some of us—to raise the aggregate limits to sums which to the average American seem horrendously large.

The Thompson-Collins amendment doubles the limits for parties and the yearly aggregate, so that one individual, under the Thompson-Collins proposal, can give as much as $100,000 in a cycle. That is $50,000 a year to the parties and candidates and PACs that the individual supports. So a couple could give $200,000 over 2 years, and it can be solicited all at one time—from you, from me, from a Member of the House, from the President, the Vice President, and the political parties—because what is before us would raise the hard money limits.

It means that any of us can solicit the amounts of money which are under

that aggregate or within the aggregate. That would mean, if this amendment passes, we could call up a couple and say: Can you contribute $200,000 in this cycle to our party and to the candidates we are supporting?

It is too big an amount. It puts us in a position which I believe we should not be in, which is to be competing in this arena for large contributions, which have undermined public confidence in the electoral process.

Too often when these large contributions have been what is being solicited—in the past with soft money, the unregulated money, but now if this amendment passes up to $200,000 a cycle per couple in hard money, usually we have gotten into the sale of access, the open, blatant sale of access. Nothing hidden about that.

Just a couple of examples—one from each party because this is a bipartisan problem.

First, for a Democratic National Committee trustee, which is shown on the board before us—this is for a $50,000 contribution or raising $100,000—a contributor gets two events with the President, two annual events with the Vice President, an annual trade mission where the trustee is invited to ''join Party leadership as they travel abroad to examine current and developing political and economic [trends].'' And, by the way, this same thing was used in a Republican administration—visiting foreign dignitaries at the highest level. So this is not, again, a partisan issue. It is the sale of access for huge amounts of money. And the larger the amount of money that we permit to be solicited, the worse, it seems to me, the appearance is when access is so openly and blatantly sold for that contribution.

That is what the temptation is. There is nothing illegal about this. I think it is shocking, but it is not illegal. If we raise the hard money limits to this extent, this same kind of sale of access is going to continue for the large contribution, which I think is so totally disenchanting our constituents.

On the Republican side, I have a chart in relation to a RNC annual gala. This is for a contributor who raises $250,000. He or she gets lunch with the Republican—Senate or House—committee chairman of their choice.

I think that is wrong. I do not know how we can stop this kind of open sale of access to ourselves for large amounts of money if we are going to increase hard limits, hard money contributions to the same extent as we see on these boards, when soft money was being used at this level of contribution to tempt people to make contributions in exchange for that access.

Another invitation to a Senatorial Campaign Committee event: This one promised that large contributors would be offered ''plenty of opportunities to share [their] personal ideas and vision with'' some of the top leaders and Senators. And then this invitation read the following: Failure to attend means ''you could lose a unique chance to be included in current legislative policy debates—debates that will affect your family and your business for many years to come.''

So for a large amount of money—in the view of most Americans, an exceedingly large amount of money—people are told they can have access to people who will affect their family and their business for many years to come, and explicitly that if you do not purchase that access, for a large amount of money, you could lose a unique chance to participate in a debate which ''will affect your family and your business for many years to come.''

No American should think that because he or she cannot contribute a huge sum of money they are then going to be unable to participate in a debate which affects family and business for many years to come.

Another one: This one says: ''Trust members can expect a close working relationship with all [of the party's] Senators, top Administration officials and national leaders.''

The greater these contribution limits are, the worse, it seems to me, the appearance is of impropriety, which is what we are trying to stop.

Mr. President, I ask unanimous consent that I be yielded 1 additional minute.

The PRESIDING OFFICER (Mr. ENSIGN). Without objection, it is so ordered.

Mr. LEVIN. Mr. President, the Supreme Court has held very explicitly, in Buckley v. Valeo, that large contribution limits can create the appearance of impropriety and that Congress has the right to stop that appearance of wrongdoing, that appearance of corruption, as the Court put it, which can be created by the solicitation of large amounts of money by people in power from constituents who have business before them. The amounts of money which we are talking about in this amendment are simply too large.

We should not be tempted. It is easier to raise money in these large amounts—we all know that—but we should not be tempted. If we are so tempted, we would be on the one hand closing the soft money loophole but on the other hand creating the same problem by lifting hard money limits to such a level that the same inappropriate appearance is created by the solicitation of contributions of this size.

I commend our friends and colleagues, Senators THOMPSON and COLLINS. They have been staunch supporters of reform. It seems awkward being on the other side from them on an amendment in this area, but I think it is a mistake to adopt this amendment. I hope we will reject it.

Mr. ROCKEFELLER. Mr. President, this morning I was unavoidably detained for longer than expected at a doctor's appointment. Because of that appointment I was not able to vote on the motion to table the first division of the Hagel amendment to the McCain-Feingold bill. My vote would not have changed the outcome on this amendment. I would have voted to table.

• Mr. BAUCUS. Mr. President, my responsibilities to the people of the State of Montana require that I be in Montana during the President's visit to my State. However, because campaign finance reform is such an important issue, I would like to submit this statement on how I would have voted on the following had I been present in the Senate today.

On the Hollings constitutional amendment. I voted for this amendment in the 105th Congress, and I would have voted for it again in the 107th. This amendment would ensure that Congress had the ability to combat the influence of money on the voting process.

On the Wellstone amendment, I would have voted for this amendment. I think it is a step in the right direction because it does not single out one group and reduce its ability to communicate with the voters. This amendment will create a more level playing field with regards to issue advertisements.•

MORNING BUSINESS

Mr. THOMPSON. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business with Senators permitted to speak for up to 10 minutes each.

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

Mr. HARKIN. Mr. President, I applaud today's release of the Surgeon General's report, ''Women and Smoking.'' It provides us with important information and recommendations to support our efforts to reduce smoking among women and prevent girls from starting the deadly habit. The results are disturbing and make it clear that we have a responsibility to combat the epidemic of smoking and tobacco-related diseases among women in the United States and around the world.

What the report makes clear is that we have been witness to an unprecedented tobacco industry marketing campaign targeted towards young women and girls. The consequences of this marketing campaign are staggering. From 1991 to 1999, smoking among high school girls increased from 27 to 34.9 percent. Since 1968, when Philip Morris introduced Virginia Slims, the rate of lung cancer deaths in women has skyrocketed. In fact, lung cancer has surpassed breast cancer as the leading cause of cancer death in the United States, accounting for 25 percent of all cancer deaths among women.

I am pleased that Secretary Thompson was able to join Dr. Satcher this morning to release the Surgeon General's report. I hope his presence signals the Bush administration's willingness to aggressively pursue policies and legislation to combat tobacco use among our children.

In particular, the report demonstrates the need for meaningful regulation of tobacco products by the Food and Drug Administration. Today, tobacco companies are exempt from the most basic health and safety oversight of their products. Consumers know more about what is in their breakfast cereal that what is in their cigarettes. Tobacco companies are not required to test additives for safety or tell consumers what is in their products. Nothing prevents them from making misleading or inaccurate health claims about their products.

This lack of regulation impacts women as tobacco companies aggressively target young girls through marketing campaigns linking smoking to weight loss and women's rights and progress. For example, one of the most famous ads directed at women was Lucky Strike's ''Reach for a Lucky Instead of a Sweet.'' A recent Virginia Slims' ad campaign told women that smoking could help them ''Find Your Voice.'' As the father of two daughters, I find it unacceptable that young girls are relentlessly barraged with slick marketing campaigns encouraging them to take up a deadly—and illegal—habit.

Also, recognizing that many women are concerned about the long term health risks of smoking, tobacco companies have been promoting ''low tar'' or ''light'' cigarettes to women as a ''safer'' option. Big Tobacco is well aware that the health claims in their ads are either misleading or entirely false. But it works. Currently 60 percent of women smokers use light and ultra light cigarettes.

These are just some of the reasons I, along with Senators LINCOLN CHAFEE and BOB GRAHAM, introduced the first bipartisan tobacco legislation in this Congress, the KIDS Deserve Freedom from Tobacco Act. Our bill would grant the FDA full authority to regulate the manufacture, distribution, marketing, and sale of tobacco products to protect our children from the dangers of tobacco use.

The results of the Surgeon General's report demonstrate the need for FDA authority over tobacco products. Today, I call upon Secretary Thompson to make a commitment to the young girls and women of this country: that the Bush administration will make passing legislation giving the FDA strong, meaningful regulatory authority over tobacco products a top priority.

NATIONAL WOMEN'S HISTORY MONTH

Mr. DURBIN. Mr. President, as we celebrate National Women's History month, I pay tribute to the countless contributions made by women, past and present, those heralded and those unknown to most, who have advanced the rights of women and enriched our Nation's history.

The month of March has been designated as National Women's History Month to illuminate the tremendous accomplishments of women throughout history. I salute my colleagues, Senator BARBARA MIKULSKI and Senator ORRIN HATCH for cosponsoring legislation over two decades ago declaring National Women's History Week. The celebration of women's history has since been expanded into a month long tribute to commemorate the many contributions of women.

This year's national theme, ''Celebrating Women of Courage and Vision,'' seeks to spark interest in the many remarkable stories of women's achievements in our schools and communities. We must strive to present history accurately, and in its entirety. History is not a womanless story and it should not be presented as such to our youth. It is imperative that we share the rich stories of women's struggles and achievements with all our children, but especially with our girls. With the benefit of strong female figures as role models, young women will have a fuller vision of what is possible in their lives.

The advancement of women in the last century has been nothing short of remarkable. At the beginning of the last century, women generally did not have the right to vote or own property. They could not hold most occupations, participate in the armed forces, or aspire to political office. But as long ago as 1872, a little known milestone in the fight for women's equality was achieved by the courageous actions of an Illinois woman.

Ellen Martin of Lombard, IL, understood her lack of legal entitlements in the late 1800s, but had the vision, the wits, and the determination to transcend the barriers around her. In the Presidential election of 1872, almost 50 years prior to the passage of the 19th Amendment, Martin and fourteen other Lombard women marched to the polls and demanded their right to vote. At the time, Lombard, Il, was governed by its local charter of incorporation, which inadvertently stated that ''all citizens'' rather than ''all male citizens'' had the right to vote.

Armed with a law book and her spectacles, Martin asserted her ''citizenship'' and demanded a ballot. Allegedly, the election judges were so shocked by the demand that one gentleman actually ''fell backward into a flour barrel.'' Ironically reminiscent of this year's unusual election, the votes of those 15 courageous women were extensively debated in the courts. But eventually, those 15 votes became the first women's votes ever to be counted in Illinois in an American Presidential election.

Ellen Martin refused to be held down by the social and political mores of the day. She had the courage to challenge and conquer the barriers that attempted to restrict her. And for her efforts, she won a small but important victory. Of course, it was not until 1920 that women's fundamental right to vote was expressly protected by the Constitution in the 19th Amendment. I am proud to say that Illinois was the first State in the Union to ratify that long overdue amendment, guaranteeing women a voice in the political arena.

There are many little known milestones, similar to the story of Ellen Martin's courage, which reveal the heroism of women throughout our history. These stories are important and they are powerful, but they can have little impact if they are not shared. Sadly, only 3 percent of our educational materials focus on women's contributions. Legislators in Illinois have recognized the need for the appreciation of the historical contributions of women and have mandated the teaching of women's history in K–12 classes. Only by recognizing the authentic contributions of women will educators be truly faithful to our national heritage.

Today, women play a central role in the Nation's political and economic arenas. I am privileged to work with 13 women Senators who provide powerful examples to young women across the Nation. At the State level, women currently hold 27.6 percent of the statewide executive offices across the country and 22.4 percent of State legislative positions. As Susan B. Anthony pointed out in 1897: ''There never will be complete equality until women themselves help to make laws.'' Women's representation in politics is not yet equal, but their increasing prominence signals a step in the right direction.

Today, women participate in our economy in record numbers, both in the workforce and as business leaders. Women own more than 9 million small businesses across the Nation, representing 38 percent of all small businesses nationwide. In Illinois, women own more than 250,000 firms. With their comprehensive participation, it is beyond dispute that women are vital to sustaining and improving our Nation's economy.

However, despite their strong presence in the workforce, women continue to earn less than men in this country. For every dollar a man earns, women on average earn only 73 cents. In Illinois, the wage gap is even larger: For every dollar earned by a man a woman earns only 69 cents. This wage gap persists despite the passage of the Equal Pay Act over three decades ago. Although the gap continues to shrink, the progress is painfully slow, shrinking by a rate of less than a half a penny a year. In order to facilitate the closure of this gap, I urge my colleagues to consider Senator DASCHLE's Paycheck Fairness Act, S. 77, of which I am a cosponsor. That bill would strengthen the enforcement mechanisms of the Equal Pay Act as well as recognize employer efforts to pay wages to women that reflect the real value of their contributions. The wage disparities between men and women have endured for far too long. We must approach the problem pro-actively and demand results.

The dedication of March as Women's History Month provides an excellent

opportunity to celebrate the many contributions of women that have shaped our history as well as the powerful influence that women continue to exert not only as business leaders and politicians, but also as mothers, teachers, neighbors and vital members of the community. But as we ''Celebrate Women of Courage and Vision,'' let us not forget the battles that lie ahead for women as they continue to struggle for full equality. As Alice Paul, a female attorney in the early 1900s, eloquently noted: ''Most reforms, most problems are complicated. But to me there is nothing complicated about ordinary equality.'' Let us allow the simple principle of equality to guide us, as we strive to make history in further advancing the rights of women.

SMALL BUSINESS ENERGY EMERGENCY RELIEF ACT

Mr. KOHL. Mr. President, yesterday the Senate approved S. 295, the Small Business Energy Emergency Relief Act of 2001. This bill will provide needed assistance to small businesses and farmers that have suffered direct and substantial economic injury caused by significant increases in the prices of heating oil, propane, kerosene, or natural gas.

Specifically, I would like to thank the Chairman and Ranking Member of the Small Business Committee, Senator KIT BOND and Senator JOHN KERRY, for their willingness to include an amendment sponsored by Senator HARKIN and me. This amendment will help farmers offset the surging costs of fuel. Farmers in my state and throughout the country have been negatively impacted as a result of high energy prices on farm income, due not only to the costs for fuel farmers need to run their equipment but also the increases in costs for fertilizer, which is made from natural gas.

Earlier this year, the spot price for natural gas had increased 400 percent from the year before. The Department of Energy is predicting that natural gas rates this winter will be at least double last year's levels. The most recognizable impact of this price spike has been on heating costs. However, many in the agriculture community are concerned with the impact of these spiraling costs on agricultural producers, since natural gas is the major component of nitrogen.

I am pleased that the Chairman and Ranking Member of the Small Business Committee agreed to include the Farm Energy Relief Act to allow the Secretary of Agriculture to declare a disaster area in counties where a sharp and significant increase in the price of fuel and fertilizer has caused farmers economic injury and created the need for financial assistance. That determination would allow farmers to be eligible for USDA's emergency disaster loans for losses arising from energy price spikes. I believe this amendment will provide much-needed relief to many of our producers who are also facing depressed prices for their commodities.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, March 26, 2001, the Federal debt stood at $5,733,895,076,837.79, Five trillion, seven hundred thirty-three billion, eight hundred ninety-five million, seventy-six thousand, eight hundred thirty-seven dollars and seventy-nine cents.

Five years ago, March 26, 1996, the Federal debt stood at $5,066,588,000,000, Five trillion, sixty-six billion, five hundred eighty-eight million.

Ten years ago, March 26, 1991, the Federal debt stood at $3,452,738,000,000, Three trillion, four hundred fifty-two billion, seven hundred thirty-eight million.

Fifteen years ago, March 26, 1986, the Federal debt stood at $1,982,440,000,000, One trillion, nine hundred eighty-two billion, four hundred forty million.

Twenty-five years ago, March 26, 1976, the Federal debt stood at $600,274,000,000, Six hundred billion, two hundred seventy-four million, which reflects a debt increase of more than $5 trillion, $5,133,621,076,837.79, Five trillion, one hundred thirty-three billion, six hundred twenty-one million, seventy-six thousand, eight hundred thirty-seven dollars and seventy-nine cents, during the past 25 years.

ADDITIONAL STATEMENTS

LIEUTENANT COLONEL MICHAEL DAVID

• Mr. CHAFEE. Mr. President, it is my great privilege to pay tribute to a Rhode Islander, Lieutenant Colonel Michael David, who will soon complete 23 years of distinguished service to our Nation.

As friends and colleagues gather to honor Lieutenant Colonel David's retirement from the U.S. Air Force, I would also like to extend to him my heartiest congratulations. Indeed, the State of Rhode Island is very proud and fortunate to have had a native of Warwick, RI represent us so well. I join with all Rhode Islanders in expressing thanks to Lieutenant Colonel David for the wonderful job he has done.

A graduate of the U.S. Air Force Academy, Lieutenant Colonel David has shared his expertise as he trained service men and women to fly the T–38 and C–141 aircraft at Air Force bases across our land; he has served as a T–38 Instructor Pilot, a C–141 Instructor and Evaluator Pilot. In addition, he has flown and led many world-wide airlift and formation airdrop missions. At present, he is charged with aiding the Pentagon's top brass in leading the Armed Forces into the 21st century, equipping our military to meet the challenges of the 21st century.

Along the way, Lieutenant Colonel David has been awarded numerous decorations including: Meritorious Service Medal, 2nd OLC, Aerial Achievement Medal, Air Force Commendation Medal, Air Force Achievement Medal, Combat Readiness Medal, Armed Forces Expeditionary Medal, National Defense Service Medal, Southwest Asia Service Medal, Small Arms Expert Pistol Ribbon, Air Force Legacy Service Award, Air Force Training Ribbon, Joint Meritorious Unit Award and the Air Force Outstanding Unit Award. Lieutenant Colonel David currently has the Defense Superior Service Medal pending approval by the Chairman, Joint Chiefs of Staff.

That is an impressive list! Out hats are off to Lieutenant Colonel David for these tremendous accomplishments.

Yet, we all know it is the military family that also deserves the recognition and congratulations for the years of travel, leaving family and friends, and for their tireless energy and support of the United States Armed Forces. For their outstanding dedication, I wish to commend and congratulate Lieutenant Colonel David's wife, the former Bernadette Louise Brennan, of Providence, and his two daughters, Ashley Nicole David and Stephanie Michelle David.

In closing, I am pleased to offer my very best wishes to Lieutenant Colonel David for happiness and fulfillment in his new endeavors. His contributions certainly will be remembered for generations to come.•

IN HONOR OF COMMUNITY FOOD RESOURCE CENTER

• Mr. LEAHY. Mr. President, it is my honor and pleasure to inform my fellow Senators that this year marks the 21st anniversary of Community Food Resource Center, a New York City organization that has been a leader in the fight for improved nutrition and economic well-being for all Americans.

CFRC's first project in 1980 was a school breakfast campaign. Since then, CFRC has been instrumental in shaping and promoting child nutrition programs. Because of CFRC's efforts, for example, New York City became the first major city to implement universal school meals on a large scale.

I became familiar with CFRC because of my work on the Senate Agriculture, Nutrition, and Forestry Committee. I have come to admire and respect the organization and its dedicated staff, and I feel honored to have had the chance to work with them. Whatever the issue, I can always count on CFRC to focus on the needs of those whose voices are rarely heard in the Capitol.

I would like to highlight just a few of CFRC's many innovative programs. Its Community Kitchen of West Harlem provides meals to more than 600 people nightly. Its CookShop program encourages schoolchildren to eat more fruits and vegetables. Its senior dinner programs use school cafeterias after hours

to provide nutritious meals, social activities and an intergenerational program.

CFRC is also a leading advocate for government policies assisting low-income individuals and families. At a time when Food Stamp participation is declining nationwide, CFRC's Food Force project sends outreach workers with laptop computers to community-based sites to pre-screen thousands of needy New Yorkers. With TANF reauthorization approaching, CFRC's Welfare Made A Difference National Campaign is challenging the stereotypes that led to passage of the 1996 welfare law.

CFRC is not only committed to making a difference, it is also effective. Each year, tens of thousands of New Yorkers benefit from CFRC's programs, and its advocacy has made a difference to millions of Americans. I hope that 21 years from now, this country no longer needs groups like CFRC. But if there are still those among us who are poor or hungry, I hope that CFRC is still here keeping their needs in the national conscience.●

GREEK INDEPENDENCE DAY

● Mr. DURBIN. Mr. President, the annual celebration of Greek Independence Day that took place on Sunday, March 25 commemorated the independence of Greece after 400 years of oppression under the Ottoman Empire. The pages of our history books are filled with contributions that the Greeks have made to society. Our system of government, our literature, philosophy, religion, and mathematics all have their roots in Greek tradition. With the founding of the Olympic Games, the Greek people taught us that there is more to be gained through peaceful competition than armed conflict.

Perhaps the greatest contribution that the Greek people have made is a simple yet powerful idea that first conceived over 2,000 years ago. It is the idea that citizens possessed the power to determine the course of a nation. The Athenian republic was the world's first democratic state, a fact respected by all free states today.

The bonds that join the United States and Greece extend back to the founding of our country. When drafting our Constitution, our forefathers recognized the idealism and spirit of ancient Greece. Inspired by our own struggle for independence, Greece followed forty-five years later with its own struggle for independence. By celebrating this day, we pay tribute to those Greek men and women who have made the ultimate sacrifice in defense of the common cause of freedom. The United States has been able to proudly call Greece an ally in every major international conflict of the last century.

Those Americans that claim Greek heritage can be proud of the contributions made by their ancestors. The many Greek sons and daughters who have come to the United States have served honorably in all walks of American life. Greek culture continues to flourish in American cities, thus contributing to the rich ethnic diversity of our country. It is with great honor that I commemorate the celebration of Greek independence. I look forward to the continuing cooperation and lasting friendship between the United States and Greece.●

DR. JOHN R. ARMSTRONG AND THE JOHN R. ARMSTRONG PERFORMING ARTS CENTER

● Mr. LEVIN. Mr. President, I rise to congratulate the L'Anse Creuse Public Schools and their Superintendent, Dr. John R. Armstrong, for the opening and dedication of their beautiful new 999 seat auditorium. The L'Anse Creuse Public Schools have appropriately chosen to name this state of the art facility the John R. Armstrong Performing Arts Center in recognition for all Dr. Armstrong has done to support the arts, not only as the current Superintendent of the L'Anse Creuse Public Schools in Harrison Township, Michigan, but also as a teacher and principal.

Dr. John R. Armstrong has served his community, state, and country in countless ways. Since graduating from Bowling Green University thirty-four years ago, he has been a dedicated teacher and administrator in the L'Anse Creuse Public Schools. However, Doctor Armstrong's passion for education and youth has led him to take an active role not just in the school system, but in his community. He has held leadership positions in many civic organizations and institutions that seek to advance educational causes such as Director of the Kellogg Math/Science Grant Program at Selfridge Air National Guard Base. In addition, Dr. Armstrong has been a board member of the Mt. Clemens YMCA, the Mt. Clemens Art Center, the Macomb Literacy Project and the Traffic Safety Association of Macomb County.

Dr. Armstrong has worked extensively to increase funding for his school district. He has presided over several capital campaigns and bond proposals that have allowed this growing school district to provide an environment in which learning can flourish. While Dr. Armstrong has been superintendent, student achievement has soared, as evidenced by the fact that student's in his school district have improved their test scores on the Michigan Education Assessment Program, the PSAT, SAT and ACT at a rate that has exceeded the county, state and national averages.

Just as importantly, Dr. Armstrong has worked to promote life-long learning opportunities that realize that education should not be confined within classroom walls. To that end, he has fostered cross-cultural exchanges, a cooperative art and design program with General Motors and a dialogue on issues between students and senior citizens. In addition to supporting life-long learning for others, Dr. Armstrong has led by example. Since coming to the L'Anse Creuse School District, he has earned several teacher certificates, a master's degree and a doctorate in education.

The L'Anse Creuse School District can take pride in the opening of their new auditorium, and Dr. Armstrong can take pride in his long and honorable service to the students of not only the school district but of all Michigan. I hope my colleagues will join me in saluting both the L'anse Creuse School District and Dr. John R. Armstrong for their contributions to their community and the State of Michigan.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Foreign Relations.

(The nomination received today is printed at the end of the Senate proceedings.)

REPORT OF THE CORPORATION FOR PUBLIC BROADCASTING COVERING CALENDAR YEAR 2000 MESSAGE FROM THE PRESIDENT—PM 14

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 Commerce, Science, and Transportation.

To the Congress of the United States:

Pursuant to section 19(3) of the Public Telecommunications Act of 1992 (Public Law 102–356), I transmit herewith the report of the Corporation for Public Broadcasting covering calendar year 2000.

GEORGE W. BUSH.

THE WHITE HOUSE, *March 27, 2001.*

REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO THE NATIONAL UNION FOR THE TOTAL INDEPENDENCE OF ANGOLA—MESSAGE FROM THE PRESIDENT—PM 15

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 Banking, Housing, and Urban Affairs.

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to the National Union for the Total Independence of Angola (UNITA) that was declared in Executive Order 12865 of September 26, 1993.

GEORGE W. BUSH.

THE WHITE HOUSE, *March 27, 2001.*

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–1165. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled ''Organization; Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations; Stock Issuances'' (RIN3052–AB91) received on March 22, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1166. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' (Docket No. FEMA–B–7409) received on March 16, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–1167. A communication from the Assistant Secretary for Budget and Programs, Office of the Secretary of Transportation, transmitting, pursuant to law, the report on the Fair Act Commercial Activities Inventory for 2000; to the Committee on Governmental Affairs.

EC–1168. A communication from the Assistant Director for Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's report under the Government in the Sunshine Act for calendar year 2000; to the Committee on Governmental Affairs.

EC–1169. A communication from the Executive Director of the Committee for Purchase from People Who Are Blind or Severely Disabled, transmitting, pursuant to law, the report of additions to the procurement list received on February 16, 2001; to the Committee on Governmental Affairs.

EC–1170. A communication from the Executive Director of the District of Columbia Financial Responsibility and Management Assistance Authority, transmitting, pursuant to law, a report relative to the District of Columbia for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1171. A communication from the Director of Regulations Policy and Management, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; Reclassification of the Shoulder Joint Metal/Polymer/Metal Nonconstrained or Semi-Constrained Porous-Coated Uncemented Prosthesis'' (Docket No. 97P–0354) received on March 16, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–1172. A communication from the Director of Regulations Policy and Management, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Clinical Chemistry and Clinical Toxicology Devices; Classification of B-Type Natriuretic Peptide Test System'' (Docket No. 00P–1675) received on March 16, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–1173. A communication from the Acting Assistant Secretary of Health Affairs, Department of Defense, transmitting, pursuant to law, a delay of the report on the plan to provide chiropractic health care services and benefits for member of the Uniformed Services; to the Committee on Armed Services.

EC–1174. A communication from the Secretary of Defense, transmitting, a delay of the annual report concerning cost savings resulting from workforce reductions for Fiscal Year 2000; to the Committee on Armed Services.

EC–1175. A communication from the Principal Deputy Under Secretary of Defense, Acquisition and Technology, Department of Defense, transmitting, pursuant to law, a report entitled ''Use of Employees of Non-Federal Entities to Provide Services to the Department of Defense''; to the Committee on Armed Services.

EC–1176. A communication from the Principal Deputy Under Secretary of Defense, Acquisition and Technology, Department of Defense, transmitting, pursuant to law, the report on restructuring costs associated with business combinations for calendar year 2000; to the Committee on Armed Services.

EC–1177. A communication from the Deputy Assistant Secretary of Budget and Finance, Department of the Interior, transmitting, pursuant to law, the annual report concerning the Outer Continental Shelf Lease Sales: Evaluation of Bidding Results for Fiscal Year 2000; to the Committee on Energy and Natural Resources.

EC–1178. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans and Part 70 Operating Permits Program; State of Missouri'' (FRL6956–9) received on March 16, 2001; to the Committee on Environment and Public Works.

EC–1179. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganes'' (FRL6955–8) received on March 16, 2001; to the Committee on Environment and Public Works.

EC–1180. A communication from the Deputy Executive Secretary of the Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Interim Final Rules for Nondiscrimination in Health Coverage in the Group Market'' (RIN0938–AI08) received on March 14, 2001; to the Committee on Finance.

EC–1181. A communication from the Deputy Executive Secretary of the Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Expanded Coverage for Outpatient Diabetes Self-Management Training and Diabetes Outcome Measurement'' (RIN0938–AI96) received on March 14, 2001; to the Committee on Finance.

EC–1182. A communication from the Secretary of Commerce, transmitting, pursuant to law, the annual report of the Visiting Committee on Advanced Technology of the National Institute of Standards and Technology (NIST) for 2000; to the Committee on Commerce, Science, and Transportation.

EC–1183. A communication from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the annual report on Northeast Multispecies Harvest Capacity and Impact of Northeast Fishing Capacity Reduction for Fiscal Year 1999; to the Committee on Commerce, Science, and Transportation.

EC–1184. A communication from the Acting Assistant Administrator of the National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Coastal Zone Management Act Federal Consistency Regulations'' (RIN0648–AM88) received on February 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1185. A communication from the Acting Director of the 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 Statistical Area 610, Gulf of Alaska'' received on March 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1186. A communication from the Acting Director of the 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 Zone Off Alaska-Pollock Closure in the Statistical Area 630 Outside the Shelikof Strait, Gulf of Alaska'' received on March 14, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1187. A communication from the Acting Director of the 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 Zone Off Alaska-Pollock Closure in the West Yakutat District, Gulf of Alaska'' received on March 14, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1188. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Pacific Halibut Fisheries; Catch Sharing Plans'' (RIN0648–AO80) received on March 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1189. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' (Docket No. FEMA–B–7409) received on March 19, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–1190. A communication from the Acting Assistant Secretary for Communications and Information, Department of Commerce, transmitting, pursuant to law, a report relating to the development of electronic commerce and associated technology; to the Committee on the Judiciary.

EC–1191. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Coniothyrium Minitans Strain CON/M/91–08; Exemption from the Requirement of a Tolerance'' (FRL6772–1) received on March 23, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1192. A communication from the Deputy Executive Secretary to the Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Program; Change in Application of Federal Financial Participation Limits: Delay of Effective Date'' (RIN0938–AK22) received on March 19, 2001; to the Committee on Finance.

EC–1193. A communication from the Deputy Executive Secretary to the Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Payment for Nursing and Allied Health Education: Delay of Effective Date'' (RIN0938–AE79) received on March 19, 2001; to the Committee on Finance.

EC–1194. A communication from the Chief of the Regulations Unit, United States Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Amended Procedure for Refunds of Harbor Maintenance Fees Paid on Exports of Merchandise'' (RIN1515–AC82) received on March 23, 2001; to the Committee on Finance.

EC–1195. A communication from the Secretary of the Interior, transmitting, pursuant to law, the annual report from the Office of Surface Mining for 2000; to the Committee on Energy and Natural Resources.

EC–1196. A communication from the Assistant General Counsel for Regulatory Law, Office of Policy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Department of Energy Cooperative Research and Development Agreements'' (DOE O 483.1 and DOE M 483.1) received on March 23, 2001; to the Committee on Energy and Natural Resources.

EC–1197. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Aviation'' (DOE O 440.2) received on March 23, 2001; to the Committee on Energy and Natural Resources.

EC–1198. A communication from the Acting Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, United States Agency for International Development, transmitting, pursuant to law, a report concerning Egypt's economic achievements and challenges from 1999 through 2000; to the Committee on Foreign Relations.

EC–1199. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services under a contract in the amount of $50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC–1200. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, the annual report concerning the United States Government Assistance to and Cooperative Activities with the New Independent States of the Former Soviet Union for Fiscal Year 2000; to the Committee on Foreign Relations.

EC–1201. A communication from the Assistant Legal Advisor 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–1202. A communication from the Principal Deputy Under Secretary of Defense, Acquisition and Technology, transmitting, pursuant to law, the report on the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001; to the Committee on Armed Services.

EC–1203. A communication from the Principal Deputy Under Secretary of Defense, Acquisition and Technology, transmitting, pursuant to law, the annual report on Contingent Liabilities Under Chapter 443 Aviation Insurance Program; to the Committee on Armed Services.

EC–1204. A communication from the Principal Deputy Under Secretary of Defense, Acquisition and Technology, transmitting, pursuant to law, a report concerning the science and technology program for Fiscal Year 2001; to the Committee on Armed Services.

EC–1205. A communication from the Acting Assistant Secretary of Defense, Reserve Affairs, transmitting, pursuant to law, a report on the Angel Gate Academy Program; to the Committee on Armed Services.

EC–1206. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Facility Safety'' (DOE O 420.1) received on March 23, 2001; to the Committee on Armed Services.

EC–1207. A communication from the Director of Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Adjustment of Status to That Person for Permanent Residence; Temporary Removal of Certain Restrictions of Eligibility'' (RIN 1115–AF91) received on March 26, 2001; to the Committee on the Judiciary.

EC–1208. A communication from the Deputy Assistant Secretary of Indian Affairs, Division of Transportation, Department of the Interior , transmitting, pursuant to law, the report of a rule entitled ''Distribution of Fiscal Year 2001 Indian Reservation Road Funds'' (RIN1076–AE13) received on March 26, 2001; to the Committee on Indian Affairs.

EC–1209. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed Technical Assistance Agreement with Israel; to the Committee on Foreign Relations.

EC–1210. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services under a contract in the amount of $50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC–1211. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed Manufacturing License Agreement with the United Kingdom; to the Committee on Foreign Relations.

EC–1212. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services under a contract in the amount of $50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC–1213. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services under a contract in the amount of $50,000,000 or more to Canada; to the Committee on Foreign Relations.

EC–1214. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services under a contract in the amount of $50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC–1215. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services under a contract in the amount of $50,000,000 or more to Belgium; to the Committee on Foreign Relations.

EC–1216. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Farmland Industries, Inc. v. Commissioner'' received on March 26, 2001; to the Committee on Finance.

EC–1217. A communication from the Program Manager of the Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''The Registration Period for the USAS–12, Striker-12, and Streetweeper Shotguns Will Close on May 1, 2001'' (ATF Rul. 2001–1) received on March 26, 2001; to the Committee on Finance.

EC–1218. A communication from the Chief of the Regulations Branch, United States Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Assessment of Liquidated Damages Regarding Imported Merchandise That Is Not Admissible Under the Food, Drug and Cosmetic Act'' (RIN1515–AC45) received on March 23, 2001; to the Committee on Finance.

EC–1219. A communication from the General Counsel, Office of Management and Budget, transmitting, pursuant to law, a report relative to the vacancy of the position of Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget, the designation of an Acting Administrator, and the nomination of Jahn Graham to be Administrator; to the Committee on Governmental Affairs.

EC–1220. A communication from the General Counsel, Office of Management and Budget, transmitting, pursuant to law, a report relative to the confirmation of Sean O'Keefe to be Deputy Director of the Office of Management and Budget; to the Committee on Governmental Affairs.

EC–1221. A communication from the General Counsel, Office of Management and Budget, transmitting, pursuant to law, a report relative to the confirmation of Mitchell Daniels to be the Director of the Office of Management and Budget; to the Committee on Governmental Affairs.

EC–1222. A communication from the General Counsel, Office of Management and Budget, transmitting, pursuant to law, a report relative to the vacancy of the position of Deputy Director for Management, Office of Management and Budget; to the Committee on Governmental Affairs.

EC–1223. A communication from the General Counsel, Office of Management and Budget, transmitting, pursuant to law, a report relative to the vacancy of the position of Controller, Office of Management and Budget, Office of Federal Financial Management; to the Committee on Governmental Affairs.

EC–1224. A communication from the Secretary of Transportation, transmitting, pursuant to law, the report of the Office of Inspector General for the period April 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC–1225. A communication from the Chief Financial Officer, Export-Import Bank of the United States, transmitting, pursuant to law, the annual report of the Office of Inspector General for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1226. A communication from the Executive Director of the Committee for Purchase From People Who Are Blind or Severely Disabled, transmitting, pursuant to law, the report of additions to the procurement list received on March 14, 2001; to the Committee on Governmental Affairs.

EC–1227. A communication from the District of Columbia Auditor, transmitting, a report entitled ''Analysis of the First Quarter Cash Collections Against the Revised Fiscal Year 2001 Revenue Estimate''; to the Committee on Governmental Affairs.

EC–1228. A communication from the Managing Director of the National Transportation Safety Board, transmitting, pursuant

to law, the report under the Federal Activities Reform Act of 1998 for 1999; to the Committee on Governmental Affairs.

EC–1229. A communication from the Acting Administrator and Chief Executive Officer of the Bonneville Power Administration, Department of Energy, transmitting, pursuant to law, the annual report on the system of internal accounting controls and financial controls for 2000; to the Committee on Governmental Affairs.

EC–1230. A communication from the Chairman of the Federal Maritime Commission, transmitting, pursuant to law, the Annual Program Performance Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1231. A communication from the Acting Director of the Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Corrections of Retirement Coverage Errors Under the Federal Erroneous Retirement Coverage Corrections Act'' (RIN3206–AJ38) received on March 19, 2001; to the Committee on Governmental Affairs.

EC–1232. A communication from the Deputy Under Secretary of Defense, Science and Technology, Office of the Director of Defense Research and Engineering, transmitting, pursuant to law, the Annual Report of the Strategic Environmental Research and Development Program for Fiscal Year 2000; to the Committee on Armed Services.

EC–1233. A communication from the Principal Deputy Under Secretary of Defense, Acquisition and Technology, transmitting, pursuant to law, the Annual Report on Reimbursement of Contractor Environmental Response Action Costs for Fiscal Year 2000; to the Committee on Environment and Public Works.

EC–1234. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, the Monthly Status Report on Licensing Activities and Regulatory Duties dated January 2001; to the Committee on Environment and Public Works.

EC–1235. A communication from the Acting Secretary of the Army, Department of Defense, transmitting, pursuant to law, the implementation of a project for shoreline protection and ecosystem restoration for the Delaware Bay Coastline at Reeds Beach and Pierces Point, New Jersey; to the Committee on Environment and Public Works.

EC–1236. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Startup and Restart of Nuclear Facilities'' (DOE O 425.1B) received on March 23, 2001; to the Committee on Environment and Public Works.

EC–1237. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Approval of Several NO_X Emission Trading Orders as Single Source SIP Revisions'' (FRL6942–6) received on March 23, 2001; to the Committee on Environment and Public Works.

EC–1238. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''New Stationary Sources; Supplemental Delegation of Authority to the State of South Carolina'' (FRL6956–1) received on March 23, 2001; to the Committee on Environment and Public Works.

EC–1239. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revision to the California State Implementation Plan, Bay Area Air Quality Management District'' (FRL6954–9) received on March 26, 2001; to the Committee on Environment and Public Works.

EC–1240. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, a report entitled ''EPA Permit Guidance Document, Transportation Equipment Cleaning Point Source Category''; to the Committee on Environment and Public Works.

EC–1241. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, a report entitled ''Financial Management Requirements for U.S. Environmental Protection Agency Region 2 Assistance Agreement Recipients''; to the Committee on Environment and Public Works.

EC–1242. A communication from the General Counsel of the Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled ''Dive Stick Final Rule'' (RIN3041–AB82) received on March 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1243. A communication from the Deputy Assistant Administrator of the National Ocean Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Coastal Ocean Program: Funding Announcement for the Global Ocean Ecosystems Dynamics Project'' (RIN0648–ZA77) received on March 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1244. A communication from the Acting Director of the 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; Commercial Shark Management Measures: Emergency Rule; Request for Comments'' (RIN0648–AO85) received on March 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1245. A communication from the Acting Director of the 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-Closes A Season Pollock Fishing by Mothership Component Processing in the Stellar Sea Lion Conservation Area of the Bering Sea and Aleutian Islands Management Area'' received on March 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1246. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Financial Assistance for Research and Development Projects to Strengthen and Develop the U.S. Fishing Industry: Notice of Solicitation for Applications'' (RIN0648–ZA09) received on March 19, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1247. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations (La Crosse, Wisconsin)'' (Docket No. 00–236) received on March 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1248. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations (Orono, Maine)'' (Docket No. 00–243) received on March 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1249. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations (Weston, West Virginia)'' (Docket No. 00–242) received on March 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1250. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations (New Orleans, Louisiana)'' (Docket No. 00–188) received on March 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1251. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations (Lead, South Dakota)'' (Docket No. 00–235) received on March 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1252. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations: (Including 3 Regulations)'' ((RIN2115–AE46)(2001–0004)) received on March 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1253. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations (Including 3 Regulations)'' ((RIN2115–AE47)(2001–0024)) received on March 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1254. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations (Including 49 Regulations)'' ((RIN2115–AA97)(2001–0005)) received on March 26, 2001; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. HELMS for the Committee on Foreign Relations.

Grant S. Green, Jr., of Virginia, to be an Under Secretary of State (Management).

(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. HAGEL (for himself, Mr. BINGAMAN, Mr. LUGAR, and Mr. LIEBERMAN):

S. 621. A bill to authorize the American Friends of the Czech Republic to establish a memorial to honor Tomas G. Masaryk in the District of Columbia; to the Committee on Rules and Administration.

By Mr. DURBIN (for himself, Mr. BROWNBACK, Mr. GRAHAM, and Mr. BINGAMAN):

S. 622. A bill to amend titles V, XVIII, and XIX of the Social Security Act to promote tobacco cessation under the medicare program, the medicaid program, and maternal and child health services block grant program; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself, Mr. DASCHLE, Mr. KENNEDY, and Mr. SARBANES):

S. 623. A bill to amend title XVIII of the Social Security Act and the Employee Retirement Income Security Act of 1974 to improve access to health insurance and Medicare benefits for individuals ages 55 to 65, to amend the Internal Revenue Code of 1986 to allow a 50 percent credit against income tax for payment of such premiums and of premiums for certain COBRA continuation coverage, and for other purposes; to the Committee on Finance.

By Mr. GREGG (for himself and Mrs. HUTCHISON):

S. 624. A bill to amend the Fair Labor Standards Act of 1938 to provide to private sector employees the same opportunities for time-and-a-half compensatory time off and biweekly work programs as Federal employees currently enjoy to help balance the demands and needs of work and family, to clarify the provisions relating to exemptions of certain professionals from minimum wage and overtime requirements of the Fair Labor Standards Act of 1938, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY (for himself, Mr. SPECTER, Mr. DASCHLE, Mr. SMITH of Oregon, Mr. LEAHY, Ms. COLLINS, Mr. LIEBERMAN, Ms. SNOWE, Mr. WYDEN, Mr. JEFFORDS, Mr. SCHUMER, Mr. CHAFEE, Mr. AKAKA, Mr. ENSIGN , Mr. BAYH, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. BREAUX, Ms. CANTWELL, Mrs. CARNAHAN, Mr. CARPER, Mr. CLELAND, Mrs. CLINTON, Mr. CORZINE, Mr. DAYTON, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. HARKIN, Mr. INOUYE, Mr. JOHNSON, Mr. KERRY, Ms. LANDRIEU, Mr. LEVIN, Mrs. LINCOLN, Ms. MIKULSKI, Mr. MILLER, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. REED, Mr. REID, Mr. ROCKEFELLER, Mr. SARBANES, Ms. STABENOW, Mr. TORRICELLI, and Mr. WELLSTONE):

S. 625. A bill to provide Federal assistance to States and local jurisdictions to prosecute hate crimes, and for other purposes; to the Committee on the Judiciary.

By Mr. JEFFORDS (for himself and Mr. BAUCUS):

S. 626. A bill to amend the Internal Revenue Code of 1986 to permanently extend the work opportunity credit and the welfare-to-work credit, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. GRAHAM):

S. 627. A bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs; to the Committee on Finance.

By Mr. LIEBERMAN (for himself and Mr. DASCHLE):

S. 628. A bill to amend the Internal Revenue Code of 1986 to provide a rebate of a portion of the Federal budget surplus in 2001; to the Committee on Finance.

By Mr. DASCHLE (for himself, Mr. CONRAD, Mr. LIEBERMAN, Mr. DORGAN, Mr. DURBIN, Mr. ROCKEFELLER, Mr. REID, and Mr. JOHNSON):

S. 629. A bill to amend the Internal Revenue Code of 1986 to provide a refund of individual taxes in 2001 and to establish a 10 percent rate bracket beginning in 2001, and for other purposes; to the Committee on Finance.

By Mr. BURNS (for himself, Mr. WYDEN, Mr. LIEBERMAN, Ms. LANDRIEU, Mr. TORRICELLI, Mr. BREAUX, and Mr. MURKOWSKI):

S. 630. A bill to prohibit senders of unsolicited commercial electronic mail from disguising the source of their messages, to give consumers the choice to cease receiving a sender's unsolicited commercial electronic mail messages, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. VOINOVICH:

S. 631. A bill to provide for pension reform, and for other purposes; to the Committee on Finance.

By Mr. NELSON of Florida:

S. 632. A bill to reinstate a final rule promulgated by the Administrator of the Environmental Protection Agency, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. HUTCHISON (for herself and Mr. ROCKEFELLER):

S. 633. A bill to provide for the review and management of airport congestion, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. COLLINS:

S. 634. A bill to amend section 2007 of the Social Security Act to provide grant funding for additional Enterprise Communities, and for other purposes; to the Committee on Finance.

By Mr. DODD:

S. 635. A bill to reinstate a standard for arsenic in drinking water; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEVIN (for himself and Ms. STABENOW):

S. Con. Res. 29. A concurrent resolution congratulating the city of Detroit and its residents on the occasion of the tercentennial of its founding; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 170

At the request of Mr. REID, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 170, a bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability.

S. 177

At the request of Mr. AKAKA, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 177, a bill to amend the provisions of title 19, United States Code, relating to the manner in which pay policies and schedules and fringe benefit programs for postmasters are established.

S. 205

At the request of Mrs. HUTCHISON, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 205, a bill to amend the Internal Revenue Code of 1986 to waive the income inclusion on a distribution from an individual retirement account to the extent that the distribution is contributed for charitable purposes.

S. 258

At the request of Ms. SNOWE, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 258, a bill to amend title XVIII of the Social Security Act to provide for coverage under the medicare program of annual screening pap smear and screening pelvic exams.

S. 264

At the request of Ms. SNOWE, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 264, a bill to amend title XVIII of the Social Security Act to expand coverage of bone mass measurements under part B of the medicare program to all individuals at clinical risk for osteoporosis.

S. 278

At the request of Mr. JOHNSON, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 278, a bill to restore health care coverage to retired members of the uniformed services.

S. 291

At the request of Mr. THOMPSON, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 291, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for State and local sales taxes in lieu of State and local income taxes and to allow the State and local income tax deduction against the alternative minimum tax.

S. 338

At the request of Mr. REID, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 338, a bill to protect amateur athletics and combat illegal sports gambling.

At the request of Mr. ENSIGN, the names of the Senator from Oregon (Mr. SMITH) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 338, supra.

S. 344

At the request of Mr. CAMPBELL, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 344, a bill to amend the

Transportation Equity Act for the 21st Century to make certain amendments with respect to Indian tribes.

S. 362

At the request of Mr. DORGAN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 362, a bill to amend the Internal Revenue Code of 1986 to provide an exclusion for gain from the sale of farmland which is similar to the exclusion from gain on the sale of a principal residence.

S. 363

At the request of Mr. DORGAN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 363, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for 100 percent of the health insurance costs of self-employed individuals.

S. 364

At the request of Mr. DORGAN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 364, a bill to amend the Internal Revenue Code of 1986 to expand the applicability of section 179 which permits the expensing of certain depreciable assets.

S. 403

At the request of Mr. COCHRAN, the names of the Senator from South Carolina (Mr. THURMOND) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. 403, a bill to improve the National Writing Project.

S. 409

At the request of Mrs. HUTCHISON, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 409, a bill to amend title 38, United States Code, to clarify the standards for compensation for Persian Gulf veterans suffering from certain undiagnosed illnesses, and for other purposes.

S. 413

At the request of Mr. COCHRAN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 413, a bill to amend part F of title X of the Elementary and Secondary Education Act of 1965 to improve and refocus civic education, and for other purposes.

S. 452

At the request of Mr. MURKOWSKI, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 452, a bill to amend title XVIII of the Social Security Act to ensure that the Secretary of Health and Human Services provides appropriate guidance to physicians, providers of services, and ambulance providers that are attempting to properly submit claims under the medicare program to ensure that the Secretary does not target inadvertent billing errors.

S. 458

At the request of Mr. SCHUMER, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 458, a bill to amend the Internal Revenue Code of 1986 to make higher education more affordable, and for other purposes.

S. 463

At the request of Mrs. FEINSTEIN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 463, a bill to provide for increased access to HIV/AIDS-related treatments and services in developing foreign countries.

S. 466

At the request of Mr. HAGEL, the names of the Senator from Virginia (Mr. WARNER), the Senator from Louisiana (Mr. BREAUX), the Senator from Illinois (Mr. DURBIN), and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 466, a bill to amend the Individuals with Disabilities Education Act to fully fund 40 percent of the average per pupil expenditure for programs under part B of such Act.

S. 472

At the request of Mr. DOMENICI, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 472, a bill to ensure that nuclear energy continues to contribute to the supply of electricity in the United States.

S. 501

At the request of Mr. GRAHAM, the name of the Senator from Missouri (Mrs. CARNAHAN) was added as a cosponsor of S. 501, a bill to amend titles IV and XX of the Social Security Act to restore funding for the Social Services Block Grant, to restore the ability of States to transfer up to 10 percent of TANF funds to carry out activities under such block grant, and to require an annual report on such activities by the Secretary of Health and Human Services.

S. 534

At the request of Mr. CAMPBELL, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 534, a bill to establish a Federal interagency task force for the purpose of coordinating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly known as ''mad cow disease'') and foot-and-mouth disease in the United States.

S. 548

At the request of Mr. HARKIN, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 548, a bill to amend title XVIII of the Social Security Act to provide enhanced reimbursement for, and expanded capacity to, mammography services under the medicare program, and for other purposes.

S. 563

At the request of Mr. SANTORUM, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 563, a bill to amend the Social Security Act to require Social Security Administration publications to highlight critical information relating to the future financing shortfalls of the social security program, to require the Commissioner of Social Security to provide Congress with an annual report on the social security program, and for other purposes.

S. 565

At the request of Mr. DODD, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 565, a bill to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes.

S. 567

At the request of Mr. SESSIONS, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 567, a bill to amend the Internal Revenue Code of 1986 to provide capital gain treatment under section 631(b) of such Code for outright sales of timber by landowners.

S. 599

At the request of Mr. ROBERTS, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 599, a bill to amend the Omnibus Trade and Competitiveness Act of 1988 to establish permanent trade negotiating and trade agreement implementing authority.

S. 611

At the request of Ms. MIKULSKI, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 611, a bill to amend title II of the Social Security Act to provide that the reduction in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds $1,200, adjusted for inflation.

S. 619

At the request of Mrs. LINCOLN, her name was added as a cosponsor of S. 619, a bill to establish a grant program that provides incentives for States to enact mandatory minimum sentences for certain firearms offenses, and for other purposes.

S. CON. RES. 14

At the request of Mr. CAMPBELL, the name of the Senator from Michigan (Ms. STABENOW), was added as a cosponsor of S. Con. Res. 14, a concurrent resolution recognizing the social problem

of child abuse and neglect, and supporting efforts to enhance public awareness of it.

S. J. RES. 10

At the request of Mr. KENNEDY, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Michigan (Ms. STABENOW), and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. J. Res. 10, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for women and men.

S. RES. 44

At the request of Mr. COCHRAN, the names of the Senator from Idaho (Mr. CRAPO), the Senator from Alaska (Mr. MURKOWSKI), and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. Res. 44, a resolution designating each of March 2001, and March 2002, as ''Arts Education Month''.

S. RES. 63

At the request of Mr. CAMPBELL, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. Res. 63, a resolution commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers.

AMENDMENT NO. 115

At the request of Mr. DOMENICI, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of amendment No. 115 proposed to S. 27, a bill to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. BROWNBACK, Mr. GRAHAM, and Mr. BINGAMAN):

S. 622. A bill to amend titles V, XVIII, and XIX of the Social Security Act to promote tobacco cessation under the medicare program, the medicaid program, and maternal and child health services block grant program; to the Committee on Finance.

Mr. DURBIN. Mr. President, I rise today to introduce legislation that expands treatment to millions of Americans suffering from a deadly addiction: tobacco. I am pleased to have Senators BROWNBACK, BINGAMAN, and GRAHAM of Florida join me in this effort. The Medicare, Medicaid and MCH Smoking Cessation Promotion Act of 2001 will help make smoking cessation therapy accessible to recipients of Medicare, Medicaid, and the Maternal and Child Health, MCH, Program.

We have long known that cigarette smoking is the largest preventable cause of death, accounting for 20 percent of all deaths in this country. It is well documented that smoking causes virtually all cases of lung cancer and a substantial portion of coronary heart disease, peripheral vascular disease, chronic obstructive lung disease, and cancers of other sites. And the harmful effects of smoking do not end with the smoker. Women who use tobacco during pregnancy are more likely to have adverse birth outcomes, including babies with low birth weight, which is linked with an increased risk of infant death and a variety of infant health disorders.

Still, despite enormous health risks, 48 million adults in the United States smoke cigarettes, approximately 22.7 percent of American adults. The rates are higher for our youth, 36.4 percent report daily smoking. In Illinois, the adult smoking rate is about 24.2 percent. Perhaps most distressing and surprising, data indicate that about 13 percent of mothers in the United States smoke during pregnancy.

Today, the Surgeon General released a new report that documents the health effects for women who smoke. Women now represent 39 percent of all smoking related deaths in the United States each year, more than double the percentage in 1965.

More than 21 percent of women in my state of Illinois smoke. Lung cancer is the leading cancer killer among women surpassing breast cancer in 1987, and smoking causes 87 percent of lung cancer cases. In fact, lung cancer death rates among women increased by more than 400 percent between 1960 and 1990. And smoking among girls is on the rise as well. From 1991 to 1999, smoking among high school girls increased from 27 to 34.9 percent.

There is no doubt that smoking rates among women and girls are linked to targeted tobacco advertising. The Centers for Disease Control and Prevention's National Health Interview Survey showed an abrupt increase in smoking inititation among girls around 1967, about the same time that Philip Morris and other tobacco companies launched advertisements for brands specifically targeted at women and girls. Six years after the introduction of Virginia Slims and other such brands, the rate of smoking initiation of 12-year-old girls increased by 110 percent.

The report released today echoes this concern, highlighting the targeting of women in tobacco marketing. Between 1995 and 1998, expenditures in the United States for cigarette advertising and promotion increased from $4.90 billion to $6.73 billion. In 1999, these promotional expenditures leaped another 22 percent, to a new high of $8.24 billion.

As a result, we are not only paying a heavy health toll, but an economic price as well. The total cost of smoking in 1993 in the U.S. was about $102 billion, with over $50 billion in health care expenditures directly linked to smoking. The Centers for Disease Control and Prevention, CDC, reports that approximately 43 percent of these costs were paid by government funds, primarily Medicaid and Medicare. Smoking costs Medicaid alone more than $12.9 billion per year. According to the Chicago chapter of the American Lung Association, my state of Illinois spends $2.9 billion each year in public and private funds to combat smoking-related diseases.

Today, however, we also know how to help smokers quit. Advancements in treating tobacco use and nicotine addiction have helped millions kick the habit. While more than 40 million adults continue to smoke, nearly as many persons are former smokers living longer, healthier lives. In large part, this is because new tools are available. Effective pharmacotherapy and counseling regimens have been tested and proven effective. The Surgeon General's 2000 Report, Reducing Tobacco Use, concluded that ''pharmacologic treatment of nicotine addiction, combined with behavioral support, will enable 10 to 25 percent of users to remain abstinent at one year of posttreatment.''

Studies have shown that reducing adult smoking through tobacco use treatment pays immediate dividends, both in terms of health improvements and cost savings. Creating a new nonsmoker reduces anticipated medical costs associated with acute myocardial infarction and stroke by $47 in the first year and by $853 during the next seven years in 1995 dollars. And within four to five years after tobacco cessation, quitters use fewer health care services than continued smokers. In fact, in one study the cost savings from reduced use paid for a moderately priced effective smoking cessation intervention in just three to four years.

The health benefits tobacco quitters enjoy are undisputed. They live longer. After 15 years, the risk of premature death for ex-smokers returns to nearly the level of persons who have never smoked. Male smokers who quit between just the ages of 35 and 39 add an average of five years to their lives; women can add three years. Even older Americans over age 65 can extend their life expectancy by giving up cigarettes.

Former smokers are also healthier. They are less likely to die of chronic lung diseases. After ten smoke-free years, their risk of lung cancer drops to as much as one-half that of those who continue to smoke. After five to fifteen years the risk of stroke and heart disease for ex-smokers returns to the level of those who have never smoked. They have fewer days of illness, reduced rates of bronchitis and pneumonia, and fewer health complaints.

New Public Health Service Guidelines released last summer conclude that tobacco dependence treatments are both clinically effective and cost-effective relative to other medical and disease prevention interventions. The guidelines urge health care insurers and purchasers to include counseling and FDA-approved pharmacotherapeutic treatments as a covered benefit.

Unfortunately, the federal government, a major purchaser of health care

through Medicare and Medicaid, does not currently adhere to its own published guidelines. It is high time that government-sponsored health programs catch up with science. That is why we are introducing legislation to improve smoking cessation benefits in government-sponsored health programs.

The Medicare, Medicaid and MCH Smoking Cessation Promotion Act of 2000 improves access to and coverage of smoking cessation treatment therapies in four primary ways.

First, our bill adds a smoking cessation counseling benefit to Medicare. By 2020, 17 percent of the U.S. population will be 65 years of age or older. It is estimated that Medicare will pay $800 billion to treat tobacco-related diseases over the next twenty years. In a study of adults 65 years of age or older who received advice to quit, behavioral counseling and pharmocotherapy, 24.8 percent reported having stopped smoking six months following the intervention. The total economic benefits of quitting after age 65 are notable. Due to a reduction in the risk of lung cancer, coronary heart disease and emphysema, studies have found that heavy smokers over age 65 who quit can avoid up to $4,592 in lifelong illness-related costs.

Second, our measure provides coverage for both prescription and nonprescription smoking cessation drugs in the Medicaid program. The bill eliminates the provision in current federal law that allows states to exclude FDA-approved smoking cessation therapies from coverage under Medicaid. Ironically, State Medicaid programs are required to cover Viagra, but not to treat tobacco addiction. Despite the fact that the States are now receiving the full benefit of their federal lawsuit against the tobacco industry, less than half the States provide coverage for smoking cessation in their Medicaid program. On average, states spend approximately 14.4 percent of their Medicaid budgets on medical care related to smoking.

Third, our legislation clarifies that the maternity benefit for pregnant women in Medicaid covers smoking cessation counseling and services. Smoking during pregnancy causes about 5–6 percent of perinatal deaths, 17–26 percent of low-birth-weight births, and 7–10 percent of preterm deliveries, and increases the risk of miscarriage and fetal growth retardation. It may also increase the risk of sudden infant death syndrome, SIDS. And a recent study published in the American Journal of Respiratory and Critical Care Medicine shows that children whose mothers smoke during pregnancy are almost twice as likely to develop asthma as those whose mothers did not. The Surgeon General recommends that pregnant women and parents with children living at home be counseled on the potentially harmful effects of smoking on fetal and child health. A new study shows that, over seven years, reducing smoking prevalence by just one percentage point would prevent 57,200 low birth weight births and save $572 million in direct medical costs.

Fourth, our bill ensures that the Maternal and Child Health Program recognizes that medications used to promote smoking cessation and the inclusion of anti-tobacco messages in health promotion are considered part of quality maternal and child health services. In addition to the well-documented benefits of smoking cessation for maternity care, the Surgeon General's report adds, ''Tobacco use is a pediatric concern. In the United States, more than 6,000 children and adolescents try their first cigarette each day. More than 3,000 children and adolescents become daily smokers each day, resulting in approximately 1.23 million new smokers under the age of 18 each year.'' The goal of the MCH program is to improve the health of all mothers and children. This goal cannot be reached without addressing the tobacco epidemic.

This legislation has been endorsed by ENACT, a coalition of more than 60 national health organizations including the Campaign for Tobacco Free Kids, the American Cancer Society, the American Heart Association, the American College of Chest Physicians, the Association of Maternal and Child Health Programs, and the American Public Health Association.

I hope my colleagues will join me not only in cosponsoring this legislation but also in working with me to see that its provisions are adopted before the year is out. As the Surgeon General has said, ''Although our knowledge about tobacco control remains imperfect, we know more than enough to act now.''

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. 622

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Medicare, Medicaid, and MCH Tobacco Cessation Promotion Act of 2001''.

SEC. 2. MEDICARE COVERAGE OF COUNSELING FOR CESSATION OF TOBACCO USE.

(a) COVERAGE.—Section 1861(s)(2) of the Social Security Act (42 U.S.C. 1395x(s)(2)), as amended by section 105(a) of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (as enacted into law by section 1(a)(6) of Public Law 106–554), is amended—

(1) in subparagraph (U), by striking ''and'' at the end;

(2) in subparagraph (V), by inserting ''and'' at the end; and

(3) by adding at the end the following new subparagraph:

''(W) counseling for cessation of tobacco use (as defined in subsection (ww));''.

(b) SERVICES DESCRIBED.—Section 1861 of the Social Security Act (42 U.S.C. 1395x), as amended by section 105(b) of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (as enacted into law by section 1(a)(6) of Public Law 106–554), is amended by adding at the end the following new subsection:

''Counseling for Cessation of Tobacco Use

''(ww) The term 'counseling for cessation of tobacco use' means the following:

''(1)(A) Counseling for cessation of tobacco use for individuals who have a history of tobacco use.

''(B) For purposes of subparagraph (A), the term 'counseling for cessation of tobacco use' means diagnostic, therapy, and counseling services for cessation of tobacco use which are furnished—

''(i) by or under the supervision of a physician; or

''(ii) by any other health care professional who is legally authorized to furnish such services under State law (or the State regulatory mechanism provided by State law) of the State in which the services are furnished,

as would otherwise be covered if furnished by a physician or as an incident to a physician's professional service.

''(C) The term 'counseling for cessation of tobacco use' does not include coverage for drugs or biologicals that are not otherwise covered under this title.''.

(c) PAYMENT AND ELIMINATION OF COST-SHARING FOR COUNSELING FOR CESSATION OF TOBACCO USE.—

(1) PAYMENT AND ELIMINATION OF COINSURANCE.—Section 1833(a)(1) of the Social Security Act (42 U.S.C. 1395l(a)(1)), as amended by section 223(c) of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (as enacted into law by section 1(a)(6) of Public Law 106–554), is amended—

(A) by striking ''and'' before ''(U)''; and

(B) by inserting before the semicolon at the end the following: '', and (V) with respect to counseling for cessation of tobacco use (as defined in section 1861(ww)), the amount paid shall be 100 percent of the lesser of the actual charge for the service or the amount determined by a fee schedule established by the Secretary for each service''.

(2) ELIMINATION OF COINSURANCE IN OUTPATIENT HOSPITAL SETTINGS.—The third sentence of section 1866(a)(2)(A) of the Social Security Act (42 U.S.C. 1395cc(a)(2)(A)) is amended by inserting after ''1861(s)(10)(A)'' the following: '', with respect to counseling for cessation of tobacco use (as defined in section 1861(ww)),''.

(3) ELIMINATION OF DEDUCTIBLE.—The first sentence of section 1833(b) of the Social Security Act (42 U.S.C. 1395l(b)) is amended—

(A) by striking ''and'' before ''(6)''; and

(B) by inserting before the period the following: '', and (7) such deductible shall not apply with respect to counseling for cessation of tobacco use (as defined in section 1861(ww))''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to services furnished on or after the date that is 1 year after the date of enactment of this Act.

SEC. 3. PROMOTING CESSATION OF TOBACCO USE UNDER THE MEDICAID PROGRAM.

(a) DROPPING EXCEPTION FROM MEDICAID PRESCRIPTION DRUG COVERAGE FOR TOBACCO CESSATION MEDICATIONS.—Section 1927(d)(2) of the Social Security Act (42 U.S.C. 1396r–8(d)(2)) is amended—

(1) by striking subparagraph (E);

(2) by redesignating subparagraphs (F) through (J) as subparagraphs (E) through (I), respectively; and

(3) in subparagraph (F) (as redesignated by paragraph (2)), by inserting before the period at the end the following: ''except agents approved by the Food and Drug Administration for purposes of promoting, and when used to promote, tobacco cessation''.

(b) REQUIRING COVERAGE OF TOBACCO CESSATION COUNSELING SERVICES FOR PREGNANT WOMEN.—Section 1902(e)(5) of the Social Security Act (42 U.S.C. 1396a(e)(5)) is amended by adding at the end the following new sentence: ''Such medical assistance shall include counseling for cessation of tobacco use (as defined in section 1861(ww)).''.

(c) REMOVAL OF COST-SHARING FOR TOBACCO CESSATION COUNSELING SERVICES FOR PREGNANT WOMEN.—Section 1916 of the Social Security Act (42 U.S.C. 1396o) is amended, in each of subsections (a)(2)(B) and (b)(2)(B), by inserting '', and counseling for cessation of tobacco use (as defined in section 1861(ww))'' after ''complicate the pregnancy''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to services furnished on or after the date that is 1 year after the date of enactment of this Act.

SEC. 4. PROMOTING CESSATION OF TOBACCO USE UNDER THE MATERNAL AND CHILD HEALTH SERVICES BLOCK GRANT PROGRAM.

(a) QUALITY MATERNAL AND CHILD HEALTH SERVICES INCLUDES TOBACCO CESSATION COUNSELING AND MEDICATIONS.—Section 501 of the Social Security Act (42 U.S.C. 701) is amended by adding at the end the following new subsection:

''(c) For purposes of this title, the term 'maternal and child health services' includes counseling for cessation of tobacco use (as defined in section 1861(ww)), any drug or biological used to promote tobacco cessation, and any health promotion counseling that includes an antitobacco use message.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 1 year after the date of enactment of this Act.

By Mr. ROCKEFELLER (for himself, Mr. DASCHLE, Mr. KENNEDY, and Mr. SARBANES):

S. 623. A bill to amend title XVIII of the Social Security Act and the Employee Retirement Income Security Act of 1974 to improve access to health insurance and Medicare benefits for individuals ages 55 to 65, to amend the Internal Revenue Code of 1986 to allow a 50 percent credit against income tax for payment of such premiums and of premiums for certain COBRA continuation coverage, and for other purposes; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, the problem of the uninsured continues to plague our Nation, and it is particularly severe for older Americans who are facing the loss of health coverage but who are not yet eligible for Medicare. Today, over 40 million Americans are without health insurance.

Adults between the ages of 55 to 65 are the fastest growing group of uninsured. Individuals 55 and older who have been laid off or retire early are particularly vulnerable to loss of health insurance. They have a difficult time buying health insurance on their own because they tend to have more chronic health problems that can result in either the denial of coverage, limited coverage, or very expensive policies.

This is the age group where early detection and access to preventative care become crucial. For example, only 16 percent of uninsured women report having had a mammogram in the past year, compared to 42 percent of insured women. Because regular preventative care is not received, the uninsured are more likely to be diagnosed at a more advanced stage of cancer, over 40 percent more likely to be diagnosed with late stage breast and prostate cancer, and more than twice as likely to be diagnosed with late stage melanoma than the insured.

The uninsured are more likely than those with insurance to be hospitalized for conditions that could have been avoided, such as pneumonia and uncontrolled diabetes. Delaying or not receiving treatment can lead to more serious illness and avoidable health problems, which has a direct impact on the health care needs of this segment of the population as they become old enough for Medicare coverage.

Lack of insurance and gaps in coverage affect more than just those without insurance. There is a cost to society, as well. When an uninsured person goes to a public hospital or clinic, and emergency room, or a private physician for care and cannot pay the full cost, some of the bill is passed on to those who do pay, through higher insurance premiums and in the form of taxes supporting our public insurance programs. One way or another, we all pay indirectly for having a large and growing uninsured population.

With the aging of the baby boom generation, this particularly vulnerable age group is expected to increase significantly. In 1999, there were 23.1 million Americans in this age group. This is expected to increase to 35 million Americans by the year 2020. Unless we effect positive change to address the barriers facing the growing number of uninsured in this age group, this problem will only get worse.

I join Senators KENNEDY, DASCHLE, and SARBANES, and Representatives. STARK, BROWN, GEPHARDT, RANGEL, DINGELL, and a number of their colleagues today to introduce an improved version of the Medicare Early Access Act. Our legislation will create an opportunity for people between ages 55 and 64 to purchase Medicare coverage, which is really the only affordable option for this group, because of their age and the likelihood of chronic and/or preexisting conditions.

The Medicare Early Access and Tax Credit Act would reduce the number of uninsured Americans by more than 500,000. This bill provides new insurance coverage options through a Medicare buy-in for people aged 55 through 64 or through a special COBRA continuation program for workers aged 55 through 64 whose employers reneged on the promise of retiree health coverage.

This legislation improves upon the existing Medicare Early Access Act by adding a new 50 percent federal tax credit to the program to make it more affordable for people age 55 and over to obtain health insurance coverage. By including a tax credit, we are making this option available to a broader range of people.

A survey released last session by the Commonwealth Fund finds that one in five people from age 50–64 reported a period of time when they were without health insurance coverage since turning age 50. Access to employer insurance is reduced as people approach age sixty-five and retire. Consequently, older Americans rely most heavily on individual insurance, which is expensive and limited for people with serious health problems. Because average health expenses increase sharply with age, people closest to age sixty-five face the greatest risk of being uninsured and being charged the highest premiums in the individual market. Clearly, we need to take real steps to address the needs of this population.

The Commonwealth survey also found that, when asked what source they would trust more to provide health insurance for adults ages 50 to 64, Medicare outranked employer-sponsored coverage and direct purchase of private individual health insurance. Half of uninsured adults ages 50–64 said they would trust Medicare the most as a source of coverage.

The Medicare Early Access and Tax Credit Act provides an insurance option for people who are unable to purchase health insurance in the private market either because of pre-existing conditions, age related premium increases, or both.

The Medicare Early Access and Tax Credit Act is not the solution to solving America's health insurance coverage problems. But, it is a simple and obvious step to take to open new doors to a vulnerable segment of our population who are lacking affordable coverage elsewhere, and who need the opportunity to buy in to Medicare. I urge my colleagues to join us in making health insurance a reality for people in their later years of life, who are not yet eligible for the safety net of Medicare.

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. 623

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Medicare Early Access and Tax Credit Act of 2001''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

TITLE I—ACCESS TO MEDICARE BENEFITS FOR INDIVIDUALS 62-TO-65 YEARS OF AGE

Sec. 101. Access to Medicare benefits for individuals 62-to-65 years of age.

''PART D—PURCHASE OF MEDICARE BENEFITS BY CERTAIN INDIVIDUALS AGE 62-TO-65 YEARS OF AGE

''Sec. 1859. Program benefits; eligibility.
''Sec. 1859A. Enrollment process; coverage.
''Sec. 1859B. Premiums.
''Sec. 1859C. Payment of premiums.
''Sec. 1859D. Medicare Early Access Trust Fund.

''Sec. 1859E. Oversight and accountability.
''Sec. 1859F. Administration and miscellaneous.
TITLE II—ACCESS TO MEDICARE BENEFITS FOR DISPLACED WORKERS 55-TO-62 YEARS OF AGE
Sec. 201. Access to Medicare benefits for displaced workers 55-to-62 years of age.
TITLE III—COBRA PROTECTION FOR EARLY RETIREES
Subtitle A—Amendments to the Employee Retirement Income Security Act of 1974
Sec. 301. COBRA continuation benefits for certain retired workers who lose retiree health coverage.
Subtitle B—Amendments to the Public Health Service Act
Sec. 311. COBRA continuation benefits for certain retired workers who lose retiree health coverage.
Subtitle C—Amendments to the Internal Revenue Code of 1986
Sec. 321. COBRA continuation benefits for certain retired workers who lose retiree health coverage.
TITLE IV—50 PERCENT CREDIT AGAINST INCOME TAX FOR MEDICARE BUY-IN PREMIUMS AND FOR CERTAIN COBRA CONTINUATION COVERAGE PREMIUMS
Sec. 401. 50 percent income tax credit for medicare buy-in premiums and for certain COBRA continuation coverage premiums.

TITLE I—ACCESS TO MEDICARE BENEFITS FOR INDIVIDUALS 62-TO-65 YEARS OF AGE

SEC. 101. ACCESS TO MEDICARE BENEFITS FOR INDIVIDUALS 62-TO-65 YEARS OF AGE.

(a) IN GENERAL.—Title XVIII of the Social Security Act is amended—

(1) by redesignating section 1859 and part D as section 1858 and part E, respectively; and

(2) by inserting after such section the following new part:

''PART D—PURCHASE OF MEDICARE BENEFITS BY CERTAIN INDIVIDUALS AGE 62-TO-65 YEARS OF AGE

''SEC. 1859. PROGRAM BENEFITS; ELIGIBILITY.

''(a) ENTITLEMENT TO MEDICARE BENEFITS FOR ENROLLED INDIVIDUALS.—

''(1) IN GENERAL.—An individual enrolled under this part is entitled to the same benefits under this title as an individual entitled to benefits under part A and enrolled under part B.

''(2) DEFINITIONS.—For purposes of this part:

''(A) FEDERAL OR STATE COBRA CONTINUATION PROVISION.—The term 'Federal or State COBRA continuation provision' has the meaning given the term 'COBRA continuation provision' in section 2791(d)(4) of the Public Health Service Act and includes a comparable State program, as determined by the Secretary.

''(B) FEDERAL HEALTH INSURANCE PROGRAM DEFINED.—The term 'Federal health insurance program' means any of the following:

''(i) MEDICARE.—Part A or part B of this title (other than by reason of this part).

''(ii) MEDICAID.—A State plan under title XIX.

''(iii) FEHBP.—The Federal employees health benefit program under chapter 89 of title 5, United States Code.

''(iv) TRICARE.—The TRICARE program (as defined in section 1072(7) of title 10, United States Code).

''(v) ACTIVE DUTY MILITARY.—Health benefits under title 10, United States Code, to an individual as a member of the uniformed services of the United States.

''(C) GROUP HEALTH PLAN.—The term 'group health plan' has the meaning given such term in section 2791(a)(1) of the Public Health Service Act.

''(b) ELIGIBILITY OF INDIVIDUALS AGE 62-TO-65 YEARS OF AGE.—

''(1) IN GENERAL.—Subject to paragraph (2), an individual who meets the following requirements with respect to a month is eligible to enroll under this part with respect to such month:

''(A) AGE.—As of the last day of the month, the individual has attained 62 years of age, but has not attained 65 years of age.

''(B) MEDICARE ELIGIBILITY (BUT FOR AGE).—The individual would be eligible for benefits under part A or part B for the month if the individual were 65 years of age.

''(C) NOT ELIGIBLE FOR COVERAGE UNDER GROUP HEALTH PLANS OR FEDERAL HEALTH INSURANCE PROGRAMS.—The individual is not eligible for benefits or coverage under a Federal health insurance program (as defined in subsection (a)(2)(B)) or under a group health plan (other than such eligibility merely through a Federal or State COBRA continuation provision) as of the last day of the month involved.

''(2) LIMITATION ON ELIGIBILITY IF TERMINATED ENROLLMENT.—If an individual described in paragraph (1) enrolls under this part and coverage of the individual is terminated under section 1859A(d) (other than because of age), the individual is not again eligible to enroll under this subsection unless the following requirements are met:

''(A) NEW COVERAGE UNDER GROUP HEALTH PLAN OR FEDERAL HEALTH INSURANCE PROGRAM.—After the date of termination of coverage under such section, the individual obtains coverage under a group health plan or under a Federal health insurance program.

''(B) SUBSEQUENT LOSS OF NEW COVERAGE.—The individual subsequently loses eligibility for the coverage described in subparagraph (A) and exhausts any eligibility the individual may subsequently have for coverage under a Federal or State COBRA continuation provision.

''(3) CHANGE IN HEALTH PLAN ELIGIBILITY DOES NOT AFFECT COVERAGE.—In the case of an individual who is eligible for and enrolls under this part under this subsection, the individual's continued entitlement to benefits under this part shall not be affected by the individual's subsequent eligibility for benefits or coverage described in paragraph (1)(C), or entitlement to such benefits or coverage.

''SEC. 1859A. ENROLLMENT PROCESS; COVERAGE.

''(a) IN GENERAL.—An individual may enroll in the program established under this part only in such manner and form as may be prescribed by regulations, and only during an enrollment period prescribed by the Secretary consistent with the provisions of this section. Such regulations shall provide a process under which—

''(1) individuals eligible to enroll as of a month are permitted to pre-enroll during a prior month within an enrollment period described in subsection (b); and

''(2) each individual seeking to enroll under section 1859(b) is notified, before enrolling, of the deferred monthly premium amount the individual will be liable for under section 1859C(b) upon attaining 65 years of age as determined under section 1859B(c)(3).

''(b) ENROLLMENT PERIODS.—

''(1) INDIVIDUALS 62-TO-65 YEARS OF AGE.—In the case of individuals eligible to enroll under this part under section 1859(b)—

''(A) INITIAL ENROLLMENT PERIOD.—If the individual is eligible to enroll under such section for January 2002, the enrollment period shall begin on November 1, 2001, and shall end on February 28, 2002. Any such enrollment before January 1, 2002, is conditioned upon compliance with the conditions of eligibility for January 2002.

''(B) SUBSEQUENT PERIODS.—If the individual is eligible to enroll under such section for a month after January 2002, the enrollment period shall begin on the first day of the second month before the month in which the individual first is eligible to so enroll and shall end four months later. Any such enrollment before the first day of the third month of such enrollment period is conditioned upon compliance with the conditions of eligibility for such third month.

''(2) AUTHORITY TO CORRECT FOR GOVERNMENT ERRORS.—The provisions of section 1837(h) apply with respect to enrollment under this part in the same manner as they apply to enrollment under part B.

''(c) DATE COVERAGE BEGINS.—

''(1) IN GENERAL.—The period during which an individual is entitled to benefits under this part shall begin as follows, but in no case earlier than January 1, 2002:

''(A) In the case of an individual who enrolls (including pre-enrolls) before the month in which the individual satisfies eligibility for enrollment under section 1859, the first day of such month of eligibility.

''(B) In the case of an individual who enrolls during or after the month in which the individual first satisfies eligibility for enrollment under such section, the first day of the following month.

''(2) AUTHORITY TO PROVIDE FOR PARTIAL MONTHS OF COVERAGE.—Under regulations, the Secretary may, in the Secretary's discretion, provide for coverage periods that include portions of a month in order to avoid lapses of coverage.

''(3) LIMITATION ON PAYMENTS.—No payments may be made under this title with respect to the expenses of an individual enrolled under this part unless such expenses were incurred by such individual during a period which, with respect to the individual, is a coverage period under this section.

''(d) TERMINATION OF COVERAGE.—

''(1) IN GENERAL.—An individual's coverage period under this part shall continue until the individual's enrollment has been terminated at the earliest of the following:

''(A) GENERAL PROVISIONS.—

''(i) NOTICE.—The individual files notice (in a form and manner prescribed by the Secretary) that the individual no longer wishes to participate in the insurance program under this part.

''(ii) NONPAYMENT OF PREMIUMS.—The individual fails to make payment of premiums required for enrollment under this part.

''(iii) MEDICARE ELIGIBILITY.—The individual becomes entitled to benefits under part A or enrolled under part B (other than by reason of this part).

''(B) TERMINATION BASED ON AGE.—The individual attains 65 years of age.

''(2) EFFECTIVE DATE OF TERMINATION.—

''(A) NOTICE.—The termination of a coverage period under paragraph (1)(A)(i) shall take effect at the close of the month following for which the notice is filed.

''(B) NONPAYMENT OF PREMIUM.—The termination of a coverage period under paragraph (1)(A)(ii) shall take effect on a date determined under regulations, which may be determined so as to provide a grace period in which overdue premiums may be paid and coverage continued. The grace period determined under the preceding sentence shall not exceed 60 days; except that it may be extended for an additional 30 days in any case where the Secretary determines that there was good cause for failure to pay the overdue premiums within such 60-day period.

''(C) AGE OR MEDICARE ELIGIBILITY.—The termination of a coverage period under paragraph (1)(A)(iii) or (1)(B) shall take effect as of the first day of the month in which the individual attains 65 years of age or becomes entitled to benefits under part A or enrolled for benefits under part B (other than by reason of this part).

''SEC. 1859B. PREMIUMS.

''(a) AMOUNT OF MONTHLY PREMIUMS.—

''(1) BASE MONTHLY PREMIUMS.—The Secretary shall, during September of each year (beginning with 1998), determine the following premium rates which shall apply with respect to coverage provided under this title for any month in the succeeding year:

''(A) BASE MONTHLY PREMIUM FOR INDIVIDUALS 62 YEARS OF AGE OR OLDER.—A base monthly premium for individuals 62 years of age or older, equal to 1/12 of the base annual premium rate computed under subsection (b) for each premium area.

''(2) DEFERRED MONTHLY PREMIUMS FOR INDIVIDUALS 62 YEARS OF AGE OR OLDER.—The Secretary shall, during September of each year (beginning with 2001), determine under subsection (c) the amount of deferred monthly premiums that shall apply with respect to individuals who first obtain coverage under this part under section 1859(b) in the succeeding year.

''(3) ESTABLISHMENT OF PREMIUM AREAS.—For purposes of this part, the term 'premium area' means such an area as the Secretary shall specify to carry out this part. The Secretary from time to time may change the boundaries of such premium areas. The Secretary shall seek to minimize the number of such areas specified under this paragraph.

''(b) BASE ANNUAL PREMIUM FOR INDIVIDUALS 62 YEARS OF AGE OR OLDER.—

''(1) NATIONAL, PER CAPITA AVERAGE.—The Secretary shall estimate the average, annual per capita amount that would be payable under this title with respect to individuals residing in the United States who meet the requirement of section 1859(b)(1)(A) as if all such individuals were eligible for (and enrolled) under this title during the entire year (and assuming that section 1862(b)(2)(A)(i) did not apply).

''(2) GEOGRAPHIC ADJUSTMENT.—The Secretary shall adjust the amount determined under paragraph (1) for each premium area (specified under subsection (a)(3)) in order to take into account such factors as the Secretary deems appropriate and shall limit the maximum premium under this paragraph in a premium area to assure participation in all areas throughout the United States.

''(3) BASE ANNUAL PREMIUM.—The base annual premium under this subsection for months in a year for individuals 62 years of age or older residing in a premium area is equal to the average, annual per capita amount estimated under paragraph (1) for the year, adjusted for such area under paragraph (2).

''(c) DEFERRED PREMIUM RATE FOR INDIVIDUALS 62 YEARS OF AGE OR OLDER.—The deferred premium rate for individuals with a group of individuals who obtain coverage under section 1859(b) in a year shall be computed by the Secretary as follows:

''(1) ESTIMATION OF NATIONAL, PER CAPITA ANNUAL AVERAGE EXPENDITURES FOR ENROLLMENT GROUP.—The Secretary shall estimate the average, per capita annual amount that will be paid under this part for individuals in such group during the period of enrollment under section 1859(b). In making such estimate for coverage beginning in a year before 2005, the Secretary may base such estimate on the average, per capita amount that would be payable if the program had been in operation over a previous period of at least 4 years.

''(2) DIFFERENCE BETWEEN ESTIMATED EXPENDITURES AND ESTIMATED PREMIUMS.—Based on the characteristics of individuals in such group, the Secretary shall estimate during the period of coverage of the group under this part under section 1859(b) the amount by which—

''(A) the amount estimated under paragraph (1); exceeds

''(B) the average, annual per capita amount of premiums that will be payable for months during the year under section 1859C(a) for individuals in such group (including premiums that would be payable if there were no terminations in enrollment under clause (i) or (ii) of section 1859A(d)(1)(A)).

''(3) ACTUARIAL COMPUTATION OF DEFERRED MONTHLY PREMIUM RATES.—The Secretary shall determine deferred monthly premium rates for individuals in such group in a manner so that—

''(A) the estimated actuarial value of such premiums payable under section 1859C(b), is equal to

''(B) the estimated actuarial present value of the differences described in paragraph (2). Such rate shall be computed for each individual in the group in a manner so that the rate is based on the number of months between the first month of coverage based on enrollment under section 1859(b) and the month in which the individual attains 65 years of age.

''(4) DETERMINANTS OF ACTUARIAL PRESENT VALUES.—The actuarial present values described in paragraph (3) shall reflect—

''(A) the estimated probabilities of survival at ages 62 through 84 for individuals enrolled during the year; and

''(B) the estimated effective average interest rates that would be earned on investments held in the trust funds under this title during the period in question.

''SEC. 1859C. PAYMENT OF PREMIUMS.

''(a) PAYMENT OF BASE MONTHLY PREMIUM.—

''(1) IN GENERAL.—The Secretary shall provide for payment and collection of the base monthly premium, determined under section 1859B(a)(1) for the age (and age cohort, if applicable) of the individual involved and the premium area in which the individual principally resides, in the same manner as for payment of monthly premiums under section 1840, except that, for purposes of applying this section, any reference in such section to the Federal Supplementary Medical Insurance Trust Fund is deemed a reference to the Trust Fund established under section 1859D.

''(2) PERIOD OF PAYMENT.—In the case of an individual who participates in the program established by this title, the base monthly premium shall be payable for the period commencing with the first month of the individual's coverage period and ending with the month in which the individual's coverage under this title terminates.

''(b) PAYMENT OF DEFERRED PREMIUM FOR INDIVIDUALS COVERED AFTER ATTAINING AGE 62.—

''(1) RATE OF PAYMENT.—

''(A) IN GENERAL.—In the case of an individual who is covered under this part for a month pursuant to an enrollment under section 1859(b), subject to subparagraph (B), the individual is liable for payment of a deferred premium in each month during the period described in paragraph (2) in an amount equal to the full deferred monthly premium rate determined for the individual under section 1859B(c).

''(B) SPECIAL RULES FOR THOSE WHO DISENROLL EARLY.—

''(i) IN GENERAL.—If such an individual's enrollment under such section is terminated under clause (i) or (ii) of section 1859A(d)(1)(A), subject to clause (ii), the amount of the deferred premium otherwise established under this paragraph shall be pro-rated to reflect the number of months of coverage under this part under such enrollment compared to the maximum number of months of coverage that the individual would have had if the enrollment were not so terminated.

''(ii) ROUNDING TO 12-MONTH MINIMUM COVERAGE PERIODS.—In applying clause (i), the number of months of coverage (if not a multiple of 12) shall be rounded to the next highest multiple of 12 months, except that in no case shall this clause result in a number of months of coverage exceeding the maximum number of months of coverage that the individual would have had if the enrollment were not so terminated.

''(2) PERIOD OF PAYMENT.—The period described in this paragraph for an individual is the period beginning with the first month in which the individual has attained 65 years of age and ending with the month before the month in which the individual attains 85 years of age.

''(3) COLLECTION.—In the case of an individual who is liable for a premium under this subsection, the amount of the premium shall be collected in the same manner as the premium for enrollment under such part is collected under section 1840, except that any reference in such section to the Federal Supplementary Medical Insurance Trust Fund is deemed to be a reference to the Medicare Early Access Trust Fund established under section 1859D.

''(c) APPLICATION OF CERTAIN PROVISIONS.—The provisions of section 1840 (other than subsection (h)) shall apply to premiums collected under this section in the same manner as they apply to premiums collected under part B, except that any reference in such section to the Federal Supplementary Medical Insurance Trust Fund is deemed a reference to the Trust Fund established under section 1859D.

''SEC. 1859D. MEDICARE EARLY ACCESS TRUST FUND.

''(a) ESTABLISHMENT OF TRUST FUND.—

''(1) IN GENERAL.—There is hereby created on the books of the Treasury of the United States a trust fund to be known as the 'Medicare Early Access Trust Fund' (in this section referred to as the 'Trust Fund'). The Trust Fund shall consist of such gifts and bequests as may be made as provided in section 201(i)(1) and such amounts as may be deposited in, or appropriated to, such fund as provided in this title.

''(2) PREMIUMS.—Premiums collected under section 1859B shall be transferred to the Trust Fund.

''(b) INCORPORATION OF PROVISIONS.—

''(1) IN GENERAL.—Subject to paragraph (2), subsections (b) through (i) of section 1841 shall apply with respect to the Trust Fund and this title in the same manner as they apply with respect to the Federal Supplementary Medical Insurance Trust Fund and part B, respectively.

''(2) MISCELLANEOUS REFERENCES.—In applying provisions of section 1841 under paragraph (1)—

''(A) any reference in such section to 'this part' is construed to refer to this part D;

''(B) any reference in section 1841(h) to section 1840(d) and in section 1841(i) to sections 1840(b)(1) and 1842(g) are deemed references to comparable authority exercised under this part; and

''(C) payments may be made under section 1841(g) to the Trust Funds under sections 1817 and 1841 as reimbursement to such funds for payments they made for benefits provided under this part.

"SEC. 1859E. OVERSIGHT AND ACCOUNTABILITY.

''(a) THROUGH ANNUAL REPORTS OF TRUSTEES.—The Board of Trustees of the Medicare Early Access Trust Fund under section 1859D(b)(1) shall report on an annual basis to Congress concerning the status of the Trust Fund and the need for adjustments in the program under this part to maintain financial solvency of the program under this part.

''(b) PERIODIC GAO REPORTS.—The Comptroller General of the United States shall periodically submit to Congress reports on the adequacy of the financing of coverage provided under this part. The Comptroller General shall include in such report such recommendations for adjustments in such financing and coverage as the Comptroller General deems appropriate in order to maintain financial solvency of the program under this part.

"SEC. 1859F. ADMINISTRATION AND MISCELLANEOUS.

''(a) TREATMENT FOR PURPOSES OF TITLE.—Except as otherwise provided in this part—

''(1) individuals enrolled under this part shall be treated for purposes of this title as though the individual were entitled to benefits under part A and enrolled under part B; and

''(2) benefits described in section 1859 shall be payable under this title to such individuals in the same manner as if such individuals were so entitled and enrolled.

''(b) NOT TREATED AS MEDICARE PROGRAM FOR PURPOSES OF MEDICAID PROGRAM.—For purposes of applying title XIX (including the provision of medicare cost-sharing assistance under such title), an individual who is enrolled under this part shall not be treated as being entitled to benefits under this title.

''(c) NOT TREATED AS MEDICARE PROGRAM FOR PURPOSES OF COBRA CONTINUATION PROVISIONS.—In applying a COBRA continuation provision (as defined in section 2791(d)(4) of the Public Health Service Act), any reference to an entitlement to benefits under this title shall not be construed to include entitlement to benefits under this title pursuant to the operation of this part.''.

(b) CONFORMING AMENDMENTS TO SOCIAL SECURITY ACT PROVISIONS.—

(1) Section 201(i)(1) of the Social Security Act (42 U.S.C. 401(i)(1)) is amended by striking ''or the Federal Supplementary Medical Insurance Trust Fund'' and inserting ''the Federal Supplementary Medical Insurance Trust Fund, and the Medicare Early Access Trust Fund''.

(2) Section 201(g)(1)(A) of such Act (42 U.S.C. 401(g)(1)(A)) is amended by striking ''and the Federal Supplementary Medical Insurance Trust Fund established by title XVIII'' and inserting '', the Federal Supplementary Medical Insurance Trust Fund, and the Medicare Early Access Trust Fund established by title XVIII''.

(3) Section 1820(i) of such Act (42 U.S.C. 1395i–4(i)) is amended by striking ''part D'' and inserting ''part E''.

(4) Part C of title XVIII of such Act is amended—

(A) in section 1851(a)(2)(B) (42 U.S.C. 1395w–21(a)(2)(B)), by striking ''1859(b)(3)'' and inserting ''1858(b)(3)'';

(B) in section 1851(a)(2)(C) (42 U.S.C. 1395w–21(a)(2)(C)), by striking ''1859(b)(2)'' and inserting ''1858(b)(2)'';

(C) in section 1852(a)(1) (42 U.S.C. 1395w–22(a)(1)), by striking ''1859(b)(3)'' and inserting ''1858(b)(3)'';

(D) in section 1852(a)(3)(B)(ii) (42 U.S.C. 1395w–22(a)(3)(B)(ii)), by striking ''1859(b)(2)(B)'' and inserting ''1858(b)(2)(B)'';

(E) in section 1853(a)(1)(A) (42 U.S.C. 1395w–23(a)(1)(A)), by striking ''1859(e)(4)'' and inserting ''1858(e)(4)''; and

(F) in section 1853(a)(3)(D) (42 U.S.C. 1395w–23(a)(3)(D)), by striking ''1859(e)(4)'' and inserting ''1858(e)(4)''.

(5) Section 1853(c) of such Act (42 U.S.C. 1395w–23(c)) is amended—

(A) in paragraph (1), by striking ''or (7)'' and inserting '', (7), or (8)'', and

(B) by adding at the end the following:

''(8) ADJUSTMENT FOR EARLY ACCESS.—In applying this subsection with respect to individuals entitled to benefits under part D, the Secretary shall provide for an appropriate adjustment in the Medicare+Choice capitation rate as may be appropriate to reflect differences between the population served under such part and the population under parts A and B.''.

(c) OTHER CONFORMING AMENDMENTS.—

(1) Section 138(b)(4) of the Internal Revenue Code of 1986 is amended by striking ''1859(b)(3)'' and inserting ''1858(b)(3)''.

(2)(A) Section 602(2)(D)(ii) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1162(2)) is amended by inserting ''(not including an individual who is so entitled pursuant to enrollment under section 1859A)'' after ''Social Security Act''.

(B) Section 2202(2)(D)(ii) of the Public Health Service Act (42 U.S.C. 300bb–2(2)(D)(ii)) is amended by inserting ''(not including an individual who is so entitled pursuant to enrollment under section 1859A)'' after ''Social Security Act''.

(C) Section 4980B(f)(2)(B)(i)(V) of the Internal Revenue Code of 1986 is amended by inserting ''(not including an individual who is so entitled pursuant to enrollment under section 1859A)'' after ''Social Security Act''.

TITLE II—ACCESS TO MEDICARE BENEFITS FOR DISPLACED WORKERS 55-TO-62 YEARS OF AGE

SEC. 201. ACCESS TO MEDICARE BENEFITS FOR DISPLACED WORKERS 55-TO-62 YEARS OF AGE.

(a) ELIGIBILITY.—Section 1859 of the Social Security Act, as inserted by section 101(a)(2), is amended by adding at the end the following new subsection:

''(c) DISPLACED WORKERS AND SPOUSES.—

''(1) DISPLACED WORKERS.—Subject to paragraph (3), an individual who meets the following requirements with respect to a month is eligible to enroll under this part with respect to such month:

''(A) AGE.—As of the last day of the month, the individual has attained 55 years of age, but has not attained 62 years of age.

''(B) MEDICARE ELIGIBILITY (BUT FOR AGE).—The individual would be eligible for benefits under part A or part B for the month if the individual were 65 years of age.

''(C) LOSS OF EMPLOYMENT-BASED COVERAGE.—

''(i) ELIGIBLE FOR UNEMPLOYMENT COMPENSATION.—The individual meets the requirements relating to period of covered employment and conditions of separation from employment to be eligible for unemployment compensation (as defined in section 85(b) of the Internal Revenue Code of 1986), based on a separation from employment occurring on or after July 1, 2001. The previous sentence shall not be construed as requiring the individual to be receiving such unemployment compensation.

''(ii) LOSS OF EMPLOYMENT-BASED COVERAGE.—Immediately before the time of such separation of employment, the individual was covered under a group health plan on the basis of such employment, and, because of such loss, is no longer eligible for coverage under such plan (including such eligibility based on the application of a Federal or State COBRA continuation provision) as of the last day of the month involved.

''(iii) PREVIOUS CREDITABLE COVERAGE FOR AT LEAST 1 YEAR.—As of the date on which the individual loses coverage described in clause (ii), the aggregate of the periods of creditable coverage (as determined under section 2701(c) of the Public Health Service Act) is 12 months or longer.

''(D) EXHAUSTION OF AVAILABLE COBRA CONTINUATION BENEFITS.—

''(i) IN GENERAL.—In the case of an individual described in clause (ii) for a month described in clause (iii)—

''(I) the individual (or spouse) elected coverage described in clause (ii); and

''(II) the individual (or spouse) has continued such coverage for all months described in clause (iii) in which the individual (or spouse) is eligible for such coverage.

''(ii) INDIVIDUALS TO WHOM COBRA CONTINUATION COVERAGE MADE AVAILABLE.—An individual described in this clause is an individual—

''(I) who was offered coverage under a Federal or State COBRA continuation provision at the time of loss of coverage eligibility described in subparagraph (C)(ii); or

''(II) whose spouse was offered such coverage in a manner that permitted coverage of the individual at such time.

''(iii) MONTHS OF POSSIBLE COBRA CONTINUATION COVERAGE.—A month described in this clause is a month for which an individual described in clause (ii) could have had coverage described in such clause as of the last day of the month if the individual (or the spouse of the individual, as the case may be) had elected such coverage on a timely basis.

''(E) NOT ELIGIBLE FOR COVERAGE UNDER FEDERAL HEALTH INSURANCE PROGRAM OR GROUP HEALTH PLANS.—The individual is not eligible for benefits or coverage under a Federal health insurance program or under a group health plan (whether on the basis of the individual's employment or employment of the individual's spouse) as of the last day of the month involved.

''(2) SPOUSE OF DISPLACED WORKER.—Subject to paragraph (3), an individual who meets the following requirements with respect to a month is eligible to enroll under this part with respect to such month:

''(A) AGE.—As of the last day of the month, the individual has not attained 62 years of age.

''(B) MARRIED TO DISPLACED WORKER.—The individual is the spouse of an individual at the time the individual enrolls under this part under paragraph (1) and loses coverage described in paragraph (1)(C)(ii) because the individual's spouse lost such coverage.

''(C) MEDICARE ELIGIBILITY (BUT FOR AGE); EXHAUSTION OF ANY COBRA CONTINUATION COVERAGE; AND NOT ELIGIBLE FOR COVERAGE UNDER FEDERAL HEALTH INSURANCE PROGRAM OR GROUP HEALTH PLAN.—The individual meets the requirements of subparagraphs (B), (D), and (E) of paragraph (1).

''(3) CHANGE IN HEALTH PLAN ELIGIBILITY AFFECTS CONTINUED ELIGIBILITY.—For provision that terminates enrollment under this section in the case of an individual who becomes eligible for coverage under a group health plan or under a Federal health insurance program, see section 1859A(d)(1)(C).

''(4) REENROLLMENT PERMITTED.—Nothing in this subsection shall be construed as preventing an individual who, after enrolling under this subsection, terminates such enrollment from subsequently reenrolling under this subsection if the individual is eligible to enroll under this subsection at that time.''.

(b) ENROLLMENT.—Section 1859A of such Act, as so inserted, is amended—

(1) in subsection (a), by striking ''and'' at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting ''; and'', and by adding at the end the following new paragraph:

''(3) individuals whose coverage under this part would terminate because of subsection

(d)(1)(B)(ii) are provided notice and an opportunity to continue enrollment in accordance with section 1859E(c)(1).'';

(2) in subsection (b), by inserting after Notwithstanding any other provision of law, (1) the following:

''(2) DISPLACED WORKERS AND SPOUSES.—In the case of individuals eligible to enroll under this part under section 1859(c), the following rules apply:

''(A) INITIAL ENROLLMENT PERIOD.—If the individual is first eligible to enroll under such section for January 2002, the enrollment period shall begin on November 1, 2001, and shall end on February 28, 2002. Any such enrollment before January 1, 2002, is conditioned upon compliance with the conditions of eligibility for January 2002.

''(B) SUBSEQUENT PERIODS.—If the individual is eligible to enroll under such section for a month after January 2002, the enrollment period based on such eligibility shall begin on the first day of the second month before the month in which the individual first is eligible to so enroll (or reenroll) and shall end four months later.'';

(3) in subsection (d)(1), by amending subparagraph (B) to read as follows:

''(B) TERMINATION BASED ON AGE.—

''(i) AT AGE 65.—Subject to clause (ii), the individual attains 65 years of age.

''(ii) AT AGE 62 FOR DISPLACED WORKERS AND SPOUSES.—In the case of an individual enrolled under this part pursuant to section 1859(c), subject to subsection (a)(1), the individual attains 62 years of age.'';

(4) in subsection (d)(1), by adding at the end the following new subparagraph:

''(C) OBTAINING ACCESS TO EMPLOYMENT-BASED COVERAGE OR FEDERAL HEALTH INSURANCE PROGRAM FOR INDIVIDUALS UNDER 62 YEARS OF AGE.—In the case of an individual who has not attained 62 years of age, the individual is covered (or eligible for coverage) as a participant or beneficiary under a group health plan or under a Federal health insurance program.'';

(5) in subsection (d)(2), by amending subparagraph (C) to read as follows:

''(C) AGE OR MEDICARE ELIGIBILITY.—

''(i) IN GENERAL.—The termination of a coverage period under paragraph (1)(A)(iii) or (1)(B)(i) shall take effect as of the first day of the month in which the individual attains 65 years of age or becomes entitled to benefits under part A or enrolled for benefits under part B.

''(ii) DISPLACED WORKERS.—The termination of a coverage period under paragraph (1)(B)(ii) shall take effect as of the first day of the month in which the individual attains 62 years of age, unless the individual has enrolled under this part pursuant to section 1859(b) and section 1859E(c)(1).''; and

(6) in subsection (d)(2), by adding at the end the following new subparagraph:

''(D) ACCESS TO COVERAGE.—The termination of a coverage period under paragraph (1)(C) shall take effect on the date on which the individual is eligible to begin a period of creditable coverage (as defined in section 2701(c) of the Public Health Service Act) under a group health plan or under a Federal health insurance program.''.

(c) PREMIUMS.—Section 1859B of such Act, as so inserted, is amended—

(1) in subsection (a)(1), by adding at the end the following:

''(B) BASE MONTHLY PREMIUM FOR INDIVIDUALS UNDER 62 YEARS OF AGE.—A base monthly premium for individuals under 62 years of age, equal to 1/12 of the base annual premium rate computed under subsection (d)(3) for each premium area and age cohort.''; and

(2) by adding at the end the following new subsection:

''(d) BASE MONTHLY PREMIUM FOR INDIVIDUALS UNDER 62 YEARS OF AGE.—

''(1) NATIONAL, PER CAPITA AVERAGE FOR AGE GROUPS.—

''(A) ESTIMATE OF AMOUNT.—The Secretary shall estimate the average, annual per capita amount that would be payable under this title with respect to individuals residing in the United States who meet the requirement of section 1859(c)(1)(A) within each of the age cohorts established under subparagraph (B) as if all such individuals within such cohort were eligible for (and enrolled) under this title during the entire year (and assuming that section 1862(b)(2)(A)(i) did not apply).

''(B) AGE COHORTS.—For purposes of subparagraph (A), the Secretary shall establish separate age cohorts in 5 year age increments for individuals who have not attained 60 years of ages and a separate cohort for individuals who have attained 60 years of age.

''(2) GEOGRAPHIC ADJUSTMENT.—The Secretary shall adjust the amount determined under paragraph (1)(A) for each premium area (specified under subsection (a)(3)) in the same manner and to the same extent as the Secretary provides for adjustments under subsection (b)(2).

''(3) BASE ANNUAL PREMIUM.—The base annual premium under this subsection for months in a year for individuals in an age cohort under paragraph (1)(B) in a premium area is equal to 165 percent of the average, annual per capita amount estimated under paragraph (1) for the age cohort and year, adjusted for such area under paragraph (2).

''(4) PRO-RATION OF PREMIUMS TO REFLECT COVERAGE DURING A PART OF A MONTH.—If the Secretary provides for coverage of portions of a month under section 1859A(c)(2), the Secretary shall pro-rate the premiums attributable to such coverage under this section to reflect the portion of the month so covered.''.

(d) ADMINISTRATIVE PROVISIONS.—Section 1859F of such Act, as so inserted, is amended by adding at the end the following:

''(d) ADDITIONAL ADMINISTRATIVE PROVISIONS.—

''(1) PROCESS FOR CONTINUED ENROLLMENT OF DISPLACED WORKERS WHO ATTAIN 62 YEARS OF AGE.—The Secretary shall provide a process for the continuation of enrollment of individuals whose enrollment under section 1859(c) would be terminated upon attaining 62 years of age. Under such process such individuals shall be provided appropriate and timely notice before the date of such termination and of the requirement to enroll under this part pursuant to section 1859(b) in order to continue entitlement to benefits under this title after attaining 62 years of age.

''(2) ARRANGEMENTS WITH STATES FOR DETERMINATIONS RELATING TO UNEMPLOYMENT COMPENSATION ELIGIBILITY.—The Secretary may provide for appropriate arrangements with States for the determination of whether individuals in the State meet or would meet the requirements of section 1859(c)(1)(C)(i).''.

(e) CONFORMING AMENDMENT TO HEADING TO PART.—The heading of part D of title XVIII of the Social Security Act, as so inserted, is amended by striking ''62'' and inserting ''55''.

TITLE III—COBRA PROTECTION FOR EARLY RETIREES

Subtitle A—Amendments to the Employee Retirement Income Security Act of 1974

SEC. 301. COBRA CONTINUATION BENEFITS FOR CERTAIN RETIRED WORKERS WHO LOSE RETIREE HEALTH COVERAGE.

(a) ESTABLISHMENT OF NEW QUALIFYING EVENT.—

(1) IN GENERAL.—Section 603 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1163) is amended by inserting after paragraph (6) the following new paragraph:

''(7) The termination or substantial reduction in benefits (as defined in section 607(7)) of group health plan coverage as a result of plan changes or termination in the case of a covered employee who is a qualified retiree.''.

(2) QUALIFIED RETIREE; QUALIFIED BENEFICIARY; AND SUBSTANTIAL REDUCTION DEFINED.—Section 607 of such Act (29 U.S.C. 1167) is amended—

(A) in paragraph (3)—

(i) in subparagraph (A), by inserting ''except as otherwise provided in this paragraph,'' after ''means,''; and

(ii) by adding at the end the following new subparagraph:

''(D) SPECIAL RULE FOR QUALIFYING RETIREES AND DEPENDENTS.—In the case of a qualifying event described in section 603(7), the term 'qualified beneficiary' means a qualified retiree and any other individual who, on the day before such qualifying event, is a beneficiary under the plan on the basis of the individual's relationship to such qualified retiree.''; and

(B) by adding at the end the following new paragraphs:

''(6) QUALIFIED RETIREE.—The term 'qualified retiree' means, with respect to a qualifying event described in section 603(7), a covered employee who, at the time of the event—

''(A) has attained 55 years of age; and

''(B) was receiving group health coverage under the plan by reason of the retirement of the covered employee.

''(7) SUBSTANTIAL REDUCTION.—The term 'substantial reduction'—

''(A) means, as determined under regulations of the Secretary and with respect to a qualified beneficiary, a reduction in the average actuarial value of benefits under the plan (through reduction or elimination of benefits, an increase in premiums, deductibles, copayments, and coinsurance, or any combination thereof), since the date of commencement of coverage of the beneficiary by reason of the retirement of the covered employee (or, if later, January 6, 2001), in an amount equal to at least 50 percent of the total average actuarial value of the benefits under the plan as of such date (taking into account an appropriate adjustment to permit comparison of values over time); and

''(B) includes an increase in premiums required to an amount that exceeds the premium level described in the fourth sentence of section 602(3).''.

(b) DURATION OF COVERAGE THROUGH AGE 65.—Section 602(2)(A) of such Act (29 U.S.C. 1162(2)(A)) is amended—

(1) in clause (ii), by inserting ''or 603(7)'' after ''603(6)'';

(2) in clause (iv), by striking ''or 603(6)'' and inserting '', 603(6), or 603(7)'';

(3) by redesignating clause (iv) as clause (vi);

(4) by redesignating clause (v) as clause (iv) and by moving such clause to immediately follow clause (iii); and

(5) by inserting after such clause (iv) the following new clause:

''(v) SPECIAL RULE FOR CERTAIN DEPENDENTS IN CASE OF TERMINATION OR SUBSTANTIAL REDUCTION OF RETIREE HEALTH COVERAGE.—In the case of a qualifying event described in section 603(7), in the case of a qualified beneficiary described in section 607(3)(D) who is not the qualified retiree or spouse of such retiree, the later of—

''(I) the date that is 36 months after the earlier of the date the qualified retiree becomes entitled to benefits under title XVIII of the Social Security Act, or the date of the death of the qualified retiree; or

''(II) the date that is 36 months after the date of the qualifying event.''.

(c) TYPE OF COVERAGE IN CASE OF TERMINATION OR SUBSTANTIAL REDUCTION OF RETIREE HEALTH COVERAGE.—Section 602(1) of such Act (29 U.S.C. 1162(1)) is amended—

(1) by striking ''The coverage'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the coverage''; and

(2) by adding at the end the following:

''(B) CERTAIN RETIREES.—In the case of a qualifying event described in section 603(7), in applying the first sentence of subparagraph (A) and the fourth sentence of paragraph (3), the coverage offered that is the most prevalent coverage option (as determined under regulations of the Secretary) continued under the group health plan (or, if none, under the most prevalent other plan offered by the same plan sponsor) shall be treated as the coverage described in such sentence, or (at the option of the plan and qualified beneficiary) such other coverage option as may be offered and elected by the qualified beneficiary involved.''.

(d) INCREASED LEVEL OF PREMIUMS PERMITTED.—Section 602(3) of such Act (29 U.S.C. 1162(3)) is amended by adding at the end the following new sentence: ''In the case of an individual provided continuation coverage by reason of a qualifying event described in section 603(7), any reference in subparagraph (A) of this paragraph to '102 percent of the applicable premium' is deemed a reference to '125 percent of the applicable premium for employed individuals (and their dependents, if applicable) for the coverage option referred to in paragraph (1)(B)'.''.

(e) NOTICE.—Section 606(a) of such Act (29 U.S.C. 1166) is amended—

(1) in paragraph (4)(A), by striking ''or (6)'' and inserting ''(6), or (7)''; and

(2) by adding at the end the following:

''The notice under paragraph (4) in the case of a qualifying event described in section 603(7) shall be provided at least 90 days before the date of the qualifying event.''.

(f) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section (other than subsection (e)(2)) shall apply to qualifying events occurring on or after January 6, 2001. In the case of a qualifying event occurring on or after such date and before the date of the enactment of this Act, such event shall be deemed (for purposes of such amendments) to have occurred on the date of the enactment of this Act.

(2) ADVANCE NOTICE OF TERMINATIONS AND REDUCTIONS.—The amendment made by subsection (e)(2) shall apply to qualifying events occurring after the date of the enactment of this Act, except that in no case shall notice be required under such amendment before such date.

Subtitle B—Amendments to the Public Health Service Act

SEC. 311. COBRA CONTINUATION BENEFITS FOR CERTAIN RETIRED WORKERS WHO LOSE RETIREE HEALTH COVERAGE.

(a) ESTABLISHMENT OF NEW QUALIFYING EVENT.—

(1) IN GENERAL.—Section 2203 of the Public Health Service Act (42 U.S.C. 300bb–3) is amended by inserting after paragraph (5) the following new paragraph:

''(6) The termination or substantial reduction in benefits (as defined in section 2208(6)) of group health plan coverage as a result of plan changes or termination in the case of a covered employee who is a qualified retiree.''.

(2) QUALIFIED RETIREE; QUALIFIED BENEFICIARY; AND SUBSTANTIAL REDUCTION DEFINED.—Section 2208 of such Act (42 U.S.C. 300bb–8) is amended—

(A) in paragraph (3)—

(i) in subparagraph (A), by inserting ''except as otherwise provided in this paragraph,'' after ''means,''; and

(ii) by adding at the end the following new subparagraph:

''(C) SPECIAL RULE FOR QUALIFYING RETIREES AND DEPENDENTS.—In the case of a qualifying event described in section 2203(6), the term 'qualified beneficiary' means a qualified retiree and any other individual who, on the day before such qualifying event, is a beneficiary under the plan on the basis of the individual's relationship to such qualified retiree.''; and

(B) by adding at the end the following new paragraphs:

''(5) QUALIFIED RETIREE.—The term 'qualified retiree' means, with respect to a qualifying event described in section 2203(6), a covered employee who, at the time of the event—

''(A) has attained 55 years of age; and

''(B) was receiving group health coverage under the plan by reason of the retirement of the covered employee.

''(6) SUBSTANTIAL REDUCTION.—The term 'substantial reduction'—

''(A) means, as determined under regulations of the Secretary of Labor and with respect to a qualified beneficiary, a reduction in the average actuarial value of benefits under the plan (through reduction or elimination of benefits, an increase in premiums, deductibles, copayments, and coinsurance, or any combination thereof), since the date of commencement of coverage of the beneficiary by reason of the retirement of the covered employee (or, if later, January 6, 2001), in an amount equal to at least 50 percent of the total average actuarial value of the benefits under the plan as of such date (taking into account an appropriate adjustment to permit comparison of values over time); and

''(B) includes an increase in premiums required to an amount that exceeds the premium level described in the fourth sentence of section 2202(3).''.

(b) DURATION OF COVERAGE THROUGH AGE 65.—Section 2202(2)(A) of such Act (42 U.S.C. 300bb–2(2)(A)) is amended—

(1) by redesignating clause (iii) as clause (iv); and

(2) by inserting after clause (ii) the following new clause:

''(iii) SPECIAL RULE FOR CERTAIN DEPENDENTS IN CASE OF TERMINATION OR SUBSTANTIAL REDUCTION OF RETIREE HEALTH COVERAGE.—In the case of a qualifying event described in section 2203(6), in the case of a qualified beneficiary described in section 2208(3)(C) who is not the qualified retiree or spouse of such retiree, the later of—

''(I) the date that is 36 months after the earlier of the date the qualified retiree becomes entitled to benefits under title XVIII of the Social Security Act, or the date of the death of the qualified retiree; or

''(II) the date that is 36 months after the date of the qualifying event.''.

(c) TYPE OF COVERAGE IN CASE OF TERMINATION OR SUBSTANTIAL REDUCTION OF RETIREE HEALTH COVERAGE.—Section 2202(1) of such Act (42 U.S.C. 300bb–2(1)) is amended—

(1) by striking ''The coverage'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the coverage''; and

(2) by adding at the end the following:

''(B) CERTAIN RETIREES.—In the case of a qualifying event described in section 2203(6), in applying the first sentence of subparagraph (A) and the fourth sentence of paragraph (3), the coverage offered that is the most prevalent coverage option (as determined under regulations of the Secretary of Labor) continued under the group health plan (or, if none, under the most prevalent other plan offered by the same plan sponsor) shall be treated as the coverage described in such sentence, or (at the option of the plan and qualified beneficiary) such other coverage option as may be offered and elected by the qualified beneficiary involved.''.

(d) INCREASED LEVEL OF PREMIUMS PERMITTED.—Section 2202(3) of such Act (42 U.S.C. 300bb–2(3)) is amended by adding at the end the following new sentence: ''In the case of an individual provided continuation coverage by reason of a qualifying event described in section 2203(6), any reference in subparagraph (A) of this paragraph to '102 percent of the applicable premium' is deemed a reference to '125 percent of the applicable premium for employed individuals (and their dependents, if applicable) for the coverage option referred to in paragraph (1)(B)'.''.

(e) NOTICE.—Section 2206(a) of such Act (42 U.S.C. 300bb–6(a)) is amended—

(1) in paragraph (4)(A), by striking ''or (4)'' and inserting ''(4), or (6)''; and

(2) by adding at the end the following:

''The notice under paragraph (4) in the case of a qualifying event described in section 2203(6) shall be provided at least 90 days before the date of the qualifying event.''.

(f) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section (other than subsection (e)(2)) shall apply to qualifying events occurring on or after January 6, 2001. In the case of a qualifying event occurring on or after such date and before the date of the enactment of this Act, such event shall be deemed (for purposes of such amendments) to have occurred on the date of the enactment of this Act.

(2) ADVANCE NOTICE OF TERMINATIONS AND REDUCTIONS.—The amendment made by subsection (e)(2) shall apply to qualifying events occurring after the date of the enactment of this Act, except that in no case shall notice be required under such amendment before such date.

Subtitle C—Amendments to the Internal Revenue Code of 1986

SEC. 321. COBRA CONTINUATION BENEFITS FOR CERTAIN RETIRED WORKERS WHO LOSE RETIREE HEALTH COVERAGE.

(a) ESTABLISHMENT OF NEW QUALIFYING EVENT.—

(1) IN GENERAL.—Section 4980B(f)(3) of the Internal Revenue Code of 1986 is amended by inserting after subparagraph (F) the following new subparagraph:

''(G) The termination or substantial reduction in benefits (as defined in subsection (g)(6)) of group health plan coverage as a result of plan changes or termination in the case of a covered employee who is a qualified retiree.''.

(2) QUALIFIED RETIREE; QUALIFIED BENEFICIARY; AND SUBSTANTIAL REDUCTION DEFINED.—Section 4980B(g) of such Code is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''except as otherwise provided in this paragraph,'' after ''means,''; and

(ii) by adding at the end the following new subparagraph:

''(E) SPECIAL RULE FOR QUALIFYING RETIREES AND DEPENDENTS.—In the case of a qualifying event described in subsection (f)(3)(G), the term 'qualified beneficiary' means a qualified retiree and any other individual who, on the day before such qualifying event, is a beneficiary under the plan on the basis of the individual's relationship to such qualified retiree.''; and

(B) by adding at the end the following new paragraphs:

''(5) QUALIFIED RETIREE.—The term 'qualified retiree' means, with respect to a qualifying event described in subsection (f)(3)(G), a covered employee who, at the time of the event—

''(A) has attained 55 years of age; and

''(B) was receiving group health coverage under the plan by reason of the retirement of the covered employee.

''(6) SUBSTANTIAL REDUCTION.—The term 'substantial reduction'—

''(A) means, as determined under regulations of the Secretary of Labor and with respect to a qualified beneficiary, a reduction in the average actuarial value of benefits under the plan (through reduction or elimination of benefits, an increase in premiums, deductibles, copayments, and coinsurance, or any combination thereof), since the date of commencement of coverage of the beneficiary by reason of the retirement of the covered employee (or, if later, January 6, 2001), in an amount equal to at least 50 percent of the total average actuarial value of the benefits under the plan as of such date (taking into account an appropriate adjustment to permit comparison of values over time); and

''(B) includes an increase in premiums required to an amount that exceeds the premium level described in the fourth sentence of subsection (f)(2)(C).''.

(b) DURATION OF COVERAGE THROUGH AGE 65.—Section 4980B(f)(2)(B)(i) of such Code is amended—

(1) in subclause (II), by inserting ''or (3)(G)'' after ''(3)(F)'';

(2) in subclause (IV), by striking ''or (3)(F)'' and inserting '', (3)(F), or (3)(G)'';

(3) by redesignating subclause (IV) as subclause (VI);

(4) by redesignating subclause (V) as subclause (IV) and by moving such clause to immediately follow subclause (III); and

(5) by inserting after such subclause (IV) the following new subclause:

''(V) SPECIAL RULE FOR CERTAIN DEPENDENTS IN CASE OF TERMINATION OR SUBSTANTIAL REDUCTION OF RETIREE HEALTH COVERAGE.—In the case of a qualifying event described in paragraph (3)(G), in the case of a qualified beneficiary described in subsection (g)(1)(E) who is not the qualified retiree or spouse of such retiree, the later of—

''(a) the date that is 36 months after the earlier of the date the qualified retiree becomes entitled to benefits under title XVIII of the Social Security Act, or the date of the death of the qualified retiree; or

''(b) the date that is 36 months after the date of the qualifying event.''.

(c) TYPE OF COVERAGE IN CASE OF TERMINATION OR SUBSTANTIAL REDUCTION OF RETIREE HEALTH COVERAGE.—Section 4980B(f)(2)(A) of such Code is amended—

(1) by striking ''The coverage'' and inserting the following:

''(i) IN GENERAL.—Except as provided in clause (ii), the coverage''; and

(2) by adding at the end the following:

''(ii) CERTAIN RETIREES.—In the case of a qualifying event described in paragraph (3)(G), in applying the first sentence of clause (i) and the fourth sentence of subparagraph (C), the coverage offered that is the most prevalent coverage option (as determined under regulations of the Secretary of Labor) continued under the group health plan (or, if none, under the most prevalent other plan offered by the same plan sponsor) shall be treated as the coverage described in such sentence, or (at the option of the plan and qualified beneficiary) such other coverage option as may be offered and elected by the qualified beneficiary involved.''.

(d) INCREASED LEVEL OF PREMIUMS PERMITTED.—Section 4980B(f)(2)(C) of such Code is amended by adding at the end the following new sentence: ''In the case of an individual provided continuation coverage by reason of a qualifying event described in paragraph (3)(G), any reference in clause (i) of this subparagraph to '102 percent of the applicable premium' is deemed a reference to '125 percent of the applicable premium for employed individuals (and their dependents, if applicable) for the coverage option referred to in subparagraph (A)(ii)'.''.

(e) NOTICE.—Section 4980B(f)(6) of such Code is amended—

(1) in subparagraph (D)(i), by striking ''or (F)'' and inserting ''(F), or (G)''; and

(2) by adding at the end the following:

''The notice under subparagraph (D)(i) in the case of a qualifying event described in paragraph (3)(G) shall be provided at least 90 days before the date of the qualifying event.''.

(f) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section (other than subsection (e)(2)) shall apply to qualifying events occurring on or after January 6, 2001. In the case of a qualifying event occurring on or after such date and before the date of the enactment of this Act, such event shall be deemed (for purposes of such amendments) to have occurred on the date of the enactment of this Act.

(2) ADVANCE NOTICE OF TERMINATIONS AND REDUCTIONS.—The amendment made by subsection (e)(2) shall apply to qualifying events occurring after the date of the enactment of this Act, except that in no case shall notice be required under such amendment before such date.

TITLE IV—50 PERCENT CREDIT AGAINST INCOME TAX FOR MEDICARE BUY-IN PREMIUMS AND FOR CERTAIN COBRA CONTINUATION COVERAGE PREMIUMS

SEC. 401. 50 PERCENT INCOME TAX CREDIT FOR MEDICARE BUY-IN PREMIUMS AND FOR CERTAIN COBRA CONTINUATION COVERAGE PREMIUMS.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to nonrefundable personal credits) is amended by inserting after section 25A the following new section:

''SEC. 25B. MEDICARE BUY-IN PREMIUMS AND CERTAIN COBRA CONTINUATION COVERAGE PREMIUMS.

''(a) IN GENERAL.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 50 percent of the amount paid during such year as—

''(1) qualified continuation health coverage premiums, and

''(2) medicare buy-in coverage premiums.

''(b) DEFINITIONS.—For purposes of this section—

''(1) QUALIFIED CONTINUATION HEALTH COVERAGE PREMIUMS.—The term 'qualified continuation health coverage premiums' means, for any period, premiums paid for continuation coverage (as defined in section 4980B(f)) under a group health plan for such period but only if failure to offer such coverage to the taxpayer for such period would constitute a failure by such health plan to meet the requirements of section 4980B(f) and only if the continuation coverage is provided because of a qualifying event described in section 4980B(f)(3)(G).

''(2) MEDICARE BUY-IN COVERAGE PREMIUMS.—The term 'medicare buy-in coverage premiums' means premiums paid under part D of title XVIII of the Social Security Act.''

(b) CLERICAL AMENDMENT.—The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 25A the following new item:

''Sec. 25B. Medicare buy-in premiums and certain COBRA continuation coverage premiums.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2002.

By Mr. GREGG (for himself and Mrs. HUTCHISON):

S. 624. A bill to amend the Fair Labor Standards Act of 1938 to provide to private sector employees the same opportunities for time-and-a-half compensatory time off and biweekly work programs as Federal employees currently enjoy to help balance the demands and needs of work and family, to clairfy the provisions relating to exemptions of certain professionals from minimum wage and overtime requirements of the Fair Labor Standards Act of 1938, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. GREGG. Mr. President, I rise today to introduce legislation that, if enacted, could have a monumental impact on the lives of thousands of working men, women and families in America. Today, with Senator KAY BAILEY HUTCHISON, I am pleased to introduce the Workplace Flexibility Act. The Workplace Flexibility Act has as its primary purpose, giving families and employers greater flexibility in meeting and balancing the demands of work and family.

The demand for family time is significant. In fact, families today are spending close to 40 percent less time with their families and children than in the 1960s. This is an important and even critical issue to many Americans. In fact, survey upon survey has found that the issue of workplace flexibility and family time is the number one issue women want addressed.

The Workplace Flexibility Act is not a total solution, but it is an important part of the solution. It gives working families a choice.

The Workplace Flexibility Act in a nutshell consists of two main provisions. The first allows employees the option of taking time off in lieu of overtime pay. The second gives employees the option of ''flexing'' their schedules over a two week period. In other words, employees would have 10 ''flexible'' hours that they could work in one week in order to take 10 hours off in the next week. Flexible work arrangements have been available to Federal government workers since 1978. In the 1970's, 80's, and 90's federal government workers have had this special privilege. The Federal program was so successful in fact, that the President in 1993 issues an Executive Order extending it to parts of the Federal Government that had not yet had the benefits of the program.

Yet members of the private sector do not have this option. The Workplace Flexibility Act corrects this and extends this option to all businesses covered by the Fair Labor Standards Act.

So, who are these workers who are currently covered by the FLSA but do not have the ability to exercise workplace flexibility? They are some of the hardest working Americans. Sixty percent of these workers have only a high school education. Eighty percent of them make less than $28,000. A great

percentage of them are single mothers with children. They are working hard to meet their family's economic needs as well as their emotional needs. And while government can't mandate love and nurture, it can get out of the way and eliminate barriers to opportunities for love and nurture. That is what the Workplace Flexibility Act does.

In the subsequent weeks and months we will undoubtedly hear from some that what working families really need is more money. They need their overtime pay. That may well be true for some families, and this bill does not affect them in any way. But for other families, for families who want to choose to take time off with pay to attend a child's school play or PTA meeting, the issue is time, not money. The point is this—the family should have the right to choose. Washington should not decide for them which priority is important for their family.

I am one who believes in the working men and women of America and in their ability to know what is best for their families. It is time for Congress to give families what they want, and not what Congress thinks they need. It's time to give working families what every Federal employee has already, workplace flexibility.

I ask unanimous consent that the text of the bill and a bill summary be printed in the RECORD.

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

S. 624

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Workplace Flexibility Act''.

SEC. 2. WORKPLACE FLEXIBILITY OPTIONS.

(a) COMPENSATORY TIME OFF.—Section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) is amended by adding at the end the following:

''(r)(1)(A) Except as provided in subparagraph (B), no employee may be required under this subsection to receive compensatory time off in lieu of monetary overtime compensation. The acceptance of compensatory time off in lieu of monetary overtime compensation may not be a condition of employment or of working overtime.

''(B) In a case in which a valid collective bargaining agreement exists between an employer and the labor organization that has been certified or recognized as the representative of the employees of the employer under applicable law, an employee may only be required under this subsection to receive compensatory time off in lieu of monetary overtime compensation in accordance with the agreement.

''(2)(A) An employee may receive, in accordance with this subsection and in lieu of monetary overtime compensation, compensatory time off at a rate not less than one and one-half hours for each hour of employment for which monetary overtime compensation is required by this section.

''(B) In this subsection:

''(i) The term 'employee' means an individual—

''(I) who is an employee (as defined in section 3);

''(II) who is not an employee of a public agency; and

''(III) to whom subsection (a) applies.

''(ii) The term 'employer' does not include a public agency.

''(3) An employer may provide compensatory time off to employees under paragraph (2)(A) only pursuant to the following:

''(A) The compensatory time off may be provided only in accordance with—

''(i) applicable provisions of a collective bargaining agreement between the employer and the labor organization that has been certified or recognized as the representative of the employees under applicable law; or

''(ii) in the case of an employee who is not represented by a labor organization described in clause (i), a written agreement arrived at between the employer and employee before the performance of the work involved if the agreement or understanding was entered into knowingly and voluntarily by such employee and was not a condition of employment.

''(B) The compensatory time off may only be provided to an employee described in subparagraph (A)(ii) if such employee has affirmed, in a written statement that is made, kept, and preserved in accordance with section 11(c), that the employee has chosen to receive compensatory time off in lieu of monetary overtime compensation.

''(C) No employee may receive, or agree to receive, the compensatory time off unless the employee has been employed for at least 12 months by the employer, and for at least 1,250 hours of service with the employer during the previous 12-month period.

''(D) An employee shall be eligible to accrue compensatory time off if such employee has not accrued compensatory time off in excess of the limit applicable to the employee prescribed by paragraph (4).

''(4)(A) An employee may accrue not more than 160 hours of compensatory time off.

''(B) Not later than January 31 of each calendar year, the employer of the employee shall provide monetary compensation for any unused compensatory time off accrued during the preceding calendar year that was not used prior to December 31 of the preceding calendar year at the rate prescribed by paragraph (8). An employer may designate and communicate to the employees of the employer a 12-month period other than the calendar year, in which case the compensation shall be provided not later than 31 days after the end of the 12-month period.

''(C) The employer may provide monetary compensation for an employee's unused compensatory time off in excess of 80 hours at any time after providing the employee with at least 30 days' written notice. The compensation shall be provided at the rate prescribed by paragraph (8).

''(5)(A) An employer that has adopted a policy offering compensatory time off to employees may discontinue the policy for employees described in paragraph (3)(A)(ii) after providing 30 days' written notice to the employees who are subject to an agreement or understanding described in paragraph (3)(A)(ii).

''(B) An employee may withdraw an agreement or understanding described in paragraph (3)(A)(ii) at any time, by submitting a written notice of withdrawal to the employer of the employee. An employee may also request in writing that monetary compensation be provided, at any time, for all compensatory time off accrued that has not been used. Within 30 days after receiving the written request, the employer shall provide the employee the monetary compensation due in accordance with paragraph (8).

''(6)(A)(i) An employer that provides compensatory time off under paragraph (2) to an employee shall not directly or indirectly intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any employee for the purpose of—

''(I) interfering with the rights of the employee under this subsection to request or not request compensatory time off in lieu of payment of monetary overtime compensation for overtime hours;

''(II) interfering with the rights of the employee to use accrued compensatory time off in accordance with paragraph (9); or

''(III) requiring the employee to use the compensatory time off.

''(ii) In clause (i), the term 'intimidate, threaten, or coerce' has the meaning given the term in section 13A(c)(2).

''(B) An agreement or understanding that is entered into by an employee and employer under paragraph (3)(A)(ii) shall permit the employee to elect, for an applicable workweek—

''(i) the payment of monetary overtime compensation for the workweek; or

''(ii) the accrual of compensatory time off in lieu of the payment of monetary overtime compensation for the workweek.''.

(b) REMEDIES AND SANCTIONS.—Section 16 of the Fair Labor Standards Act of 1938 (29 U.S.C. 216) is amended by adding at the end the following:

''(f)(1) In addition to any amount that an employer is liable under subsection (b) for a violation of a provision of section 7, an employer that violates section 7(r)(6)(A) shall be liable to the employee affected in an amount equal to—

''(A) the product of—

''(i) the rate of compensation (determined in accordance with section 7(r)(8)(A)); and

''(ii)(I) the number of hours of compensatory time off involved in the violation that was initially accrued by the employee; minus

''(II) the number of such hours used by the employee; and

''(B) as liquidated damages, the product of—

''(i) such rate of compensation; and

''(ii) the number of hours of compensatory time off involved in the violation that was initially accrued by the employee.

''(2) The employer shall be subject to such liability in addition to any other remedy available for such violation under this section or section 17, including a criminal penalty under subsection (a) and a civil penalty under subsection (e).''.

(c) CALCULATIONS AND SPECIAL RULES.—Section 7(r) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(r)), as added by subsection (a), is further amended by adding at the end the following:

''(7) An employee who has accrued compensatory time off authorized to be provided under paragraph (2) shall, upon the voluntary or involuntary termination of employment, be paid for the unused compensatory time off in accordance with paragraph (8).

''(8)(A) If compensation is to be paid to an employee for accrued compensatory time off, the compensation shall be paid at a rate of compensation not less than—

''(i) the regular rate received by such employee when the compensatory time off was earned; or

''(ii) the final regular rate received by such employee;

whichever is higher.

''(B) Any payment owed to an employee under this subsection for unused compensatory time off shall be considered unpaid monetary overtime compensation.

''(9) An employee—

''(A) who has accrued compensatory time off authorized to be provided under paragraph (2); and

''(B) who has requested the use of the accrued compensatory time off;

shall be permitted by the employer of the employee to use the accrued compensatory

time off within a reasonable period after making the request if the use of the accrued compensatory time off does not unduly disrupt the operations of the employer.

''(10) The terms 'monetary overtime compensation' and 'compensatory time off' shall have the meanings given the terms 'overtime compensation' and 'compensatory time', respectively, by subsection (o)(7).''.

(d) NOTICE TO EMPLOYEES.—Not later than 30 days after the date of enactment of this Act, the Secretary of Labor shall revise the materials the Secretary provides, under regulations contained in section 516.4 of title 29, Code of Federal Regulations, to employers for purposes of a notice explaining the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) to employees so that the notice reflects the amendments made to the Act by this section.

SEC. 3. BIWEEKLY WORK PROGRAMS.

(a) IN GENERAL.—The Fair Labor Standards Act of 1938 is amended by inserting after section 13 (29 U.S.C. 213) the following:

''SEC. 13A. BIWEEKLY WORK PROGRAMS.

''(a) VOLUNTARY PARTICIPATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), no employee may be required to participate in a program described in this section. Participation in a program described in this section may not be a condition of employment.

''(2) COLLECTIVE BARGAINING AGREEMENT.—In a case in which a valid collective bargaining agreement exists between an employer and the labor organization that has been certified or recognized as the representative of the employees of the employer under applicable law, an employee may only be required to participate in such a program in accordance with the agreement.

''(b) BIWEEKLY WORK PROGRAMS.—

''(1) IN GENERAL.—Notwithstanding section 7, an employer may establish biweekly work programs that allow the use of a biweekly work schedule—

''(A) that consists of a basic work requirement of not more than 80 hours, over a 2-week period; and

''(B) in which more than 40 hours of the work requirement may occur in a week of the period, except that no more than 10 hours may be shifted between the 2 weeks involved.

''(2) CONDITIONS.—An employer may carry out a biweekly work program described in paragraph (1) for employees only pursuant to the following:

''(A) AGREEMENT OR UNDERSTANDING.—The program may be carried out only in accordance with—

''(i) applicable provisions of a collective bargaining agreement between the employer and the labor organization that has been certified or recognized as the representative of the employees under applicable law; or

''(ii) in the case of an employee who is not represented by a labor organization described in clause (i), a written agreement arrived at between the employer and employee before the performance of the work involved if the agreement or understanding was entered into knowingly and voluntarily by such employee and was not a condition of employment.

''(B) STATEMENT.—The program shall apply to an employee described in subparagraph (A)(ii) if such employee has affirmed, in a written statement that is made, kept, and preserved in accordance with section 11(c), that the employee has chosen to participate in the program.

''(C) MINIMUM SERVICE.—No employee may participate, or agree to participate, in the program unless the employee has been employed for at least 12 months by the employer, and for at least 1,250 hours of service with the employer during the previous 12-month period.

''(3) COMPENSATION FOR HOURS IN SCHEDULE.—Notwithstanding section 7, in the case of an employee participating in such a biweekly work program, the employee shall be compensated for each hour in such a biweekly work schedule at a rate not less than the regular rate at which the employee is employed.

''(4) COMPUTATION OF OVERTIME.—All hours worked by the employee in excess of such a biweekly work schedule or in excess of 80 hours in the 2-week period, that are requested in advance by the employer, shall be overtime hours.

''(5) OVERTIME COMPENSATION PROVISION.—The employee shall be compensated for each such overtime hour at a rate not less than one and one-half times the regular rate at which the employee is employed, in accordance with section 7(a)(1), or receive compensatory time off in accordance with section 7(r) for each such overtime hour.

''(6) DISCONTINUANCE OF PROGRAM OR WITHDRAWAL.—

''(A) DISCONTINUANCE OF PROGRAM.—An employer that has established a biweekly work program under paragraph (1) may discontinue the program for employees described in paragraph (2)(A)(ii) after providing 30 days' written notice to the employees who are subject to an agreement or understanding described in paragraph (2)(A)(ii).

''(B) WITHDRAWAL.—An employee may withdraw an agreement or understanding described in paragraph (2)(A)(ii) at the end of any 2-week period described in paragraph (1)(A), by submitting a written notice of withdrawal to the employer of the employee.

''(c) PROHIBITION OF COERCION.—

''(1) IN GENERAL.—An employer shall not directly or indirectly intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any employee for the purpose of interfering with the rights of the employee under this section to elect or not to elect to work a biweekly work schedule.

''(2) DEFINITION.—In paragraph (1), the term 'intimidate, threaten, or coerce' includes promising to confer or conferring any benefit (such as appointment, promotion, or compensation) or effecting or threatening to effect any reprisal (such as deprivation of appointment, promotion, or compensation).

''(d) DEFINITIONS.—In this section:

''(1) BASIC WORK REQUIREMENT.—The term 'basic work requirement' means the number of hours, excluding overtime hours, that an employee is required to work or is required to account for by leave or otherwise.

''(2) COLLECTIVE BARGAINING.—The term 'collective bargaining' means the performance of the mutual obligation of the representative of an employer and the labor organization that has been certified or recognized as the representative of the employees of the employer under applicable law to meet at reasonable times and to consult and bargain in a good-faith effort to reach agreement with respect to the conditions of employment affecting such employees and to execute, if requested by either party, a written document incorporating any collective bargaining agreement reached, but the obligation referred to in this paragraph shall not compel either party to agree to a proposal or to make a concession.

''(3) COLLECTIVE BARGAINING AGREEMENT.—The term 'collective bargaining agreement' means an agreement entered into as a result of collective bargaining.

''(4) EMPLOYEE.—The term 'employee' means an individual—

''(A) who is an employee (as defined in section 3);

''(B) who is not an employee of a public agency; and

''(C) to whom section 7(a) applies.

''(5) EMPLOYER.—The term 'employer' does not include a public agency.

''(6) OVERTIME HOURS.—The term 'overtime hours', when used with respect to biweekly work programs under subsection (b), means all hours worked in excess of the biweekly work schedule involved or in excess of 80 hours in the 2-week period involved, that are requested in advance by an employer.

''(7) REGULAR RATE.—The term 'regular rate' has the meaning given the term in section 7(e).''.

(b) REMEDIES.—

(1) PROHIBITIONS.—Section 15(a)(3) of the Fair Labor Standards Act of 1938 (29 U.S.C. 215(a)(3)) is amended—

(A) by inserting ''(A)'' after ''(3)'';

(B) by adding ''or'' after the semicolon; and

(C) by adding at the end the following:

''(B) to violate any of the provisions of section 13A;''.

(2) REMEDIES AND SANCTIONS.—Section 16 of the Fair Labor Standards Act of 1938 (29 U.S.C. 216), as amended in section 2(b), is further amended—

(A) in subsection (c)—

(i) in the first sentence—

(I) by inserting after ''7 of this Act'' the following: '', or of the appropriate legal or monetary equitable relief owing to any employee or employees under section 13A''; and

(II) by striking ''wages or unpaid overtime compensation and'' and inserting ''wages, unpaid overtime compensation, or legal or monetary equitable relief, as appropriate, and'';

(ii) in the second sentence, by striking ''wages or overtime compensation and'' and inserting ''wages, unpaid overtime compensation, or legal or monetary equitable relief, as appropriate, and''; and

(iii) in the third sentence—

(I) by inserting after ''first sentence of such subsection'' the following: '', or the second sentence of such subsection in the event of a violation of section 13A,''; and

(II) by striking ''wages or unpaid overtime compensation under sections 6 and 7 or'' and inserting ''wages, unpaid overtime compensation, or legal or monetary equitable relief, as appropriate, or'';

(B) in subsection (e)—

(i) in the second sentence, by striking ''section 6 or 7'' and inserting ''section 6, 7, or 13A''; and

(ii) in the fourth sentence, in paragraph (3), by striking ''15(a)(4) or'' and inserting ''15(a)(4), a violation of section 15(a)(3)(B), or''; and

(C) by adding at the end the following:

''(g)(1) In addition to any amount that an employer is liable under the second sentence of subsection (b) for a violation of a provision of section 13A, an employer that violates section 13A(c) shall be liable to the employee affected for an additional sum equal to that amount.

''(2) The employer shall be subject to such liability in addition to any other remedy available for such violation under this section or section 17.''.

(c) NOTICE TO EMPLOYEES.—Not later than 30 days after the date of enactment of this Act, the Secretary of Labor shall revise the materials the Secretary provides, under regulations contained in section 516.4 of title 29, Code of Federal Regulations, to employers for purposes of a notice explaining the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) to employees so that the notice reflects the amendments made to the Act by this section.

SEC. 4. PROTECTIONS FOR CLAIMS RELATING TO COMPENSATORY TIME OFF IN BANKRUPTCY PROCEEDINGS.

Section 507(a)(3) of title 11, United States Code, is amended—

(1) by striking ''for—'' and inserting the following: ''on the condition that all accrued compensatory time off (as defined in section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207)) shall be deemed to have been earned within 90 days before the date of the filing of the petition or the date of the cessation of the debtor's business, whichever occurs first, for—''; and

(2) in subparagraph (A), by inserting before the semicolon the following: ''or the value of unused, accrued compensatory time off (as defined in section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207))''.

SEC. 5. CONGRESSIONAL COVERAGE.

Section 203 of the Congressional Accountability Act of 1995 (2 U.S.C. 1313) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''and section 12(c)'' and inserting ''section 12(c), and section 13A''; and

(B) by striking paragraph (3);

(2) in subsection (b)—

(A) by striking ''The remedy'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the remedy''; and

(B) by adding at the end the following:

''(2) COMPENSATORY TIME.—The remedy for a violation of subsection (a) relating to the requirements of section 7(r) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(r)) shall be such remedy as would be appropriate if awarded under subsection (b) or (f) of section 16 of such Act (29 U.S.C. 216).

''(3) BIWEEKLY WORK PROGRAMS.—The remedy for a violation of subsection (a) relating to the requirements of section 13A of the Fair Labor Standards Act of 1938 shall be such remedy as would be appropriate if awarded under sections 16 and 17 of such Act (29 U.S.C. 216, 217) for such a violation.''; and

(3) in subsection (c), by striking paragraph (4).

SEC. 6. TERMINATION.

The authority provided by this Act and the amendments made by this Act terminates 5 years after the date of enactment of this Act.

SUMMARY OF THE WORKPLACE FLEXIBILITY ACT

SECTION 2, WORKPLACE FLEXIBILITY OPTIONS: COMP-TIME

Gives employers and employees, who have been employed for at least 12 months by the employer, and for at least 1,250 hours of service with the employer during the previous 12-month period, the option of comp time in lieu of monetary overtime compensation, at the rate of 1½ hours of comp time for each hour of overtime worked.

Where a collective bargaining agreement is in place, an employer would have to work within that context in shaping any comp time program.

Where there is no collective bargaining agreement in place, the employer and the individual employee would be allowed to enter into ''an agreement or understanding'' with respect to comp time. Such an agreement must be completely voluntary and must be arrived at before the performance of the work. The agreement must be affirmed in writing.

The employer is prohibited from directly or indirectly intimidating, threatening, coercing or attempting to intimidate, threaten or coerce any employee into agreeing to the comp time option nor may acceptance of comp time be a condition of employment or of working overtime.

Employees may not accrue more than 160 hours of comp time. If unused, such hours must be cashed out at the end of the preceding calendar year or not later than 31 days after the end of an alternative 12-month period designated by the employer. An employer may, upon 30 days written notice to the employee, cash-out all hours banked in excess of 80. Employees who terminate their employment either voluntarily or involuntarily must be paid for any unused comp time.

An employee may withdraw an agreement or understanding at any time by submitting a written notice of withdrawal to the employer and an employer must, within 30 days after receiving the written request, provide the employee the monetary compensation due.

Comp time may be used, upon request by a worker within a reasonable period after making the request if it does not unduly disrupt the operations of the employer.

SECTION 3, BI-WEEKLY WORK PROGRAMS: FLEX-TIME

Gives employers and employees the option of a 2-week 80 hour work period during which, without incurring an overtime penalty, up to 10 hours could be ''flexed'' between the two week period. Employees could, if agreed upon by their employers, choose to work 2 weeks of 40 hours each, 50 hours in one week and 30 in another, etc. Employers would not be required to pay overtime rates (time-and-a-half) until 80 hours had been worked in 2 calendar weeks. For hours worked in excess of 80 in a 2 week period, a worker would have to be compensated either in cash or in paid comp time, if the employer has agreed to a comp time option, each at not less than a time-and-a-half basis.

Like comp time, this program is completely voluntary and may not affect collective bargaining agreements that are in force.

Congress would be covered by both provisions which sunset after 5 years.

Mrs. HUTCHISON. Mr. President, I rise today to join with my colleague, Senator GREGG from New Hampshire to introduce the Workplace Flexibility Act to give America's families the kinds of choices and options they demand and deserve.

When I speak with hourly wage workers in my home state of Texas, and I ask them how they are coping with the growing and competing demands of work and family, I hear many different answers. I hear stories of parents working days and nights to pay the bills and maybe even get a little bit ahead.

Today we introduce legislation to deal with some of the workplace problems of Americans who are paid by the hour. Every day, millions of people in this country must punch a time clock, and they never seem to have enough time they need to get things done, much less the time they would like to have to spend on home and family. Despite the fact that hourly wage earners have the greatest time and money pressures on them, the federal government gives them the least amount of flexibility in scheduling their work week.

While salaried, or so-called ''exempt'' workers can bargain with their employers to work additional hours in one week in order to take time off later, hourly or ''non-exempt'' workers do not have that privilege. The Federal Fair Labor Standards Act prohibits them from benefitting from the additional scheduling options that salaried workers enjoy and that Congress gave to all federal employees back in 1978.

It is time to end this inequity in our nation's labor laws. It is time to give all American workers the ability to choose work schedules to fit their own home and family needs.

The Workplace Flexibility Act will do just that. The bill restores fairness in workplace scheduling by giving hourly wage earners three new scheduling and overtime options.

First, where an employer requires an employee to work overtime, any hours in excess of 40 in a week, the bill would give that employee the option of choosing paid time-and-a-half off in lieu of time and a half pay. So, for example, an employee who works 10 hours of overtime would have earned 15 hours of paid time off for later use. This is called ''comp time.''

Second, for those employees who do not typically work overtime, which, by the way, encompasses over 90 percent of the women who are now paid by the hour, the bill would allow employees to choose to work more than 40 hours in one week in exchange for the same amount of paid time off in another week. This is called ''flex time.''

Finally, the bill will give employees and employers the option of establishing regular two week schedules to allow an employee to work additional hours in week one in order to take paid time off in week two. For example, many federal employees enjoy working 9-hour days and taking every alternate Friday off, with pay, for a total at the end of two weeks of 80 hours. I think it is only right to give private sector workers the flexibility that these federal employees now enjoy.

Polls show that Americans overwhelmingly support being given these added options. Three fourths of federal employees say comp time and flextime have given them more time to spend with their families and have improved their morale and even their productivity. President Clinton's own polling firm found recently that the same proportion of Americans, 75 percent, favor expanding these options to all private sector employees. It is easy to understand why.

According to the Bureau of Labor Statistics, both mother and father work outside the home in almost two thirds of American households. Moreover, 75 percent of mothers with school age children are now in the workforce,

up dramatically in recent years. While the causes for this are many, including expanded work opportunities for women and a heavy tax burden on working families, the results are clear: fewer hours are spent by mothers and fathers with their children and with each other. This shrinking window of family time is weakening the essential family bond that is the bedrock of our strength as a nation.

Not only will our bill make it easier for parents to spend more quality time at home or engaged in personal or community activities, it will do so without a hit to the monthly bottom line. Since comp time and flex time are paid, workers will receive the same amount of money as they would if they did not have these options. The only difference is that this legislation will allow workers the flexibility of taking a day, a week, or even a month off once they have accumulated time in their bank.

Let me make one point very clear: the Workplace Flexibility Act expands, but does not replace the existing law requiring overtime pay for overtime work. For those employees required to work overtime, they will always have the option of receiving overtime pay at the standard time-and-a-half rate. This bill simply affords the employee additional options, upon the mutual agreement of the employee and employer. An employer who violates this or any other provision of our labor laws would be subject to severe civil fines and possibly even prison. In fact, this bill heightens those protections by providing for quadruple damages against an employer who violates the law.

But rather than foster antagonism between labor and management, these added scheduling options have been proven both in this country and abroad to encourage greater cooperation between employees and their employers. Flexible scheduling has created win-win situations for millions of salaried and federal workers and their employers. For the first time in 50 years, America's blue collar working men and women will be empowered to help determine the course of their work week. And thereby, workers will be given greater control over the most precious asset in their lives and in the lives of their families: time.

I urge my colleagues to respond to the growing need for workplace flexibility by supporting the Workplace Flexibility Act.

By Mr. KENNEDY (for himself, Mr. SPECTER, Mr. DASCHLE, Mr. SMITH of Oregon, Mr. LEAHY, Ms. COLLINS, Mr. LEIBERMAN, Ms. SNOWE, Mr. WYDEN, Mr. JEFFORDS, Mr. SCHUMER, Mr. CHAFEE, Mr. AKAKA, Mr. ENSIGN, Mr. BAYH, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. BREAUX, Ms. CANTWELL, Mrs. CARNAHAN, Mr. CARPER, Mr. CLELAND, Mrs. CLINTON, Mr. CORZINE, Mr. DAYTON, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. HARKIN, Mr. INOUYE, Mr. JOHNSON, Mr. KERRY, Ms. LANDRIEU, Mr. LEVIN, Mrs. LINCOLN, Ms. MIKULSKI, Mr. MILLER, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. REED, Mr. REID, Mr. ROCKEFELLER, Mr. SARBANES, Ms. STABENOW, Mr. TORRICELLI, and Mr. WELLSTONE):

S. 625. A bill to provide Federal assistance to States and local jurisdictions to prosecute hate crimes, and for other purposes; to the Committee on the Judiciary.

Mr. KENNEDY, Mr. President, today's introduction of the bipartisan Local Law Enforcement Act, with 50 original sponsors in the Senate, is the first step toward passing this important legislation this year. This bill has the support of a wide range of law enforcement, religious, and civil rights organizations.

Although America experienced a significant drop in violent crime during the 1990s, the number of hate crimes has continued to grow. In fact, according to FBI statistics, in 1999 there were 7876 reported hate crimes committed in the United States. That's over 20 hate crimes per day, every day.

Hate crimes are a national disgrace, an attack on everything this country stands for. They send a poisonous message that some Americans are second class citizens who deserve to be victimized solely because of their race, their ethnic background, their religion, their sexual orientation, their gender or their disability. These senseless crimes have a destructive and devastating impact not only on individual victims, but entire communities. If America is to live up to its founding ideals of liberty and justice for all, combating hate crimes must be a national priority.

Yet for too long, the Federal government has been forced to stand on the sidelines in the fight against these senseless acts of hate and violence. The bill we are introducing today will change that by giving the Justice Department greater ability to investigate and prosecute these crimes, and to help the states do so as well.

We look forward to bringing this legislation to the Senate floor for a vote in the near future.

Mr. SMITH of Oregon. Mr. President, I rise today to introduce with Senator KENNEDY the Local Law Enforcement Act of 2001, legislation that would add new categories to current hate crimes law. I want to keep my remarks brief, so I speak to you from the heart about hate crimes.

Many of you know I am a Republican, a conservative man of faith from a religious minority. I have known firsthand persecution and discrimination because of my faith. As a member of the Senate Foreign Relations Committee, I have taken great interest in religious freedom and fighting anti-Semitism abroad. I found that all of my colleagues have joined me in that goal in many ways. We have all asked other countries to stop hate, to stop ethnic violence and persecution of minorities. Today, I ask every Senator to take the same stand in our own country.

If it were easy to speak out against hate thousands of miles away, then it must be easy to speak out against hate in your own backyard. Backyards in Wyoming—where Matthew Shepard was brutally beaten and left to die tied to a cattle fence off a lonely road. Backyards in Texas, where James Byrd, Jr. was dragged to death behind a pick-up truck. Backyards in Virginia, where Roanoke native Danny Lee Overstreet was brutally shot down in a hate crime last fall. Backyards in Alabama, where Jack Gaither was bludgeoned to death and set on fire. And backyards in Oregon, my state, where two women, Roxanne Ellis and Michelle Abdill of Medford, were killed in late 1995 because of their sexual orientation.

This hate crimes legislation sends a signal that violence of any kind is unacceptable. I look to my party and look for inclusion—a big tent approach to this issue. I hope that the President can join in this effort, I believe that given the opportunity, the White House can participate in this effort and play a significant role in the outcome. Further, I am committed to making sure that partisan rhetoric stays out of this issue and together we can work on both sides of the aisle to make this legislation public law. I fear any strain of hate or homophobia, any isolationism or xenophobia in politics today, and I believe that all my colleagues share this fear. Taking a stand against hate crimes isn't a liberal or a conservative issue—it's something we should all do.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate, to defend them regardless of their status, be they female, disabled or gay. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. By changing this law we can change hearts and minds as well.

The law is a teacher and we should teach our fellow citizens that all crime is hateful. But we can also teach that some crime is so odious that an extra measure of prosecution is demanded by us, so that it will never again be repeated among us.

Mrs. FEINSTEIN. Mr. President, I join with my colleagues in expressing my strong support for the Local Law Enforcement Act of 2001, legislation of which I am an original cosponsor.

Popularly known as the ''Hate Crimes Prevention Act,'' this legislation would expand current federal protections against hate crimes based on race, religion, and national origin; amend the criminal code to cover hate crimes based on gender, sexual orientation, and disability; authorize grants for State and local programs designed to combat and prevent hate crimes;

and enable the federal government to assist State and local law enforcement in investigating and prosecuting hate crimes.

While past efforts to enact this legislation have received strong bipartisan support, we have not been able to get it to the President's desk for his consideration. We must now work to ensure that this legislation is not simply supported, but actually passed and signed into law by the President.

This important legislation would enhance current hate crimes law and enable the federal government to offer assistance to states and localities in investigating and prosecuting bias-motivated crimes. Even with the strides we have made in combating hate crimes thus far, these crimes are still frequently under-reported and therefore go unprosecuted.

In California, I have seen, first-hand, the devastating impact these crimes have on victims, their families and their communities. Hate crimes divide neighborhoods and breed a sense of mistrust and fear within communities. This is why I have long supported legislation aimed at protecting citizens from crimes based on races, ethnicity, religion, gender, disability, or sexual orientation.

Prior to 1990, while we knew that hate crimes existed, we had no tools to measure the number of instances in which such crimes were committed. In 1990, Congress enacted the Hate Crimes Statistics Act. Because of this law, we are now able to quantify the extent of the problem. What we found was disturbing. For the first time, data was collected and analyzed on the incidence of hate crimes. In 1991, the first year after the Act took effect, 4,588 hate crimes were reported nationwide. In 1998, the last year for which we have statistics, that number rose to 7,755. These statistics provide federal and state law enforcement officials the tools to recognize the problems particular to their communities and have encouraged many to come up with solutions.

In 1993, I sponsored the Hate Crimes Sentencing Enhancement Act in 1993, which was subsequently signed into law as part of the Violent Crime Control and Law Enforcement Act of 1994. This act increased penalties for hate crimes targeting individuals because of their race, color, religion, national origin, gender, disability or sexual orientation.

While current hate crime laws help us better understand the problem and penalize those who would resort to such violent acts, these laws do not extend to the thousands of people who are victimized because of their gender, sexual orientation or disability. Nor are they broad enough to help those who were not engaging in such federally protected activities as attending school, or voting, when they were victimized.

In New Jersey, for example, a mentally disabled man was tortured by eight different people at a party. The man was burned with cigarettes, beaten, choked, and then left alone in the wilderness. Investigators found that this man was tortured only because of his disability. This was the third time this man had been attacked at a party.

Just recently, my staff met with a constituent who is a teacher at a Beverly Hills high school. The teacher expressed concern about the safety of gay students, many of whom had been targeted and attacked by other students on account of their sexual orientation. She felt that teachers like herself did all they could to protect the students while they were on school property. She feared for their safety, however, once the students were off school grounds. Even within the school, the teacher, explained, some officials did little to create an environment of tolerance and mutual respect for the students. As a result, the bias-motivated acts committed against them often went unreported, whether they took place in the school or within their communities.

My constituent's appeal for help on behalf of her young students amplifies the need to send a strong message of mutual tolerance and respect to our youngsters. Nearly two-thirds of these crimes are committed by our nation's youth and young adults. In many ways, reinforcing the strength of our diverse nation must begin with our youth.

As these stories illustrate, the perpetrators of hate crimes have no respect for boundaries. They are neither confined to any one region of the country, nor any one age group. The perpetrators of these crimes target individuals not because of what the victims have, or what they have done, but for who they are. Hate crimes are not like other crimes of violence. Their impact is pervasive.

Opponents of hate crimes legislation argue that these crimes are no different from any other crime; that they should be treated like other crimes of violence. Research by the American Psychological Association, APA, suggest otherwise. According to the APA, hate crime victims and their communities are often left with psychological wounds that run deeper and take significantly longer to heal than the wounds of victims of non-bias related crimes.

Much like victims of non-bias related crimes, victims of hate crimes are likely to exhibit symptoms of depression, post-traumatic stress disorder, anxiety, high levels of anger, and a decreased sense of control. Unlike victims of non-bias related crimes, however, hate crime victims experience psychological after-effects at a much higher level. According to the APA, hate crime victims need ''as much as five years to overcome the emotional distress of the incident,'' compared with ''victims of non-bias crimes who experience a drop off in crime-related psychological problems within two years of the crime.'' The financial costs for mental health and medical treatment following an attack only add to the psychological stress of the victim.

Hate crimes pose a very real threat to the social health of the community. Individuals who live in communities where hate crimes have occurred often experience an increased sense of fear and intimidation. They also tend to feel a heightened sense of vulnerability and are much less likely to report such crimes should they occur again, for fear of retaliation. Hate crimes also breed mistrust within the community. Members of the victimized groups are likely to believe that law enforcement agencies are biased against their group and, that when needed, the law enforcement community will not respond.

In essence, hate crimes have been shown to produce deep psychological wounds in the victim. They engender a sense of disunity and division within the community, which undermines the basic tenets on which this nation was founded. As a country that prides itself on its diversity, our nation cannot continue to withstand these acts of hatred and intolerance. No individual or group should be targeted for violence and no such act of violence should go unpunished.

No American should have to live in fear because of his or her perceived race, sexual orientation, ethnicity or disability. No American should be afraid to walk down the street for fear of a gender-motivated attack. No American should be deterred by intimidation from living in the home of his or her choice. And certainly, no American should be deterred from reporting a hate-based crime because they are afraid that the police lack the will or the resources necessary to protect them.

This legislation is not only overdue, it is necessary for the safety and well being of millions of Americans. It is necessary for our National unity.

Certainly, none of us in this body would condone an act of brutality based on an individual's race, religion, sexual orientation, disability, ethnicity or gender. None of us would be willing to send the message that today, basic civil rights protections do not extend to every American, but only to a few and under certain circumstances.

By introducing this legislation today, we are sending a signal that we are unwilling to turn a blind eye to this epidemic of hate that threatens to envelop our Nation. I urge my colleagues to join in this message by supporting the enactment of ''The Local Law Enforcement Enhancement Act of 2001.''

By Mr. JEFFORDS (for himself and Mr. BAUCUS):

S. 626. A bill to amend the Internal Revenue Code of 1986 to permanently extend the work opportunity credit and the welfare-to-work credit, and for other purposes; to the Committee on Finance.

Mr. JEFFORDS. Mr. President, today I am introducing the Work Opportunity Improvement Act of 2001, which

will permanently extend both the work opportunity tax credit and the welfare-to-work tax credit. The bill will also modify eligibility criteria for the work opportunity tax credit, to strengthen efforts to help fathers of children on welfare find work. Over the past five years, these tax credits have played a crucial role in helping 1.5 million low-skilled, undereducated persons dependent on public assistance enter the work force.

The work opportunity tax credit was first enacted in 1996, to provide employers with financial resources to recruit, hire, and retain individuals who have significant problems finding and keeping a job. The welfare-to-work tax credit, serving a similar purpose, was enacted the next year. Traditionally, employers had been reluctant to hire people coming off the welfare rolls, both because they tended to have less education and experience than other job candidates, and because they tended to have less education and experience than other job candidates, and because welfare dependence was seen as fostering a poor self-image and work habits. These tax credits, however, have demonstrated that employers can be enticed to overcome their resistance to hiring less skilled, economically dependent individuals. No other incentive or training program has been nearly as successful as these tax credits in encouraging employers to change their hiring practices.

Over the past five years, government and employers have developed a partnership that has led to significant changes in hiring practices. Many employers have established outreach and recruitment programs to identify and target individuals whom employers could hire under these tax credit programs. States have made the tax credit programs more employer-friendly by continual improvements in the way the programs are administered. Still, we repeatedly hear both from employers and State job service agencies administering the programs that continued uncertainty about the programs' future impedes expanded participation and improvements in program administration. Making the work opportunity and welfare-to-work tax credits permanent would induce employers to expand their recruitment efforts and encourage States to commit more time and effort to further improve the programs. This, in turn, would mean that more individuals would be helped to make the jump from welfare dependency to work. Because these programs have proven so successful over the past five years, I believe they should be made permanent and am today introducing a bill to achieve this end.

In addition to making these two tax provisions permanent, my bill will address an oversight. Currently, the work opportunity tax credit gives employers an incentive to hire individuals on food stamps between ages 18 and 24. No sound policy reason exists for not extending the tax credit's eligibility criteria to people on food stamps over age 25. Lifting the work opportunity tax credit food stamp age ceiling would mean that many more fathers of children on welfare could be hired under the credit. These individuals often face significant barriers to finding work. Increasing the age ceiling for food stamp recipients is consistent with the tax credit's underlying objectives, as many food stamp households include adults who are not working. Moreover, over 90 percent of those on food stamps live below the poverty line. My bill will include among those eligible for the work opportunity tax credit persons in households receiving food stamps, as long as they are 50 years old or younger. I believe that this will have the effect of making the tax credit available with respect to fathers of children on welfare who aren't otherwise eligible.

I urge my colleagues to support and co-sponsor this bill.

By Mr. GRASSLEY (for himself and Mr. GRAHAM):

S. 627. A bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, I rise today to introduce the Long-Term Care and Retirement Security Act. This legislation, which I sponsored in the 106th Congress with my distinguished colleague from Florida, Senator BOB GRAHAM, would ease the tremendous cost of long-term care.

The bill that Senator GRAHAM and I are re-introducing today would allow individuals a tax deduction for the cost of long-term care insurance premiums. Increasingly, Americans are interested in private long-term care insurance to pay for nursing home stays, assisted living, home health aides, and other services. However, most people find the policies unaffordable. The younger the person, the lower the insurance premium, yet most people aren't ready to buy a policy until retirement. A deduction would encourage more people to buy long-term care insurance.

Our proposal also would give individuals or their care givers a $3,000 tax credit to help cover their long-term care expenses. This would apply to those who have been certified by a doctor as needing help with at least three activities of daily living, such as needing help with at least three activities of daily living, such as eating, bathing or dressing. This credit would help care givers pay for medical supplies, nursing care and any other expenses of caring for family members with disabilities.

The Van Zee family of Otley, Iowa, typifies many families who would benefit from his legislation. Renee Van Zee at 55 years old has early onset Alzheimer's disease. Three years after her diagnosis, she can't feed, bathe or dress herself. Her daughter, Leanna, and her husband, Albert, are pulling out all the stops to keep Mrs. Van Zee out of a nursing home. They care for her full-time. They've found some services through Medicaid and Medicare and received a donated hospital bed. Even so, caring for Mrs. Van Zee is difficult. She can't be left alone at any time. The family's network of services is piecemeal, like that of many families in similar straits. Those services could change with any change in their circumstances. The family bears considerable out-of-pocket expenses for Mrs. Van Zee's nutritional supplements. The supplements cost $4.96 for a four-pack of cans. Mrs. Van Zee consumes two or three cans a day. It's obvious how this situation affects a family's finances. Working adults quit their jobs to care for a loved one, and take on a host of new expenses at the same time.

The Long-Term Care and Retirement Security Act would help the 22 million family caregivers like the Van Zees. A $3,000 tax credit would help to pay for Mrs. Van Zee's nutritional supplements or hire an extra nurse. The legislation also would help families like the Van Zees buy long-term care insurance. Someone like Mrs. Van Zee could have bought herself insurance years ago, had it been an affordable option for her.

As it did last year, the bill that Senator GRAHAM and I are introducing today has been endorsed by both the AARP and the Health Insurance Association of America. A companion bill sponsored by Representatives NANCY JOHNSON, KAREN THURMAN, and EARL POMEROY is pending in the House of Representatives.

An aging nation has no time to waste in preparing for long-term care, and the need to help people afford long-term care is more pressing than ever. I look forward to working with Senator GRAHAM and our colleagues in the Senate to get our bill passed into law as soon as possible.

By Mr. BURNS (for himself, Mr. WYDEN, Mr. LIEBERMAN, Ms. LANDRIEU, Mr. TORRICELLI, Mr. BREAUX, and Mr. MURKOWSKI):

S. 630. A bill to prohibit senders of unsolicited commercial electronic mail from disguising the source of their messages, to give consumers the choice to cease receiving a sender's unsolicited commercial electronic mail messages, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. BURNS. 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. 630

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Controlling the Assault of Non-Solicited Pornography

and Marketing Act of 2001'', or the ''CAN SPAM Act of 2001''.

SEC. 2. CONGRESSIONAL FINDINGS AND POLICY.

(a) FINDINGS.—The Congress finds the following:

(1) There is a right of free speech on the Internet.

(2) The Internet has increasingly become a critical mode of global communication and now presents unprecedented opportunities for the development and growth of global commerce and an integrated worldwide economy. In order for global commerce on the Internet to reach its full potential, individuals and entities, using the Internet and other online services should be prevented from engaging in activities that prevent other users and Internet service providers from having a reasonably predictable, efficient, and economical online experience.

(3) Unsolicited commercial electronic mail can be a mechanism through which businesses advertise and attract customers in the online environment.

(4) The receipt of unsolicited commercial electronic mail may result in costs to recipients who cannot refuse to accept such mail and who incur costs for the storage of such mail, or for the time spent accessing, reviewing, and discarding such mail, or for both.

(5) Unsolicited commercial electronic mail may impose significant monetary costs on providers of Internet access services, businesses, and educational and nonprofit institutions that carry and receive such mail, as there is a finite volume of mail that such providers, businesses, and institutions can handle without further investment. The sending of such mail is increasingly and negatively affecting the quality of service provided to customers of Internet access service, and shifting costs from the sender of the advertisement to the provider of Internet access service and the recipient.

(6) While some senders of unsolicited commercial electronic mail messages provide simple and reliable way for recipients to reject (or ''opt-out'' of) receipt of unsolicited commercial electronic mail from such senders in the future, other senders provide no such ''opt-out'' mechanism, or refuse to honor the requests of recipients not to receive electronic mail from such senders in the future, or both.

(7) An increasing number of senders of unsolicited commercial electronic mail purposefully disguise the source of such mail so as to prevent recipients from responding to such mail quickly and easily.

(8) An increasing number of senders of unsolicited commercial electronic mail purposefully include misleading information in the message's subject lines in order to induce the recipients to view the messages.

(9) Because recipients of unsolicited commercial electronic mail are unable to avoid the receipt of such mail through reasonable means, such mail may invade the privacy of recipients.

(10) The practice of sending unsolicited commercial electronic mail is sufficiently profitable that senders of such mail will not be unduly burdened by the costs associated with providing an ''opt-out'' mechanism to recipients and ensuring that recipients who exercise such opt-out do not receive further messages from that sender.

(11) In legislating against certain abuses on the Internet, Congress should be very careful to avoid infringing in any way upon constitutionally protected rights, including the rights of assemble, free speech, and privacy.

(b) CONGRESSIONAL DETERMINATION OF PUBLIC POLICY.—On the basis of the findings in subsection (a), the Congress determines that—

(1) there is substantial government interest in regulation of unsolicited commercial electronic mail;

(2) senders of unsolicited commercial electronic mail should not mislead recipients as to the source or content of such mail; and

(3) recipients of unsolicited commercial electronic mail have a right to decline to receive additional unsolicited commercial electronic mail from the same source.

SEC. 3. DEFINITIONS.

In this Act:

(1) AFFIRMATIVE CONSENT.—The term ''affirmative consent'', when used with respect to a commercial electronic mail message, means—

(A) the message falls within the scope of an express and unambiguous invitation or permission granted by the recipient and not subsequently revoked;

(B) the recipient had clear and conspicuous notice, at the time such invitation or permission was granted, of—

(i) the fact that the recipient was granting the invitation or permission;

(ii) the scope of the invitation or permission, including what types of commercial electronic mail messages would be covered by the invitation or permission and what senders or types of senders, if any, other than the party to whom the invitation or permission was communicated would be covered by the invitation or permission; and

(iii) a reasonable and effective mechanism for revoking the invitation or permission; and

(C) the recipient has not, after granting the invitation or permission, submitted a request under section 5(a)(3) not to receive unsolicited commercial electronic mail messages from the sender of the message.

(2) COMMERCIAL ELECTRONIC MAIL MESSAGE.—The term ''commercial electronic mail message'' means any electronic mail message the primary purpose of which is to advertise or promote, for a commercial purpose, a commercial product or service (including content on an Internet website). An electronic mail message shall not be considered to be a commercial electronic mail message solely because such message includes a reference to a commercial entity that serves to identify the sender or a reference or link to an Internet website operated for a commercial purpose.

(3) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(4) DOMAIN NAME.—The term ''domain name'' means any alphanumeric designation which is registered with or assigned by any domain name registrar, domain name registry, or other domain name registration authority as part of an electronic address on the Internet.

(5) ELECTRONIC MAIL ADDRESS.—

(A) IN GENERAL.—The term ''electronic mail address'' means a destination (commonly expressed as a string of characters) to which electronic mail can be sent or delivered.

(B) INCLUSION.—In the case of the Internet, the term ''electronic mail address'' may include an electronic mail address consisting of a user name or mailbox (commonly referred to as the ''local part'') and a reference to an Internet domain (commonly referred to as the ''domain part'').

(6) FTC ACT.—The term ''FTC Act'' means the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(7) FUNCTIONING RETURN ELECTRONIC MAIL ADDRESS.—

(A) The term ''functioning return electronic mail address'' means a legitimately obtained electronic mail address, clearly and conspicuously displayed in a commercial electronic mail message, that—

(i) remains capable of receiving messages for no less than 30 days after the transmission of such commercial electronic mail message; and

(ii) that has capacity reasonably calculated, in light of the number of recipients of the commercial electronic mail message, to enable it to receive the full expected quantity of reply messages from such recipients.

(B) An electronic mail address that meets the requirements of subparagraph (A) shall not be excluded from this definition because of a temporary inability to receive electronic mail message due to technical problems, provided steps are taken to correct such technical problems within a reasonable time period.

(8) HEADER INFORMATION.—The term ''header information'' means the source, destination, and routing information attached to the beginning of an electronic mail message, including the originating domain name and originating electronic mail address.

(9) IMPLIED CONSENT.—The term ''implied consent'', when used with respect to a commercial electronic mail message, means—

(A) within the 5-year period ending upon receipt of such message, there has been a business transaction between the sender and the recipient (including a transaction involving the provision, free of charge, of information, goods, or services requested by the recipient); and

(B) the recipient was, at the time of such transaction or thereafter, provided a clear and conspicuous notice of an opportunity not to receive unsolicited commercial electronic mail messages from the sender and has not exercised such opportunity.

(10) INITIATE.—The term ''initiate'', when used with respect to a commercial electronic mail message, means to originate such message, to procure the origination of such message, or to assist in the origination of such message through the provision or selection of addresses to which such message will be sent, but shall not include actions that constitute routine conveyance of such message. For purposes of this Act, more than 1 person may be considered to have initiated the same message.

(11) INTERNET.—The term ''Internet'' has the meaning given that term in the Internet Tax Freedom Act (Pub. L. 105–277, Div. C, Title XI, §1101(e)(3)(c)).

(12) INTERNET ACCESS SERVICE.—The term ''Internet access service'' has the meaning given that term in section 231(e)(4) of the Communications Act of 1934 (47 U.S.C. 231(e)(4)).

(13) PROTECTED COMPUTER.—The term ''protected computer'' has the meaning given that term in section 1030(e)(2) of title 18, United States Code.

(14) RECIPIENT.—The term ''recipient'', when used with respect to a commercial electronic mail message, means the addressees of such message. If an address of a commercial electronic mail message has 1 or more electronic mail addresses in addition to the address to which the message was addressed, the addressees shall be treated as a separate recipient with respect to each such address.

(15) ROUTINE CONVEYANCE.—The term ''routine conveyance'' means the transmission, routing, relaying, handling, or storing, through an automatic technical process, of an electronic mail message for which another person has provided and selected the recipient addresses.

(16) SENDER.—The term ''sender'', when used with respect to a commercial electronic mail message, means a person who initiates such a message and whose product, service, or Internet web site is advertised or promoted by the message, but does not include any person, including a provider of Internet access service, whose role with respect to the message is limited to routine conveyance of the message.

(17) UNSOLICITED COMMERCIAL ELECTRONIC MAIL MESSAGE.—

(A) IN GENERAL.—The term ''unsolicited commercial electronic mail message'' means any commercial electronic mail message that is sent to a recipient—

(i) without prior affirmative consent or implied consent from the recipient; or

(ii) to a recipient who, subsequent to the establishment of affirmative or implied consent under subparagraph (i), has expressed, in a reply submitted pursuant to section 5(a)(3), or in response to any other opportunity the sender may have provided to the recipient, a desire not to receive commercial electronic mail messages from the sender.

(B) EXCLUSION.—Notwithstanding subparagraph (A), the term ''unsolicited commercial electronic mail message'' does not include an electronic mail message sent by or on behalf of one or more lawful owners of copyright, patent, publicity, or trademark rights to an unauthorized user of protected material notifying such user that the use is unauthorized and requesting that the use be terminated or that permission for such use be obtained from the rights holder or holders.

SEC. 4. CRIMINAL PENALTY FOR UNSOLICITED COMMERCIAL ELECTRONIC MAIL CONTAINING FRAUDULENT ROUTING INFORMATION.

(a) IN GENERAL.—Chapter 63 of title 18, United States Code, is amended by adding at the end the following:

''§ 1348. Unsolicited commercial electronic mail containing fraudulent transmission information

''(a) IN GENERAL.—Any person who intentionally initiates the transmission of any unsolicited commercial electronic mail message to a protected computer in the United States with knowledge that such message contains or is accompanied by header information that is materially or intentionally false or misleading shall be fined or imprisoned for not more than 1 year, or both, under this title.

''(b) DEFINITIONS.—Any term used in subsection (a) that is defined in section 3 of the Unsolicited Commercial Electronic Mail Act of 2001 has the meaning giving it in that section.''.

(b) CONFORMING AMENDMENT.—The chapter analysis for chapter 63 of title 18, United States Code, is amended by adding at the end the following:

''1348. Unsolicited commercial electronic mail containing fraudulent routing information''.

SEC. 5. OTHER PROTECTIONS AGAINST UNSOLICITED COMMERCIAL ELECTRONIC MAIL.

(a) REQUIREMENTS FOR TRANSMISSION OF MESSAGES.—

(1) PROHIBITION OF FALSE OR MISLEADING TRANSMISSION INFORMATION.—It shall be unlawful for any person to initiate the transmission, to a protected computer, of a commercial electronic mail message that contains, or is accompanied by, header information that is materially or intentionally false or misleading, or not legitimately obtained.

(2) PROHIBITION OF DECEPTIVE SUBJECT HEADINGS.—It shall be unlawful for any person to initiate the transmission, to a protected computer, of a commercial electronic mail message with a subject heading that such person knows is likely to mislead the recipient about a material fact regarding the contents or subject matter of the message.

(3) INCLUSION OF RETURN ADDRESS IN COMMERCIAL ELECTRONIC MAIL.—It shall be unlawful for any person to initiate the transmission of a commercial electronic mail message to a protected computer unless such message contains a functioning return electronic mail address to which a recipient may send a reply to the sender to indicate a desire not to receive further messages from that sender at the electronic mail address at which the message was received.

(4) PROHIBTIION OF TRANSMISSION OF UNSOLICITED COMMERCIAL ELECTRONIC MAIL AFTER OBJECTION.—If a recipient makes a request to a sender, through an electronic mail message sent to an electronic mail address provided by the sender pursuant to paragraph (3), not to receive further electronic mail messages from that sender, it shall be unlawful for the sender, or any person acting on behalf of the sender, to initiate the transmission of an unsolicited commercial electronic mail message to such a recipient within the United States more than 10 days after receipt of such request.

(5) INCLUSION OF IDENTIFIER, OPT-OUT, AND PHYSICAL ADDRESS IN UNSOLICITED COMMERCIAL ELECTRONIC MAIL.—It shall be unlawful for any person to initiate the transmission of any unsolicited commercial electronic mail message to a protected computer unless the message provides, in a manner that is clear and conspicuous to the recipient—

(A) identification that the message is an advertisement or solicitation;

(B) notice of the opportunity under paragraph (3) to decline to receive further unsolicited commercial electronic mail messages from the sender; and

(C) a valid physical postal address of the sender.

(b) NO EFFECT ON POLICIES OF PROVIDERS OF INTERNET ACCESS SERVICE.—Nothing in this Act shall be construed to have any effect on the lawfulness or unlawfulness, under any other provision of law, of the adoption, implementation, or enforcement by a provider of Internet access service of a policy of declining to transmit, route, relay, handle, or store certain types of electronic mail messages.

SEC. 6. ENFORCEMENT.

(a) ENFORCEMENT BY COMMISSION.—

(1) IN GENERAL.—Section 5 of this Act shall be enforced by the Commission under the FTC Act. For purposes of such Commission enforcement, a violation of section 5 of this Act shall be treated as a violation of a rule under section 18 (15 U.S.C. 57a) of the FTC Act regarding unfair or deceptive acts or practices.

(2) SCOPE OF COMMISSION ENFORCEMENT AUTHORITY.—

(A) The Commission shall prevent any person from violating section 5 of this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the FTC Act were incorporated into and made a part of this section. Any person who violates section 5 of this Act shall be subject to the penalties and entitled the privileges and immunities provided in the FTC Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the FTC Act were incorporated into and made a part of this section.

(B) Nothing in this Act shall be construed to give the Commission authority over activities that are otherwise outside the jurisdiction of the FTC Act.

(b) ENFORCEMENT BY CERTAIN OTHER AGENCIES.—

(1) IN GENERAL.—Compliance with section 5 of this Act shall be enforced under—

(A) section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818), in the case of—

(i) national banks, and Federal branches and Federal agencies of foreign banks, by the Office of the Comptroller of the Currency;

(ii) member banks of the Federal Reserve System (other than national banks), branches and agencies of foreign banks (other than Federal branches, Federal agencies, and insured State branches of foreign banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act (12 U.S.C. 601 et seq. and 611 et seq.), by the Federal Reserve Board; and

(iii) banks insured by the Federal Deposit Insurance Corporation (other than members of the Federal Reserve System) and insured State branches of foreign banks, by the Board of Directors of the Federal Deposit Insurance Corporation;

(B) section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818), by the Director of the Office of Thrift Supervision, in the case of a savings association the deposits of which are insured by the Federal Deposit Insurance Corporation;

(C) the Federal Credit Union Act (12 U.S.C. 1751 et seq.) by the National Credit Union Administration Board with respect to any Federal credit union;

(D) part A of subtitle VII of title 49, United States Code, by the Secretary of Transportation with respect to any air carrier or foreign air carrier subject to that part;

(E) the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.) (except as provided in section 406 of that Act (7 U.S.C. 226, 227)), by the Secretary of Agriculture with respect to any activities subject to that Act;

(F) the Farm Credit Act of 1971 (12 U.S.C. 2001 et seq.) by the Farm Credit Administration with respect to any Federal land bank, Federal land bank association, Federal intermediate credit bank, or production credit association; and

(G) the Communications Act of 1934 (47 U.S.C. 151 et seq.) by the Federal Communications Commission with respect to any person subject to the provisions of that Act.

(2) EXERCISE OF CERTAIN POWERS.—For the purpose of the exercise by any agency referred to in paragraph (1) of its powers under any Act referred to in that paragraph, a violation of section 5 of this Act is deemed to be a violation of a requirement imposed under that Act. In addition to its powers under any provision of law specifically referred to in paragraph (1), each of the agencies referred to in that paragraph may exercise, for the purpose of enforcing compliance with any requirement imposed under section 5 of this Act, any other authority conferred on it by law.

(c) ENFORCEMENT BY STATES.—

(1) CIVIL ACTION.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by any person engaging in a practice that violates section 5 of this Act, the State, as parens patriae, may bring a civil action on behalf of the residents of the State in a district court of the United States of appropriate jurisdiction or in any other court of competent jurisdiction—

(A) to enjoin that practice, or

(B) to obtain damages on behalf of residents of the State, in an amount equal to the greater of—

(i) the actual monetary loss suffered by such residents; or

(ii) the amount determined under paragraph (2).

(2) STATUTORY DAMAGES.—For purposes of paragraph (1)(B)(ii), the amount determined under this paragraph is the smaller of—

(A) the amount determined by multiplying the number of willful, knowing, or negligent violations by an amount, in the discretion of the court, of up to $10 (with each separately addressed unlawful message received by such residents treated as a separate violation); or

(B) $500,000.

In determining the per-violation penalty under this paragraph, the court shall take

into account the degree of culpability, any history of prior such conduct, ability to pay, effect on ability to continue to do business, and such other matters as justice may require.

(3) TREBLE DAMAGES.—If the court finds that the defendant committed the violation willfully and knowingly, the court may increase the amount recoverable under paragraph (2) up to threefold.

(4) ATTORNEY FEES.—In the case of any successful action under subparagraph (1), the State shall be awarded the costs of the action and reasonable attorney fees as determined by the court.

(5) NOTICE.—

(A) PRE-FILING.—Before filing an action under paragraph (1), an attorney general shall provide to the Commission—

(i) written notice of that action; and

(ii) a copy of the complaint for that action.

(B) CONTEMPORANEOUS.—If an attorney general determines that it is not feasible to provide the notice required by subparagraph (A) before filing the action, the notice and a copy of the complaint shall be provided to the Commission when the action is filed.

(6) INTERVENTION.—If the Commission receives notice under paragraph (4), it—

(A) may intervene in the action that is the subject of the notice; and

(B) shall have the right—

(i) to be heard with respect to any matter that arises in that action; and

(ii) to file a petition for appeal.

(7) CONSTRUCTION.—For purposes of bringing any civil action under paragraph (1), nothing in this Act shall be construed to prevent an attorney general of a State from exercising the powers conferred on the attorney general by the laws of that State to—

(A) conduct investigations;

(B) administer oaths or affirmations; or

(C) compel the attendance of witnesses or the production of documentary and other evidence.

(8) VENUE; SERVICE OF PROCESS.—

(A) VENUE.—Any action brought under paragraph (1) may be brought in the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code.

(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) maintains a physical place of business.

(9) LIMITATION ON STATE ACTION WHILE FEDERAL ACTION IS PENDING.—If the Commission or other appropriate Federal agency under subsection (b) has instituted a civil action or an administrative action for violation of this Act, no State attorney general may bring an action under this subsection during the pendency of that action against any defendant named in the complaint of the Commission or the other agency for any violation of this Act alleged in the complaint.

(d) ACTION BY PROVIDER OF INTERNET ACCESS SERVICE.—

(1) ACTION AUTHORIZED.—A provider of Internet access service adversely affected by a violation of section 5 may bring a civil action in any district court of the United States with jurisdiction over the defendant, or in any other court of competent jurisdiction, to—

(A) enjoin further violation by the defendant; or

(B) recover damages in any amount equal to the greater of—

(i) actual monetary loss incurred by the provider of Internet access service as a result of such violation; or

(ii) the amount determined under paragraph (2).

(2) STATUTORY DAMAGES.—For purposes of paragraph (1)(B)(ii), the amount determined under this paragraph is the smaller of—

(A) the amount determined by multiplying the number of willful, knowing, or negligent violations by an amount, in the discretion of the court, of up to $10 (with each separately addressed unlawful message carried over the facilities of the provider of Internet access service treated as a separate violation); or

(B) $500,000.

In determining the per-violation penalty under this paragraph, the court shall take into account the degree of culpability, any history of prior such conduct, ability to pay, effect on ability to continue to do business, and such other matters as justice may require.

(3) TREBLE DAMAGES.—If the court finds that the defendant committed the violation willfully and knowingly, the court may increase the amount recoverable under paragraph (2) up to threefold.

(4) ATTORNEY FEES.—In any action brought pursuant to paragraph (1), the court may, in its discretion, require an undertaking for the payment of the costs of such action, and assess reasonable costs, including reasonable attorneys' fees, against any party.

(5) EVIDENTIARY PRESUMPTION.—For purposes of an action alleging a violation of section 5(a)(4) or 5(a)(5), a showing that a recipient has submitted a complaint about a commercial electronic mail message to an electronic mail address maintained and publicized by the provider of Internet access service for the purpose of receiving complaints about unsolicited commercial electronic mail messages shall create a rebuttable presumption that the message in question was unsolicited within the meaning of this Act.

(e) AFFIRMATIVE DEFENSE.—A person shall not be liable for damages under subsection (c)(2) or (d)(2) if—

(1) such person has established and implemented, with due care, reasonable practices and procedures to effectively prevent violations of section 5; and

(2) any violation occurred despite good faith efforts to maintain compliance with such practices and procedures.

SEC. 7. EFFECT ON OTHER LAWS.

(a) FEDERAL LAW.—Nothing in this Act shall be construed to impair the enforcement of section 223 or 231 of the Communications Act of 1934, chapter 71 (relating to obscenity) or 110 (relating to sexual exploitation of children) of title 18, United States Code, or any other Federal criminal statute.

(b) STATE LAW.—No State or local government may impose any civil liability for commercial activities or actions in interstate or foreign commerce in connection with an activity or action described in section 5 of this Act that is inconsistent with or more restrictive than the treatment of such activities or actions under this Act, except that this Act shall not preempt any civil action under—

(1) State trespass, contract, or tort law; or

(2) any provision of Federal, State, or local criminal law or any civil remedy available under such law that relates to acts of computer fraud perpetrated by means of the unauthorized transmission of unsolicited commercial electronic mail messages, provided that the mere sending of unsolicited commercial electronic mail in a manner that complies with this Act shall not constitute an act of computer fraud for purposes of this subparagraph.

SEC. 8. STUDY OF EFFECTS OF UNSOLICITED COMMERCIAL ELECTRONIC MAIL.

Not later than 18 months after the date of the enactment of this Act, the Commission, in consultation with the Department of Justice and other appropriate agencies, shall submit a report to the Congress that provides a detailed analysis of the effectiveness and enforcement of the provisions of this Act and the need (if any) for the Congress to modify such provisions.

SEC. 9. SEPARABILITY.

If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected.

SEC. 10. EFFECTIVE DATE.

The provisions of this Act shall take effect 120 days after the date of the enactment of this Act.

Mr. WYDEN. Mr. President, Internet communications are increasingly important to Americans' daily lives and business. However, as the public's reliance on online and Internet services continues to grow, so do the burdens and frustrations stemming from unwanted junk e-mail.

This type of e-mail is commonly known as ''spam,'' and it isn't hard to see why. Getting spam e-mail in your in-box is a lot like getting its namesake lunchmeat in your lunchbox: You didn't order it, and you really can't tell where the stuff comes from.

Until now, you also have been virtually powerless to stop it. The recipient has no opportunity to refuse to accept the message, and thus is forced to take the time and bear the costs of storing, accessing, reviewing, and deleting such unwanted e-mail. In short, spammers have all the power. A spammer can send a recipient whatever messages it wants, and the recipient has no choice but to deal with them.

Technology is on the side of the spammer. E-mail technology enables spammers to send huge quantities of messages quickly and cheaply. With the stroke of a key, a spammer can let fly a torrent of tens or hundreds of thousands of identical e-mails at minimal cost. Such bulk spam can clog up the network, impairing Internet service for everyone. For example, back in December, an influx of millions of junk e-mails slowed Verizon's network to a crawl, causing delays of several hours for customers trying to send and receive messages.

Spam affects Internet companies as well as end users. Internet service providers are the ones who have to deal directly with the traffic jams caused when bulk spam floods their networks. And when consumers become frustrated by the receipt of spam, the first place they turn to complain will be the Internet companies from whom they purchase service. Left unchecked, spam could have a significant impact on how consumers perceive and use Internet services and e-commerce.

Because of this, Internet service providers have often played a major role in trying to shield their customers from spam. But the bottom line is that existing laws do not provide the tools to deal with the mounting problem of junk e-mail.

That is why I am teaming up again today with my good friend Senator BURNS to introduce the ''Controlling the Assault of Non-Solicited Pornography And Marketing Act,'' the CAN

SPAM Act, for short. This bipartisan legislation says that if you want to send unsolicited marketing e-mail, you've got to play by a set of rules, rules that allow consumers to see where the messages are coming from, and to tell the sender stop. The basic goal is simple: give the consumer more control.

Specifically, our bill would require a sender of any marketing e-mail to include a working return address, so that the recipient can send a reply e-mail demanding not to receive any further messages. A spammer would be prohibited from sending further messages to a consumer that has told it to stop.

The bill also would prohibit spammers from using falsified or deceptive headers or subject lines, so that consumers will be able to tell where their marketing e-mails are coming from.

The bill includes strong enforcement provisions to ensure compliance. Spammers that intentionally disguise their identities would be subject to misdemeanor criminal penalties. The Federal Trade Commission would have authority to impose civil fines. State attorneys general would be able to bring suit on behalf of the citizens of their states. And Internet service providers would be able to bring suit to keep unlawful spam off of their networks. In all cases, particularly high penalties would be available for true ''bad actors''—the shady, high-volume spammers who have no intention of behaving in a lawful and responsible manner.

Our goal here is not to discourage legitimate online communications with consumers. Senator BURNS and I have no intention of interfering with a company's ability to use e-mail to inform customers of warranty information, provide account holders with monthly account statements, and so forth. Rather, we want to go after those unscrupulous individuals who use e-mail to annoy and mislead. I believe this bill strikes that important balance.

Senator BURNS and I have worked with a number of different groups in shaping this legislation, and we believe we have made real progress in addressing some concerns that were raised about the spam bill we proposed last year. We feel that the version of the bill we introduce today is a workable, common-sense approach. I am pleased that Senators LIEBERMAN, LANDRIEU, TORRICELLI, BREAUX, and MURKOWSKI are cosponsoring this bill today, and I look forward to working with them and the rest of my Senate colleagues to see that the bill moves forward as quickly as possible.

By Mr. VOINOVICH:

S. 631. A bill to provide for pension reform, and for other purposes; to the Committee on Finance.

Mr. VOINOVICH. Mr. President, I rise today to introduce legislation that I believe will provide for the financial future of millions of Americans, help boost this nation's savings rate, and bolster long-term economic growth. My bill, the Comprehensive Retirement Security and Pension Reform Act, mirrors H.R. 10, legislation introduced earlier this year by my friend and fellow Ohioan, Representative ROB PORTMAN.

It is estimated that right now, an astounding 75 million American workers have no pension plan. In other words, roughly half of America's workers lack a key mechanism they will need in order to achieve a comfortable retirement. This situation is intolerable and must change.

In my view, we must do more to encourage more citizens to ensure their financial independence in their golden years. That's why I strongly believe we need to enact the Comprehensive Retirement Security and Pension Reform Act. The increased personal savings and investment that would result from expanding pensions would reinvigorate our savings ethic, which has been eroding over recent years. Something needs to be done quickly to encourage more Americans to save and plan for their retirement and I believe the legislation I am introducing today is an important step in the right direction.

Among the important things the bill I am introducing today does is raise the maximum annual contribution to an Individual Retirement Accounts, IRAs, from $2,000 per individual to $5,000. The contribution limits for, IRAs, has remained unchanged since 1981. Since sixty-nine percent of all IRA participants contribute the maximum, the $2,000 limit has been a barrier to encouraging Americans to save for their own retirement. If the original IRA contribution limit in 1975, of $1,500, been indexed for inflation, it would have reached $5,353 in the year 2000. Clearly, today's working men and women want to, and are ready to, invest more for their retirement if Congress would only let them. The time has come to raise the contribution limit.

In addition, the Comprehensive Retirement Security and Pension Reform Act includes provisions to encourage employers to offer pensions, increase participation by eligible employees, raise limits on benefits and contributions, improve asset portability, strengthen legal protections for plan participants, and reduce regulatory burdens on plan sponsors.

When the baby boomers start to retire in a few short years, this country will begin to experience a retirement tsunami unlike anything it has ever experienced. This 20-year event will put great strain on the economy and the federal budget, especially on government programs that provide services to senior citizens. One of the best ways to help prepare for this is to encourage private saving. The Comprehensive Retirement Security and Pension Reform Act is an important step in this direction and I urge my colleagues to join in co-sponsoring this legislation.

By Mr. NELSON of Florida:

S. 632. A bill to reinstate a final rule promulgated by the Administrator of the Environmental Protection Agency, and for other purposes; to the Committee on Environment and Public Works.

Mr. NELSON of Florida. Mr. President, I rise today to express my grave concern about the Bush administration's latest decision to roll back measures designed to safeguard public health. Last Tuesday, the administration announced it would revoke the new, safer arsenic standard for drinking water and revert to the standard we have had in effect since 1942. The administration stated that the lower standard for drinking water should not go into effect because there was ''no consensus on a particular safe level'' of arsenic in drinking water. The administration also claims it would cost industry too much money to comply with the lower standard.

The old standard of 50 parts per billion was established almost 60 years ago—before research linked arsenic to some forms of cancer. A 1999 study by the National Academy of Sciences, a study mandated by Congress for drinking water, concluded that the current arsenic standard for drinking water could result in one additional case of cancer for every 100 people consuming such drinking water. Moreover, the study determined that long-term exposure to low concentrations of arsenic in drinking water can lead to skin, bladder, lung, and prostate cancer. Noncancer effects of ingesting arsenic at these levels can include cardiovascular disease, diabetes and anemia as well as reproductive, developmental, immunological, and neurological effects. In response, the Environmental Protection Agency adopted a rule that set a new standard of 10 parts per billion which the EPA deemed safe for drinking water.

This standard also has been adopted by the European Union and the World Health Organization.

Is cost a sufficient reason for reversal? No. That's because Congress consistently has made clear that it will help states and municipalities with the funds necessary to provide their citizens with safe drinking water.

Even the Governor of Florida recognizes the health risks of arsenic. Arsenic was discovered recently in the soil in playgrounds in Tarpan Springs, Miami and Crystal River. It leached into the soil from pressure-treated wood used for park boardwalks and other outdoor structures. Last week, Gov. Jeb Bush ordered the state's wood-treatment plant to stop using arsenic to treat wood. I commend him for that decision.

If arsenic in the soil is dangerous for children, it only stands to reason that the danger is even greater when it is found in drinking water. The Administration should join the State of Florida in recognizing the danger of arsenic and restore the 10 parts per billion

standard. In the meantime, I am introducing legislation to restore the federal rule containing the new, safer drinking-water standard. The American people deserve clean, safe drinking water. If the Administration won't act, Congress must.

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. 632

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Arsenic Reduction in Drinking Water Act of 2001''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) PUBLIC WATER SYSTEM.—The term ''public water system'' has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

(3) STATE.—The term ''State'' has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

SEC. 3. REINSTATEMENT OF FINAL RULE.

On and after the date of enactment of this Act, the final rule promulgated by the Administrator entitled ''Arsenic and Clarifications to Compliance and New Source Contaminants Monitoring'' (66 Fed. Reg. 6976 (January 22, 2001)), and the amendments to parts 9, 141, and 142 of title 40, Code of Federal Regulations, made by that rule, shall have full force and effect.

SEC. 4. ASSISTANCE FOR COMPLIANCE WITH ARSENIC STANDARD.

(a) IN GENERAL.—For each fiscal year for which funds are made available to carry out this section, the Administrator, using data obtained from the most recent available needs survey conducted by the Administrator under section 1452(h) of the Safe Drinking Water Act (42 U.S.C. 300j–12(h)), shall allocate the funds to States for use in carrying out treatment projects to comply with the final rule reinstated by section 3.

(b) RATIO.—The Administrator shall allocate funds to a State under subsection (a) in the ratio that—

(1) the financial need associated with treatment projects for compliance with the final rule reinstated by section 3 for public water systems in the State; bears to

(2) the total financial need associated with treatment projects for compliance with the final rule reinstated by section 3 for all public water systems in all States.

By Mrs. HUTCHISON (for herself and Mr. ROCKEFELLER):

S. 633. A bill to provide for the review and management of airport congestion, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mrs. HUTCHISON. Mr. President, I rise today, with my colleague Senator ROCKEFELLER, to introduce legislation that will bring real relief to the hundreds of millions of passengers that have been suffering through the dramatic increase in the number of flight delays and cancellations in our passenger aviation system.

I know that most of my colleagues are, by necessity, frequent fliers. So you know how bad it is out there and you have heard the statistics. More than twenty-five percent of the scheduled flights last year were delayed or canceled. The length of the average delay has also increased, despite the extra ''fudge time'' built into eighty-three percent of flights by the airlines to compensate for delays they know are going to occur.

Not coincidentally, the number of annual air travelers is also rising. Between 1995 and 1999, the number of air travelers increased nearly sixteen percent, from about 582 million to 674 million. The Federal Aviation Administration estimates that this number will increase to more than 1 billion by the end of this decade. To meet this increased demand, the number of scheduled flights has also increased.

However, there has not been a commensurate increase in the number of new aviation facilities. Only one major airport has opened in the last decade, in Denver, and only a handful of new runways and terminals have been completed to deal with the new demand. Unfortunately, the process for making capital improvements to existing airports is often painfully slow and easily derailed by well-organized groups who use every possible impediment to delay a new runway until it becomes impossibly expensive and difficult to build.

Unless we significantly expand the capacity of our aviation system, we will not be able to meet the growing demand for air travel. Air fares will skyrocket and delays will continue to spread across the system. The loss of American productivity, from millions of hours lost while sitting on an airport tarmac, will be incalculable.

Fixing the problem will call for more infrastructure and better air traffic control facilities. But we must meet the challenge now so these new runways and terminals can be ready before we have a real crisis on our hands.

Until now, most of the focus here in Congress has been on passenger service. The Commerce Committee recently reported a bill, which I cosponsored, to force airlines to live up to their promises to provide improved customer service, especially during delays and cancellations. Passenger service is critical, but the real cause of consumers' frustration is the explosive growth in the number and length of flight delays. This bill gets to the heart of that issue.

The bill instructs the Secretary to develop a procedure to ensure that the approval process for runways, terminals and airports is streamlined. Federal, state, regional and local reviews would take place simultaneously, not one after the other.

In no way would this mean that environmental laws would be ignored or broken. The bill does not limit the grounds on which a lawsuit may be filed. It simply provides the community with a reasonable time line to get an answer. If that answer is ''no,'' then the community is free to explore other transportation options.

The bill also addresses the unfortunate practice of the airlines to overschedule at peak hours. At many airports, these schedules are so densely packed that, even in perfect weather conditions throughout the country, there is no way the airlines could possibly meet them. The result is chronically late flights.

The legislation directs the Secretary to study the options to ease congestion at crowded airports. The legislation also grants the airlines a limited antitrust exemption, so that they may consult with one another, subject to the Secretary's approval, to re-schedule flights from the most congested hours to off-peak times.

We have all experienced flights that push away from the gate only to languish for hours on the tarmac waiting to take off. The current system logs these flights as on-time departures. This legislation would change the definition of ''on-time departure'' to mean that the flight is airborne within 20 minutes of its scheduled departure time.

Our national economic health depends upon the reliability of our aviation system. If we fail to act now, that reliability will be placed in serious jeopardy.

Mr. ROCKEFELLER. Mr. President, I join today with the chairwoman of the Aviation Subcommittee in introducing the Aviation Delay Prevention Act. The bill is intended to start a dialogue about some of the solutions for reducing congestion, specifically ways to expedite airport construction, and provide a mechanism for air carriers to talk about changing flight schedules to reduce delays. This is a tough issue with no easy, simple solutions. Senator HUTCHISON and I know this. I also know that this specific piece of legislation is intended to provide a framework for a debate on how to provide a better air transportation system for travelers. We must, though, continue our efforts to work through every issue in our efforts to enable the FAA, airports and air carriers to provide a more efficient air transportation system.

Senator HUTCHISON and I want to provide our colleagues with constructive and feasible legislative provisions that are well thought out and considered. We will hold a hearing on this bill on Thursday, eliciting testimony from the Department of Transportation, DOT, the Federal Aviation Administration, FAA, airports and airlines, as well as general aviation.

We do know we are facing an aviation system that today is overcrowded and cannot keep up with demand. Tomorrow's demand forecasts are also daunting, with an increase in passenger traffic from about 670 million passengers to more than a billion. As we review the problems of our aviation system, I am constantly thinking and envisioning a system with twice the number of planes, and twice the number of people traveling within the next 10 years. Today, right now, we have airports that cannot accommodate all of

the planes. We have terminals that need to be expanded, and runways that must be built. One thing all of us know is that without adequate runways and terminals, no one is well served.

We see it first hand as we fly around the country, as our planes are delayed, as we talk with constituents at home and here in Washington, that our aviation system is running on empty. Last year, we had to fight and claw our way to getting bills that finally provides sufficient money for the FAA to be able to build new runways and buy new equipment. We must be vigorous in ensuring that the Administration does not make cuts to these key programs, as was initially proposed by the Bush Administration. Knowing that it takes years to build a runway and years to develop new air traffic control systems, we cannot shortchange the system.

Last year, as part of the Wendell H. Ford Aviation Investment and Reform Act, FAIR–21, P.L. 106–181, we set out a road map for a more businesslike Federal Aviation Administration, FAA, creating a corporate-type Board with people from non-aviation related businesses to oversee air traffic control. We created a Chief Operating Officer, COO, to run air traffic, with specific authority to focus on operations, the budget and establishing a goal-oriented ATC. In addition, we made sure that the money was provided to buy new ATC equipment to expand ATC capacity.

With respect to airports, we authorized significant increases in Airport Improvement Program monies, increases of $1.25, $1.35 and $1.45 billion over 1999 funds, $1.95 billion. We also gave airports the ability to increase their passenger facility fees from $3 to $4.50 per person. The money is there to build and expand capacity. But, nothing happens overnight and we all know it.

With the reforms of the FAA and the funding, we are on a path to change. Yet, even with that path, we are not able to keep up with demand, particularly in the short term. Secretary Mineta has already stated he wants to use the reforms of FAIR–21, and not get bogged down in an age-old debate over FAA privatization/corporatization. The Air Transport Association, ATA, has echoed this sentiment. Nonetheless, we must look at ways particularly in the near term, to provide relief to travelers, and in the longer term figure out better ways to build runways, while being cognizant of the need to be environmentally conscious.

Right now we have runway construction underway at Denver, Detroit-Metro, Minneapolis-St. Paul, Houston, and Orlando. Miami is set to begin construction within the next month or two as is St. Louis. Charlotte is awaiting the United-US Airways merger decision before it begins construction since the carriers will help finance the project. At other airports, runway planning is ongoing. Chip Barclay, the President of the American Association of Airport Executives, in testimony before a House Committee recently noted that if we could build 50 more miles of additional runways we could solve our airport capacity problem. Fifty miles. Each of us wants them built more quickly, but changes in the laws may not expedite the current construction. Yet, we can ensure, as this bill does, that the FAA and other Federal, State and local agencies do a better job of coordinating the various environmental and planning reviews necessary before a runway is built. It is a starting point for the discussion, but by no means an end point. We want to expedite construction, without intruding upon the necessary environmental reviews.

AAAE has put out a proposal to expedite runway construction, and we will carefully evaluate it too. I have been developing my own legislation which will build upon the bill we introduced today and want to work with Senator HUTCHISON and other members on that bill. I have learned that this is a complicated problem, with no easy, or quick, solutions. As the legislation we introduce today is considered by the Committee, changes will be made to reflect many concerns and issues. Senator HUTCHISON and I want to work with the entire aviation community in addressing and solving this issue.

By Ms. COLLINS:

S. 634. A bill to amend section 2007 of the Social Security Act to provide grant funding for additional Enterprise Communities, and for other purposes; to the Committee on Finance.

Ms. COLLINS. Mr. President, in 1993, Congress created the Community Empowerment Program to provide communities with real opportunities for growth and revitalization. The program challenged local jurisdictions to develop strategic plans for the future and rewarded the communities that have developed the best plans with a ten-year designation as an Empowerment Zone or Enterprise Community. Once a designation is awarded, communities receive Federal support to assist local efforts to promote economic opportunity and implement strategies designed to help communities obtain their development goals. When it authorized the program, Congress also provided, in one appropriation, the funding necessary to support the communities for the full life of the ten-year designations.

In response to the initial success of the Community Empowerment Program, Congress authorized a second round of the Enterprise Community designations in 1998, creating an additional 20 Enterprise Communities. These designations were awarded to deserving communities shortly thereafter by the Department of Agriculture.

When Congress authorized a second round of Enterprise Communities, it only appropriated funding for the program in Fiscal Year 1999. Consequently, communities have had to rely on funding added in conference to the VA–HUD appropriations bill in each of the subsequent fiscal years.

This last minute approach to funding these communities is not at all conducive to the strategic planning that the Community Empowerment Program is supposed to encourage. We cannot expect local leaders to effectively implement their plans if the Federal support they have been promised is still in question. I believe it is time for Congress to demonstrate its support for the Round II Enterprise Communities by setting aside, as it did in Round I, the funding necessary to sustain this important program.

Today, I am introducing legislation that would ensure that Congress keeps its commitment to the Round II Enterprise Communities by authorizing a one time appropriation to the States through the Social Service Block Grant program to support the remaining years of the designations. My bill, the Enterprise Communities Enhancement Act of 2001, also authorizes the States to make annual grants for each of the seven remaining years of the program of $500,000 for each of the 20 Round II Enterprise Communities. By guaranteeing funding, Congress would demonstrate its support for the work being done by these communities and provide local leaders with the assurance that Federal dollars will be available as they make their plans for the future.

The Enterprise Communities Enhancement Act will also allow for more local control over how the annual funding is used. My bill allows communities to use funds to capitalize local revolving loan accounts should community leaders deem such accounts as an important part of their economic development efforts.

I have long been a strong supporter of Empower Lewiston—the local effort that secured and is implementing the Enterprise Community designation for the city of Lewiston, Maine. Thousands of local people and dozens of organizations worked together for a year to develop a strategic plan for the city as a whole and those neighborhoods most affected by poverty. The plan includes proposals to enhance lifelong learning and employment opportunities, improve the community's housing, and revitalize the city's downtown.

Empower Lewiston has been able to leverage its funding by more than 50 to 1, generating more than $11 million in public and private investment in the community. Included among the projects that have been funded are investments in a local employment firm that created 60 new jobs and in the Seeds of Change program that enhances outreach among community residents. Looking ahead, Empower Lewiston will be developing a community resource center, working to develop safe and affordable housing, and expanding education programs that target the needs of local residents.

Empower Lewiston provides a wonderful example of what the new Enterprise Communities are able to accomplish. By passing the Enterprise Communities Enhancement Act, Congress

can ensure that communities such as Lewiston will have the resources they need to complete their missions and create a brighter future.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 29—CONGRATULATING THE CITY OF DETROIT AND ITS RESIDENTS ON THE OCCASION OF THE TERCENTENNIAL OF ITS FOUNDING

Mr. LEVIN (for himself and Ms. STABENOW) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 29

Whereas Detroit is the 10th most populous city in the United States and the most populous city in Michigan;

Whereas Detroit is the oldest major city in the Midwest, and 2001 is the 300th anniversary of Detroit's founding;

Whereas Detroit began as a French community on the Detroit River when Antoine de la Mothe Cadillac founded a strategic garrison and fur trading post on the site in 1701;

Whereas Detroit was named Fort Pontchartrain de' Etroit (meaning ''strait'') at the time of its founding and became known as Detroit because of its position along the Detroit River;

Whereas the Detroit region served as a strategic staging area during the French and Indian War, became a British possession in 1760, and was transferred to the British by the peace treaty of 1763;

Whereas the Ottawa Native American Chieftain Pontiac attempted a historic but unsuccessful campaign to wrest control of the garrison at Detroit from British hands in 1763;

Whereas in the nineteenth century, Detroit was a vocal center of antislavery advocacy and, for more than 40,000 individuals seeking freedom in Canada, an important stop on the Underground Railroad;

Whereas Detroit entrepreneurs, including Henry Ford, perfected the process of mass production and made automobiles affordable for people from all walks of life;

Whereas Detroit is the automotive capital of the Nation and an international leader in automobile manufacturing and trade;

Whereas the contributions of Detroit residents to civilian and military production have astounded the Nation, contributed to United States victory in World War II, and resulted in Detroit being called the Arsenal of Democracy;

Whereas residents of Detroit played a central role in the development of the organized labor movement and contributed to protections for workers' rights;

Whereas Detroit is home to the United Auto Workers Union and many other building and service trades and industrial unions;

Whereas Detroit has a rich sports tradition and has produced many sports legends, including: Ty Cobb, Al Kaline, Willie Horton, Hank Greenberg, Mickey Cochrane, and Sparky Anderson of the Detroit Tigers; Dick ''Night Train'' Lane, Joe Schmidt, Billy Sims, Dutch Clark, and Barry Sanders of the Detroit Lions; Dave Bing, Bob Lanier, Isaiah Thomas, and Joe Dumars of the Detroit Pistons; Gordie Howe, Terry Sawchuk, Ted Lindsay, and Steve Yzerman of the Detroit Red Wings; boxing greats Joe Louis, Sugar Ray Robinson, and Thomas Hearns; and Olympic speed skaters Jeanne Omelenchuk and Sheila Young-Ochowicz;

Whereas the cultural attractions in Detroit include the Detroit Institute of Arts, the Charles H. Wright Museum of African-American History (the largest museum devoted exclusively to African-American art and culture), the Detroit Historical Museum, the Detroit Symphony, the Michigan Opera Theater, the Detroit Science Center, and the Dossin Great Lakes Museum;

Whereas several centers of educational excellence are located in Detroit, including Wayne State University, the University of Detroit Mercy, Marygrove College, Sacred Heart Seminary College, the Center for Creative Studies—College of Art and Design, and the Lewis College of Business (the only institution in Michigan designated as a ''Historically Black College'');

Whereas residents of Detroit played an integral role in developing the distinctly American sounds of jazz, rhythm and blues, rock 'n roll, and techno; and

Whereas Detroit has been the home of Berry Gordy, Jr., who created the musical genre that has been called the Motown Sound, and many great musical artists, including Aretha Franklin, Anita Baker, and the Winans family: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring),

SECTION. 1. CONGRATULATING DETROIT AND ITS RESIDENTS.

The Congress, on the occasion of the tricentennial of the founding of the city of Detroit, salutes Detroit and its residents, and congratulates them for their important contributions to the economic, social, and cultural development of the United States.

SEC. 2. TRANSMITTAL.

The Secretary of the Senate shall transmit copies of this resolution to the Mayor of Detroit and the City Council of Detroit.

AMENDMENTS SUBMITTED AND PROPOSED

SA 148. Mr. KERRY (for himself, Mr. BIDEN, Mr. WELLSTONE, Ms. CANTWELL, and Mr. DODD) proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

SA 149. Mr. THOMPSON (for himself, Mr. TORRICELLI, and Mr. NICKLES) proposed an amendment to the bill S. 27, supra.

SA 150. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 27, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 148. Mr. KERRY (for himself, Mr. BIDEN, Mr. WELLSTONE, Ms. CANTWELL, and Mr. DODD) proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; as follows:

On page 37, between lines 14 and 15, insert the following:

SEC. 305. VOLUNTARY SPENDING LIMITS AND PUBLIC FINANCING FOR SENATE CANDIDATES.

(a) IN GENERAL.—The Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following:

"TITLE V—VOLUNTARY SPENDING LIMITS AND PUBLIC FINANCING OF SENATE ELECTION CAMPAIGNS

"SEC. 501. DEFINITIONS.

''(a) ELIGIBLE SENATE CANDIDATE.—The term 'eligible Senate candidate' means a candidate for the Senate who is certified under section 502 as eligible to receive benefits under this title.

''(b) GENERAL ELECTION PERIOD.—The term 'general election period' means, with respect to a candidate, the period beginning on the day after the date of the primary or primary runoff election for the specific office that the candidate is seeking, whichever is later, and ending on the earlier of—

''(1) the date of the general election; or

''(2) the date on which the candidate withdraws from the campaign or otherwise ceases actively to seek election.

"SEC. 502. ELIGIBILITY FOR PUBLIC FINANCING.

''(a) IN GENERAL.—A Senate candidate qualifies as an eligible Senate candidate during the general election period if the candidate files with the Commission a declaration, signed by the candidate, that the candidate—

''(1) will comply with the election expenditure limit under section 503; and

''(2) has met the qualifying contribution requirement under subsection (d).

''(b) TIME TO FILE DECLARATION.—A declaration under paragraph (1) shall be filed by a candidate not later than the date that is 30 days before the date of the general election.

''(c) CERTIFICATION OF ELIGIBLE SENATE CANDIDATE.—

''(1) IN GENERAL.—Not later than 5 days after a candidate files a declaration under subsection (b), the Commission shall certify whether or not the candidate is an eligible Senate candidate.

''(2) REVOCATION OF CERTIFICATION.—The Commission may revoke a certification under paragraph (1) if a candidate fails to comply with this title.

''(3) REPAYMENT OF BENEFITS.—If certification is revoked under paragraph (2), the candidate shall repay to the Senate Election Fund an amount equal to the value of benefits received under this title.

''(d) QUALIFYING CONTRIBUTION REQUIREMENT.—

''(1) IN GENERAL.—The qualifying contribution requirement under this subsection is met if the Senate candidate accepts an aggregate number of qualifying contributions equal to or greater than 0.25 percent of the voting age population of the State in which the candidate is running for office.

''(2) QUALIFYING CONTRIBUTIONS.—For purposes of paragraph (1), the term 'qualifying contributions' means a contribution in connection with the general election for which the candidate is seeking funding—

''(A) from an individual who is a resident of the State for which the candidate is seeking office; and

''(B) in an aggregate amount of—

''(i) not less than $20; and

''(ii) not more than $200.

"SEC. 503. GENERAL ELECTION EXPENDITURE LIMIT.

''(a) IN GENERAL.—The aggregate amount of expenditures that may be made by an eligible Senate candidate and the candidate's authorized committee in connection with the general election of the candidate shall not exceed an amount equal to the sum of—

''(1) $1,000,000, plus

''(2) 50 cents multiplied by the voting age population for the State in which the candidate is running for office.

''(b) NOTICE OF FAILURE TO COMPLY.—A candidate who files a declaration under section 502 and subsequently acts in a manner that is inconsistent with such declaration shall, not later than 24 hours after the first such act—

''(1) file with the Commission a notice describing such act; and

''(2) notify all other candidates for the same office by certified mail.

''(c) INCREASE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the limitation under subsection (a) with respect to any candidate shall be increased by an amount equal to the excess of—

''(A)(i) the expenditures made with respect to the general election of any opponent of the candidate in the same election who is not certified under this section; and

''(ii) the aggregate amount of independent expenditures and disbursements for an electioneering communication (as defined in section 304(d)(3)) made or obligated to be made in support of another candidate in the election or in opposition to the eligible Senate candidate, over

''(B) the expenditure limit with respect to the candidate.

''(2) LIMITATION.—Any increase in the expenditure limit under paragraph (1) shall not exceed an aggregate amount equal to 200 percent of the expenditure limit with respect to the candidate (determined without respect to this subsection).

''(d) INDEX.—

''(1) IN GENERAL.—In the case of any calendar year after 2003—

''(A) each amount under subsection (a) shall be increased as of the beginning of each calendar year based on the increase in the price index determined under section 315(c), except that the base period shall be calendar year 2003; and

''(B) each amount so increased shall be the amount in effect for the calendar year.

''(2) ROUNDING.—Each amount as increased under paragraph (1), if not a multiple of $100, shall be rounded to the nearest multiple of $100.

''SEC. 504. BENEFITS FOR ELIGIBLE CANDIDATES.

''An eligible Senate candidate shall be entitled to—

''(1) payments available under section 505 for the general election period to make or obligate to make expenditures during the election period; and

''(2) an aggregate amount of increase in payments in response to certain independent expenditures, disbursements for electioneering communications (as defined in section 304(d)(3)), and expenditures of an opponent of the candidate under section 505.

''SEC. 505. PUBLIC FINANCING FOR ELIGIBLE SENATE CANDIDATES.

''(a) AMOUNT OF PAYMENT.—

''(1) IN GENERAL.—An eligible Senate candidate shall be entitled to a payment with respect to a general election in an amount equal to 200 percent of the aggregate amount of contributions received from individuals during the general election period.

''(2) LIMITATION.—The amount taken into account under paragraph (1) with respect to an individual contribution shall not exceed $200.

''(b) MATCHING FUNDS IN RESPONSE TO INDEPENDENT EXPENDITURES; ELECTIONEERING COMMUNICATIONS; AND EXPENDITURES OF OPPONENTS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), if the Commission determines, with respect to a general election period, that—

''(A) an opponent of an eligible Senate candidate has made expenditures; or

''(B) an aggregate amount of independent expenditures and disbursements for electioneering communications (as so defined) has been made or obligated to be made in support of another candidate or against the eligible Senate candidate,

in an aggregate amount in excess of the expenditure limit with respect to the eligible Senate candidate, the Commission shall make available to the eligible Senate candidate, not later than 24 hours after making such determination, an aggregate increase in funds in an amount equal to the aggregate amount of such excess expenditures and disbursements.

''(2) LIMIT ON AMOUNT OF MATCHING FUNDS.—The aggregate amount of any increase under paragraph (1) shall not exceed an amount equal to 200 percent of the expenditure limit with respect to the candidate (determined without regard to this subsection or section 503(c)).

''(3) ELIGIBLE SENATE CANDIDATES OPPOSED BY MORE THAN 1 OPPONENT.—For purposes of paragraph (1), if an eligible Senate candidate is opposed by more than 1 opponent in the same election, the Commission shall take into account only the amount of expenditures described in paragraph (1)(A) of the opponent that expends, in the aggregate, the greatest amount.

''(c) USE OF PAYMENTS.—Payments received by an eligible Senate candidate under subsection (a) shall be used to make expenditures with respect to the general election period of the candidate.

''SEC. 506. ADMINISTRATION OF PUBLIC FINANCING.

''(a) SENATE ELECTION FUND.—

''(1) ESTABLISHMENT.—There is established in the Treasury a fund to be known as the 'Senate Election Fund'.

''(2) DEPOSITS.—The Commission shall deposit amounts appropriated for public financing under this title in the Senate Election Fund.

''(3) FUNDS.—The Commission shall withdraw the payments for an eligible Senate candidate from the Senate Election Fund.

''(b) PAYMENTS TO CANDIDATES.—

''(1) IN GENERAL.—Not later than 5 days after the Commission certifies a Senate candidate as an eligible candidate under section 502(c), the Commission shall pay the eligible Senate candidate the amount of public financing under section 505(a) and any amount of matching funds determined under section 505(b).

''(2) CERTIFICATION.—For purposes of determining the amount under paragraph (1) with respect to a Senate candidate, the candidate shall certify to the Commission the amount of contributions described in section 505(a) and expenditures described in section 505(b).

''(c) INSUFFICIENT FUNDS.—

''(1) WITHHOLDING.—If, at the time a payment is due under subsection (b), the Secretary of the Treasury determines that the monies in the Senate Election Fund are not, or may not be, sufficient to satisfy the full entitlement of all eligible Senate candidates, the Secretary shall withhold from the amount of the payment any amount that the Secretary determines to be necessary to ensure that each eligible Senate candidate will receive the same pro rata share of the candidate's full entitlement.

''(2) SUBSEQUENT PAYMENT.—Amounts withheld under paragraph (1) shall be paid when the Secretary determines that there are sufficient monies in the Senate Election Fund to pay all or a portion of the funds withheld from all eligible Senate candidates, but, if only a portion is to be paid, the portion shall be paid in such a manner that each eligible Senate candidate receives an equal pro rata share.

''SEC. 507. REGULATIONS.

''The Commission shall promulgate such regulations as necessary to carry out the provisions of this title, including reporting requirements to enable the Commission and eligible Senate candidates to determine in a timely manner the allowable increase in expenditure limits under section 503(c) and the matching funds under section 505(b) in response to certain disbursements.

''SEC. 508. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to the Senate Election Fund such sums as are necessary to carry out this title.''.

(b) INCREASE IN POLITICAL PARTY COMMITTEE COORDINATED EXPENDITURES.—Section 315(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)) is amended—

(1) in paragraph (1), by striking ''(2) and (3)'' and inserting ''(2), (3), and (4)''; and

(2) by adding at the end the following:

''(4) In the case of an eligible Senate candidate (as defined under section 501(a)), the expenditure limit under paragraph (3) shall be the greater of—

''(A) the limit determined under paragraph (3) (without regard to this paragraph); or

''(B) an amount equal to the excess of—

''(i) the expenditure limit under section 503(a) with respect to the candidate (after any increase under section 503(c)), over

''(ii) the amount of contributions accepted by the candidate with respect to the general election period and any amounts received under section 505.''.

(c) EFFECTIVE DATE.—Notwithstanding section 402 and except as otherwise provided in this section, amendments made by this section shall apply with respect to elections occurring after December 31, 2002.

SA 149. Mr. THOMPSON (for himself, Mr. TORRICELLI, and Mr. NICKLES) proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; as follows:

On page 37, between lines 14 and 15, insert the following

SEC. ____. MODIFICATION OF CONTRIBUTION LIMITS.

(a) INCREASE IN INDIVIDUAL LIMITS.—Section 315(a)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)) is amended—

(1) in subparagraph (A), by striking ''$1,000'' and inserting ''$2,500'';

(2) in subparagraph (B), by striking ''$20,000'' and inserting ''$40,000''; and

(3) in subparagraph (C), by striking ''$5,000'' and inserting ''$7,500''.

(b) INCREASE IN AGGREGATE INDIVIDUAL LIMIT.—Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)), as amended by section 102(b), is amended by striking ''$30,000'' and inserting ''$50,000''.

(c) INCREASE IN MULTICANDIDATE LIMITS.—Section 315(a)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(2)) is amended—

(1) in subparagraph (A), by striking ''$5,000'' and inserting ''$7,500'';

(2) in subparagraph (B), by striking ''$15,000'' and inserting ''$17,500''; and

(3) in subparagraph (C), by striking ''$5,000'' and inserting ''$7,500''.

(d) INCREASE IN SENATORIAL CAMPAIGN COMMITTEE LIMIT.—Section 315(h) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(h)) is amended by striking ''$17,500'' and inserting ''$35,000''.

(e) INDEXING OF INCREASED LIMITS.—

(1) IN GENERAL.—Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended—

(A) in paragraph (1)—

(i) by striking the second and third sentences;

(ii) by inserting ''(A)'' before ''At the beginning''; and

(iii) by adding at the end the following:

''(B) Except as provided in subparagraph (C), in any calendar year after 2002—

''(i) a limitation established by subsection (a), (b), (d), or (h) shall be increased by the percent difference determined under subparagraph (A); and

''(ii) each amount so increased shall remain in effect for the calendar year.

If any amount after adjustment under the preceding sentence is not a multiple of $500, such amount shall be rounded to the next nearest multiple of $500 (or if such amount is a multiple of $250 (and not a multiple of $500), such amount shall be rounded to the next highest multiple of $500).

''(C) In the case of limitations under subsection (a), each amount increased under subparagraph (B) shall remain in effect for the 2-year period beginning on the first day following the date of the last general election in the year preceding the year in which the amount is increased and ending on the date of the next general election.''; and

(B) in paragraph (2)(B), by striking ''means the calendar year 1974'' and inserting ''means—

''(i) for purposes of subsections (b) and (d), calendar year 1974; and

''(ii) for purposes of subsections (a) and (h), calendar year 2001''.

(2) EFFECTIVE DATE.—The amendments made by subsection (e) shall apply to calendar years after 2002.

SA 150. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; which was ordered to lie on the table; as follows:

On page 37, between lines 14 and 15, insert the following:

SEC. 305. INCREASE IN PENALTIES IMPOSED FOR VIOLATIONS OF CONDUIT CONTRIBUTION BAN.

(a) INCREASE IN CIVIL MONEY PENALTY FOR KNOWING AND WILLFUL VIOLATIONS.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is amended—

(1) in paragraph (5)(B), by inserting before the period at the end the following: ''(or, in the case of a violation of section 320, which is not less than 300 percent of the amount involved in the violation and is not more than the greater of $50,000 or 1000 percent of the amount involved in the violation)''; and

(2) in paragraph (6)(C), by inserting before the period at the end the following: ''(or, in the case of a violation of section 320, which is not less than 300 percent of the amount involved in the violation and is not more than the greater of $50,000 or 1000 percent of the amount involved in the violation)''.

(b) INCREASE IN CRIMINAL PENALTY.—

(1) IN GENERAL.—Section 309(d)(1) of such Act (2 U.S.C. 437g(d)(1)) is amended by adding at the end the following new subparagraph:

''(D) Any person who knowingly and willfully commits a violation of section 320 involving an amount aggregating $1,000 or more during a calendar year shall be fined, or imprisoned for not more than 2 years, or both. The amount of the fine shall not be less than 300 percent of the amount involved in the violation and shall not be more than the greater of $50,000 or 1000 percent of the amount involved in the violation.''.

(2) CONFORMING AMENDMENT.—Section 309(d)(1)(A) of such Act (2 U.S.C. 437g(d)(1)(A)) is amended by inserting ''(other than section 320)'' after ''this Act''.

(c) MANDATORY REFERRAL TO ATTORNEY GENERAL.—Section 309(a)(5)(C) of such Act (2 U.S.C. 437(a)(5)(C)) is amended by inserting ''(or, in the case of a violation of section 320, shall refer such apparent violation to the Attorney General of the United States)'' after ''United States''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring on or after the date of enactment of this Act.

SEC. 306. EXTENSION OF BAN ON FOREIGN CONTRIBUTIONS TO ALL CAMPAIGN-RELATED DISBURSEMENTS.

(a) PROHIBITION ON DISBURSEMENTS BY FOREIGN NATIONALS.—Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended—

(1) in the heading, by striking ''contributions'' and inserting ''disbursements'';

(2) in subsection (a), by striking ''contribution'' each place it appears and inserting ''disbursement''; and

(3) in subsection (a), by striking the semicolon and inserting the following: '', including any disbursement to a political committee of a political party and any disbursement for an independent expenditure;''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to disbursements made on or after the date of enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. MCCONNELL. 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 Tuesday, March 27, 2001. The purpose of this meeting will be to review the Research, Extension and Education title of the Farm bill.

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

COMMITTEE ON ARMED SERVICES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, March 27, 2001 at 9:30 a.m., in open and closed session to receive testimony from the Unified and Regional Commanders on their military strategy and operational requirements, in review of the Defense Authorization Request for fiscal year 2002 and the Future Years Defense program.

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

COMMITTEE ON FINANCE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, March 27, 2001 to hear testimony on Society's Great Challenge, The Affordability of Long-Term Care.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on Early Education and Child Care: How does the U.S. Measure Up? during the session of the Senate on Tuesday, March 27, 2001, at 9:30 a.m.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 27, 2001 at 10:30 am to hold a Business Meeting, and immediately after that to hold a hearing.

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

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, March 27, 2001, at 2:30 p.m., in closed session for a briefing on information warfare and other threats to critical United States information systems.

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

SUBCOMMITTEE ON FISHERIES, WATER, AND WILDLIFE

Mr. MCCONNELL. Mr. President: I ask unanimous consent that the Subcommittee on Fisheries, Water and Wildlife be authorized to meet on Tuesday, March 27 at 9:30 a.m. to receive testimony on water and wastewater infrastructure needs.

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

SUBCOMMITTEE ON TECHNOLOGY, TERRORISM AND GOVERNMENT INFORMATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Technology, Terrorism and Government Information be authorized to meet to conduct a hearing on Tuesday, March 27, 2001, in SD226.

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

PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. I ask unanimous consent that Luke Ballman from my staff be allowed on the floor today.

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

ORDERS FOR WEDNESDAY, MARCH 28, 2001

Mr. THOMPSON. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:15 a.m. on Wednesday, March 28. I further ask unanimous consent that on Wednesday, 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 the Thompson amendment to S. 27, the campaign finance reform bill.

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

PROGRAM

Mr. THOMPSON. For the information of all Senators, the Senate will resume consideration of the Thompson amendment regarding hard money tomorrow morning. There will be up to 30 minutes of debate prior to a vote at 9:45 a.m. Following the vote, further amendments will be offered. Votes will occur throughout the day and into the evening, with the intention of completing action on the bill by Thursday evening.

Those Members who have amendments remaining should work with the bill managers as soon as possible on a time to offer their amendments.

ADJOURNMENT UNTIL WEDNESDAY, MARCH 28, 2001, AT 9:15 A.M.

Mr. THOMPSON. 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 8:13 p.m., adjourned until Wednesday, March 28, 2001, at 9:15 a.m.

NOMINATION

Executive nomination received by the Senate March 27, 2001:

DEPARTMENT OF STATE

ARGEO PAUL CELLUCCI, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO CANADA.

EXTENSIONS OF REMARKS

IN HONOR OF THE DIGNITARIES FROM ACHILL ISLAND, IRELAND

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to recognize the dignitaries Ireland who are spending St. Patrick's Day in my home district of Cleveland. My city is honored to have them with us on such an important holiday.

Our four distinguished guests hail from Achill Island, Ireland. They are: Mr. Thomas McNamara, Achill Tourism Chair; Father Pat Gilligan, Achill Tourism Committee Member; Ms. Karen Grealis, Achill Tourism Manager; and Ms. Adrian Kilbane, Achill Tourism Public Relations Officer. Together, they have left their homes to spend a very important holiday with us.

Rich with cultural heritage and diversity, the city of Cleveland includes a very important Irish population. Never forgetting their roots, the Cleveland community never forgets to celebrate ethnic holidays. Saint Patrick's Day, traditionally a day of lavish celebration and remembrance of one's heritage, is revered by the City of Cleveland by an extensive parade. My city is lucky this year to have with us a delegation of dignitaries from Achill Island, Ireland to assist us in the festivities. Visiting to help us remember our shared past, these people should give us all pause to remember our families and our heritage.

It should be of great joy to everybody in Cleveland that we have such honorable people visiting us on such an important holiday. My fellow colleagues, please join me in honoring the distinguished delegation of visitors from Achill Island, Ireland.

INCREASED FUNDING FOR ALZHEIMER'S, AUTISM, AND LYME DISEASE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. SMITH of New Jersey. Mr. Speaker, today I testified before the Labor, Health and Human Services (HHS), and Education Appropriations Subcommittee on the importance of setting aside sufficient funding for critical life-saving and life affirming medical research.

First Mr. Speaker, I would like to commend President Bush for continuing the commitment to double biomedical research funding in five years by providing a $2.8 billion increase for the National Institute of Health (NIH) in his budget proposal to Congress. The President's proposal provides the largest annual funding increase in NIH's history, and it is my hope that Congress follows in the President's footsteps.

Today I am here to represent the interests of those afflicted with Alzheimer's disease, autism, and Lyme disease. These devastating diseases have left the elderly helpless, the children voiceless, and people across the nation getting weaker and sicker.

ALZHEIMER'S DISEASE

As co-founder of the Bipartisan Task Force on Alzheimer's Disease, I am seeking support for increased funding of the National Institute on Aging so that it could accommodate an additional $200 million in Alzheimer's research. This appropriation will help us reach our goal of funding Alzheimer's research at $1 billion by fiscal year 2003 and allow us to launch an all-out assault on Alzheimer's disease.

This year, Mr. Speaker, we hope to increase funding for research to discover ways in which to prevent Alzheimer's for two critical target populations. The first target is people who will have clinical Alzheimer's disease 10 to 20 years from now. Researchers must find ways to slow or alter the changes that are already taking place in the brain so that symptoms of Alzheimer's never develops. The second target population is those persons who are already suffering with the disease. Researchers need more resources to help them find ways to prevent the health crises, the unmanageable behaviors, and the rapid functional decline that leads to hospitalization and nursing home placement. We are aware of the tremendous cost Alzheimer's already brings to bare on society. Not only is there an economic burden, but Alzheimer's also destroys the quality of life for the patient and the caregiver alike.

An increased investment from the government will allow for researchers to search for simple, practical, widely available, and affordable ways to detect the earliest changes in the brain. This is the only way physicians will be able to identify who needs the treatment that will help alter the course of the disease while there is still enough time to make a difference. It will also allow for additional large-scale trials aimed at prevention of Alzheimer's disease, including studies of persons with mild cognitive impairment and new longitudinal studies of persons who are aging successfully. Part of the answer to Alzheimer's may lie in discovering why many live well into their 90s with their cognitive abilities intact. Furthermore, appropriate funding will permit us to establish additional large-scale clinical trials of early intervention to slow or prevent decline. Scientists have many more sound ideas for effective treatments that they can test with increased funding.

Mr. Speaker, we have seen that the Alzheimer's investments Congress has made over the past decade are now paying off in rapid discoveries regarding the basic mechanisms of the disease, the complex interplay of genetic and environmental risk factors, and the treatments and interventions that can slow decline. Discoveries in the past year alone have generated great excitement in the field of Alzheimer's. For instance, scientists have developed a third FDA-approved drug designed for the treatment of the disease's cognitive symptoms. In addition, scientists have completed Phase 1 of a clinical trial involving humans in which they used a vaccine that appears to prevent in the brains of mice the amyloid deposition that forms plaques which characterize Alzheimer's disease.

The United States enters the 21st Century facing an imminent epidemic. By 2050, 14 million of today's baby boomers will have Alzheimer's disease. For most of them, the process that will destroy their memories, their lives, and their savings has already begun. The annual cost of Alzheimer's diseases will soar to at least $375 billion, overwhelming our health care system and bankrupting Medicare and Medicaid. The only way to avoid this crisis is to act now.

AUTISM

As the co-founder of the Coalition for Autism Research and Education (C.A.R.E.), I am seeking support for the provision of $5 million for the Center of Birth Defects and Developmental Disabilities at the Center for Disease Control and Prevention (CDC) to help the states conduct autism epidemiology research.

Autism is a developmental disorder that has robbed at least 400,000 children of their ability to communicate and interact. The disorder affects at least one in every 500 children in America. Currently, there is limited information on the prevalence, cause, or treatment of autism.

To address the lack of understanding Mr. Speaker, CDC began conducting epidemiological research on the incidence and surveillance of autism in two metropolitan areas in Georgia and my home state, New Jersey. Last year, Congress made a major and vital investment in the centers of excellence, and as a result, CDC expanded its research to include data collection in West Virginia, Arizona, South Carolina, Maryland, and Delaware. CDC's efforts in these states seek to identify the prevalence rate of autism and to verify that these cases are accurately diagnosed. The studies also seek to establish any relevant environmental or other exposures in these communities.

The basic data collection and verification is integral to better understanding the incidence of autism, the factors which may contribute to a higher rate of incidence, and effective treatment. The challenge is that effective analysis of this data must wait for the data collection efforts to expand to an additional 24 states.

CDC must receive the funding to collect data from approximately 30 states before it can move forward with a comprehensive analysis of trends that may reveal correlative factors, potential causes, and hopefully effective treatments and cures for autism.

LYME DISEASE

As a Member of Congress who has been active on the subject of Lyme disease for nearly two decades, I believe there are two critical areas we must focus upon if our nation is to better control the disease. First, I am seeking support for an increase of $8 million at the NIH, which would bring total Lyme disease funding to $32 million. NIH would use this infusion of funds to make the development

and improvement of direct detection tests for Lyme a priority. Second, we must double the funding at CDC and bring total Lyme disease funding to $16 million. The CDC has admitted that ''the (Lyme) disease is greatly under-reported.'' Thus, we must urge CDC to re-examine its surveillance system to see where improvements can be made and accurately enhanced. In order to do this, they need adequate funding and oversight.

Lyme disease continues to harm tens of thousands of Americans who engage in outdoor activities, both from work and from recreation. Symptoms of Lyme disease can include a reddish skin rash, chills, flu-like symptoms, headaches, joint pain and fatigue. Without treatment, Lyme disease can result in acute headaches, arthritis, and nervous system and cardiac abnormalities. The CDC notes that Lyme disease is the leading cause of vector-borne infectious illness in the U.S. with approximately 15,000 cases reported annually. Over 125,000 cases of Lyme disease infection have been reported since 1982, and some studies indicate cases of Lyme may be under-reported by as much as 10 or 12 fold. Furthermore, various estimates of the cost of Lyme disease on our society at between $500 million and $1 billion annually.

Consequently, I believe funding to address detection and surveillance would greatly assist Congress in ensuring the constituents in Lyme disease endemic areas that Lyme disease research is on the right track.

The case is amply made that extra monies for Alzheimer's disease, Autism, and Lyme disease will be very well put to use and represent a small payment toward preventing future health care costs.

Mr. Speaker, I urge all Members of Congress to support increased funding for Alzheimer's, autism, and Lyme disease.

IN HONOR OF THE 100TH ANNIVERSARY CELEBRATION OF THE IRON WORKERS LOCAL 17

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. KUCINICH. Mr. Speaker, please join me in saluting the hard working men and women of Iron Workers Local 17 of Cleveland, Ohio as they celebrate their 100th Anniversary.

The brilliant craftsmanship of the thousands of dedicated men and women who comprise the Iron Workers Local 17 is evident across the landscape of Northern Ohio. The bridges that span Ohio's beautiful rivers and The Rock and Roll Hall of Fame are both fine examples of the permanent imprint that Iron Workers 17 has cast on thousands of structures in the state. This community of working people who understand the value and importance of family are committed to creating a tradition of excellence. Performing one of the ten most dangerous jobs in the world, courageous ironworkers brave the tough Cleveland weather and risky working conditions to build the office towers, sports stadiums, and highway bridges that illuminate the skyline.

Early on when structural steel construction was in its infancy, ironworkers often worked ten hour days and seven day weeks for as little as twenty cents an hour, only expecting to hold positions for ten years before death or major injury ended their career. When Local 17 gained its charter in 1901 money was tight, but the union persevered and provided help to its members. In the turbulent years that followed, union iron workers learned how to deal with steel industry giants, often initiating strikes to gain fair labor practices. By the end of World War I, the unions successfully established the eight-hour day and five-day workweek.

Local 17 thrived in the midst of the great industrial expansion of the 1920's. In this decade, the largest building project in Cleveland's history, The Cleveland Union Terminal complex including the landmark Terminal Tower, was completed. During World War II, ironworkers, dedicated to the ideals of the United States, served in all branches of the military and were even recruited to work as ''seabees'' by the Navy to repair aircraft carriers and battleships. Iron workers on the homefront assisted in war munitions production or worked around the country building power plants, hydroelectric facilities, and dams needed in the war effort. In the decades following the war, iron workers were busy rebuilding the bridges and highways in disrepair after many years of use. Presently, Local 17 is enjoying renewed respect with growing membership and cordial relationships with contractors.

My fellow colleagues, please join me in saluting the thousands of dedicated men and women that brave tough conditions at great personal risk to keep Cleveland growing.

PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF 2001

SPEECH OF

HON. JIM LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 2001

Mr. LANGEVIN. Mr. Speaker, I rise today in strong support of H.R. 802, the Public Safety Officer Medal of Valor Act, which would create a national medal for public safety officers who exhibit extraordinary heroism in the line of duty.

As someone who once aspired to serve in law enforcement and a proud member of both the Congressional Law Enforcement and Firefighters Caucuses, I deeply admire those who devote their lives to public safety.

We are blessed to have dedicated men and women public safety officials throughout this nation who consistently risks their lives on a daily basis to protect our families and communities. It is absolutely critical that we recognize these loyal public servants and ensure that the risks that these brave individuals assume in the course of their duties are not taken for granted.

Although many local public safety organizations honor those who have demonstrated bravery, the federal government does little to reward and recognize these individuals. By passing the Public Safety Officer Medal of Valor Act, Congress would have the unique opportunity to express its appreciation for the unnoticed acts of valor committed by public safety officers who have gone above and beyond the call of duty. Further, this legislation will help send a positive message across the country that our public safety officers deserve our utmost respect for their service and sacrifices.

I will continue to applaud the courage and dedication to duty of all public safety officers and would strongly urge my colleagues to support the Public Safety Officer Medal of Valor Act.

INDEPENDENT TELECOMMUNICATIONS CONSUMER ENHANCEMENT ACT OF 2001

SPEECH OF

HON. EVA M. CLAYTON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2001

Mrs. CLAYTON. Mr. Speaker, I rise in support of the Independent Telecommunications Consumer Enhancement Act of 2001. This bill would provide regulatory relief to small and mid-sized telephone companies that generally serve small town and rural communities. The current regulatory burdens on these small companies are the same as those placed on large companies; but, because of their size, these regulations are very costly and time-consuming.

These regulatory burdens tend to discourage competition in rural communities by impeding the entry of new companies into these markets. These burdens also pose obstacles to the development in rural communities of advanced services such as broadband Internet access.

The Telecommunications Act of 1996 provided for reduced regulations and greater competition in our country. This has fostered many new telecommunications and information services including advanced services. However, the benefits of these technological advances have been enjoyed by urban and suburban communities much more than by persons who live in small towns and rural communities. Large telephone companies and other entities tend to have the resources required to develop these advanced services and find the urban and suburban markets more attractive. The deployment of advanced services in urban areas contrasted with the difficulty of small companies offering these services in rural areas has exacerbated the digital divide in our country.

We must find ways to bridge this divide. Relieving certain regulatory burdens may help achieve this objective. The proponents of this bill and many small telephone companies promise that they will use the savings resulting from the elimination of these regulatory burdens to extend advanced services. Some question whether the savings resulting from this measure would simply increase profits of the small telephone companies with no corresponding increase in services. Some note that this bill does not impose a reciprocal obligation to extend services following the relaxation of current regulatory requirements, and does not include any enforcement mechanisms. We hope that the small telephone companies which benefit from the adoption of this bill will do the right thing and act in the best interest of the communities in which they operate. That is the intent of this measure and the

basis for my support. It is proper for the federal government to foster a regulatory framework that stimulates competition and encourages deployment of advanced services to people who live in small towns and rural communities.

IN HONOR OF GINA QUIN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. KUCINICH. Mr. Speaker, please join me today in welcoming Ms. Gina Quin, Chief Executive Officer of the Dublin Chamber of Commerce, to Cleveland as guest of honor at the Collins and Scanlon, 22nd Annual St. Patrick's Day Open House.

Educated at University College Dublin with an undergraduate degree in psychology and a Master of Business Administration, Ms. Quin currently represents 3000 Business Members in the Greater Dublin City Area. Her position requires her to develop policy that will aid in the overall development of Dublin by maximizing enterprise and investment opportunities within the Capital city.

Ms. Quin has held various other executive positions before her appointment to the Dublin Chamber of Commerce in 2000. She was an executive for both Lansdowne Market Research and the Irish Export Board. For six years prior to her work with the Dublin Chamber of Commerce, Ms. Quin served as chief executive for Gandon Enterprises where she was responsible for managing business activities across both manufacturing and service industries.

My fellow colleagues, let us welcome our distinguished friend from Ireland, Mr. Gina Quin, to Cleveland to join in our celebration of St. Patrick's Day.

SALUTING THE EXCHANGE CLUB CASTLE PROGRAM OF FORT PIERCE, FLORIDA

HON. MARK FOLEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. FOLEY. Mr. Speaker, next month marks an important milestone for those who battle child abuse. This will be the date when a key facility in my district marks its twenty year anniversary. In my community we are blessed to have as our neighbor the Exchange Club CASTLE program in Fort Pierce, Florida. In celebration of their 20 years of fighting violence against children, I ask my colleagues to join me in saluting this achievement.

The CASTLE program (Child Abuse Training and Life Enrichment) is a true American success story. In fat, what was once a small program has spawned a legion of 100 similar facilities in 27 states. CASTLE began two decades ago with a budget of just $40,000 serving just 25 families and has grown exponentially. Today it provides crucial services to more than 10,000 families in and around my Congressional District.

Mr. Speaker, child abuse is a silent scourge that strikes families from all walks of life and in every community rich, poor, small and large. Without the services of agencies like the Exchange Club's CASTLE program, our nation would bear the burden of thousands more cases of child abuse and suffer the effects of families torn apart.

What makes CASTLE so successful is their broad approach to the problem, working not just with parents, but with community officials, educators and children themselves in many cases working to stop violence before it occurs. CASTLE has developed dozens of community-wide programs to target at-risk youngsters and ensure that those most in need get the care, comfort and protection our society owes to them. Their message has resonated loudly throughout Florida and across the country: violence has no place in our homes and families.

Mr. Speaker, April marks the start of national child abuse prevention month. I am proud to salute the Exchange Club's CASTLE program on this important occasion and look forward to their continued success in our community and throughout the state. They have indeed made our nation a better place to live.

IN HONOR OF SCOTT MICHAEL DANIELSON

HON. EDWARD SCHROCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. SCHROCK. Mr. Speaker, I rise today to honor the memory of Petty Officer Second Class Scott Michael Danielson who passed away in service to our nation during a training exercise on February 22, 2001.

Petty Officer Danielson was a member of U.S. Navy Seal Team Eight, based at Little Creek Amphibious Base in Virginia Beach, Virginia. A native of Royal Oak, Michigan, Petty Officer Danielson joined the Navy in 1992 and owing to his exemplary service, was given the opportunity of joining the elite Navy Seals.

Petty Officer Danielson served our nation supporting Task Force Falcon during Operation Guardian in Kosovo. During his outstanding career, Petty Officer Danielson earned several medals and commendations including the Navy Commendation Medal, three Navy Achievement Medals, two Good Conduct Medals, the National Defense Medal, the Kosovo Campaign Medal, the Sea Service Deployment Medal, and the NATO Medal.

Mr. Speaker, America lost one of her finest with the untimely passing of Petty Officer Second Class Scott Michael Danielson. His passing reminds us of the danger that the men and women of our military face in both times of peace and war.

Our grateful nation mourns the loss of Petty Officer Second Class Scott Michael Danielson and extends its sympathies to Scott's loved ones. His family should be proud of the life he lived and should never doubt the gratitude of his nation for his courageous and exemplary service.

REGARDING THE RECENT PRESIDENT BUSH DECISIONS TO RELAX ENVIRONMENTAL POLICY

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. REYES. Mr. Speaker, I rise today in opposition to the recent decisions by President Bush to renege on a campaign promise to reduce carbon dioxide emissions by power plants. The President in the last week and a half has also rescinded a strict new standard for arsenic levels in drinking water, suspended new cleanup requirements for mining companies, and threatening to challenge a logging ban on nearly 60 million acres of national forest land.

Americans want to have the environment dealt with in a responsible way, and this way does not include cutting the acceptable level of arsenic in our drinking water from 10 parts per billion to 50 parts per billion. A responsible way to deal with the environment does not include allowing electric utilities to decide not to reduce emissions of carbon dioxide. I am concerned that unilateral decisions are being made without thought about the long-term consequences that these decisions will have on our environment and the health of our people.

The United States-Mexico border suffers disproportionately from pollution. For example, my district of El Paso, Texas is an air-quality, non-attainment area and experiences huge problems with emissions from power plants and other airborne pollutants. If there is one thing that we cannot afford to do at this juncture in our history, it is to begin relaxing environmental standards in our country without taking into consideration the long-term effects of these actions.

I urge the administration and my colleagues in Congress to act in a more responsible manner when it comes to environmental policy and the development of legislation that may have dire long-term consequences.

IN HONOR OF JOHN D. BAKER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to congratulate John D. Baker on being awarded the 2001 Irish Good Fellowship Club's Good Fellowship Award. This prestigious award is a well-deserved honor which recognizes the dedication and commitment John D. Baker has shown to his family and the workers of our nation.

John D. Baker has had three children during his forty years of marriage. Always ready with a smile or kind word, Mr. Baker has been a living example of compassion for his children. He has worked hard to make sure that they grew up in a loving, caring environment.

Throughout his life, John D. Baker has exhibited a dedication to working men and women throughout the Cleveland area. He has been an active member of the International Longshoremen's Association since 1959, and now serves as the Vice-President to that organization. John D. Baker has committed his life

to the cause of worker's justice. John D. Baker has served on many councils and committees, covering a wide-range of issues. From labor disputes to historical preservation, John D. Baker has played an important role in the development of the Cleveland area.

John D. Baker is a deserving recipient of the Irish Good Fellowship Club's Good Fellowship Award. Throughout his life, he has worked to help other people; both in their personal lives as well as in their workplaces. John D. Baker has been a great force of fellowship for many people, always offering caring words of encouragement and his friendship. A fellowship award is truly justified by Mr. Baker's daily life.

Throughout his life, Mr. John D. Baker has proven to be a leader by bringing people together and working for a more just society. His hard work and dedication have inspired many people to strive with him when he stands up for workers everywhere. My fellow colleagues, please stand with me in honoring Mr. John D. Baker.

MACHINIST BATTLED BIG LABOR FOR FOUR DECADES; RIGHT TO WORK ADVOCATES MOURN JOHN WALDUM, THEIR ''HAPPY WARRIOR''

HON. TOM DeLAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. DELAY. Mr. Speaker, throughout its 45-year history, the National Right to Work Committee has been blessed with many loyal friends who selflessly offered their support in one legislative battle after another.

But even in the pantheon of Right to Work champions, there is no one else like John Waldum Jr., a retired machinist and former union member and a Committee board member since 1967.

Mr. Waldum, who served as the Committee's chairman from 1998 until last spring, passed away November 28 in Lake Worth, Fla.

''John had a slogan. 'You only keep what you are willing to defend.' And John took that slogan seriously. He spent his life fighting against the odds, but with an indomitable spirit that was, and will continue to be, an inspiration to us all.''

Mr. Waldum first recognized the injustice and inherent dangers of compulsory unionism as a young man working in Missouri, which had (and has) no Right to Work law.

Kansas City union bosses wielded their monopoly power over his job to intimidate him into joining a strike—even though he believed it unjust and contrary to his long-term best interest.

Mr. Waldum quickly became a convinced Right to Work supporter, even as he continued to try to improve the system from within, both as a member of the Machinists union and as a shop steward for the United Auto Workers union.

As a result of his outspoken support for Right to Work, he endured years of harassment from power-hungry union officials.

Finally, in the early 1960s, Mr. Waldum and his family moved to Florida, a Right to Work state.

He later became a research and development machinist for the Pratt-Whitney Engine Corporation. All the while, he kept on fighting for the Right to Work cause.

When President Lyndon Johnson and the union hierarchy moved in 1965 to reimpose forced union membership and ''fees'' in Florida and other Right to Work states by abolishing Section 14(b) of the Taft-Hartley Act, Mr. Waldum enlisted in efforts to stop them.

The pointed testimony that Mr. Waldum and other freedom-loving workers gave to the U.S. House Labor Committee helped slow 14(b) repeal down and ultimately paved the way for its defeat by a Right to Work filibuster in the U.S. Senate.

During the 1970s Mr. Waldum participated in a successful campaign to tighten enforcement of Florida's Right to Work law and stiffen penalties for violators.

After he retired and moved with his wife Dorothy to Sebring, FL, Mr. Waldum relished the opportunity to expand his lobbying activities on behalf of the Right to Work cause.

During the 1990s he visited Washington, D.C., a number of times, and accepted invitations to testify before the National Labor Relations Board and congressional committees.

In 1993, he undoubtedly dumbfounded NLRB officials when he called the federal laws empowering union bosses to force workers to pay union dues as a job condition ''a travesty of justice'' that has transformed Organized Labor into ''nothing more than a union press gang.''

His testimony and his many letters to the editor often brimmed with moral indignation about how federal law and Big Labor-influenced bureaucrats trample the freedom of the individual worker.

But the ever-present twinkle in his eye made it clear that Mr. Waldum was not angry—only determined to make the world a better place.

John Waldum was a true gentleman and an outstanding spokesman for the Right to Work cause and he will be deeply missed.

Mr. Waldum is survived by his wife and their son and daughter, and four grandchildren and two great-grandchildren.

THE INTRODUCTION OF THE FAIRNESS FOR CIVIL SERVANT RESERVISTS AND GUARDSMEN ACT OF 2001

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. KLECZKA. Mr. Speaker, I rise to introduce legislation today that will ensure the fair treatment of all civil servant reservists and guardsmen who are called up for active duty service. The Fairness for Civil Servant Reservists and Guardsmen Act of 2001 will mandate that all federal agencies pay the employee share of Federal Employee Health Benefits Program (FEHBP) premiums if they are on active duty for more than 30 days.

Currently, the federal government pays only the government portion of the health premium when a reservist is called to active duty. Because these men and women take leave without pay from their federal jobs, they often find themselves having to pay their portion of the premium from a much smaller salary, which can be a serious strain on their family finances. While reservists and their families are also eligible for military health care during this period, this alternative often constitutes a burden on the families, who may have to travel great distances to get to military health facilities and are forced to develop a new relationship with a different doctor.

The men and women of our National Guard and Reserve units perform absolutely essential functions in times of conflict. The soldiers of Milwaukee's 128th Air Refueling Wing and 440th Airlift Wing have answered the call time and time again. Those who also happen to be federal employees should not, on top of everything else, have to worry about how their families will get health care while they're off serving our country.

During the Gulf War, the Office of Personnel Management (OPM) asked federal agencies to cover both employee and employer costs of FEBHP premiums for those reservists and guardsmen who were on active duty and on leave without pay status. Last year, one of my constituents contacted me asking why this policy had not been extended to all civil service employees on active duty since the war. I then began contacting OPM and the Department of Defense (DoD) requesting that the policy be made permanent.

In June 2000 the OPM circulated a memo to agency heads encouraging them to make the policy a formal one. Earlier this month, DoD announced that it will begin covering health care premiums for all of its civil servant reservists or guardsmen who are called to active duty.

This bill would require that all federal agencies pay the FEHBP premiums of all their employees who are reservists or guardsmen that are called up for active duty in the future. It would also require federal agencies to reimburse the premiums paid by employees who served on active duty during Kosovo, Bosnia, and the 1998 Iraq operations.

Regarding the cost of this legislation, it is a very small price to pay for fairness. For example, the Pentagon estimates that it will only cost $2.3 million to reimburse the 1600 DoD employees who have served in the Balkans and Iraq over the past 10 years. Since the DoD is the largest employer of reservists and Guardsmen, that will be the highest amount any agency has to pay. More importantly, the Pentagon has even said they don't need supplemental appropriations to make the retroactive payments. Future costs will vary depending on the individual contingency operation.

I urge all of my colleagues to support this fair and important legislation.

IN HONOR OF MARJORIE PHILONA CONDON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to honor the memory of Marjorie Condon, a lifelong resident of Ohio, who dedicated her life to the teaching profession. She will be missed, not only by her beloved family, but also by hundreds of former students.

Mrs. Condon taught fourth grade in Cleveland for over 15 years, first at Tom L. Johnson Elementary and then at Charles Lake Elementary, taking time off to raise six children. Holding bachelors degrees in both journalism and education, she shared a love of learning and literature with her husband, former newspaper columnist, George E. Condon. George and Marjorie met at Ohio State University and were married for 58 years.

She raised a family and loved crocheting, sewing, and playing piano. She also enjoyed fashioning stained glass, making candles, and cooking Chinese food. While in her mid-50s, Marjorie even taught herself how to snow ski.

My fellow colleagues, please join me today in celebrating the life of this remarkable woman. She was a woman of great knowledge and learning, who dedicated her life to her family and students.

INTRODUCTION OF THE MEDICARE EARLY ACCESS AND TAX CREDIT ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. STARK. Mr. Speaker, I am pleased to join with Rep. SHERROD BROWN and a number of additional colleagues to introduce the ''Medicare Early Access and Tax Credit Act.'' Companion legislation is being introduced by Sen. ROCKEFELLER in the Senate as well.

More than 43 million Americans have no health insurance today. There are many approaches to solutions for decreasing the number of uninsured. As most of my colleagues are aware, I support the creation of a universal health care system in which each and every American would have health insurance coverage. That is the most fair, affordable, and sustainable solution to our national health care needs.

However, that won't be accomplished overnight. In the meantime, there are steps that Congress can and should be taking to develop immediate, if smaller, solutions to providing people affordable health insurance coverage options. One such step is to pass legislation that would provide certain groups of individuals the option of buying into Medicare.

A recent Kaiser Family Foundation survey found that a majority of voters believe that the next population of the uninsured who should be helped is those aged 55–64. I agree.

A Commonwealth Fund study from July 2000 found that more than half of uninsured adults in the 50–64 age range trusted Medicare the most as a source of health insurance and nearly two-thirds of them would be interested in enrolling in Medicare early if that option were available. So, expanding Medicare would likely be a very attractive option to people of this age.

While the 55–64 segment of our population has a lower overall percentage of uninsured than other age segments, once these people lose insurance it is often difficult or impossible for them to obtain affordable coverage in the private insurance marketplace. And, with the aging of the baby boom generation, this is a quickly growing segment of our population. In 1999, there were 23.1 million Americans in this age group. This number is expected to grow to 35 million by 2010 and to 42.5 million by 2020.

Given all of these facts, I have joined with many colleagues to introduce the Medicare Early Access and Tax Credit Act of 2001, a bill to expand access to Medicare's purchasing power to certain individuals below age 65.

The Medicare Early Access and Tax Credit Act would enable eligible individuals to harness Medicare's clout in the marketplace to get much more affordable health coverage than they are able to purchase in the private sector market that currently exists. And, to make this coverage more affordable, we have attached a 50 percent tax credit to it.

The bill would provide a very vulnerable population (age 55–64) with three new options to obtain health insurance (All numbers referenced below are based on the 2000 version of the bill so they are subject to change in our new legislation)

Individuals 62–65 years old with no access to health insurance could buy into Medicare by paying a base premium (about $326 a month) during those pre-Medicare eligibility years and a deferred premium during their post-65 Medicare enrollment (about $4 per money in 2005 for an individual who participated in the full three years of the new program). The deferred premium is designed to reimburse Medicare for the extra costs due to the fact that sicker than average people are likely to enroll in the program. The deferred premium would be payable out of the enrollee's Social Security check between the ages of 65–85.

Individuals 55–62 years old who have been laid off and have no access to health insurance, as well as their spouse, could buy into Medicare by paying a monthly premium (about $460 a month). There would be no deferred premium. Certain eligibility requirements would apply.

Retirees aged 55 or older whose employer-sponsored coverage is terminated could buy into their employer's health insurance for active workers at 125 percent of the group rate. This would be a COBRA expansion, with no relationship to Medicare.

Again, our new bill, The Medicare Early Access and Tax Credit Act of 2001 supplements our previous versions of this legislation by incorporating a new 50 percent tax credit that would be attached to each of the three programs. Thus, the actual cost to the enrollees would be substantially less than the cost under the proposals in last year's legislation.

Affordability is a key component of expanding health insurance coverage. Adding a tax credit to the programs increases their affordability so that more people age 55 and older can take advantage of the program. Last year's analysis from the Congressional Budget Office and the Joint Committee on Taxation, indicated that more than 500,000 currently uninsured people would gain health insurance coverage by enactment of the Medicare Early Access and Tax Credit Act if the tax credit were 25 percent. Because this legislation increases the tax credit to 50 percent, we can forecast much higher participation rates.

The Medicare Early Access Act and Tax Credit Act isn't the total solution for people age 55–64 who lack access to health insurance coverage. However, if passed, it would make available health insurance options for these individuals at much less than the cost of what is available today. This is a meaningful step forward in expanding health insurance coverage to a segment of our population that is quickly losing coverage in the private sector. The Medicare Early Access and Tax Credit Act is legislation that we should be able to agree upon and to enact so that people age 55–64 have a new, viable option for health insurance coverage. I look forward to working with my colleagues on both sides of the aisle and in the House and Senate to enact the Medicare Early Access and Tax Credit Act.

A more detailed summary of the legislation follows:

MEDICARE EARLY ACCESS AND TAX CREDIT ACT

(Please note: all numbers below are based on CBO/Joint Committee on Taxation analysis of the legislation in 2000. We will have updated figures once the new version of the bill is analyzed.)

TITLE I: HELP FOR PEOPLE AGED 62 TO 65

62–65 year olds without health insurance may buy into Medicare by paying monthly premiums and repaying any extra costs to Medicare through deferred premiums between ages 65 to 85.

Starting July, 2002, the full range of Medicare benefits (Part A & B and Medicare+Choice plans) may be brought by an individual between 62–65 who has earned enough quarters of coverage to be eligible for Medicare at age 65 and who has no health insurance under a public plan or a group plan. (The individual does not need to have exhausted any employer COBRA eligibility).

A person may continue to buy-into Medicare even if they subsequently become eligible for an employer group health plan or public plan. Individuals move into regular Medicare at age 65.

Financing: Enrollees must pay premiums. Premiums are divided into two parts:

(1) Base Premiums of about $326 a month payable during months of enrollment between 62 and 65, which will be adjusted for inflation and will vary a little by differences in the cost of health care in various geographic regions, and

(2) Deferred Premiums which will be payable between age 65–85, and which are estimated to be about $4 per month in 2005 for someone that participated for the full three years. The Deferred Premium will be paid like the current Part B premium, i.e., out of one's Social Security check.

Note, the Base Premium will be adjusted from year to year to reflect changing costs (and individuals will be told that number each year before they choose to enroll), but the 20 year Deferred Premium will not change from the dollar figure that the beneficiary is told when they first enroll between 62–65—they will be able to count on a specific dollar deferred payment figure.

The Base Premium equals the premium that would be necessary to cover all costs if all 62–65 year olds enrolled in the program. The Deferred Premium repays Medicare for the fact that not all will enroll, but that many sicker than average people are likely to voluntarily enroll. The Deferred Premiums ensure that the program is eventually full financed over roughly 20 years.

TITLE II: HELP FOR 55 TO 62 YEAR OLDS WHO LOSE THEIR JOBS

55–62 year olds who are eligible for unemployment insurance (and their uninsured spouses) may buy into Medicare through a premium.

The full range of Medicare benefits may be bought by an individual between 55–62 who: (1) has earned enough quarters of coverage to be eligible for Medicare at age 65; (2) is eligible for unemployment insurance; (3) before lay-off had a year-plus of employment-based

health insurance; and (4) because of the unemployment no longer has such coverage or eligibility for COBRA coverage.

A worker's spouse who meets the above conditions (except for UI eligibility) and is younger than 62 may also buy-in (even if younger than 55).

The worker and spouse must terminate buy-in if they become eligible for other types of insurance, but if the conditions listed above reoccur, they are eligible to buy-in again. At age 62 they must terminate and can covert to the Title I program. Non-payment of premiums is also cause for termination.

There is a single monthly premium roughly equal to $460 that will be adjusted for inflation. It must be paid during the time of buy-in; there is no Deferred Premium. This premium is set to recover base costs plus some of the cost created by the likely enrollment of sicker than average people.

TITLE III: HELP FOR WORKERS 55+ WHOSE RETIREE BENEFITS ARE TERMINATED

Workers age 55+ whose retirement health insurance is terminated by their employer may buy into their employer's health insurance for active workers at 125% of the group rate (this is an extension of COBRA health continuation coverage—not a Medicare program).

This Title is an expansion of the COBRA health continuation benefits program. If a worker and dependents have relied on a company retiree health benefit plan, and that protection is terminated or substantially slashed during his or her retirement, but the company continues a health plan for its active workers, then the retiree may buy-into the company's group health plan at 125% of cost. They can remain in that plan, paying 125% of the premium, until they are eligible for Medicare at age 65.

TITLE IV: TAX CREDITS

Creates a new, federal tax credit equal to 50% of the amount paid by an individual for any of the three new programs described above. Thus the actual cost of participation will be half of the dollar amounts described above. This tax credit assures much greater participation levels because it dramatically lowers the monthly premiums.

HONORING MODESTO CHRISTIAN SCHOOL'S BOYS BASKETBALL TEAM

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. CONDIT. Mr. Speaker, I rise to recognize Modesto Christian High School boys basketball team. On March 17, Modesto Christian High School played against Mater Dei of Santa Ana for the CIF Division I State Basketball Championship.

Though the Crusaders were narrowly defeated, 57–54 their efforts under the leadership of Coach Gary Porter cannot go unnoticed. This team has inspired people throughout my district. The Crusaders posted an impressive 34–4 record in its first season of Division I—the highest level of high school basketball in California. Coach Porter has developed an outstanding program that has set an example throughout the state and nation. His encouraging his players to be their best is a staple at Modesto Christian High School.

The championship game was senior Chuck Hayes' final game for the Crusaders where he had a game high 18 points and 20 rebounds. Hayes has been called the greatest high school player to come from this area. According to the Modesto Bee, ''Hayes' ability to take this game to another level against the best the state had to offer is what separated him from the rest.'' Hayes is not only an example on the court but off as well. His reputation is impeccable.

Mr. Speaker, sometimes winning in life is more important than the points a team scores in a particular game. The Crusaders have proven that teamwork, dedication and integrity are key components to success not only in basketball, but also in life. It is an honor for me to recognize the winners at Modesto Christian for an outstanding season. These young men represent the Central Valley's best to the state.

I ask my colleagues to rise and join me in honoring the Modesto Christian Crusaders: Jon Crenshaw; Chuck Hayes; Miles Scott; Brian Donham; James Noel; Richard Midgley; Marc Pratt; Jeff Porter; Josh Bouck; Kevin Bonner; Beau Brummell; Bobby Cole, Jr.; Marshall Meyers; William Patterson; and Davis Paris.

IN HONOR OF JUSTICE ALICE ROBIE RESNICK

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to recognize Alice Robie Resnick, Justice of the Supreme Court of Ohio, who is being honored by the Cuyahoga County Democratic Party at their annual dinner this year.

Justice Resnick is a graduate of Siena Heights College, and the University of Detroit Law School. Serving as Assistant Prosecutor for Lucas County, she tried more than one hundred serious felony cases including ten death penalty cases. In 1982, she became the first woman elected to the Sixth District Court of Appeals. Justice Resnick became the second woman in history to be elected to the Ohio Supreme Court in 1988.

Justice Resnick has a long history of devotion to public service. She helped to form Toledo Crime Stoppers, Inc. and continues to serve on their Board of Trustees. As Chairperson of Safety on the Streets, she has spoken extensively on crime prevention. In 1991, she prompted the Ohio Bar Association and the Ohio Supreme Court to form the Joint Task Force on Gender Fairness, which she co-chaired. Justice Resnick wrote two Supreme Court opinions, continuing her work to improve the lives and welfare of women in Ohio: State v. Koss, regarding battered women syndrome, and Kerans v. Porter Paint Co., which dealt with sexual harassment issues.

In addition to recognition from The Cuyahoga County Democratic Party, Justice Resnick received the Outstanding Judicial Service Award from the Ohio Academy of Trial Lawyers and the Judicial Excellence Award from the Mahoning Valley Women's Political Caucus in 2000. She was also named 1990 Woman of the Year of the Columbus Branch of the American Association of University Women.

Justice Resnick is married to Judge Melvin Resnick of the Sixth District Court of Appeals. She has three step children and six grandchildren.

My fellow colleagues, please join me today in recognizing the many accomplishments of Justice Alice Robie Resnick, a woman dedicated to public service.

IN HONOR OF FRANKLIN G. SMITH, THE FIRST SUPERINTENDENT OF THE CHAMIZAL NATIONAL MEMORIAL

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. REYES. Mr. Speaker, I rise today to recognize a great American. Mr. Franklin G. Smith passed away Wednesday, March 14, 2001 in El Paso, Texas. He has been a resident of El Paso since 1971. Mr. Smith was born in Pueblo, Colorado. He attended Pueblo Junior College, obtained his Bachelor's Degree from the University of Arizona, and performed graduate work at the University of Arizona. He served with honor in the United States Army from 1944–1946. I would like to express my heartfelt sorrow to his lovely wife, Mary Pauline Smith of El Paso, and his daughter Alison Diane Olson and grand daughter Amber Marie Olson.

Mr. Smith was a 42-year veteran of the National Park Service and was the first superintendent of the Chamizal National Memorial in my district. He had a distinguished career which began in 1948 as a Seasonal Park Archeologist at Mesa Verde. From there he worked as a Seasonal Park Naturalist for four summers at the Grand Canyon; Tumacacori National Monument, Arizona; and Carlsbad Caverns National Park in New Mexico. He then served as an Assistant to the Chief of Archeology here in Washington and as a Regional Museum Curator in the Southwest Regional Office in Santa Fe, New Mexico. Mr. Smith also served as the Superintendent of Fort Davis National Historic Site in Ft. Davis, Texas and, finally, as the Superintendent of Chamizal National Memorial until 1990. He was awarded the Department of Interior Distinguished Service Award for 40 years of service.

Mr. Smith was a great lover of history, music, and museums and was responsible for the development of the nationally recognized Border Folk Festival and the Siglo del Oro Spanish Drama Festival that takes place at the Chamizal National Memorial every year.

Mr. Smith was a Fellow of the Company of Military Historians, corresponding member of the Hispanic Society of America, member of the American Association of Museums and a member of the El Paso County Historical Society (where he received a distinguished service award). He was a respected military historian and loved nothing better than to perform military music for others.

Mr. Smith possessed a true love of nature, culture and history and devoted the majority of his life to the preservation, protection and interpretation of our national heritage. He was a symbol of the mission of the National Park Service and influenced, guided, educated and inspired countless numbers of students to become National Park Service rangers.

His true love was his beautiful wife, Mary Pauline whom he met while working at the Grand Canyon in Arizona. I want to again express my sincere sympathy for her loss. We will truly miss the first Superintendent of the Chamizal National Memorial, Mr. Franklin G. Smith.

CONGRATULATIONS TO THE UNIVERSITY OF MARYLAND TERRAPINS

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. HOYER. Mr. Speaker, Calvin Coolidge once said that, ''Nothing in the world can take the place of persistence. Talent will not . . . genius will not . . . education will not. . . . Persistence and determination alone are omnipotent.''

Mr. Speaker, the country finds itself on the edge of its seat, waiting with baited breath, as March Madness unfolds. The Final Four is just around the corner, and for the first time in history, the Mighty Maryland Terrapins will be there to show what persistence they've possessed, and what talent they exude.

Words can not possibly describe the poise and teamwork that the Terps exhibit. Their performance is to be applauded; their spirit imitated. What a deep sense of pride they have instilled in all of us for their hard work.

Under the tremendous coaching of Gary Williams, the Terps performance during this tournament has not only exceeded expectations, but has set a new standard for excellence. We can only hope that Terrence Morris mystifies, Steve Blake bolts, Juan Dixon dominates, Lonnie Baxter bounds, and Byron Mouton maneuvers the way they have so far. This will be the fourth meeting between the Terrapins and the Duke University Blue Devils. Each game has been an instant classic, and this contest shall truly be a game for the history books.

I stand before you today, an alumnus of Maryland, with the support of the entire State of Maryland, in praising the mighty Terrapins team, Coach Gary Williams and Athletic Director Debbie Yow. I encourage all in the Washington metropolitan area to join in saluting the Maryland Terps and wishing them success this weekend in Minneapolis.

Nuthin' but Net, Mr. Speaker . . . FEAR THE TURTLE!!!

A TRIBUTE TO HOWARD P. BERKOWITZ

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mrs. LOWEY. Mr. Speaker, I rise today to express my great admiration for Howard P. Berkowitz, a man of extraordinary ability, boundless generosity, and profound commitment to service.

Howard has enjoyed a long and successful career in the field of finance, where his business acumen and managerial skill are widely respected. But it is through his tireless efforts to promote education, improve health care, support the arts, and encourage tolerance that Howard's character is most clearly revealed.

On April 5th, Howard will be honored by the Anti-Defamation League, an organization he has served as National Chair and in a variety of other important capacities. It is fitting that he should be so recognized, because Howard embodies the core values of ADL.

He believes passionately in advancing justice and equality, combating bigotry and anti-Semitism, and helping all men and women treat each other with respect and dignity. Indeed, Howard's truly international reputation has enhanced ADL's global statute and helped bring anti-bias education to every corner of the globe.

At the same time, Howard has devoted considerable time and energy to a range of other worthwhile causes. He founded the Gar Reichman Laboratory at Memorial Sloan-Kettering, while also serving on the Boards of the Stedman-Hawkins Sports Medicine Foundation, the Cancer Research Institute, and the President's Council of Memorial Sloan-Kettering. In each of these roles and others, Howard commands the trust and admiration of all with whom he works.

It is an honor to represent Howard Berkowitz and his family in the Congress. I am pleased to join the chorus of tributes for such a good friend and great human being.

IN HONOR OF THE CLEVELAND FILM SOCIETY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to honor the Cleveland Film Society. Now celebrating its 25th anniversary, the Cleveland Film Society has enriched and educated our community for generations.

Every year, the Cleveland Film Society sponsors the Cleveland International Film Festival, which has become one of the premiere cinematic events in the country. Sponsoring over eighty feature films each year, the festival has become an important cultural event for the city of Cleveland. Always consciously working to create a more diverse social climate, the festival has served as a venue for people of all races, sexual orientations, and ethnicities to come together and express themselves. The Cleveland International Film Festival has served not just as a catalyst for tolerance, but also for understanding by providing people with an environment conducive to the intellectual analysis of film and important social issues.

Throughout its 25 years, the Cleveland Film Society has always provided the community with important educational opportunities. Two years ago, they began offering classes to the people of the surrounding neighborhood. Bringing innovative filmmakers to teach the classes, the community has been provided with an amazing educational resource. The society offers many classes from art appreciation to animated design.

Another important service of the Cleveland Film Society is the Cleveland Filmmakers Program. Offering consultation and advocacy services, the program has become an asset to area filmmakers. The program now has more than 300 members who attend meetings, workshops, and seminars.

After 25 years of valuable community service, the Cleveland Film Society has continually proven to be a valuable resource to our community. Providing our neighborhood with wonderful educational opportunities and chances to have dialogues with filmmakers, the society has become an important asset to the Cleveland area. My fellow colleagues, please join me in honoring the Cleveland Film Society.

THE EMERGENCY ECONOMIC REVITALIZATION ACT

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. COLLINS. Mr. Speaker, today I rise to introduce The Emergency Economic Revitalization Act. The time for Congress to provide taxpayers and our nation's stumbling economy with an infusion by refunding tax revenues is now. In the past, Congress has regularly provided emergency funds for a variety of needs for specific groups suffering economic loss. Following that precedent, it is time that we provide emergency relief for those who bear the brunt of the current ailing economy. They are the same group, who because of this emergency assistance, will have the greatest ability to provide an economic rebound—the taxpayers.

My legislation will provide every single taxpayer, who had a liability in tax year 1999, with a rebate of 5 percent. These refunds will be made this year, making sure that we give individuals and families their own tax funds back as soon as possible. This is the kind of injection into the economy that will make a real difference today.

Waiting until the current economic emergency reaches crisis proportions will be too late. Tax proposals that phase relief in over 2, 5, or 10 years provide nothing for today's economic slowdown. Additionally, legislation that promises a few extra dollars for individuals who do not have a tax liability to begin with, is simply not enough.

As we know, the President has taken the lead in recognizing the fact that returning tax overpayments to taxpayers is the best and most effective way to provide the economy with a shot in the arm. However, when the President established the $1.62 trillion tax cut threshold during his Presidential campaign, our national economy was much stronger. Today, we are at the beginning of an economic emergency. While the tax bills currently moving through Congress provide limited tax relief in the future, these measures are simply not enough to make a real economic difference now. My legislation will provide relief this year and will not breach the $1.6 trillion threshold the President has established for fiscal year 2002 and beyond. My proposals are intended to supplement the initiatives supported by the President and the Congress.

Enacting meaningful tax reductions, that affect all taxpayers across the board, is the only real way we have of stopping the economic down turn. Now is the time for Congress to respond accordingly. I urge my colleagues to join me in this effort and hope we can enact this legislation in the very near future.

BIPARTISAN WORKING GROUP ON YOUTH VIOLENCE

HON. JENNIFER DUNN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Ms. DUNN. Mr. Speaker, parents continue to see tragic examples that reinforce the need for immediate action to stop the violence in our nation's schools. During the 106th Congress, twenty-four Members—twelve Democrats and twelve Republicans—worked together as part of the Bipartisan Working Group on Youth Violence. As Co-Chair of the Working Group, I was involved in identifying causes and advancing through consensus solutions to fight the rise of youth violence. During our weekly meetings we reviewed studies and listened to testimony from expert witnesses from academia, law enforcement, the judicial system, and advocacy groups.

Today I am re-introducing a school safety measure that emerged as a recommendation during our Working Group discussions. Specifically, my proposal will give schools the flexibility to use their federal education dollars to hire School Resource Officers. The School Resource Officer program sends specially trained police officers into public schools to identify at-risk youth and serve as positive role models to students. One adult can make a difference in the life of a child, students can trust and count on these officers.

Just last week at Granite Hills High School in Southern California, the nation was shocked by another school shooting. The youth offender was ultimately stopped by the campus School Resource Officer. The school principal called the officer his personal hero and said that if he weren't there, a lot of people would have died.

School Resource Officers clearly play a critical role in keeping schools safe. Nevertheless, local school officials currently face red tape when it comes to spending federal money for School Resource Officers. Under the federal Safe and Drug Free Schools and Communities Act, schools can only spend twenty cents of each federal dollar for School Resource Officers. My initiative would lift this cap and allow schools to spend any portion of its federal funds on School Resource Officers.

Early this year, I joined King County Sheriff Dave Reichert in announcing that Dimmit Middle School in Renton, Washington will receive a School Resource Officer in response to a student firing a gun in the school cafeteria. Our nation's schools should be safe places. We must expel fear from our classrooms and do everything we can to keep our children out of danger. School Resource Officers are an important part of any school safety plan, and every effort must be made on the federal level to give schools greater flexibility to hire these officers as a violence prevention measure.

IN HONOR OF FELIX HUJARSKI

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to honor the memory of Flex E. Hujarski, a respected member of the Cleveland community.

Flelix E. Hujarski will be remembered for his kind heart, his devotion to his family and friends and his dedication to Polonia. Dedicated husband and father, he is survived by his wife, Wanda, daughter, Irene Mastropieri and son, Lawrence. He is the beloved grandfather of nine and great grandfather of six. Wherever Felix went, he left behind his positive spirit, charm and humor. He was a positive life force, always sharing his love and thinking of the needs of others before his own needs. He was a most unique individual, with an obvious commitment to his family, his many friends and to his community.

I ask my colleagues to join me in celebrating the life of this remarkable man. He was a man of great passion, a dedicated servant to his community, and a loving husband, father, and grandfather. He will be missed by all.

TRIBUTE TO SHERIFF'S DEPUTY BUDDY PARRISH

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. SKELTON. Mr. Speaker, it has come to my attention that an outstanding career in law enforcement has come to an end. Buddy Parrish, a Wellington, Missouri, resident, recently retired after 29 years of service as a sheriff's deputy.

Mr. Parrish has diligently served the people of Lafayette County, for nearly three decades. His dedication to public service and to the citizens of the county is to be commended. A truly distinguished enforcement officer, Buddy was recently honored with a ceremony at the Lafayette County Courthouse. Over 80 people, including several respected civic leaders, paid tribute to Buddy's long and admirable career.

Mr. Speaker, Buddy had an exceptional career in law enforcement. I wish him all the best in the days ahead. I am certain that the Members of the House will join me in paying tribute to this fine Missourian.

A TRIBUTE TO PHILLIP BURG FOR 2 MILLION MILES OF SAFE DRIVING

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. LEWIS of California. Mr. Speaker, I rise today to celebrate the achievements of Phillip Burg, a resident of Apple Valley, California, located in the heart of the 40th district. Phillip, a truck driver with Roadway Express for over twenty years, recently drove his two millionth mile. To put this in perspective, the average car driver would have to travel around the world eighty times to equal this milestone. And Philip has driven that distance without a preventable accident.

Driving two million miles is an achievement in and of itself. Not having a single accident during that trek is extraordinary. A driver can travel 999,999 miles without an accident, then break a mirror on the way back to the terminal, and the count starts again at zero. Few in the trucking industry have the longevity and dedication to reach this milestone.

Sixty-one years old, Phillip has seen it all: America's giant cities and small towns, open plains and towering mountains, farms that seem to go on forever and city skylines lit up against the stars. He's driven in every kind of weather imaginable in order to get the job done. These days, Phillip hauls everyday goods to Fresno, California and back five times a week, an average of 2,400 miles a week.

The men and women of our nation's trucking industry bring us the goods we use in our everyday lives. Be it toys for children, cups for the dinner table, or frames for pictures of loved ones, America's truckers bring it to you. ''If you use it, we hauled it'' is a motto of truckers, and it couldn't be more true. Simply stated, Phillip and his colleagues keep America running.

I applaud Phillip's dedication to his profession and his commitment to safety. I know I join his colleagues, his wife Melody, and his three children in congratulating him for his record of success.

IN HONOR OF THE 180TH ANNIVERSARY OF GREEK INDEPENDENCE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to honor the nation of Greece on its triumphant 180th anniversary of winning independence. Throughout its glorious history, Greece has proven to be an inspiration to the United States.

The birthplace and cradle of democracy, Greece's long history of promoting the ideals of justice and freedom now serves as a stand against which we measure all other nations. The legacy of antiquity is still felt throughout the streets of Athens today. It was the ancient Greeks who first realized that the right of self-governance was an essential foundation of any civilized society. Although such principles seem elementary today, their ideas were revolutionary in their own time. We cannot discount the influence that ancient Greece has had on our nation.

In the founding of our nation, Greece served as a model by which the framers of the constitution structured our government. The political and philosophical influence of Greece can be felt throughout the institutions of our government. After helping to author our Constitution, Thomas Jefferson referred to Greece as ''the light which led ourselves out of Gothic darkness,'' That same light, still shining from the distant memories of ancient Greece, guides our nation today.

Every year, the people of Greece come together to celebrate Greek Independence Day. Much like our own Fourth of July, Greek independence Day is a time for people to put aside difference and celebrate the vision which they share. It is a time to honor all people who join in the struggle for freedom. This year, it is important for all Americans to remember the history of independence and to remember where the roots of our nation originate.

My fellow colleagues, please join me in honoring the nation of Greece, on the 180th anniversary of their independence.

IN HONOR OF HEATHER MEURER

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. FARR of California. Mr. Speaker, I rise today to honor the life of Heather Courtney Meurer, a young woman who recently and suddenly passed away at the age of 32. Heather was the daughter of my good friend, and a dedicated public servant, Fred Meurer, and her loss was felt immediately.

Born in Seoul, Korea, Heather was raised in Salinas, California, and graduated from Salinas High School in 1987. Since her high school graduation, Heather had been working at St. Agnes Medical Center while pursuing her education. She had completed an accounting degree at Fresno State University, and was earning a master's degree in speech therapy at the time of her unfortunate death.

Heather's death, a young 32, is especially tragic because she had so much ahead of her, including exciting new opportunities through her upcoming speech therapy degree. She will be missed by her mother, Judi Albright Meurer and father Fred Meurer, both of Salinas, CA.; two sisters, Ashley Lafayette of Marina, CA., and Marie Barfuss of Utah; three brothers, David Meurer of Salinas, CA., and Steven and John Farnsworth of Utah; and her Korean birth mother, Monica Tedrowe. I sympathize with the Meurer family and their loss, and I can only hope that the love and support of their friends and community are helping them through this difficult time.

INTERNET APPRECIATION DAY

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Ms. PELOSI. Mr. Speaker, I rise to report that the Intenet economy is alive and well.

In the past year, a perceived lack of public confidence has hampered an industry, which has limitless potential. Despite the negativity reported in the media, let it be known that 350 million Internet users worldwide truly enjoy this incredible medium. And that while the media has reported that almost 300 dotcoms have closed their doors since January 2000, more than 7,500 Internet-related companies have been funded by venture capital alone in the past 5 years. The Internet economy itself has created some 3 million jobs worldwide. In light of premature pessimism, industry leaders are calling on the 350 million Internet users worldwide to remember why they embraced the Internet in the first place by participating in ''Internet Appreciation Day'', on April 3d, with the launch of the 'Back the Net' campaign.

On April 3d, Internet users are being asked to show their support by donating to an online charity, purchasing something online or investing in their favorite online business. ICONOLAST, the San Francisco based company spearheading this effort is asking Internet users to alert at least 10 friends or their customer lists by sending a 'Back the Net' letter at www.iconocast.com/crusade.

The Internet has become a vital tool in our information society. It has grown exponentially through the 1990's and into the 21st century. This growth has fueled the economic prosperity of the last decade while giving businesses, consumers and more importantly the American family access to an unprecedented amount of information. More Americans are going online to conduct such day-to-day activities as education, business transactions, personal correspondence, research and information-gathering, and job searches. Each year, being digitally connected becomes ever more critical to economic and educational advancement as well as community participation. The family friendly Internet has brought happiness to America's families by increasing and enhancing communication across the country and across generations.

For these reasons friends of the Internet declare April 3d, 2001 ''Internet Appreciation Day'' to once again help restore public confidence in and respect for the Internet.

PERSONAL EXPLANATION

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. PORTMAN. Mr. Speaker, because I attended the Conference of the Speakers of the G–8 Parliaments with House Speaker DENNIS HASTERT in Rome, Italy, I missed the following Rollcall votes on March 22, 2001; Rollcall vote No. 56, on the Motion to Adjourn. Had I been present, I would have voted ''nay.'' On Rollcall No. 57, passage of H. Res. 93, I would have voted ''yea.'' On Rollcall No. 58, passage of H.R. 1099, I would have voted ''yea.'' on Rollcall No. 59, passage of H.R. 802, I would have voted ''yea.'' On Rollcall No. 60, the Traficant amendment to H.R. 247, I would have voted ''aye.'' On Rollcall No. 61, passage of H.R. 247, I would have voted ''aye.''

CLEAN SMOKESTACKS ACT OF 2001

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. WAXMAN. Mr. Speaker, today I am again joining with Representative BOEHLERT in introducing the Clean Smokestacks Act of 2001. This important legislation will finally cleanup the nation's dirty, antiquated powerplants.

When I originally introduced the Clean Smokestacks Act with Representative BOEHLERT in the last Congress, we had a modest beginning. I think we had a total of 15 cosponsors and little attention. But by the end of last year, the bill's supporters had grown to over 120 House Members.

This year, the Senate is joining in our effort. Senators JEFFORDS and LIEBERMAN have introduced a companion bill in the Senate, entitled the Clean Power Act. I am hopeful that together we can get the job done.

Electricity generation is our nation's single largest source of air pollution and greenhouse gas emissions. Nationally, power plants are responsible for about 40 percent of carbon dioxide emissions, 64 percent of sulfur dioxide emissions, 26 percent of nitrogen oxides emissions and 33 percent of mercury emissions.

These four pollutants are the major cause of some of the most serious environmental problems the nation faces, including acid rain, smog, respiratory illness, mercury contamination, and global warming. If we are going to improve air quality and reduce global warming, we must curb the emissions from these powerplants.

President Bush was right when he promised during the campaign to support legislation that would reduce all four powerplant pollutants. The Clean Smokestacks Act and the Clean Power Act embody this sensible approach. In fact, prior to the president's surprising reversal last week, I had hoped we could win the President's support for our bipartisan approach.

Our job has become more difficult given the President's unfortunate decision to oppose curbing carbon dioxide emissions. But I believe that we have reached the point of no turning back on a four pollutant approach for powerplant emissions.

When the original Clean Air Act was enacted in 1970, the electric utility industry argued that stringent controls shouldn't be imposed on the oldest, dirtiest plants since they would soon be replaced by new state-of-the-art facilities. Although Congress acceded to these arguments and shielded old powerplants from the law's requirements, many of these facilities—which were already old in 1970—are still in use. In some cases, powerplants from 1922 are still in operation and have never had to meet the environmental requirements that a new facility would.

As a result, a single plant in the Midwest can emit as much pollution as the entire state of Massachusetts.

Opponents of our effort say that it will cost too much to address carbon dioxide emissions. But there have been at least four other studies published in the last six months by the Department of Energy and others that conclude that the costs of a multi-pollutant strategy will be quite reasonable.

In conclusion, let me commend Representative BOEHLERT and Senators JEFFORDS, LIEBERMAN, COLLINS, and SCHUMER. I am pleased to be part of this bipartisan, bicameral approach to strengthening the Clean Air Act and protecting our environment.

THE RETIREMENT OF FORREST S. MCCARTNEY

HON. DAVE WELDON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. WELDON of Florida. Mr. Speaker, at this time I would like to say a few words thanking Forrest McCartney for his service to the nation. I have the privilege of representing Florida's Space Coast, and Forrest has been a tremendous part of our community for many years. But, more importantly, his contributions to our nation's space program are remarkable.

Forrest retired on March 2 from his position as Lockheed Martin's chief of launch operations at Cape Canaveral Air Force Station and Vandenberg Air Force Base, a fitting end to an illustrious career.

Forrest McCartney was born in the town of Fort Payne, Alabama. He left rural Alabama to earn degrees in electrical engineering from

Auburn and nuclear engineering from the USAF Institute of Technology.

Over the decades, Forrest served his nation in many ways. He retired from the Air Force as a Lt. General, and moved on to serve as the Director of NASA's Kennedy Space Center from 1986 through 1991. In 1994, he became a vice president for Lockheed Martin Astronautics in charge of space launch operations.

His military decorations and awards include the Distinguished Service Medal, Legion of Merit and one oak leaf cluster, Meritorious Service Medal and Air Force Commendation Medal with three oak leaf clusters. He is the recipient of the General Thomas D. White Space Trophy and the Military Astronautical Trophy.

McCartney is a member of the board of trustees for the Florida Institute of Technology and was awarded an honorary doctorate degree from that institution. He also received NASA's Distinguished Service Medal and is one of five recipients of the National Space Club's Goddard Memorial Trophy presented in March 1989. In 1991 he received the AIAA von Braun Award for Excellence in Space Program Management and NASA's Presidential Rank Award. In 1992 he received the Debus award from the Space Club in Florida, and in 1993 he was the sole recipient of the Goddard Trophy.

I think it's safe to assume that his wife and two daughters are very proud of their father. The State of Florida and the entire nation owes Forrest McCartney a debt of gratitude for his service.

Forrest, on behalf of all of my colleagues in the U.S. Congress, we wish you well in your retirement.

TRIBUTE TO ATTORNEY FRED L. LANDER III

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to note with great sadness the passing of Attorney Fred L. Lander III, one of the great community leaders and Noted Civil Rights Attorneys of Dallas, Texas.

Attorney Lander, III was born on April 19, 1927 in Charlotte, North Carolina. He served in the U.S. Army during the time of the Korean Conflict. He received his Juris Doctorate Degree in 1952 from Howard University School of Law in Washington, D.C.

His job pursuits were numerous, including classroom teacher, independent Real Estate and Insurance operator. He held an administrative position with the Port of New York Authority and Hearing Officer with the New York State Department of Labor. He also served 30 years with the Federal Government at the Internal Revenue Service, the Federal Power Commission, the National Archives and Records Service and the Department of Justice's Law Enforcement Assistance Administration.

He served with the Equal Employment Opportunity Commission until his retirement on April 16, 1987. In the interim, he served as Crime Analysis and Executive Director of the Pilot District Police Community Relations Project for the District of Columbia. He was appointed an Administrative Law Judge for the Civil Service Commission in Dallas, Texas.

Attorney Lander, III was a Life Member of the National Bar Association, the J.L. Turner Legal Association, the Dallas County Bar Association, the Federal Bar Association, the Texas Trial Lawyers Association, the American Bar Association, and the National Association of Blacks in Criminal Justice.

In community service, his memberships included the Dallas Urban League (Life Member and former Board Member); the National Association for the Advancement of Colored People (Life Member and former member of the Board of the Dallas Branch); OMEGA PSI PHI Fraternity, Inc. (Life Member); Paul Drayton Lodge No. 9 of the Free and Accepted Masons; Dallas Black Chamber of Commerce; Howard University Alumni Association; Progressive Voters League of Dallas; Regular Fellows Club (Past President); and Glen Oaks Homeowners Association (Legal Advisor).

He served on the Board of Directors of the Community Council of Greater Dallas, the North Texas Legal Services Foundation, the Dallas Office of the Opportunities Industrialization Center, the Park South YMCA, the Pylon Business Club; the Dallas Cable Board; and the Dallas Citizens Police Review Board.

Attorney Lander, III was a Charter Advisor and participant of the C.A.W. Clark Legal Clinic. He was a 50-year member of the Omega Psi Phi Fraternity, Inc. and received the Man of the Year Award in 1977. He also received the President's Award for Outstanding Service in 1983 and the C.B. Bunkley Legal Service Award in 1989 from the J.L. Turner Legal Association; the Dallas Urban League Board Service Award in 1993 and the Whitney Young Award in 1995; and other awards, certifications, commendations and recognitions too numerous to mention.

He was certified to practice law before all Courts in the State of Texas, before the United States District Courts for the Northern and Eastern Districts of Texas, before the United States Court of Appeals for the Fifth Circuit, and before the United States Supreme Court.

Attorney Fred L. Lander, III was a wonderful husband to his wife and a loving parent. He was the proud father of an U.S. Navy retiree and a Municipal Court Judge in Dallas, Texas. He also had three Godchildren, two Texas adopted grandchildren and his pet.

Mr. Speaker, Attorney Ladner, III inspired his children, his peers, the Black community and all who knew him.

With his passing, I have lost a dear friend, many members of our community have lost a mentor, and the citizens of Dallas have lost a great Civil Rights Lawyer and community leader. He was truly an inspiration and will be missed. God bless his family. We commend him to you, dear Lord, in your eternal care. Amen.

A SPECIAL TRIBUTE TO CHIEF MASTER SERGEANT MARK W. CHARLTON, AIR NATIONAL GUARD, FOR HIS DEDICATED SERVICE

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to pay special tribute to an outstanding Non-Commissioned Officer in the Ohio Air National Guard. Chief Master Sergeant Mark W. Charlton is retiring after a distinguished career of over 34 years in the United States armed forces, most recently with the 200th RED HORSE Squadron as the Vehicle Maintenance Superintendent and Logistics Manager.

Chief Charlton began his service to his country as an active duty Air Force Generator/Barrier Maintenance NCO. His first duty assignment took him to 6314th Civil Engineering Squadron, Osan Air Base, Korea, where he performed maintenance and repair of generator and aircraft arresting barrier systems.

After leaving active duty to become a member of the Ohio Air National Guard, 200th RED HORSE Squadron, Chief Charlton served as the full-time Aircraft Arresting Systems Barrier Team Chief for over 17 years, requiring him to spend numerous weeks away from his home, family and unit. His barrier team supported numerous deployments worldwide insuring safety of flight, life and equipment in performance of fighter aircraft operations.

Chief Charlton was instrumental in the success of the world-wide RED HORSE realignment and conversion process for both active duty and Air Reserve component forces enabling the vehicle sustainment, reallocation and acquisition process to drive change and successful support of the new RED HORSE Concept of Operations. During his assignment as Non-Commissioned Officer-In-Charge of Vehicle Maintenance, Chief Charlton consistently insured a unit vehicle-in-commission rate of 94% enabling the unit to respond to any type of military crisis world-wide, anytime, anywhere, within hours of notification.

Chief Charlton's dedication and service have earned him the highest regard for his character, professionalism and dedication as a Citizen-Airman. His exceptional knowledge of RED HORSE is universally known throughout the active duty and Air Reserve forces military community. No award is more appropriate, nor more fulfilling for him, than the knowledge that his efforts helped give America a clearer understanding of the important work of America's men and women in uniform.

Mr. Speaker, I ask each of my colleagues to join me in extending Chief Master Sergeant Mark W. Charlton our very best wishes as he begins this exciting new chapter in his life. Mark Charlton has earned, many times over, the title of Citizen-Airman and Patriot. May he fully enjoy the blessings of the very freedom he has so ably defended as a Non-Commissioned Officer in the Air National Guard.

A TRIBUTE TO AMERICA'S SOCIAL WORKERS

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. ETHERIDGE. Mr. Speaker, I rise today to pay tribute to America's social workers. March is National Social Work Month and I think it is fitting that we take time to thank these outstanding citizens for their honorable work.

Since I was first elected to the House over four years ago, I have employed at least one social worker as a member of my district staff. I had worked with social workers before during my tenure as North Carolina's Superintendent of public schools, and I was impressed with their versatility and the positive impact of their work on people's lives. Together the social workers on my staff and I have assisted veterans and seniors, and helped new immigrants pursue the American Dream in our great country.

About a month ago, I held a meeting with my youth advisory committee to talk about youth and school violence. We had a great meeting and we talked candidly about the issues that the young people of my district face on a daily basis. At one point during the meeting, we broke into small groups, which were led by faculty, administrators, and school social workers. I was particularly drawn to one of the small groups led by Kelly Lister, a school social worker from Zebulon. She did a marvelous job of interacting with the students and offered some practical and poignant thoughts for her group to consider.

Unfortunately, there are not enough school social workers in our schools. For example, in Johnston County, North Carolina, there is only one school social worker for all 29 schools in the system. We need more school social workers, like Kelly to work with our students, to help them grow and mature. In many instances they are a link between home, school, and community. They help students increase academic performance, deal with crisis situations, learn how to resolve conflicts without resorting to violence, practice important problem-solving and decision-making skills, and most importantly remain in school and graduate. School social workers are a critical component in a child's education and we owe them a debt of gratitude for their hard work and service.

Social workers effect our lives in so many ways. Their work touches all of us as individuals and as whole communities. They are educated, highly trained, and committed professionals. They work in family service and community mental health agencies, schools, hospitals, nursing homes, and many other private and public agencies. They listen. They care. And most importantly, they help those in need.

Mr. Speaker, social workers are an integral, irreplaceable part of our society. I urge all of my colleagues to take the time to honor all the social workers in their districts for all of their contributions and accomplishments during the remainder of National Social Work Month.

CELEBRATING THE WILLOWRIDGE HIGH SCHOOL BOYS BASKETBALL TEAM

HON. TOM DeLAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. DELAY. Mr. Speaker, I rise today to call special attention to the achievements of the Willowridge High School Boys Basketball team of Sugar Land, Texas. This year, the Willowridge Eagles won their second consecutive 5A State championship on March 9th, 2001.

Undefeated in 39 games last season, the Willowridge Eagles extended their winning streak to 62 games over two years. Led by a veteran group of seniors, the Eagles also defeated three nationally ranked schools when they traveled north to win the ''Slam Dunk to the Beach'' Tournament in Lewes, Delaware. Willowridge was recognized as the Number Two team in the country in USA Today's Super 25 boys basketball rankings.

On their journey to the championship, Coach Ronnie Courtney and the Eagles have proven that they are one of the best high school basketball teams in the country. Their commitment to teamwork on-and-off the court has brought them both the state championship and national accolade. I congratulate the Willowridge Eagles. They have not only won the championship, but also the appreciation of their fans in Sugar Land, Texas, and across America.

APRIL CITIZEN OF THE MONTH—KARAN ''BOBBY'' KUMAR

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mrs. MCCARTHY of New York. Mr. Speaker, I have named Karan ''Bobby'' Kumar, Chairman of the Board at Nassau Health Care Corporation, as Citizen of the Month in the Fourth Congressional District for April 2001.

Bobby is a prominent leader in both the Indian Community on Long Island and in his health care profession. As a nurse, I know how important the Nassau Health Care Corporation is to our district

Kumar is a charismatic and hard working individual who has grown from a simple beginning into a respected individual in the society. The Nassau Health Care Corporation employs over 4,200 employees and is comprised of a 631-bed medical center, five health centers and is one of the largest nursing homes in the country with 889 beds.

An entrepreneur who has worked his way up from a bus boy to a successful businessman, Kumar now owns many successful businesses including a publishing company, and a construction and environmental company. Kumar Enterprises, a manufacturing company specializing in paint, is his most recent startup.

His leadership role in the Indian community is extensive. In the past, he has published the Indian, Pakistani, Bangladeshi, and American Yellow Pages. He is the chairman of the International Punjabi Welfare Council, and has received awards from the American Federation of Muslims of Indian Origin, the Indian Association of Long Island, the Indian Professional Engineers Association of USA, and the News India Times.

Yet his community involvement reaches outside the Indian community. He has been honored by various organizations including the Battered Women's Association, Nassau Association for the Help of Retarded Children, and the Convenience Stores Association. He was recognized by Newsday as the January 2000 Long Island Man of the Century.

Kumar and his wife, Roisin Meegan, have five children. I congratulate Bobby and his family on this achievement.

PRAISING THE HUMAN RIGHTS PROGRAM AT TRINITY COLLEGE

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to commend the work of the human rights program at Trinity College in Hatford, Connecticut for its dedication to increasing awareness of human rights injustices around the world and the active role it has taken in the campaign against such abuses. Because of the tireless efforts of Maryam Elahi, the Director of the program, Trinity College boasts a human rights program that is believed to be the only undergraduate interdisciplinary human rights program in the United States, challenging its students to become active participants in the fight against human rights violations around the world. This Friday will mark yet another instance of Trinity's dedication.

On March 30, 2001, the Human Rights Program will be hosting a ceremony calling attention to the plight of three teachers being held as political prisoners in Myanmar, the country formerly known as Burma, Ms. Ma Thida Htway, Mr. U Ye Tint, and Ms. Ma Khin Khin Leh. Their story has caught the attention of many world leaders including Her Majesty, Queen Rania al-Abdulla of Jordan. I am honored to have Queen Rania as a guest of the First Congressional District and as the keynote speaker of Friday's ceremony.

The three teachers were arrested in July 1999 with a dozen other activists in connection to a march that had been planned commemorating the assassination of independence hero General Aung Sand and supporting the National League for Democracy (NLD). Ms. Ma Thida Htway, an elementary school teacher, was arrested for attempting to organize the 1999 uprising and creating a human rights movement. Mr. U Ye Tint, a private tutor, was helping students of the uprising produce pamphlets. Ms. Ma Khin Khin Leh, a nonpolitical, was arrested together with her three-year-old daughter, after the Military Intelligence was unable to locate her political activist husband. After five days her daughter was released; however, Ma Khin Khin Leh sits in an unspecified prison for a life sentence. The two others were also sentenced to lengthy prison terms in a trial that fell short of the international standards for fair trials. All have been brutalized and tortured because of their political beliefs. This cannot continue.

The plight of these three teachers is just one of many human rights abuses which occur

everyday. I have joined my distinguished colleagues and co-chairs of the Congressional Human Rights Caucus, Mr. Lantos and Mr. Wolf, and many of my other colleagues, in a letter to Lieutenant General Khin Nyunt, Secretary of the State Peace and Development Council of the Union of Myanmar, calling on him to review their cases and release them immediately and unconditionally. It is my hope that our efforts will generate a victory in the battle for the three teachers; and ultimately, have a positive impact on the war against human rights abuses.

Here in the United States, we take for granted the inalienable rights afforded to us by the Constitution and the Bill of Rights. The freedoms of speech, expression, and assembly are all rights exercised by American citizens everyday. We often forgot these rights, which our forefathers fought so vigorously to ensure, are not freedoms enjoyed by all citizens of our world. I praise Trinity College for recognizing the significance of this international epidemic and urge my colleagues to join in the international campaign to combat these horrific violations of human rights.

SU CLINICA FAMILIA

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. ORTIZ. Mr. Speaker, I rise today to honor Su Clinica Familia (Spanish for "your family clinic"), a comprehensive primary health care service center in the Rio Grande Valley, on their 30th anniversary of operation in South Texas, and I ask my colleagues to join me in the observation of this important milestone.

Su Clinica's work over the years has provided the only medical care available to so many migrant workers and low-income families in the Valley over the past three decades. On the anniversary of their 30th year in service to South Texas, we are breaking ground on April 6th to celebrate the new dimension of their work: academia.

Su Clinica is now a major principal partner with the Regional Academic Health Center (RAHC), and they will be the primary training ground for RAHC. This will be a new direction for them in which they will recruit, train, and retain doctors and health care professionals, all in the Rio Grande Valley.

Su Clinica burst onto the South Texas community health scene in 1971 to improve the health for families in Cameron and Willacy Counties in South Texas. Su Clinica was the dream of a group of generous patrons, the Archdiocese of Brownsville and other charity groups, all who wanted to see health care available to migrant and seasonal farm workers.

I have particular, personal appreciation for Su Clinica Familia. As a former migrant worker, I have a unique perspective of what it is like to be unable to afford health care. I have vivid memories from my childhood about the health of my family. We had no health insurance, and thankfully we were relatively healthy.

But when one of us was sick, my father would gather us up, no matter what the time of day, to pray for whoever was sick. That was our health insurance. I still advocate that people pray for their loved ones when they are sick, but no one should be without basic health care today.

Su Clinica's unique health care services increase the self-worth of the people treated there. That self-worth is evident in the faces of the people who walk out of the clinic. The resulting longevity of their lives makes for happier families and healthier South Texans.

I have long had a working relationship with this leader in health care in the Rio Grande Valley. There is an enormous population in South Texas that have no access to health care, and Su Clinica has gone a long way toward decreasing that overall number.

From seeking the causes of anencephaly along the border in the early 1990s, to working together today to stem the epidemic of rampant, drug resistant tuberculosis along the border, our relationship has been strong and productive. The new direction in becoming the primary training ground for young doctors and health professionals is a natural outgrowth of Su Clinica's three decades of work for our community.

I ask my colleagues to join me today in congratulating Su Clinica Familia for their longevity and success in bringing health care to low-income South Texans, at a time and in a place where the quality of health care has international repercussions.

A BILL TO PERMANENTLY EXTEND THE WORK OPPORTUNITY AND WELFARE-TO-WORK TAX CREDITS AND IMPROVE THE PROGRAMS

HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. HOUGHTON. Mr. Speaker, Today I am joined by my colleague from New York, Mr. RANGEL, in introducing our bill, "The Work Opportunity Improvement Act of 2001." The bill would permanently extend the Work Opportunity Tax Credit (WOTC) and the Welfare-to-Work Credit (W-t-W) and make one other change discussed below. Both programs are currently due to expire on December 31, 2001.

As we reintroduce the bill to permanently extend the programs, I want to note how please I was to receive a report dated March 13, 2001 from the General Accounting Office which concluded that there is little evidence, if any, that employers are "churning" employees to take advantage of multiple credits. This report puts aside the churning charge that has surfaced in the past, and reflects favorably on the integrity of the programs.

Because there have been a number of improvements in the programs over the past few years, they are being well received in providing employment, with training, for our disadvantaged. During the past five years, WOTC and W-t-W have been an integral part in helping over a million and a half low-skilled individuals dependent on public assistance, enter into the work force. That does not mean there can't be further improvements to the programs. We will continue to review the programs for improvements that will benefit all the parties involved.

Such training can be costly and the credits provide an incentive to employers to hire the disadvantaged and provide the needed training while offsetting costs associated with the latter effort. Of course, many believe the programs would be even more successful if they could be extended indefinitely. We hear from both employers and state job services, which administer the programs, that the continued uncertainty surrounding short-term extensions impedes expanded participation and improvements in program administration. If the programs were made permanent, employers, both large and small, would be induced to expand their recruitment efforts and encourage the states to improve the administration of the programs. Such a change would benefit everyone.

The other provision in the bill would expand the food stamp category by increasing the age limit from 24 to 50 years of age. The current ceiling of 24 limits the availability of individuals in this targeted category. There are many individuals, over the age of 24, who could be gainfully employed if the age limit was expanded. Currently, the programs do an excellent job of helping women on welfare enter into the workforce. Over 80% of the hires in the programs are women. However, men from welfare households face a greater barrier to hire because they are no longer eligible for welfare once they turn 18. However, they can qualify if they are a member of a household receiving food stamps. But again, the age limit on the food stamp category is 24. We believe increasing that age limit to 50 will provide employers an incentive to hire such individuals and provide them with a sense of personal responsibility and self-esteem in assuming their responsibility as parents and members of society.

We use our colleagues to join us in cosponsoring this important legislation to extend and improve the two programs.

IN HONOR OF WOMEN'S HISTORY MONTH—RECOGNIZING NEW MEXICO WOMEN

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mrs. WILSON. Mr. Speaker, in honor of Women's History Month, I asked New Mexicans to send me nominations of women in New Mexico who have given special service to our community, but may have never received recognition for their good deeds.

I received twenty-eight worthy nominations describing sacrifices and contributions these women have made for our community. The people who nominated the women described the dedication they have witnessed: volunteer hours for veteran services, Sunday School Teachers, service on non-profit boards, homeless programs, fund raising for scholarships for at risk youth, healthcare providers going above the call of duty, child advocates, volunteers at churches and synagogues, successful business women, wives, mothers and friends.

Allow me to share examples of the nominations.

Lydia Ashanin—A community volunteer since the age of 10. She has actively mentored many young women through Big Brothers/Big Sisters and other youth programs. Lydia is a committed volunteer for

Leadership New Mexico, fostering future leaders in our state. Her volunteer efforts have touched economic development, women's programs and DWI activism.

JoAnn Carnahan—A hospice volunteer nominated by Elizabeth Carlin, a hospice patient. JoAnn takes Elizabeth for chemotherapy and stays with her for the 3–4 hours it takes for the treatments. JoAnn volunteers for a disabled man, doing his grocery shopping and laundry each week. At Christmas she helps with the gift bags for hospice patients.

Connie Martinez—A community liaison in the San Jose neighborhood of Albuquerque, she works hard on issues important to her neighbors and friends. Although she has experienced many personal losses in her life, she remains committed to making a positive difference. Connie is an advocate on environmental issues such as Superfund and Brownfields sites in the community, and social and economic concerns that affect the residents of San Jose. Connie is also an active volunteer at her parish.

Carolyn Monroe—A successful business woman who shares her skills on several boards concerned with the economic well-being and growth in our community. She understands the need and benefit of helping individuals and organizations succeed in the business community. Additionally she gives her time and financial support to many non-profit organizations.

Gloria Septien—One of only four women in the United States who owns a radio station, and one of only two Hispanic women who own a radio station. She has performed innumerable acts of kindness including food and toy drives for needy families and giving generously to charitable organizations, including the United Way.

Tamara Ward—A juvenile justice social worker who ''walks the talk.'' Tamara has developed programs to help youth begin their rehabilitation and make a successful transition once they are out of the institution. She helps teens in the institution tell their stories through ''Tales from the Inside'', sharing why no one should follow in their footsteps. Tamara recruits positive role models to mentor the youth, providing a foundation to make positive changes in their lives.

These five excerpts from the nominations serve as examples of the women making history today and impacting the future in new Mexico. Please join me in honoring all of the worthy nominations: Julia Y. Seligman, Thema Honey, Aileen O'Bryan, Margarte Davidson (Posthumously), Maureen Sanders, Judie Framan, Gwen Poe, Fran Bradshaw, Cathy Davis, Anne Townsend, Penny Howard, Carolyn Chan, Melisse Barlow, Betty King, Marie Torrens, Paulina Slopek, Cathleen Tomlinson, Jan Johnson, Clorinda Romero, Virginia Eubanks, Vickie Terry, Marily Schaer and Sue Stearns.

WILDKITS SWIM AWAY WITH STATE CHAMPIONSHIP

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Ms. SCHAKOWSKY. Mr. Speaker, I wish to congratulate the Evanston Township High School swim team for winning this year's Illinois State championship. After more than 40 long years, the State swimming championship title is back in Evanston. And after the many hours of hard work in the pool and countless laps, this team's dedication to winning was finally rewarded.

Led by Coach of the Year Kevin Auger, this year's outstanding and superbly talented Evanston Township High School swim team dominated the competition, broke state records, and swam away with the top prize. That was a proud moment for ETHS swimmers, coaches, faculty, and especially the parents of those remarkable student athletes. It was a very proud moment for all the residents of the city of Evanston and all Wildkit fans and alumni.

I urge all members to read the following article from the Evanston Review on ETHS' great achievement, and to take a minute and read the names of the championship swim team members listed below.

ETHS Team Members: Glen Anderson, Jamaal Applewhite, Peter Bloom, Nate Crocker, Brian Doyle, Justin Froelich, Taylor Hales, Alex Johnson, Alex Maass, Sean McCaffrey, Stuart Olsen, Terry Silkaitis, Stephen Skalinder, Will Vogel, Blake Wallace, Seth Weidman, and Brian Weiland.

ETHS Coaches: Kevin Auger, Jim Blickenstaff, Chuck Fargo, Joey Hailpern, and Aaron Melnick.

[From the Evanston Review, Mar. 1, 2001]

KITS SNAG FIRST STATE SWIM TITLE IN OVER 40 YEARS

(By Dennis Mahoney)

Evanston freshman Alex Johnson brought his family's favorite lawn ornament—a two-foot high plastic penguin—to the Illinois High School Association state swimming and diving finals Saturday at New Trier High School.

''It's always brought my family good luck, so I thought I'd bring it along,'' Johnson said.

But good luck isn't necessary at the state swim finals. The cream always rises to the top.

Led by the terrific trio of Terry Silkaitis, Sean McCaffrey and Blake Wallace, Evanston's swim team ascended to the top of the heap as the Wildkits captured their first state crown since 1960 Saturday.

Coach Kevin Auger's team left no doubt about the outcome with a sizzling performance during Friday's preliminary competition, then breezed to a team total of 139 points and easily outdistanced runner-up St. Charles East (110).

Silkaitis defended his individual championship in the 200-yard freestyle event, and also swam with the victorious 200 and 400 freestyle relay teams as part of a dominating performance by the Wildkits.

''Winning that last relay (in a school record 3:06.93) was just the icing on the cake for us,'' said Auger after his celebratory dip in the New Trier pool. ''This just feels awesome. These guys worked so hard and it's just great to see this senior class accomplish this.

''For them to handle the pressure the way they did was just tremendous. Our big three swam virtually perfect Friday, and I told the guys we had to win yesterday to win it today.''

''Even after the sectional I didn't think this was possible. It feels awesome, but it hasn't really sunk in yet,'' said Silkaitis. ''It definitely was a nerve-wracking weekend. But I knew what I had to do—and I did it.''

The splendid senior almost pulled off a pair of individuals wins. He put together impressive back-to-back swims in the 200—with a prelim time of 1:38.42 and a finals time of 1.38.36, both personal bests—and won the title by almost two seconds.

And he responded to a big challenge in the 100 butterfly, where Champaign Central stud Dan Trupin was the odds-on favorite—until Silkaitis broke the state record of 49.54 with a time of 48.96 in the prelims.

That threw a scare into Trupin, who responded by re-setting the record at 48.69 Saturday. Silkaitis settled for second best at 49.34.

''It was nice to win the 200 again, especially because this is my senior year,'' Silkaitis said. ''Today was definitely harder than in the prelims. I'd have said no way coming into the meet that I could go a couple of 1:38s, but after yesterday I thought I could do it again. I felt good today.

''Was I disappointed in the fly? Not at all. If you're going to lose, lose to the best. I knew Trupin would be there and I just gave it everything I could.''

Also producing points for the new state champs—with legendary coach Dobbie Burton, who led the Wildkits to five state titles in the 1950s, watching from the stands—were McCaffrey (fourth in the 200 freestyle, second in the 100 freestyle), Wallace (sixth in the 50 and sixth in the 100), Glenn Anderson (11th in the 100 backstroke) and the medley relay unit of Anderson, Justin Froelich, Taylor Hales and Seth Weidmann that finished 12th.

Both of Evanston's relay triumphs turned out to be the fastest times in the country this season, Silkaitis, Weidmann, Wallace and McCaffrey beat out rival New Trier with a winning time of 1:24.90 that was actually slower than their prelim effort (1:24.72).

The same foursome finished with a flourish in the 400. It marked the first time the Wildkits have won that event in their history.

McCaffrey's decision to participate in shorter races this season (he placed eighth last year in the 500 free) paid off. He wasn't happy with another fourth place finish in the 200 but came on strong after that. His splits were a 20.5 on the shorter relay and an incredible 45.5 on the 400.

''It was obvious to me the 500 was going to be harder with all those fast young kids coming up,'' said the Wildkit senior. ''The 100 proved to be a better race for me.

''I trained hard and lifted a lot of weights this year to prepare for this. I knew this would be a fast race, but I didn't know it would be this fast (a state record 44.40 by winner Matt Grevers of Lake Forest). I knew first place was out of the question there. I was just trying to get some team points.''

So was Wallace, a junior who established himself as one of the state's top sprinters.

''My individual swims weren't what I wanted, but the relays were awesome!'' he said. ''We were so pumped up for that 400 even though we already had the meet won. We wanted the state record (3:05.84), but we couldn't quite get it.

''Yesterday I felt a lot of pressure to make it into the top six (in the 50 and 100). I did what I had to do. I think coach Auger deserves so much credit. He had us swimming just as hard in practice as we did in the meets. And the taper was right on.''

Good luck may have had something to do with Evanston's title after all. The school was fortunate to land Auger, who also coaches the girls team, via the Wildkit Swim Organization club.

He landed the full-time club position two years before taking the helm at the high school and worked with some of the current Kits as pre-teens.

''I'm thankful the WSO reached out to a remote place like Canada to sell me on coming to this place,'' Auger said. ''They wanted

to see the program get back to where it was when Dobbie was coaching.

''This was in the works when I first saw this group of kids. I'm a big believer in hard work getting you where you want to go, and my philosophy was we won't be out-worked. This year the whole team got behind that philosophy.

''I wouldn't have come here if I didn't believe the potential was here to win a state championship. All I did was convince them they were capable of doing it, and give them the work to back it up.''

A TRIBUTE IN MEMORY OF RUDOLPH V. MARSHALL

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Ms. LEE. Mr. Speaker, it is with a great sense of loss that I rise to pay tribute to Mr. Rudolph ''Rudy'' V. Marshall, the founder and chairman of the Bay Area Black Media Coalition, who recently passed away at the age of 64.

Rudy Marshall proudly served this country for 30 years. He enlisted in the United States Navy. He worked at the Veterans' Hospital and the Alameda Naval Supply.

Rudy demonstrated his leadership abilities in the community. He was often involved with service projects, which helped to build and to strengthen the neighborhoods. He developed a trust and a bond with the people.

One of Rudy's greatest achievement was his founding and chairing of the Bay Area Black Media Coalition in 1979. He was a tireless advocate of the racial diversification of newspaper and broadcast facilities. Rudy utilized all legal avenues to ensure the fair treatment of African Americans and other minorities by the media.

He conducted workshops and seminars for young people to have the opportunity to experience broadcasting and media work first hand. Rudy provided mentors from the communications industry in hopes of fostering an interest for a career in journalism.

Rudy Marshall was a pioneer in bringing to the people's attention the demand for fair and diverse representation in the media industry. He had a deep passion for justice, fairness, and professionalism.

He has touched us all. Rudy Marshall, beloved husband, father, grandfather, friend, and community leader will be deeply missed.

IN SUPPORT OF THE MEDICAL SAVINGS ACCOUNT AVAILABILITY ACT

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. LIPINSKI. Mr. Speaker, I rise today in support of medical savings accounts. As we begin the 107th Congress, I am sad to report that over 43 million Americans are without health insurance. One solution to help alleviate this problem is medical savings accounts (MSAs). Figures recently released by the Internal Revenue Service confirm that MSAs are insuring the uninsured at an astounding rate. According to the IRS, since the program began in January of 1997, 32 percent of MSA purchasers were previously uninsured.

This success is in spite of restrictions placed on the pilot program, which was part of the bipartisan Kassebaum-Kennedy health care bill that President Clinton signed into law in 1996. As of now, you can only get an MSA if you work for a company with 50 or fewer employees or if you are self-employed. However, many thousands of uninsured people have been purchasing MSA policies because MSAs are making health insurance affordable for the first time. In addition, MSAs allow for choice of doctor and put healthcare decisions in the hands of the individual, not a managed care administrator.

Today, following in the bipartisan spirit under which MSAs were originally created, Chairman THOMAS and I have introduced the Medical Savings Account Availability Act, with strong bipartisan support. This bill would repeal the 750,000 cap on taxpayer participation and make MSAs permanent. The legislation also expands the eligibility of MSAs to all individuals with a qualified high deductible plan.

Repealing the 750,000 cap and making MSAs permanent are key to continuing the success of MSAs. Last year, Congress extended MSAs for 2 years. Nevertheless, many insurers are reluctant to invest the capital to market MSAs if they will expire soon. The Medical Savings Account Availability Act would make MSAs permanent. Insurers have also been hesitant to offer MSAs because the cap restrictions limit the size of the market in which MSAs could be offered. Therefore, repealing the cap would encourage the mass marketing of MSAs and increase Americans' awareness of the benefits of MSAs.

It has been 8 years since the first Medical Savings Account bill was introduced with bipartisan support. MSAs have a proven track record of insuring the uninsured, giving individuals choice and control over their health care, making health care affordable by reducing the cost of premiums, and encouraging Americans to save for long-term health care expenses. With 43 million Americans vulnerable and uninsured, it's time to make MSAs available to everyone. I look forward to working with Chairman THOMAS, members of both parties, and others who want all consumers to be able to reap the benefits of MSAs. I urge my colleagues to join us and support the Medical Savings Account Availability Act. The 43 million uninsured Americans will thank you.

CELEBRATING GREEK INDEPENDENCE DAY

SPEECH OF

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2001

Mrs. LOWEY. Madam Speaker, I rise today to commemorate the 180th anniversary of Greece's independence from the Ottoman Empire, and to celebrate the shared democratic heritage of Greece and he United States.

On March 25, 1821, after more than 400 years of Ottoman Turk domination, Greece declared its independence and resumed its rightful place in the world as a beacon of democracy.

The people of Greece and the United States share a common bond in their commitment to democracy. Our Founding Fathers looked to the teachings of Greek philosophy in their struggle for freedom and democracy. And the American experience in turn inspired the Greek people to fight hard for their independence 180 years ago.

This bond between our two peoples stretches beyond the philosophy of democracy. The relationship between the U.S. and Greece has grown stronger and stronger through the years, and Greece remains today one of our most important allies.

Greece has made many valuable contributions to the United States and to the lives of all Americans. Greek-Americans are a vital part of our cultural heritage, and I feel fortunate that my district in New York has benefited from the active participation of Greek-Americans in our community.

I am proud to stand today in commemoration of Greek independence and in recognition of the contributions Greece and Greek-Americans have made to our country.

BANGLADESH NATIONAL DAY

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. CROWLEY. Mr. Speaker, I rise today in honor of the 30th Independence Day of the People's Republic of Bangladesh.

On this important occasion, we should all remember the people who sacrificed their lives and others who endured immense suffering to achieve political self-determination. Despite this, and since achieving independence, the people and government of Bangladesh have played an increasing role in global peacekeeping and democratic consolidation.

Bangladesh is roughly the size of the State of Wisconsin but has a population estimated at roughly 130 million. It is bounded by India from the north, east and west and by the Bay of Bengal and Myanmar from the south. Bangladesh has a rich historical and cultural past as a consequence of the influx of varied races and nationalities, including the Dravidian, Indo-Aryan, Mongol-Mughul, Arab, Persian, Turkic, Dutch, French and the English cultures.

The area that is now Bangladesh was under Muslim rule for five and a half centuries, followed by British rule for another two centuries. It was, most recently, a province of Pakistan for 26 years. The people of Bangladesh achieved their Independence through a difficult nine month long war of liberation in 1971.

Since Independence, the people of Bangladesh have overcome formidable challenges, including rapid population growth and food shortages. The country is consolidating democratic principles at home, is a partner in global peacekeeping efforts, has vast amount of undeveloped gas resources, and has become an exporter of development best practices abroad.

The U.S.-Bangladesh bilateral relationship is deepening through trade and investment partnerships and an ongoing high-level official dialogue. President Clinton made a historic visit to Bangladesh in March 2000 and Prime Minister Sheikh Hasina made a reciprocal visit in October of that year.

To build on these achievements, I have established a bipartisan Congressional Bangladesh Caucus and invite all of my colleagues to join me in this endeavor. The Caucus will examine issues relevant to our bilateral relationship with the Bangladeshi government, and issues affecting the Bangladeshi-American community in order to facilitate the formation of coherent foreign policy with regard to Bangladesh.

Mr. Speaker, I congratulate the people of Bangladesh on the milestone of their 30th Anniversary as an Independent nation.

RECOGNITION OF THE NATIONAL DAY OF BANGLADESH

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. ACKERMAN. Mr. Speaker, I rise today to salute and congratulate the nation of Bangladesh for thirty years of independence.

Founded in 1971 after gaining its independence from Pakistan, Bangladesh has evolved into a moderate Muslim democracy where the United States enjoys high prestige and respect. Bangladesh plays a moderating and welcome role in international fora like the G–77, the Nonaligned Movement and the Organization of the Islamic Conference.

Since independence, Bangladesh has struggled with an enormous population of 128 million crowded into a nation the size of Wisconsin. Subject to regular monsoons and flooding, Bangladesh has made significant social and economic progress in a number of areas. In particular Bangladesh has made major strides to meet the needs of its growing population and is now largely self-sufficient in rice production. Bangladesh is also a leader in microenterprise lending. The world famous Grameen Bank has provided small business loans to more than 2.4 million customers in 39,000 villages. The bank has a 98 percent loan recovery rate from its customers, 94 percent of whom are women. In a recent and promising development, 40–50 trillion cubic feet of natural gas have been discovered giving Bangladesh a long term source of energy and enough to become a natural gas exporter.

U.S.-Bangladesh relations have also grown in recent years. The United States is Bangladesh's number one trading partner. U.S. investment in Bangladesh has grown from $25 million to over $750 million in the last four years. But economic interests are not the only ties that bind the U.S. and Bangladesh.

Bangladesh has played a significant role in international peacekeeping activities. Several thousand Bangladeshi military personnel are deployed overseas on peacekeeping operations. Under U.N. auspices, Bangladeshi troops have served or are serving in Somalia, Rwanda, Mozambique, Kuwait, Bosnia, Haiti, and East Timor. Regionally, Bangladesh is a nation at peace with its neighbors and focused on regional integration through the South Asian Association for Regional Cooperation.

In addition, Bangladesh has demonstrated its commitment to environmental preservation by becoming the first country to participate in a debt for nature swap under the Tropical Forest Conservation Act of 1998. This program allowed Bangladesh to exchange a portion of its concessional debt to the United States in return for the preservation of more than 3 million acres of tropical forest home to the world's last genetically viable population of Bengal tigers.

Mr. Speaker, I urge all my colleagues to join me in commending the nation of Bangladesh for 30 years of independence.

TRIBUTE TO SENATOR GINETTE (GIGI) DENNIS

HON. HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to thank Colorado State Senator Gigi Dennis for her years of service to the State of Colorado and to wish her good luck in her new position. Senator Gigi has served in the Colorado State Senate since 1995, but is resigning at the end of the month to accept an appointment from President George W. Bush to become the Colorado Director of the Department of Agriculture's Office of Rural Development. ''I'm proud of her,'' said her husband Dean Dennis. ''I'm proud of her accomplishments.'' I know that Gigi's friends and neighbors in south-central Colorado, her colleagues in the Colorado legislature, and elected officials all across Colorado—including me—share Dean's sentiments. We are all proud of Gigi!

Senator Dennis has held numerous positions of real significance during her seven years in office, including Vice Chair of the Transportation Committee, a Member of the Legislative Council and Chairman of the Majority Caucus. Senator Dennis also served as the Rio Grande County Republican Secretary. Additionally, she served as a member of the State Accountability Commission on Education, and the Vice Chairman of the Education Committee (NCSL).

Senator Dennis summed up her feelings like this: ''This resignation is not like walking away from my constituents, but creating a bigger circle of people I can impact through this office. In the end, it doesn't make any difference who gets the credit or who wins the fight . . . but whether Colorado citizens are better off for what we do. I'm extremely honored that President Bush has selected me for this position. This is another terrific opportunity to continue to help the State of Colorado, particularly the rural areas that I've represented over the years.''

Mr. Speaker, I would like to take this opportunity to congratulate Senator Gigi Dennis on her new position and wish her good luck in the future. She will be missed in the state legislature.

Senator Dennis has served the State of Colorado well in the state Senate and I know she will continue that record of leadership in her new capacity with the Department of Agriculture.

TRIBUTE TO LA VINA MARS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. McINNIS. Mr. Speaker, I would like to wish a longtime Bayfield employee best wishes during her retirement. After serving as town clerk of Bayfield, Colorado for 29 years, La Vina Mars has decided to retire to spend a little more time with her family and her horses. As she does, I would like to take this opportunity to thank her for her service and wish her well.

La Vina became the town clerk in 1972, when the town population was 300. At that time, she served as the town clerk, the librarian and the ticket agent for the bus line that stopped in Bayfield. ''She's been the glue that's held the town together for 29 years,'' said Ed Morlan, a long time member of the Town Board.

La Vina will miss talking with residents the most when her career is over. ''I have some qualms about not coming to work. I will think about it because I have enjoyed it.''

La Vina has spent much of her 29 years as one of only two or three town employees. When she started, La Vina worked as a volunteer for a month to learn the job's ropes. Now that she's leaving, town officials say it will be hard to replace her. Many credit her with helping Bayfield make it through a tough period in the mid 80's when the town nearly went broke.

Mr. Speaker, La Vina will truly be missed by the town of Bayfield and the people she worked with. It is appropriate that this body say thank you to La Vina for her hard work and dedication.

La Vina, your community, state and nation are proud of you and thankful for your years of service. We wish you all the best during your well-earned retirement.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2923–S3004

Measures Introduced: Fifteen bills and one resolution were introduced, as follows: S. 621–635, and S. Con. Res. 29. **Pages S2978–79**

Campaign Finance Reform: Senate continued consideration of S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform, taking action on the following amendments proposed thereto: **Pages S2923–72**

Adopted:

Hagel Amendment No. 146 (Division II), to amend the Federal Election Campaign Act of 1971 to provide meaningful campaign finance reform through requiring better reporting, decreasing the role of soft money, and increasing individual contribution limits. (By a unanimous vote of 100 yeas (Vote No. 50), Senate earlier failed to table Division II of the amendment.) **Pages S2923–43**

Rejected:

Hagel Amendment No. 146 (Division I), to amend the Federal Election Campaign Act of 1971 to provide meaningful campaign finance reform through requiring better reporting, decreasing the role of soft money, and increasing individual contribution limits. (By 52 yeas to 47 nays (Vote No. 49), Senate tabled Division I of the amendment.) **Pages S2923–42**

Hagel Amendment No. 146 (Division III), to amend the Federal Election Campaign Act of 1971 to provide meaningful campaign finance reform through requiring better reporting, decreasing the role of soft money, and increasing individual contribution limits. (By 60 yeas to 40 nays (Vote No. 51), Senate tabled Division III of the amendment.) **Pages S2923–43**

By 30 yeas to 70 nays (Vote No. 52), Kerry Amendment No. 148, to amend the Federal Election Campaign Act of 1971 to provide partial public financing for Senate candidates who abide by voluntary spending limits. **Pages S2944–57**

Pending:

Specter Amendment No. 140, to provide findings regarding the current state of campaign finance laws and to clarify the definition of electioneering communication. **Page S2923**

Thompson Amendment No. 149, to modify and index contribution limits. **Pages S2958–72**

A unanimous-consent agreement was reached providing for further consideration of Thompson Amendment No. 149 (listed above) to the bill, at 9:15 a.m., on Wednesday, March 28, 2001, with a vote to occur thereon, at approximately 9:45 a.m. **Page S3004**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, the report of the Corporation for Public Broadcasting covering calendar year 2000; to the Committee on Commerce, Science, and Transportation. (PM–14) **Page S2975**

Transmitting, pursuant to law, the periodic report on the national emergency with respect to the National Union for the Total Independence of Angola; to the Committee on Banking, Housing, and Urban Affairs. (PM–15) **Pages S2975–76**

Nominations Received: Senate received the following nomination:

Argeo Paul Cellucci, of Massachusetts, to be Ambassador to Canada. **Page S3004**

Executive Communications: **Pages S2976–78**

Executive Reports of Committees: **Page S2978**

Statements on Introduced Bills: **Pages S2981–S3002**

Additional Cosponsors: **Pages S2979–81**

Amendments Submitted: **Pages S3002–04**

Additional Statements: **Pages S2974–75**

Authority for Committees: **Page S3004**

Privileges of the Floor: **Page S3004**

Record Votes: Four record votes were taken today. (Total—52) **Pages S2942–43, S2957**

Adjournment: Senate met at 9:15 a.m., and adjourned at 8:13 p.m., until 9:15 a.m., on Wednesday, March 28, 2001. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3004.)

Committee Meetings

(Committees not listed did not meet)

FARM BILL

Committee on Agriculture, Nutrition, and Forestry: Committee concluded hearings to examine the progress the Department of Agriculture has made in implementing the research provisions of the 1996 Federal Agriculture Improvement and Reform Act and the 1998 Agricultural Research, Extension and Education Reform Act, in preparation for the 2002 Farm Bill, after receiving testimony from, Colien Hefferan, Administrator, Cooperative State Research, Education and Extension Service, Floyd P. Horn, Administrator, Agricultural Research Service, and Victor L. Lechtenber, Chair, National Agricultural Research, Extension, Education, and Economics Advisory Board, all of the Department of Agriculture; Jon Caspers, Swaledale, Iowa, on behalf of the National Coalition for Food and Agricultural Research; Jay Lemmermen, Southeast Milk, Inc., Ocala, Florida, on behalf of the Animal Agriculture Coalition; Richard E. Stuckey, Council for Agricultural Science and Technology, and Frederick L. Kirschenmann, Iowa State University Leopold Center for Sustainable Agriculture, both of Ames, Iowa; G. Philip Robertson, Michigan State University W. K. Kellogg Biological Station, Hickory Corners, on behalf of the National Research Council; and David Chicoine, University of Illinois College of Agricultural, Consumer and Environmental Sciences, Urbana, and Bobby R. Phills, Florida A & M University College of Engineering Sciences, Technology and Agriculture, Tallahassee, both on behalf of the National Association of State Universities and Land Grant Colleges.

DEFENSE AUTHORIZATION: MILITARY STRATEGY AND OPERATIONAL REQUIREMENTS

Committee on Armed Services: Committee concluded open and closed hearings on proposed legislation authorizing funds for fiscal year 2002 for the Department of Defense and the Future Years Defense Program, focusing on military strategy and operational requirements, after receiving testimony from Adm. Dennis C. Blair, USN, Commander-in-Chief, U.S. Pacific Command; Gen. Peter Pace, USMC, Commander-in-Chief, U.S. Southern Command; and Gen. Thomas A. Schwartz, USA, Commander-in-Chief, United Nations Command/Combined Forces Command and Commander, U.S. Forces Korea.

INFORMATION WARFARE

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities met in closed session to receive a briefing on information warfare and other threats to critical United States information systems.

WATER AND WASTEWATER INFRASTRUCTURE

Committee on Environment and Public Works: Subcommittee on Fisheries, Wildlife, and Water held hearings to examine environmental issues related to water and wastewater infrastructure needs, such as building and maintaining the facilities, in order to deliver safe drinking water and to treat wastewater, receiving testimony from Christine Todd Whitman, Administrator, Environmental Protection Agency; J. R. Sandoval, Idaho Department of Environmental Quality, Boise; David B. Struhs, Florida Department of Environmental Protection, Tallahassee; Harry T. Stewart, New Hampshire Department of Environmental Services, Concord; Allen Biaggi, Nevada Division of Environmental Protection, Carson City; Mayor Bruce Tobey, Gloucester, Massachusetts, on behalf of the National League of Cities and Water Infrastructure Network; Janice A. Beecher, Beecher Policy Research, Inc., Indianapolis, Indiana, on behalf of the H2O Coalition; and Paul D. Schwartz, Clean Water Action, Washington, D.C.

Hearings recessed subject to call.

LONG-TERM CARE AFFORDABILITY

Committee on Finance: Committee held hearings on proposed legislation that would amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs, receiving testimony from Carol V. O'Shaughnessy, Specialist in Social Legislation, Congressional Research Service, Library of Congress; William J. Scanlon, Director, Health Care Issues, General Accounting Office; Steven Lutzky, District of Columbia Department of Health/Office on Disabilities and Aging, Washington, D.C.; Gail Gibson Hunt, National Alliance for Caregiving, Bethesda, Maryland; Lisa Maria B. Alecxih, Lewin Group, Inc., Falls Church, Virginia; and Bill Kays, Vienna, Virginia, on behalf of the Alzheimer's Association.

Hearings recessed subject to call.

NOMINATIONS

Committee on Foreign Relations: Committee ordered favorably reported the nomination of Grant S. Green, Jr., of Virginia, to be Under Secretary of State for Management.

Also, committee concluded hearings on the nomination of William Howard Taft, IV, of Virginia, to be Legal Adviser of the Department of State, after the nominee, who was introduced by Senator Warner, testified and answered questions in his own behalf.

WEAPONS OF MASS DESTRUCTION TERRORISM

Committee on the Judiciary: Subcommittee on Technology, Terrorism, and Government Information concluded hearings to examine domestic response capabilities for terrorism involving weapons of mass destruction, after receiving testimony from Lt. Gen. James Clapper, Jr., USAF (Ret.), Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction; Anthony H. Cordesman, Center for Strategic and International Studies, Washington, D.C.; and Yonah Alexander, Potomac Institute for Policy Studies, Arlington, Virginia.

EARLY EDUCATION AND CHILD CARE

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings to examine and compare early childhood education and care in the United States and abroad, including all arrangements providing care and education for children under compulsory school age regardless of setting, funding, hours, or curriculum, after receiving testimony from Sheila B. Kamerman, Columbia University School of Social Work/Institute for Child and Family Policy, and Shanny Peer, French-American Foundation, both of New York, New York; Patricia P. Olmsted, High/Scope Educational Research Foundation, Ypsilanti, Michigan; and Kathi J. Apgar, Bristol Family Center, Bristol, Vermont, on behalf of the Vermont Association for the Education of Young Children.

House of Representatives

Chamber Action

Bills Introduced: 47 public bills, H.R. 1211–1257; 2 private bills, H.R. 1258, H. Res 103; and 7 resolutions, H. Con. Res. 84–88 and H. Res. 101–102, were introduced. **Pages H1187–90**

Reports Filed: Reports were filed today as follows:

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 allow the nonrefundable personal credits against regular and minimum tax liability, amended (H. Rept. 107–29); and

H. Res. 100, providing for consideration of H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011 (H. Rept. 107–30). **Page H1187**

Recess: The House recessed at 12:46 p.m. and reconvened at 2 p.m. **Page H1125**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Veterans' Opportunities Act: H.R. 801, amended, to amend title 38, United States Code, to improve programs of educational assistance, to expand programs of transition assistance and outreach to departing servicemembers, veterans, and dependents, to increase burial benefits, to provide for family coverage under Servicemembers' Group Life Insurance (passed by a yea and nay vote of 417 yeas with none voting ''nay'', Roll No. 63); and **Pages H1126–37, H1155**

Veterans' Hospital Emergency Repair: H.R. 811, amended, to authorize the Secretary of Veterans Affairs to carry out construction projects for the purpose of improving, renovating, and updating patient care facilities at Department of Veterans Affairs medical centers (passed by a yea and nay vote of 417 yeas with none voting ''nay'', Roll No. 64). **Pages H1137–43, H1155–56**

Presidential Messages: Read the following messages from the President:

Corporation for Public Broadcasting: Message wherein he transmitted the report of the Corporation for Public Broadcasting covering calendar year 2000—referred to the Committee on Energy and Commerce; and **Page H1143**

National Emergency re Angola: Message wherein he transmitted the six month periodic report on the national emergency with respect to the National Union for the total Independence of Angola (UNITA)—referred to the Committee on International Relations. **Pages H1176–77**

Recess: The House recessed at 3:16 p.m. and reconvened at 4 p.m. **Page H1143**

Expenses of House Committees: The House agreed to H. Res. 84, providing for the expenses of certain committees of the House of Representatives in the One Hundred Seventh Congress by a yea and nay vote of 357 yeas to 61 nays, Roll No. 62.

Pages H1143–48, H1154–55

Earlier, agreed by unanimous consent to consider the resolution; that it be considered as read for amendment; that the amendment in the nature of a substitute recommended by the Committee on House Administration, now printed in the resolution (H. Rept. 107–25), be considered as adopted; that the previous question be considered as ordered on the resolution, as amended, to adoption without intervening motion, except one hour of debate equally divided and controlled. **Page H1143**

Recess: The House recessed at 4:38 p.m. and reconvened at 5:20 p.m. **Page H1148**

Debate on the Concurrent Resolution on the Budget: Pursuant to the order of the House of March 22, the House resolved into the Committee of the Whole House on the State of the Union for a period of three hours of debate on the concurrent resolution on the budget. After debate, the Committee of the Whole rose without motion.

Pages H1148–54, H1156–76

Meeting Hour—Wednesday, March 28: Agreed that when the House adjourns today, it adjourns to meet at 9 a.m. on Wednesday, March 28. **Page H1177**

Senate Messages: Message received today from the Senate appears on page H1123.

Referrals: S. 295 was referred to the Committees on Small Business and Agriculture and S. 395 was referred to the Committee on Small Business.

Page H1186

Quorum Calls—Votes: Three yea and nay votes developed during the proceedings of the House today and appear on pages H1154–55, H1155, and H1156. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:59 p.m.

Committee Meetings

LABOR, HHS, EDUCATION, AND RELATED AGENCIES

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies continued appropriation hearings. Testimony was heard from Members of Congress.

OVERSIGHT-NATIONAL ENERGY POLICY

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held an oversight hearing on National Energy Policy: Nuclear Energy. Testimony was heard from Senator Domenici; William D. Travers, Executive Director, Operations, NRC; the following officials of the Department of Energy: William D. Magwood, Director, Office of Nuclear Energy, Science and Technology; and Mary J. Hutzler, Director, Office of Integrated Analysis and Forecasting, Energy Information Administration; and public witnesses.

FANNIE MAE AND FREDDIE MAC AGREEMENT

Committee on Financial Service: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing on the agreement by Fannie Mae and Freddie Mac to voluntarily enhance capital strength, disclosure, and market discipline. Testimony was heard from Leland C. Brendsel, Chairman and CEO, Freddie Mac; and Timothy Howard, Executive Vice President and Chief Financial Officer, Fannie Mae.

MEDICAL MARIJUANA

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing on ''Medical'' Marijuana, Federal Drug Law and the Constitution's Supremacy Clause. Testimony was heard from Laura Nagel, Deputy Assistant Administrator, Diversion Control, DEA, Department of Justice; former Representative Bill McCollum of Florida; Dan Lungren, former Attorney General, State of California; Janet E. Joy, Institute of Medicine, National Academy of Sciences; and public witnesses.

CONGRESSIONAL REVIEW ACT—RECENT FEDERAL REGULATIONS

Committee on Government Reform: Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs held a hearing on ''A Rush to Regulate—The Congressional Review Act and Recent Federal Regulations.'' Testimony was heard from public witnesses.

COMBATING TERRORISM

Committee on Government Reform: Subcommittee on National Security, Veterans' Affairs and International Relations held a hearing on Combating Terrorism: In Search of a National Strategy. Testimony was heard from the following officials of the U.S. Commission on National Security/21st Century: Warren B. Rudman, Co-Chair; and Gen. Charles G. Boyd, USAF (Ret.), Executive Director; and public witnesses.

YOSEMITE VALLEY PLAN

Committee on Resources: Subcommittee on National Parks, Recreation and Public Lands held an oversight hearing on the Yosemite Valley Plan. Testimony was heard from Representative Doolittle; John Reynolds, Regional Director, Pacific West Region, National Park Service, Department of the Interior; and public witnesses.

OVERSIGHT

Committee on Resources: Subcommittee on Water and Power held an oversight hearing on the Status of Federal Western Water Resources. Testimony was heard from the following officials of the Department of the Interior: J. William McDonald, Acting Commissioner, Bureau of Reclamation; and Robert Hirsch, Associate Director, Water, U.S. Geological Survey; Jennifer Salisbury, Secretary, Department of Energy, Minerals and Natural Resources, State of New Mexico; and public witnesses.

CONCURRENT BUDGET RESOLUTION

Committee on Rules: Granted, by voice vote, a structured rule providing 40 minutes of additional general debate on H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011, equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget. The rule waives all points of order against consideration of the concurrent resolution. The rule makes in order the concurrent resolution, modified by the amendment printed in part A of the Rules Committee report accompanying the resolution. The rule makes in order only those amendments printed in part B of the Rules Committee report which may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. The rule waives all points of order against the amendments except that, if an amendment in the nature of a substitute is adopted, it is not in order to consider further substitutes. The rule provides, upon the conclusion of consideration of the concurrent resolution for amendment, for a final period of general debate not to exceed 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget. The rule permits the chairman of the Budget Committee to offer amendments in the House to achieve mathematical consistency. Finally, the rule provides that the concurrent resolution shall not be subject to a demand for a division of the question of its adoption. Testimony was heard from Chairman Nussle and Representatives Kirk, Spratt, Clayton, Moran of Virginia, Holt, Moore, Obey, Stenholm and Allen.

MARRIAGE PENALTY AND FAMILY TAX RELIEF ACT

Committee on Rules: Testimony was heard from Chairman Thomas and Representatives Rangel and Maloney of Connecticut; no action was taken on H.R. 6, Marriage Penalty and Family Tax Relief Act of 2001.

MEDICARE REFORM

Committee on Ways and Means: Subcommittee on Health continued hearings on Medicare Reform: Laying the Groundwork for a Rx Drug Benefit. Testimony was heard from Dan L. Crippen, Director, CBO; John A. Poisal, Statistician, Office of Strategic Planning, Health Care Financing Administration, Department of Health and Human Services; and public witnesses.

NSA ISSUES

Permanent Select Committee on Intelligence: Subcommittee on Technical and Tactical Intelligence met in executive session to hold a hearing on NSA Issues. Testimony was heard from departmental witnesses.

INFORMATION OPERATIONS

Permanent Select Committee on Intelligence: Subcommittee on Technical and Tactical Intelligence and the Subcommittee on Human Intelligence, Analysis and Counterintelligence met in executive session to hold a joint hearing on Information Operations. Testimony was heard from departmental witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 28, 2001

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Interior, to hold oversight hearings to examine trust reform issues, 10 a.m., SD–116.

Subcommittee on Defense, to hold hearings to examine certain Pacific issues, 10 a.m., SD–192.

Committee on Armed Services: Subcommittee on Strategic, to hold hearings to examine the Report of the Commission to Assess United States National Security Space Management and Organization, 2:30 p.m., SR–232A.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the Commerce Department's

decision to release unadjusted Census data, 9:30 a.m., SR–253.

Committee on Finance: to hold hearings on issues relating to preserving and protecting Main Street USA, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the Department of Energy's nonproliferation programs with Russia, 10 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine health information for consumers, 9:30 a.m., SD–430.

Committee on Indian Affairs: to hold hearings on S. 210, to authorize the integration and consolidation of alcohol and substance abuse programs and services provided by Indian tribal governments; S. 214, to elevate the position of Director of the Indian Health Service within the Department of Health and Human Services to Assistant Secretary for Indian Health; and S. 535, to amend title XIX of the Social Security Act to clarify that Indian women with breast or cervical cancer who are eligible for health services provided under a medical care program of the Indian Health Service or of a tribal organization are included in the optional medicaid eligibility category of breast or cervical cancer patients added by the Breast and Cervical Cancer Prevention and Treatment Act of 2000, 10:30 a.m., SR–485.

Select Committee on Intelligence: to hold closed hearings on intelligence matters, 2 p.m., SH–219.

House

Committee on Agriculture, Subcommittee on Department Operations, Oversight Nutrition and Forestry, hearing on National Fire Plan Implementation, 2 p.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Defense, on Members of Congress and public witnesses, 9:30 a.m., and 1:30 p.m., H–140 Capitol.

Subcommittee on Foreign Operations, Export Financing and Related Programs, on Members of Congress and public witnesses, 12:30 p.m., H–144 Capitol.

Subcommittee on Labor, Health and Human Services and Education, on NIH Theme hearing, 10 a.m., 2358 Rayburn.

Subcommittee on Military Construction, on Pacific Military Construction, 2 p.m., B–300 Rayburn.

Subcommittee on Transportation, on FAA, 10 a.m., and 2 p.m., 2358 Rayburn.

Subcommittee on Veterans' Affairs, House and Urban Development, and Independent Agencies, on Member of Congress, 10 a.m., and 1 p.m., H–143 Capitol.

Committee on Armed Services, hearing on the posture of U.S. military forces,10 a.m., 2118 Rayburn.

Subcommittee on Military Procurement, hearing on military transformation and its impact on the equipment modernization programs of the military services, 2 p.m., 2118 Rayburn.

Committee on Education and the Workforce, hearing on No Child Left Behind, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, to mark up H.R. 718, Unsolicited Commercial Electronic Mail Act of 2001, 10 a.m., 2123 Rayburn.

Subcommittee on Environment and Hazardous Materials, hearing on Drinking Water Needs and Infrastructure, 2 p.m., 2322 Rayburn.

Subcommittee on Oversight and Investigations, hearing on Issues Raised by Human Cloning Research, 12 p.m., 2123 Rayburn.

Committee on Financial Services, to mark up the following bills: H.R. 974, Small Business Interest Checking Act of 2001; and H.R. 1088, Investor and Capital Markets Fee Relief Act, 10 a.m., 2128 Rayburn.

Committee on International Relations, to mark up the following measures: H. Res. 91, expressing the sense of the House of Representatives regarding the human rights situation in Cuba; H.R. 428, concerning the participation of Taiwan in the World Health Organization; H. Res. 56, urging the appropriate representative of the United States to the United Nations Commission on Human Rights to introduce at the annual meeting of the Commission a resolution calling upon the People's Republic of China to end its human rights violations in China and Tibet; and H. Con. Res. 73, expressing the sense of Congress that the 2008 Olympic Games should not be held in Beijing unless the Government of the People's of China releases all political prisoners, ratifies the International Covenant on Civil and Political Rights and observes internationally recognized human rights, 10 a.m., 2172 Rayburn.

Subcommittee on Africa and the Subcommittee on International Operations and Human Rights, joint hearing on America's Sudan Policy: A New Direction? 2:30 a.m., 2172 Rayburn.

Committee on the Judiciary, to consider Subcommittee Rules of Procedure for private immigration bills and private claims bills and to mark up the following measures: H.R. 768, Need-Based Educational Aid Act of 2001; H.R. 503, Unborn Victims of Violence Act of 2001; H.R. 863, Consequences for Juvenile Offenders Act of 2001; and a private claims bill, 10 a.m., 2141 Rayburn.

Committee on Resources, to mark up the following bills: H.R. 146, Great Falls Historic District Study Act of 2001; H.R. 182, Eight Mile River Wild and Scenic River Study Act of 2001; H.R. 309, Guam Foreign Investment Equity Act; H.R. 581, to authorize the Secretary of the Interior and the Secretary of Agriculture to use funds appropriated for wildland fire management in the Department of Interior and Related Agencies Appropriations Act of 2001, to reimburse the United States Fish and Wildlife Services and the National Marine Fisheries Services to facilitate the interagency cooperation required under the Endangered Species Act of 1973 in connection with wildland fire management; H.R. 601, to ensure the continued access of hunters to those Federal lands included within the boundaries of the Craters of the Moon National Monument in the State of Idaho pursuant to Presidential Proclamation 7373 of November 9, 2000, and to continue the applicability of the Taylor Grazing Act to the disposition of grazing fees arising from the use of such lands; and H.R. 642, to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, 10 a.m., 1324 Longworth.

Committee on Small Business, hearing on H.R. 10, Comprehensive Retirement Security and Pension Reform Act, focusing on small business implications, 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings and Emergency Management, to mark up the following: H.R. 495, to designate the Federal building in Charlotte Amalie, St. Thomas, United States Virgin Islands as the ''Ron de Lugo Federal Building;'' H.R. 819, to designate the Federal building located at 143 West Liberty Street, Medina, Ohio, as the ''Donald J. Pease Federal Building;'' H. Con. Res. 74, authorizing the use of the Capitol Grounds for the 20th Annual National Peace Officers Memorial Service; H. Con. Res. 76, authorizing the use of the East Front of the Capitol Grounds for performances sponsored by the John F. Kennedy Center for the Performing Arts; H. Con. Res. 79, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; a resolution authorizing the use of the Capitol Grounds for the D.C. Special Olympics Law Enforcement Torch Run; 2 11 (b) Project Building Survey Resolutions; a Committee resolution authorizing GSA to acquire existing leasehold and develop the Old Post Office in Washington, D.C.; and other pending business, 2 p.m., 2167 Rayburn.

Subcommittee on Water Resources and Environment, hearing on Water Infrastructure Needs, 10 a.m., 2167 Rayburn.

Permanent Select Committee on Intelligence, Subcommittee on International Policy and National Security, executive, briefing on Global Trends: 2015, 10 a.m., H–405 Capitol.

Next Meeting of the SENATE

9:15 a.m., Wednesday, March 28

Senate Chamber

Program for Wednesday: Senate will continue consideration of S. 27, Campaign Finance Reform, with a vote on or in relation to Thompson Amendment No. 149, to occur at approximately 9:45 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Wednesday, March 28

House Chamber

Program for Wednesday: Consideration of H. Con. Res. 83, Concurrent Resolution on the Budget (structured rule, 40 minutes of additional debate).

Extensions of Remarks, as inserted in this issue

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