House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. ADERHOLT).

DESIGNATION OF SPEAKER PRO TEMPORE

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


I hereby appoint the Honorable ROBERT B. ADERHOLT to act as Speaker pro tempore on this day.

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

MORNING HOUR DEBATES

The SPEAKER pro tempore. 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.

UNEXPLODED ORDNANCES ARE SERIOUS PROBLEM

Mr. BLUMENAUER. Mr. Speaker, I have just returned from the campus of American University in the exclusive Spring Valley residential community here in Washington, D.C.

From a distance one could not imagine, but it is actually one of over a thousand sites around the country where war is being continued; 26 years after the Vietnam War, 36 years after the conclusion of World War II, 83 years after World War I, there is still a battle taking place right here on American soil. It involves mines, nerve gases, and toxics and explosive shells. It has claimed at least 65 lives, and has maimed and injured many more. Sadly, it continues every day, and if we are not careful, it will continue for another thousand years.

Toxic explosive waste of our military activities in the United States, unexploded ordnances on formerly used defense installations probably contaminates 20 to 25 million acres in the United States, and the number could be as high as 50 million acres. Sadly, no one can give us an accurate appraisal of the problem. What we do know is at the current rate of spending, it will take centuries, maybe even a thousand years, or more, to return this land to safe and productive use. Some may be so damaged, we may not attempt to clean it up.

Unexploded ordnances are a serious problem today. Human activity and wildlife are encroaching on more and more of these sites as our neighborhoods grow and sprawl. At the same time, the natural rhythms of nature, flooding, earthquakes, and landslides, aided and abetted by human activity, exposes these dangers. Today, across America, we are finding lost and forgotten unexploded ordnance that was intentionally buried in a feeble attempt to dispose of it, or a shell that missed its mark and did not explode as intended.

There are many targets toward which citizens can direct their frustrations and in some cases anger: the Department of Defense, the Army Corps of Engineers or EPA. People have legitimate concerns about what these other agencies have done in the past and what they are doing now. But there is one participant that is missing in action, and that is the United States Congress. Only we in Congress can set adequate funding levels, budget clearly, and then make sure that enough money is appropriated to do the job right. Congress can pinpoint managerial responsibility and establish the rules of the game.

It is not acceptable to me for Congress to occasionally step in from the sidelines, complain, protest, and then shift inadequate funding from one high-priority project to another high-priority project. This ability to find an unexploded ordnance, decontaminate sites and make that infrastructure going to be a zero-sum game if we do not properly advance the goal of protection.

Mr. Speaker, Congress needs to report for duty, and needs to provide the administrative and financial tools that are necessary. What I am talking about will not affect active ranges and readiness. That is a separate topic with its own set of issues. My concern is the closed, transferred and transferring ranges where the public is exposed or soon will be.

More than 1,000 years to clean up these sites is not an appropriate timetable when people are at risk every day. In the 1980s, three boys in San Diego were playing in a field next to a subdivision that they lived in, and they found a shell. It exploded and killed two of them. American University campus that I just left has a child care center that is now closed down because of high levels of arsenic contamination because this area during World War I was a test ground for poison and chemical warfare.

Mr. Speaker, we must make sure that whether it is in suburban Washington, D.C., on Martha’s Vineyard or in Camp Hope in my community that we get the job done, and it is not appropriate to take a millennium or even a century to do it. We need to step up and do the job.

Mr. Speaker, my goal in Congress is to make sure that every Member understands what is going on in their State because there are these toxic...
waste dumps, chemical and weapons disposal in every State. We can make sure that somebody is in charge, that there is enough funding, and we get the job done so that no child will be at risk for death, dismemberment or serious illness as a result of the United States Government not cleaning up after itself.

CHINA: FRIEND OR FOE?
The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Florida (Mr. STEARNs) is recognized during morning hour debates for 5 minutes.

Mr. STEARNs. Mr. Speaker, in the last Congress and many before, many of us have heard predictions that have been made regarding China. Advocates last year stated that granting permanent normal trade relations to China would help bring reform to this Communist nation, and establish a real friendship between our nations.

Reading the papers last year and this year, this week particularly, I see nothing to support that statement. I think relationships are pretty shaky as they stand.

On February 11 of this year, Chinese officials detained an American family. In doing so, they separated the couple's 5-year-old son from his parents for 26 days. After 26 days, little Andrew was reunited with his father and expelled; but his brother is still being held.

President Bush is demanding the release of this Washington-based sociologist. Her family claims that the alleged spying charges are trumped up. The State Department has announced this woman was not even an agent of the American intelligence service.

Now China has detained a second American scholar. This hardly seems like a nation that is becoming cooperative after receiving permanent normal trade relations with the United States. China's already poor human rights record sadly worsened last year. I am pleased that the new administration has recognized that fact and has urged the United Nations to address the widespread oppression in China. The United States U.N. Ambassador stated that the U.S. “should not be silent when those who call for democratic government or more cultural preservation and religious freedom in Tibet and elsewhere in China are suppressed, or when advocates of labor rights are thrown in jail.” But sadly, this may never take place.

Mr. Speaker, every year since the 1989 killing of student protestors in and around Tiananmen Square, China's delegation has introduced a “no-action motion,” therefore successfully stopping all attempts to examine its human rights record. It would seem naive to ask why.

All of this should seem troublesome enough, but now we face even larger concerns. On Sunday of this week, a U.S. Navy plane and a Chinese fighter jet collided over the South China Sea causing the American craft to make an emergency landing in China and the Chinese plane to crash. Officials from China are claiming that the bulkier, clumsier American plane that is roughly the size of a Boeing 737 rammed the light, agile Chinese fighter jet. This would substantially affect our view of common sense. Many U.S. experts agree that the incident was most likely caused by an accident on the part of the Chinese.

Sensitivity to the situation will ultimately result from the Chinese handling of the American EP-3 and its crew of 24. It is a reconnaissance aircraft, so it would seem likely that the Chinese military experts would want to board the aircraft to assess what is there, and I understand this morning that diplomats are meeting with the crew.

U.S. officials state that the Chinese generally intercept one out of every three U.S. patrol flights. Recently, concern has been raised with the Chinese Government regarding the fact that Chinese pilots have “become more aggressive.” Now, according to Admiral Dennis Blair, Chief of the U.S. Pacific Command, the U.S. has protested the pattern of increasingly unsafe behavior,” but “did not get a satisfactory response.” It is presumed that all 24 crew members are safe, but there is yet to be a direct contact between the crew and American officials. American officials are there and are hoping to get in to talk to the crew.

Navy officials also claim that last week a confrontation occurred between a Chinese warship and a Navy surveillance ship in international waters. The officials describe the incident as threatening.

Other examples showing cracks within our forged relationship with China also bear noting, such as China's involvement with Pakistan's nuclear bomb program and their recent questionable involvement in Iraq, to name just a few.

Mr. Speaker, it is clear that our relationship with China needs to be carefully reevaluated. Since PNTR, we have seen aggressive behavior on their part. Our prayers are with the 24 crew members, and I am hopeful that a speedy resolution will occur. I look to the Bush administration to move forward appropriately with China.

CONGRESS NEEDS TO FUND PROGRAMS TO HELP AT-RISK JUVENILES

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

Mr. DeFazio. Mr. Speaker, I have a long list, and I am not going to read all of it, but we could start in 1994, Union, Kentucky. 1995, Redlands, California; Richmond, Virginia. 1997, Bethel, Alaska; Pearl, Mississippi. 1998, Jonesboro, Arkansas; Edinboro, Pennsylvania; Fayetteville, Tennessee; and Springfield, Oregon, my hometown. 1999, Deming, New Mexico. 2001, Santee, Calif.; Williamsport, Pennsylvania; and El Cajon, California, all in 1 month.

This is, unfortunately, only a partial list of school shootings in the United States over the last decade.

Mr. Speaker, we have got to ask what has been the coordinated and thoughtful response of our policymakers here in Washington, D.C., and I think we would find it lacking. Now, there is certainly no easy answer. There is no one-size-fits-all solution to these problems. But, Mr. Speaker, there are proven programs that are under-funded that could be better funded that might help prevent future tragedies, that might get to one disturbed youth, one at-risk youth, that might get to some other students before the fact, and we should be doing all we can to encourage and fund those programs.

Mr. Speaker, we often expect that somebody somewhere is going to take control of the violence. It's going to make things better, but really who is the somebody here? We all have to take some responsibility, every one of us. In my own hometown of Springfield, there was an incredible community response and a response from other communities around the United States who came to help us, and even some help from the Federal Government in working through the immediate aftermath. But I fear some some of that urgency is gone now, as the violence has gone elsewhere, and now those communities are in a crisis.

Mr. Speaker, we need a more coordinated approach. I am reintroducing legislation today that has a number of parts. It is not comprehensive, but it is a good start at helping to address these problems.

First and foremost, increased funding for Head Start and other early intervention prevention programs, a program for Federal funding for community programs, like the Birth to 3 in my State that intervenes with young, at-risk women and helps them before they become a problem or get into a situation that is a problem with their children. More money for child abuse prevention that focuses on community-based family preservation and crisis intervention, a funding increase for the Juvenile Justice Delinquency Prevention programs, including court schools.

I visited court schools. It is a tremendous program. We take a kid today who threatens violence or has been expelled from school, and what do we do? There they are, they are out on the street for the most part. Those kids need a more structured environment. For many of them, we got to get them in even good school and out of the juvenile delinquency programs, to be removed out of school. They should be removed and placed in a court school, which is a more rigid environment, which brings
in community resources and counseling resources to help them deal with their problems in the hope that we can get them back into the public school environment, and that they can become productive citizens. Do not just send them home or let them fly out in the street to look for themselves. Again, unless you have the students, the teachers, and the professional partnerships we have in our charter schools work, and we need some more Federal assistance for those programs.

The National Guard has a very, very successful program, the Youth Challenge Program. It is underfunded. There is a long waiting list of States that want to have programs. We have one in Oregon that has been inadequately funded. The rate of recidivism of the kids that get in that program is minuscule. It works. It is not for every kid. That is not the solution for every kid, but it is a part of the puzzle, and it works, and why not put more money there. We can afford that. If we can afford to give tax breaks to billionaires, we can afford a few more dollars for the National Youth Challenge Program, assistance to schools and local police departments to combat juvenile crime, including funds for placing police officers in schools.

Mr. Speaker, let us help the communities who want to engage in prevention and intervention. We can institute a 72-hour hold, a mandate for a 72-hour hold for juveniles caught with a fire-arm on school grounds. The list goes on and on. These are simple things. They are things we could be doing, I say to my colleagues in the House of Representatives, this was a flat-out exciting game that was one of the best national championships ever fought between national championship teams in the history of national basketball tournaments. This was a game that was exciting to watch in person or in one’s living rooms for men and women and boys and girls across the country, to see Ruth Riley, the all-American star for the University of Notre Dame, score 28 points, rip down 13 rebounds and block 7 shots, all-American standards by any definition.

When we talk about high-caliber standards, they say that it really sets them better than the coach, Muffet McGraw, who has been at the helm of the University of Notre Dame for 14 years. This past year, she won three coach of the year awards, the Naismith Award, the Associated Press National Coach of the Year Award, for her stellar coaching performance, in a 34 wins and 2 losses season. She did not do it herself. Coach Owens, Coach McCruff, Coach Washington all helped her and they share credit to win the national championship.

They had a lot of talent on this stellar team, not just the four names that I mentioned that go down in Irish lore, but the entire team dedicated to high academic standards and playing their hearts out on the floor.

Mr. Speaker, I want to conclude by recognizing their outstanding season. I was privileged enough to attend their very first practice on October 15 and to talk to the team. I urge you all to encourage them on to have a successful season. Those are high standards that we live up to in Indiana, where we have the legend of Larry Bird, where we have high school gyms that see 10,000 and 12,000 people for great games at the high-school level, and where tiny, small, little Milan High School won the State championship in 1954, creating the legendary Hoosiers movie. We now have the University of Notre Dame Fighting Irish 2001 national champions to enter into the legend, and the “Hoosier Hysteria.” Congratulations. We are proud of you. Congratulations to the continuing ascendency of women’s basketball in America.

Mr. Speaker, I rise today to honor the University of Notre Dame Women’s Basketball Team. The Fighting Irish claimed the 2001 NCAA Women’s Basketball National Championship on April 1 in St. Louis, Missouri against intrastate rival, the Purdue University Boilermakers, in a classic Hoosier contest that will be remembered as one of the best championship games in history.

By winning the national championship on Sunday, the Fighting Irish provided a fitting end to an extraordinary season. Their record was an outstanding thirty-four wins and only two defeats. This team embodied the true spirit of college athletics and the two hard fought games in the Final Four serve as a testament to their heart. In the semifinal game against the defending National Champion, the Big East Conference rival, University of Connecticut, the Irish staged a remarkable come from behind victory thanks to the dominant play of Naismith National Player of the Year, Ruth Riley, and the Frances Pomeroy Naismith Award Winner, Niele Ivey. As the second half commenced, the Irish trailed the Connecticut Huskies by as many as sixteen points. The Irish refused to quit, however. Riley, Ivey, sharp shooter Alicia Ratay and the rest of the Irish scored on 15 of their next 20 possessions. Thanks to a 14-0 run, the Irish avenged a heart-breaking loss to the Huskies in the Big East Conference Tournament Final and ended up with a triumphant 90-75 victory. The comeback was the biggest in NCAA Final Four history. The Irish also made eight of their 11 three-point attempts, a national semifinal record.

The Irish saved more heroics for the National Championship game against intrastate rival Purdue. Trailng by as many as twelve points, the Irish responded with grit and determination. Notre Dame relied on balanced scoring - in the second half of the game with a layup off a pass from Ratay. The game was tied at 66 with less than one minute to play. With 5.8 seconds to play, Riley was fouled and headed to the foul line with the national championship literally on the line. Riley made both free throws to seal the victory and the championship for the Fighting Irish. Riley finished the game with 28 points, 13 rebounds, and 7 blocked shots and was awarded the distinction of Most Outstanding Player.

In Muffet McGraw’s fourteen years as head coach of the Notre Dame women’s basketball team, Notre Dame fans have grown accustomed to watching the Irish win with class. Coach McGraw’s savvy coaching skills and dedication to playing with class are shining examples of why she was honored with three National Coach of the Year awards (Naismith, Associated Press, and the WBCA National Coach of the Year) this season. Coach McGraw’s final lead of the game at 62 with a three point shot with four minutes to play in the game. But it was Riley who provided the heroics fitting of a champion. Riley contributed thirteen points, the Irish refused to quit, however. Riley, Ivey, sharp shooter Alicia Ratay and the rest of the Irish scored on 15 of their next 20 possessions. Thanks to a 14-0 run, the Irish avenged a heart-breaking loss to the Huskies in the Big East Conference Tournament Final and ended up with a triumphant 90-75 victory. The comeback was the biggest in NCAA Final Four history. The Irish also made eight of their 11 three-point attempts, a national semifinal record.

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Ruth Riley excelled as a student-athlete. She became Notre Dame’s first player to win the Naismith Women’s College Player of the Year and she was a unanimous Associated Press first team All-American. Riley became the first person in Big East Conference history to sweep the three major awards: Big East Player of the Year, Big East Defensive Player of the Year, and the Big East Scholar Athlete of the Year. The Macy, Indiana native has certainly found a place in Indiana’s rich basketball lore, known as “Hoosier Hysteria.”

Niele Ivey was considered the heart and soul of her team. In her determination to lead the Irish to the Final Four in her hometown of St. Louis, Missouri, Ivey provided valuable focus during the Midwest Regional games against Alcorn State, Michigan, Utah, and Vanderbilt. A consummate champion, Ivey earned Associated Press All-American honors. She was also the recipient of the Frances Pomeroys Naismith Award presented to the nation’s outstanding female collegiate 5-foot-8 and under who excelled athletically and academically.

Kelley Siemon teamed with Riley to make a formidable front court. Siemon won the Big East Most Improved Player award and she was also voted to the honorable mention all-Big East team.

Junior Ericka Haney served as valuable and versatile starter for the Irish. Haney helped spark the Irish comeback against Connecticut in the semifinal game. Sophomore Alicia Ratay proved to be one of the nation’s top perimeter shooters and she was a candidate for All-American honors. Ratay led the nation in three point shooting percentage and was honored with a third-team all-Big East distinction. Sophomore reserve players, Amanda Barksdale, Monique Hernandez, and Karen Swanson, and freshmen Jeneka Joyce and LeTania Severe provided valuable minutes throughout the season. With such young talent, the Irish basketball program has a promising future.

Mr. Speaker, in conclusion, the 2001 Notre Dame Women’s Basketball Team deserves to be recognized for their Championship caliber play, their tenacity and their exemplary sportsmanship. I am proud and deeply honored to recognize this magnificent achievement. Go Irish!

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m. Accordingly (at 12 o’clock and 54 minutes p.m.), the House stood in recess until 2 p.m.

PRAYER

The Reverend Dr. Ronald F. Christian, Lutheran Social Services, Fairfax, Virginia, offered the following prayer:

God of all mercy and grace, look kindly upon all Your people this day in both the celebrations and the sufferings of life. Shield the joyous from pride and relieve the grieving of their sorrow.

Where health of body and mind is in jeopardy, grant a full measure of Your healing and hope. Where conflict and distrust, hatred and resentment, provide a quiet and calm refrain in the clamar of their strife. And where hunger and thirst are Your children’s basic needs, challenge all those with an abundance of this world’s possessions the generosity of their good stewards and to share with others from their own storehouses of wealth.

Wherever hate outranks love, wherever sadness is more common than joy, wherever retaliation is the first acceptable alternative to mercy, then and there, Oh God, we pray, give to all of Your people a sense of what Your justice for our world might mean, and let Your peace ever rule in our lives. Amen.

PLEDGE OF ALLEGIANCE

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

Mr. UNDERWOOD 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.

IN MEMORY OF JAKE SINIAWSKI

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

Mr. CHABOT. Madam Speaker, Jake Siniawski was considered the heart and soul of the Irish. Jake suffered from a rare blood disorder called Fanconi anemia, which ultimately claimed his life. He was only 10 years old.

While he was quite ill for much of his short life, his obituary in the Cincinnati Post noted that Jake was an inspiration and lived life to the fullest every day.

The medical community worked hard to provide a cure for Jake. The good people of St. Bernard’s Church sponsored a marrow-typing blood drive in an effort to find a compatible bone marrow donor. His family and friends and neighbors always remembered him in their prayers. Those who loved him did all that they could.

I have talked about Jake on this floor in the past, and I know my colleagues in the United States Congress join me in expressing our condolences to Jake’s loving family.

Madam Speaker, we can help boys and girls like Jake by participating in the National Marrow Donor Program. All it takes is a simple blood test. It could save a life. God bless you, Jake.

UNIVERSITY STUDENTS SHOULD INVESTIGATE JANET RENO AND CONTRIBUTORS TO THE DNC

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

Mr. TRAFICANT. Madam Speaker, while John Huang and James Riady are partying in Hawaii, 24 Americans are being held against their will in China. Think about it, China is taking $100 billion a year out of America, buying missiles with our money, pointing them at us, and now they are holding Americans against their will.

What is next, Madam Speaker? Will they return the 24 Americans when they deliver to the Pentagon the black berets they bought for millions and millions of dollars? deals we made up. Has Uncle Sam become Uncle Sucker here? I yield back the fact that we should investigate the treason, the treason of Janet Reno and those campaign contributions to the Democrat National Committee.

TRIBUTE TO MIKE MARINER

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

Mr. FLAKE. Madam Speaker, today I rise to pay tribute to a good friend, Mike Mariner, who passed away last week, and whose funeral service is being held today in Snowflake, Arizona. Each of us will face challenges in life, but few of us will be called to face for a moment what Mike endured for most of a lifetime.

Those who grew up with Mike will remember his good humor, his playful spirit, and fortunately for those of us who often displayed the insensitivity of youth, his boundless ability to forgive and forget.

Those who have kept in touch with Mike over the past several years have been softened, touched, and are inspired by his tireless effort to keep his body in step with his keen mind. The world is a better place because Mike lived in it, and we are a better people for having known him.

Mike is now home, and because of the difficult road he has traveled, we can find special meaning in the poet’s phrase “He has slipped the surly bonds of Earth and touched the face of God.” God bless you, Mike.

SINO-AMERICAN RELATIONS

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

CHESAPEAKE BAY OFFICE OF NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AUTHORIZATION

Mr. GILCHREST, Madam Speaker, I move to suspend the rules and pass the bill (H.R. 642) to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, and for other purposes, as amended.

The Clerk read as follows:

H.R. 642

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

SECTION 1. CHESAPEAKE BAY OFFICE.

(a) REAUTHORIZATION OF OFFICE.—Section 307 of the National Oceanic and Atmospheric Administration Act of 1992 (15 U.S.C. 1511d) is amended to read as follows:

SEC. 307. CHESAPEAKE BAY OFFICE.

(a) ESTABLISHMENT.—(1) The Secretary of Commerce shall establish, within the National Oceanic and Atmospheric Administration, an office to be known as the Chesapeake Bay Office (in this section referred to as the 'Office').

(2) The Office shall be headed by a Director who shall be appointed by the Secretary of Commerce, in consultation with the Chesapeake Executive Council. Any individual appointed as Director shall have knowledge and experience in research or resource management efforts in the Chesapeake Bay.

(3) The Director may appoint such additional personnel for the Office as the Director determines necessary to carry out this section.

(b) FUNCTIONS.—The Office, in consultation with the Chesapeake Executive Council, shall—

(1) provide technical assistance to the Administrator, to other Federal departments and agencies, and to State and local government agencies in—

(A) assessing the processes that shape the Chesapeake Bay system and affect its living resources;

(B) identifying technical and management alternatives for the restoration and protection of living resources and the habitats they depend upon;

(C) monitoring the implementation and effectiveness of management plans;

(2) develop and implement a strategy for the National Oceanic and Atmospheric Administration that integrates the science, research, monitoring, data collection, regulatory, and management responsibilities of the Secretary of Commerce in such a manner as to assist the cooperative, intergovernmental Chesapeake Bay Program to meet the commitments of the Chesapeake 2000 agreement and subsequent agreements;

(3) coordinate the programs and activities of the various organizations within the National Oceanic and Atmospheric Administration, the Chesapeake Bay Regional Sea Grant Programs, and the Chesapeake Bay units of the National Estuarine Research Reserve System, including—

(A) programs and activities in—

(i) coastal and estuarine research, monitoring, and assessment;

(ii) fisheries, fish habitat, and stock assessments;

(iii) data management;

(iv) remote sensing;

(v) coastal and ocean management;

(vi) habitat conservation and restoration; and

(vii) atmospheric deposition; and

(B) programs and activities of the Cooperative Oxford Laboratory of the National Ocean Service with respect to—

(i) nonindigenous species;

(ii) estuarine and marine species pathology;

(iii) human pathogens in estuarine and marine environments;

(iv) ecosystem health;

(4) coordinate the activities of the National Oceanographic and Atmospheric Administration with the activities of other Federal, State, and local agencies;

(c) TYPES OF PROJECTS.—Projects for which grants under this subsection may be made include—

(i) assessments of the distribution, extent, and movement of contaminants in the Bay or substrate for habitats;

(ii) restoration of wetland or sea grass;

(iii) the restoration of wetland or sea grass;

(iv) the improvement of fish passageways; and

(v) other projects that are carried out by entities eligible under paragraph (3) for the restoration of fishery habitats and the Bay.

(d) FEDERAL SHARE.—The Federal share under subparagraph (A) shall not exceed 75 percent.

(e) ELIGIBLE ENTITIES.—The following entities are eligible to receive grants under this subsection:

(A) Any agency of the Federal Government.

(B) Any other organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(c)(3) of such Code.

(f) LOCAL MATCH.—The local match required under this subsection shall not exceed 25 percent.

(g) COOPERATION.—The Office shall, in cooperation with the agencies referred to in subsection (a) of this section, develop strategies, plans, or other actions to reduce the ill effects of nonindigenous species in the Bay.

(h) ANNUAL REPORT.—(1) The Director shall submit an annual report to the Congress on the performance of the activities carried out under this section.

(2) The report shall—

(A) describe the activities carried out under this section;

(B) describe the results achieved by the activities carried out under this section; and

(C) describe the projected benefits of the activities carried out under this section.

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(A) describe the activities carried out under this section;

(B) describe the results achieved by the activities carried out under this section; and

(C) describe the projected benefits of the activities carried out under this section.
from taxation under section 501(a) of that Code; and

"(ii) that will administer such grants in co-

ordination with a government referred to in sub-

paragraph (A)."

"(4) ADDITIONAL REQUIREMENTS.—The Direc-
tor may prescribe any additional requirements,

including the need for the program to be

carried out in a manner consistent with the require-

ments of this section.

(5) BUDGET LINK ITEM.—The Secretary of

Commerce shall identify, in the President's an-

nual budget to the Congress, the funding re-

quest for the Office.

(e) CHESAPEAKE EXECUTIVE COUNCIL.—For

purposes of this section, 'Chesapeake Executive COUNCIL' means the representatives from the

Commonwealth of Virginia, the State of Mary-

land, the Commonwealth of Pennsylvania, the

Environmental Protection Agency, the District of

Columbia, and the Chesapeake Bay Commis-
nion, who are signatories to the Chesapeake Bay

Agreement, and any future signatories to that

Agreement.

(f) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to the

Department of Commerce for the Chesapeake Bay

Office $6,000,000 for each of fiscal years

2002 through 2006.

(b) CONFORMING AMENDMENT.—Section 2 of

the National Oceanic and Atmos-

pheric Administration

Marine Fisheries Program Authorization

Act (Public Law 96–210; 97 Stat. 1409) is amend-

ed by striking subsection (e).

(c) MULTIPLE SPECIES MANAGEMENT STRAT-

EGY.—

(1) IN GENERAL.—Not later than 180 days after

the date of enactment of this Act, the Director of

the Department of Commerce shall con-

sider necessary to carry out the program under

this subsection.

(2) REQUIRED ELEMENTS OF STUDY.—In order
to improve the understanding necessary for the de-

velopment of the strategy under paragraph

(1)(B), the study shall:

(A) to determine and expand the under-

standing of the role and response of living re-

sources in the Chesapeake Bay ecosystem; and

(B) to develop a multiple species management

strategy for the Chesapeake Bay.

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(A) to determine and expand the under-

standing of the role and response of living re-

sources in the Chesapeake Bay ecosystem; and

(B) to develop a multiple species management

strategy for the Chesapeake Bay.

The SPEAKER pro tempore. Pursuant
to the rule, the gentleman from

Maryland (Mr. GILCHRIST) and the gen-
tleman from Guam (Mr. UNDERWOOD)
each asked for 2 minutes.

The Chair recognizes the gentleman

from Maryland (Mr. GILCHRIST).

Mr. GILCHRIST. Madam Speaker, I yield

myself such time as I may con-

sume.

Madam Speaker, I want to say up

front that the staff on both sides of the

aisle, the Democrat and Republican

staff, both in our personal offices and

the committee, have done excellent

work on this bill to make it a bipa-

tisan bill supported by everybody. It is

also an excellent piece of legislation.

I also want to thank the ranking

member, the gentleman from Guam

(Mr. UNDERWOOD), for his support of

the legislation and for working with us
to make sure that this bill passed the

committee and will now pass the House

and eventually become law.

I know the bill does not deal with

Guam, but I would like to express my con-

cern about the Chesapeake Bay region and the China

watershed, but his tireless efforts to sup-

port this legislation bodes well for

his professionalism.

Madam Speaker, H.R. 642 reauthor-

izes the National Oceanic and Atmo-

spheric Administration's Chesapeake Bay

Office and clarifies its role in co-

ordinating NOAA's bay activities. This

legislation is similar to a measure we

introduced last year. It is also similar
to separate legislation introduced last

year by my colleague, the gentleman

from Maryland (Mr. CARDIN). Those

bills were the subject of a committee

hearing last fall. H.R. 642 is a result of

that hearing and is supported by the

entire Maryland delegation.

In order to reauthorize the NOAA

Chesapeake Bay Office, H.R. 642

would create two new very interesting

requirements. The first would be a 5-

year study leading to the development

of a multiple-species living marine re-

sources management strategy for the

Chesapeake Bay.

I do not want to go over that too

fast. It is a multiple-species living ma-

rine resources management strategy.

What exactly does that mean? Let me
give just a small example.

In the Chesapeake Bay, we have sun-

light and we have nutrients. The sun-

light is the engine behind what gives

the Chesapeake Bay life. So to a cer-
tonit extent, the sunlight and nutrients

generate a microorganism, something
called phytoplankton, a little tiny

microorganism, which is then eaten by

another tiny microorganism called

zooplankton. The zooplankton is then
eaten by a little fish called menhaden.

The menhaden is eaten by a bigger fish
called rockfish, or striped bass.

Now, to a small extent, that is an ex-

ample of a food web, or something we

talk about today as an ecosystem. In

the bill, it talks about a multiple-species

management strategy.

What has happened in the Chesa-

apeake Bay, and the reason there is a

need for this legislation, is that we

have sunlight and nutrients now, but

now we have too many nutrients. That

means the growth of the first micro-

organism, or phytoplankton. When we have too much of that

phytoplankton, the zooplankton can-

not eat enough of it, so a lot of the

phytoplankton, that microorganism,

falls to the bottom after it dies. It uses

a lot of oxygen as it decays.

As a result of that loss of oxygen, we
do not have a good-quality environ-

ment for the zooplankton anymore,

and we come up with another micro-

organism called the dinoflagellate. Be-

cause the dinoflagellate can prosper in

low oxygen, it is not nearly as good a

quality food for the zooplankton. Then

the zooplankton are not as nutritious.

Then the menhaden that eat the

zooplankton, they begin to fail, not

only because the quality of their envi-

ronment is reduced, but because they

are overharvested by way too many
times.

So what does that do to the rockfish

to the top of the food web? The rock-

fish do not have enough menhaden to

eat. So what do the rockfish do? They

go after the crabs.

What I am trying to explain here is

as soon as human activity, which

causes too many nutrients in the

Chesapeake Bay, interrupts or disrupts

the ecosystem or the food web, we need
to employ some quality legislation to

understand the mechanics of the nat-

ural processes. That is what this bill
does.

The second requirement of this bill

would be to establish a community-

based fishery and habitat restoration

small grant program for the Chesa-

apeake Bay watershed, a small grant

program for activities to understand the

nature of the food web that we have

interrupted.

How do we get back in to bring that

food web back into originally what it

was designed for? It was designed; it

does not have to go away. We can

refer to it in the Chesapeake Bay region as

the mechanics of creation. If we can

understand that, we can fix these prob-

lems.

□ 1415

So the small watershed grants will

plant grass to improve the quality of

the water; build oyster reefs to filter

out some of those nutrients; stabilize

shore lines, I think the way they are

supposed to be stabilized so they can be

habitat for other wildlife; and spawn-

ning areas for fish.

As a representative of the district

that surrounds the Chesapeake Bay, I

am aware of the quality of the work

done by the Chesapeake Bay office.

I commend Judith Freeman, director of the Chesapeake

Bay Office, for her efforts to improve

the environmental quality and public

stewardship of the bay.

The Chesapeake Bay is vitally impor-

tant to our district and the mid-Atlan-

tic States. Every corner of Maryland's

first district is dependent in one way or

other on the health of the Chesapeake

Bay. From the State capital in Annap-

olis, home of constituents as diverse as

the United States Naval Academy, rec-

reational boaters, to the Eastern

Shore, where thousands of watermen

rely on the health of the bay to sustain

their families, the Chesapeake Bay is a

focal point of life for my constituents;

therefore, the success of the Chesapeake

Bay Office is of critical concern to

me and myself.

Madam Speaker, I want to quote one

more person in this dialogue we are

having here, and that is Rachael Car-

son. In her book "Silent Spring", she

exploded the idea that the environment

is important in her book "Silent Spring".

Rachael Carson always found it a
strong phenomenon that individual people when you talk to them about science consider the only people concerned with the details and the mechanics of natural processes or science were scientists locked away in some obscure laboratory, and they very rarely engaged in any public debate.

Madam Speaker, science is a wonderful form of dialogue and conversation not only for us, but certainly for young children in school. To understand what keeps life on this planet alive is an extra-ordinary thing that all of us should talk about a little bit more.

Madam Speaker, I urge an aye vote on this important legislation.

Madam Speaker, I also want to thank my colleagues from Maryland and the gentleman from Guam (Mr. UNDERWOOD) for their support.

Madam Speaker, I reserve the balance of my time.

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

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

Madam Speaker, I support H.R. 642, a noncontroversial bill, which would reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, and as indicated by the gentleman from Maryland (Mr. GILCHREST), chairman of the Subcommittee on Fisheries Conservation, Wildlife and Oceans, who has demonstrated not only his commitment to this particular piece of legislation, but certainly his knowledge about the mechanics of it and the necessity for it.

Since 1992, the Chesapeake Bay Office has functioned effectively to incorporate NOAA’s impressive scientific research and marine resource management programs into the comprehensive Federal and multi-state effort to restore the Chesapeake Bay ecosystem. It is one of the best examples I know of that demonstrates how NOAA brings science and service together.

H.R. 642 would provide a much-deserved increase in funding for this office. The bill would also authorize some new activities, many of which have been outlined already by the gentleman from Maryland (Mr. GILCHREST), most notably a local fishery and habitat restoration grant program, which will promote new opportunities for NOAA to contribute throughout the bay.

The legislation has received strong bipartisan support from the entire Maryland Congressional delegation. The administration also supports H.R. 642, and I urge an aye vote on this common sense good piece of legislation.

Madam Speaker, I reserve the balance of my time.

Mr. GILCHREST. Madam Speaker, I yield 4 minutes to the gentlewoman from Maryland (Mrs. MORELLA), the sponsor of this legislation for yielding the time to me and obviously for sponsoring the legislation.

Madam Speaker, I rise in strong support of H.R. 642, the NOAA Chesapeake Bay Office Reauthorization. The gentleman from Maryland (Mr. GILCHREST), my good friend, should be commended for this fine legislation. In addition, I offer my congratulations to the gentleman as he embarks as the chairman of the Subcommittee on Fisheries Conservation, Wildlife and Oceans.

It is only appropriate that the first legislation considered by his subcommittee is this bill, which will benefit and improve the Chesapeake Bay.

I want to also thank my colleagues from Maryland, I see the gentleman from Maryland (Mr. CARDIN) over there and I see the gentleman from Guam (Mr. UNDERWOOD), and I want to thank the others who have supported this legislation.

The Chesapeake Bay, our Nation’s largest estuary, is an incredibly complex ecosystem. The bay is one of our Nation’s most valuable natural resources. Its rich ecosystem, with rivers, wetlands, islands, and the bay itself, supports and provides a natural habitat for over 3,600 species of plants, fish, and animals.

We know that about 15 million people now live in the bay watershed, which includes parts of six States and the entire District of Columbia. These persons are at all times just a few steps from one or more of the 100,000 stream and river tributaries ultimately draining into the bay.

Every person, plant, and animal within this watershed depends on each other to help the Chesapeake Bay system thrive and function properly. These complex relationships are countless.

NOAA’s Chesapeake Bay Office was first created in 1992 to coordinate NOAA’s efforts under the Chesapeake Bay Program, which was a unique regional partnership of State and Federal Government agencies that has been encouraging and directing the restoration of the bay since 1983.

I am pleased that important progress has been made in renewing the bay since the Chesapeake Bay Agreement was signed in 1983. Restoration efforts, particularly in areas at near land, have had a profound impact on the health and vitality of the bay. Scientific research has led to a better understanding of the bay, including how it works, and what must be done to continue its restoration.

The NOAA’s Chesapeake Bay Office brings incredible scientific knowledge and expertise. They are involved in protecting and preserving the Chesapeake Bay in many ways, from rebuilding oyster reefs to restoring critically important vegetation.

However, we still have a long way to go before we reach our goals for a completely restored Chesapeake Bay. Many questions about the future of the bay remain unanswered. For example, blue crabs, perhaps the best-known and most important resource of the bay, have been below the long-term average level for several years.

The waterfowl species has declined dramatically. Further efforts to reduce nutrient and sediment pollution are needed.

Madam Speaker, I am pleased that this legislation today will help us address these concerns and will allow us to move towards the goal of a restored Chesapeake Bay. H.R. 642 will provide the NOAA’s Chesapeake Bay Office with the necessary resources and authorization to continue to lead the way towards long-lasting environmental restoration of the bay.

Madam Speaker, we must preserve and protect the Chesapeake Bay, and I do support H.R. 642. I urge its swift passage.

Mr. UNDERWOOD. Madam Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Madam Speaker, I thank the gentleman from Maryland (Mr. UNDERWOOD) for yielding the time.

I am pleased that important progress has been made in renewing the bay since the Chesapeake Bay Agreement was signed in 1983. Restoration efforts, particularly in areas at near land, have had a profound impact on the health and vitality of the bay. Scientific research has led to a better understanding of the bay, including how it works, and what must be done to continue its restoration.

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Madam Speaker, we must preserve and protect the Chesapeake Bay, and I do support H.R. 642. I urge its swift passage.

Mr. UNDERWOOD. Madam Speaker, I yield the time to the gentleman from Guam (Mr. UNDERWOOD), because he and I cochair the Chesapeake Bay Watershed Task Force, and I want to thank him and the gentleman from Guam (Mr. UNDERWOOD) for yielding the time.

The bill before us today reauthorizes the National Oceanic and Atmospheric Administration Chesapeake Bay Office through 2006. The Chesapeake Bay Office was established in 1992 to provide a focal point for NOAA’s efforts and those efforts undertaken by partners of the Chesapeake Bay Program.

For nearly 10 years now, the Chesapeake Bay Office has played a vital role in coordinating efforts between NOAA and Federal and State governments in the Chesapeake Bay watershed. It has acted as a positive force in managing and preserving this unique natural treasure.

This legislation before us not only authorizes the appropriations for the Chesapeake Bay Office, but it also begins a new small grant program. Local governments and organizations, such as educational institutions or communities with organizations dedicated to the Chesapeake Bay watershed would be eligible for grants which may make improvements to fish passageways, create natural or artificial reefs for habitats, restore wetlands or sea grass or produce oysters for restoration projects.

These projects could enhance the essential knowledge and information that is necessary in order for us to restore our Nation’s most cherished waterway, the Chesapeake Bay, which not only has significant environmental importance on Virginia and many other States, but also contributes enormously to our recreational activities and to our economy. I, therefore,
Madam Speaker, I thank the gentleman from Guam (Mr. UNDERWOOD) once again, and certainly the gentleman from Maryland (Mr. CARDIN) for helping us with this legislation.

One last very brief comment on the Chesapeake Bay watershed. The Chesapeake Bay itself, about 100 years ago, when we first took out of the bay on an annual basis up to 15 million bushels of oysters, 15 million. It was the engine that drove the economy of the State of Maryland and Virginia and, to some extent, Pennsylvania, for the commercial harvest, for the recreational activities, for all the spin-off economic resources that depended on the Chesapeake Bay, 15 million bushels the oysters. We are, in a good year now, down to 300,000 bushels of oysters.

With this legislation, we can understand the nature of the mechanics of the ecosystem, how the food web works. Human activity degraded the bay; human ingenuity will restore it. I urge an aye vote on H.R. 642.

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

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and pass the bill, H.R. 642, as amended.

The question was taken.

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.

Mr. GILCHREST. Madam 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.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO HAVE UNTIL FRIDAY, APRIL 20, 2001, TO FILE LEGISLATIVE REPORTS ON H.R. 392, H.R. 503, H.R. 863, H.R. 1209, AND H.J. RES. 41

Mr. SENSENBRENNER. Madam Speaker, I seek unanimous consent that the Committee on the Judiciary have until Friday, April 20, to file legislative reports on the following: H.R. 392, Private Relief Bill for Nancy Wilson; H.R. 503, Unborn Victims of Violence Act of 2001; H.R. 863, Consequence for Juvenile Offenders Act of 2001; H.R. 1209, Child Status Protection Act of 2001; and H.J. Res. 41, Tax Limitation Constitutional Amendment.

This request has been cleared with the minority.

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

There was no objection.

Mr. SENSENBRENNER. Madam Speaker, I urge my colleagues to support the bill.

Mr. UNDERWOOD. Madam Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. CARDIN) for the purpose of responding to the request of the gentleman from Wisconsin.

Mr. CARDIN. Madam Speaker, I thank the gentleman from Maryland (Mr. GILCHREST) for working together to bring forward this very important reauthorization legislation that will help continue the Federal partnership in restoring the Chesapeake Bay, the largest estuary in our Nation.

In 1991, original authorizations for NOAA’s participation was passed by this Congress, and since that time, NOAA has been an instrumental partner in our efforts that involve not only the State of Maryland, but our surrounding States; not just State government, but local governments; not just government, but the private sector. We have worked together in partnership and have made tremendous progress in restoring the Chesapeake Bay.

This legislation not only authorizes NOAA’s participation, but establishes small grant programs to local governments, community organizations, educational institutions to restore fisheries and habitats.

Madam Speaker, I say personally I know the groups that qualify for these funds. They are out there every day helping us restoring the waters and stirring the banks, cleaning up the waters, helping us in a major way. This legislation will mean that there will be additional resources available to these local governments to help them.

The legislation also provides for a 5-year partnership in the multispecies management plan. For too long, we have been looking at individual species. This legislation will allow us to look at all the species within the bay as to how they interact with each other.

We increase the authorization to $6 million through fiscal year 2006; and in combination, this legislation will increase NOAA’s participation in partnership to restore the bay.

Madam Speaker, I congratulate all for moving this legislation so early. It will help us in our efforts not only in Maryland, not only in the communities that surround the Chesapeake Bay, but as a model for our Nation as to the right way to clean up a major body, a multijurisdictional body of water.

Madam Speaker, I urge my colleagues to support the legislation.

Mr. UNDERWOOD. Madam Speaker, I yield back the balance of my time as I may consume to urge everyone to vote aye on this, and also to congratulate the gentleman from Maryland (Mr. GILCHREST) for this very fine piece of legislation.

Madam Speaker, I yield back the balance of my time as I may consume.

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

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 768) to amend the Improving America’s Schools Act of 1994 to make permanent the favorable treatment of need-based educational aid under the antitrust laws.

The Clerk read as follows:

H.R. 768

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 “Need-Based Educational Aid Act of 2001”.

SEC. 2. AMENDMENTS.

Section 568(d) of the Improving America’s Schools Act of 1994 (15 U.S.C. 1 note) is repealed.

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Madam Speaker, I urge my colleagues that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 768, the bill under consideration.

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

There was no objection.

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

Madam Speaker, today the House considers H.R. 768, the Need-Based Educational Aid Act of 2001. This bill was introduced by the gentleman from Texas (Mr. SMITH); and the gentleman from Massachusetts (Mr. FRANK). It makes permanent an antitrust exemption that allows universities to agree on common standards of need when awarding financial aid.

This exemption has been passed on a temporary basis several times without controversy, and the current version is set to expire at the end of September. It appears to be working well, and I am hopeful that it now can be made permanent.

In a moment the sponsors of the bill, the gentleman from Texas (Mr. SMITH) and the gentleman from Massachusetts (Mr. FRANK), will seek time for a further explanation. I appreciate their work on this bill.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield myself such time as I may consume. I wanted to thank the author of the bill, the gentleman from Massachusetts (Mr. FRANK), who was last seen leaving the floor, and I want to yield him some time because I do not think this is going to take long.
What we were doing for many years on need-based educational aid assistance was passing temporary exemptions to the antitrust act. It worked fine. And now we have decided to perenormalize it, thanks to the efforts of the gentleman from Massachusetts and as well as the gentleman from Texas.

It is a great piece of legislation, and it represented probably the most vigorous high point of antitrust enforcement during the Bush, Senior, administration.

I rise in support of H.R. 768, the “Need-Based Educational Aid Act of 2001.” This bipartisan bill would make permanent an exemption in the antitrust laws that permits schools to agree to award financial aid on a need-blind basis and to use common principles of needs analysis in making their determinations.

The exemption also allows for agreement on the use of a common aid application form and the exchange of the student’s financial information through a third party.

In 1992, Congress passed a similar temporary exemption, which was extended in 1994, and again extended in 1997. The exemption passed in 1997 expires later this year. During the almost ten years of its operation, we have been able to witness and evaluate the exemption, and we have found that it has worked well.

The need-based financial aid system serves important social goals that the antitrust laws do not adequately address—such as making financial aid available to the broadest number of students solely on the basis of demonstrated need. Without it, the schools would be required to compete, through financial aid awards, for the very top students.

The result would be that the very top students would get all of the aid available, which would be more than they need. The rest of the applicant pool would get less or none at all. Ultimately, such a system would undermine the principles of need-based aid and need-blind admissions which are so important to achieving educational equality.

No student who is otherwise qualified ought to be denied the opportunity to go to one of the Nation’s most prestigious schools because of the financial situation of his or her family. H.R. 768 will help protect need-based aid and need-blind admissions and preserve that opportunity.

Madam Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. FRANK) for any comments he would like to make.

Mr. FRANK. Madam Speaker, I thank the ranking member for yielding me this time. I want to express my appreciation to the gentleman from Texas (Mr. SMITH) for moving on this so expeditiously and to the chairman of the committee.

For people to understand this, briefly, we had a situation in which the Ivy League schools, MIT and a few others, formed what they called the overlap group. The purpose was, given that they had limited resources to give out in scholarships, and obviously there is not an infinite amount of money for universities, even wealthy ones, to give out scholarships, they wanted to avoid the situation where they competed for desirable students who were not financially in great distress, because that would have taken money away from the pool available to help young people go to school who might not otherwise be able to.

Many of these schools strive to achieve what they call a needs-blind admission policy, or at least they used to the last time I talked. Maybe there is a new euphemism. But what it meant was that they strove to admit you based on their ability to do the work of that school, and then, having admitted them, endeavored to make sure they could afford it financially by some package of financial aid from the university itself, loans, work study, Federal aid, et cetera.

The overlap group was an effort to maximize the resources that could go to the students in need, and I regard that as one of the most socially responsible things I have ever seen. The Justice Department challenged it. Particular credit, in my judgment, goes to Massachusetts Institute of Technology, which declined to go along. Some of the other colleges thought, oh, well, the Justice Department is coming after us, we better just drop this MIT, to its credit, said, no, we will go to court and litigate this.

During the litigation all parties then agreed to a settlement, and essentially this is the legislation that embodies the settlement, which allows some of what they used to do. It does not allow it all. If it were up to me, I would have restored totally what they were able to do. This is not a complete restoration of the overlap group, but it is a substantial restoration of their legal authority to be socially responsible.

We are not talking now about government money, now, but their private funds. What this does is allow them to try better to target the private scholarship money available to them toward the very top students.

Mr. CONYERS. Madam Speaker, I yield myself such time as I may consume to add that the previous speaker while this Harvard, and the cosponsor of the bill went to Yale, and so their contributions are very important, and they did not participate in any of this funding.

Mr. FRANK. Madam Speaker, will the gentleman yield?

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

Mr. FRANK. It was MIT that was the real hero of this, and to whom I think credit should be given.

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

Mr. SENSENBRENNER. Madam Speaker, as one who went to the University of Wisconsin, Madison, that has much better football and basketball teams than either Harvard or Yale, I yield 4 minutes to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Madam Speaker, I thank the chair of the full committee for yielding me this time, and, Madam Speaker, I am going to go in a little more detail about the history of this bill and the necessity for it.

Beginning in the mid-1950s, a number of private colleges and universities agreed to award financial aid solely on the basis of demonstrated need. These schools also agreed to use common criteria to assess each student’s financial need and to give the same financial aid award to students admitted to more than one member of that group of schools. From the 1950s to the late 1980s, the practice continued undisturbed.

In 1989, the Antitrust Division of the Department of Justice brought suit against nine of the colleges involved that engaged in this practice. After extensive litigation, the parties reached a settlement in 1993. In 1994, and again in 1997, Congress passed a temporary exemption from the antitrust laws that codified that settlement. It allowed agreements to provide aid on the basis of need only, to use common criteria, to use a common financial aid application form, and to allow the exchange of the student’s financial information through a third party. It also prohibited agreements on awards to specific students. This exemption expires on September 30, 2001.

Common treatment of these types of issues makes sense, and to my knowledge there are no complaints about the existing exemption. H.R. 768 would make the exemption passed in 1994 and 1997 permanent. It would not make any change to the substance of the exemption.

The need-based financial aid system serves worthy goals that the antitrust laws do not adequately address; namely, making financial aid available to the broadest number of students solely on the basis of demonstrated need. No student who is otherwise qualified should be denied the opportunity to go to one of these schools because of the limited financial means of his or her family. H.R. 768 would help protect need-based aid and need-blind admissions.

Madam Speaker, this legislation passed the Committee on the Judiciary with no opposition, and I urge my colleagues to support this bill as well.

Mr. CONYERS. Madam Speaker, I Yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 768.
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. SENSENBRENNER. Madam 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.

EXPRESSING SENSE OF CONGRESS REGARDING ESTABLISHMENT OF NATIONAL SHAKEN BABY SYNDROME AWARENESS WEEK

Mr. PLATTs. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 59) expressing the sense of Congress regarding the establishment of National Shaken Baby Syndrome Awareness Week, as amended.

The Clerk read as follows:

H. CON. RES. 59
Whereas more than 1,000,000 children were abused or neglected in the United States during the most recent year for which Government data is available regarding child abuse and neglect;
Whereas more than 3 children die from abuse or neglect each day in the United States;
Whereas, in 1998, 37.9 percent of all fatalities of children under the age of 1 were caused by child abuse or neglect, and 77.5 percent of all fatalities of children under the age of 5 were caused by child abuse or neglect;
Whereas head trauma, including the trauma known as shaken baby syndrome, is the leading cause of death of abused children;
Whereas shaken baby syndrome is the loss of vision, brain damage, paralysis, seizures, or death that is caused by severely or violently shaking a baby;
Whereas an estimated 3,000 babies, usually younger than 1 year of age, are diagnosed with shaken baby syndrome every year, with thousands more misdiagnosed or undetected;
Whereas shaken baby syndrome often results in permanent, irreparable brain damage or death;
Whereas the medical costs associated with caring for a baby suffering from shaken baby syndrome often exceed $1,000,000 in the first few years of the life of the baby; 
Whereas the most effective method for ending the occurrence of shaken baby syndrome is to prevent the abuse which causes it;
Whereas educational and prevention programs regarding shaken baby syndrome may prevent enormous medical costs and unquantifiable costs at minimal cost;
Whereas programs to prevent shaken baby syndrome have been shown to raise awareness and provide critically important information about shaken baby syndrome to parents, caregivers, day care workers, child protection employees, law enforcement personnel, health care professionals, and legal representatives;
Whereas programs and techniques to prevent child abuse and shaken baby syndrome are supported by the Shaken Baby Alliance, Children’s Defense Fund, National Children’s Alliance, American Humane Association, Prevent Child Abuse America, National Exchange Club Foundation, Child Welfare League of America, National Association of Children’s Hospitals and Related Institutions, Center for Child Protection and Family Support, Inc., American Academy of Pediatrics, and American Medical Association; and
Whereas increased awareness of shaken baby syndrome and of the techniques to prevent it would help end the abuse that causes shaken baby syndrome: Now, therefore, be it
Resolved by the House of Representatives (the Senate concurring—
(1) strongly supports efforts to protect children from abuse and neglect; and
(2) encourages the people of the United States to educate themselves regarding shaken baby syndrome and the techniques to prevent it.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PLATTs) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. PLATTs), my esteemed colleague, to explain his remarks.

Mr. PLATTs. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 59, as amended.

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

There was no objection. Mr. PLATTs. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am pleased to have the House consider House Concurrent Resolution 59, legislation introduced by the gentleman from California (Mr. MCKEON), my esteemed colleague. This resolution expresses the sense of Congress regarding the prevention of shaken baby syndrome. Shaken baby syndrome is a medical term used to describe the violent shaking and resulting injury sustained from shaking a young child. Often there are no external signs of injury to the young child’s body, but there is injury inside, particularly in the head or behind the eyes. The term was first discussed in medical literature in 1972, but knowledge about the syndrome continues to develop today.

Shaken baby syndrome can occur when children are violently shaken, either as part of a pattern of abuse, or simply because an adult or young caretaker has momentarily succumbed to the frustration of responding to a crying baby. Violent shaking is especially dangerous to infants and young children because their neck muscles are underdeveloped, and their brain tissue is exceptionally fragile. Their small size further adds to the risk of injury. Vigorous shaking repeatedly pitches the brain in different directions.

Shaken baby syndrome can have disastrous consequences for the victim, the family, and society in total. If the child survives the syndrome, medical bills can be enormous. The victim may require lifelong care for injuries such as mental retardation and cerebral palsy. The child may even require institutionalization or other types of long-term care.

Madam Speaker, this resolution expresses Congress’ support to protect children from abuse and neglect. I encourage all Members to support this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.

Mr. DAVIS of Illinois. Madam Speaker, I am pleased to rise in support of this resolution, a very important resolution which seeks to protect the most innocent among us, children; children who are a few days to 5 years old. These children often need protection from parents and caregivers who shake their babies beyond control. Shaken baby syndrome is caused by vigorous shaking of an infant or young child by the arms, legs, chest or shoulders. Forceful shaking will result in brain damage, leading to mental retardation, speech and learning disabilities, paralysis, seizures, hearing loss and even death. It may cause bleeding around the brain and eyes, resulting in blindness.

An estimated 50,000 cases of shaken baby syndrome occur each year. One shaken baby in four dies as a result of this abuse. Some studies estimate that 12 percent of children or deaths are due to battering or shaking. The average victim is 6 to 8 months old.

Madam Speaker, we ask ourselves why babies are being shaken, and how can this resolution help. Crying is the most common trigger for shaking a baby. The normal crying infant spends 2 to 3 hours each day crying. Crying becomes particularly problematic during the 6-week to 4-month age bracket, an age period that coincides with the peak incidence of shaken baby syndrome.

The shaking of the infant is often repeated because the infant stops crying but only because the infant has been injured by the shaking. Shaking often occurs when a frustrated caregiver loses control with an inconsolable crying baby. Parents and caregivers must be made aware of how to deal with a crying infant and that shaking an infant is abusive and criminal. By making Americans more aware of shaken baby syndrome, we can save more of America’s children. I urge my colleagues to support this resolution and help save the babies.

Madam Speaker, I reserve the balance of my time.

Mr. PLATTs. Madam Speaker, I yield myself such time as he may consume to the gentleman from California (Mr. MCKEON).

Mr. MCKEON. Madam Speaker, I rise today as the proud sponsor of this legislation. This bill expresses the sense that Congress strongly supports shaken
baby syndrome prevention and urges all Americans to educate themselves about shaken baby syndrome and the techniques to prevent it.

First I would like to thank the gentleman from Indiana (Mr. BURTON), the majority whip, for his assistance in bringing this bill to the floor and the gentleman from Pennsylvania (Mr. PLATTS) for managing the bill on the floor. I would also like to thank the gentleman from Pennsylvania (Mr. DELAY), the majority whip, for his cosponsorship and his dedication to child advocacy. Also supporting this cause are the Shaken Baby Alliance, the Children's Defense Fund, the National Children's Alliance as well as many other children and family organizations.

This cause was presented to me by one of my constituents, Joyce Edson. Joyce's son, James, was shaken by his licensed child care provider between March and April of 1996. As a result, James has gone to the emergency room with a skull fracture, subdural hematoma, bilateral retinal hemorrhages and a broken right femur. All of this and he was only 5 months old. While James survived this tragic period, he unfortunately has experienced periodic seizures up to 1 year after the abuse. James is still currently under the continuing care of a pediatric neurologist and an ophthalmologist. The Edson family will not know about learning disabilities or behavioral problems until he enters a more structured environment such as kindergarten or the first grade.

Madam Speaker, many other children are not as lucky as James. Each day, more than three children in the United States die from abuse and neglect. Furthermore, over 3,000 babies under the age of 1 are diagnosed with shaken baby syndrome annually while thousands more are misdiagnosed or go unnoticed. Madam Speaker, it saddens me that this situation even exists. However, I am hopeful with this resolution, Congress can increase the knowledge of and ultimately prevent this dreadful occurrence.

Therefore, I urge all my colleagues to support H. Con. Res. 59.

Mr. PLATTS. Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. DeLay), the majority whip.

Mr. DELAY. Mr. Speaker, I rise today to support this resolution which demonstrates the importance of National Shaken Baby Syndrome Awareness Week. I also want to thank the gentleman from California (Mr. McKeon) for bringing this issue to the House's attention during the month that President Bush has proclaimed as National Child Abuse Prevention Month and also thank the gentleman from Pennsylvania (Mr. PLATTS) for bringing it to the floor. It is my hope that this tragedy will generate a national consensus that underscores the importance of prevention.

This issue requires that we answer several fundamental questions. First, what do we know about children who are abused? Second, who are the abusers? Third, what do we know about the way abuse hurts children and its attendant costs to society? And, finally, what have we learned about preventing child abuse?

Let us begin with abused children. The years before a child's 5th birthday are the most dangerous for children in the United States. That is because more than three-quarters of the children who die from abuse are preschoolers. We know that the leading cause of death among infants is head trauma. It most often happens when abusers violently shake a baby.

Now, let us talk about the perpetrators. Nearly 9 out of every 10 perpetrators are parents. Sadly, the most dangerous place for a child to be is in a home. It is no wonder that nearly 60% of all the perpetrators of child abuse suffer in many ways. Some die. Other kids suffer brain damage. Many are haunted through life by a familiar pattern of debilitating injuries. For the young victims of shaken baby syndrome, approximately 15 to 30 percent die while the rest of these children suffer from disabilities that last their whole lives. Of the few SBS victims who escape without physical injuries, many are destined to suffer more abuse from that person for them. We find a consistent pattern of symptoms among abused children: school failure, feelings of worthlessness, and the aggressive behavior that too often culminates in criminal activity.

It is estimated that each entrust abuse case costs society $2,500 initially. And that expense only covers the short-term costs of abuse, including the initial investigation and the short-term placement of the child in a safe home. All told, that bill will climb every year. When a child is hospitalized or placed in foster care, the costs soar higher.

Finally, let us talk about our ability to prevent child abuse. We know that it is very difficult to prevent very young children from being abused by their parents. Half of the children killed by abusers are from families who have never been investigated. Even among cases that are investigated, abused children are left at risk in dangerous homes. An unproven body of evidence warns us that every abusive family cannot be sufficiently changed to protect every child. But that doesn't mean that the goal of protecting every child. Prevention is worth the risk. It is worth it even if some programs fail. Prevention is worth it because we may still be able to save additional lives through education, counseling, and home visits by specially trained nurses.

Preventing child abuse is a pro-life policy. Some programs do cut child abuse rates. These programs should be supported across our society by Federal, State and local governments as well as private and faith-based organizations. Only by combining our prayers and efforts will we protect every possible young life. That goal is worthy of our full commitment.

Mr. DAVIS of Illinois. Madam Speaker, I reiterate my strong support for this resolution.

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

Mr. PLATTS. Madam Speaker, I yield myself the balance of my time.

As the parent of two young children, I especially commend and appreciate the efforts of the gentleman from California (Mr. McKEON) for introducing this important resolution and for his efforts to bring it to the floor to raise the awareness of the public of the need to protect our children.

Most of the time shaken baby syndrome occurs because a parent or caretaker is frustrated or angry with the child. Other times children become victims when a parent or caretaker, not realizing how seriously this behavior can harm, throws a child into the air or swings the baby violently each time hits an infant too hard on the back. Anyone who takes care of a baby or small child, parents, older siblings, baby-sitters, child care professionals, grandparents and others, should be reminded of the dangers of shaking babies and children. There are organizations in each of our communities that can provide help to parents whose patience has been strained by the burden of caring for an infant who cries continually or who might need more help with parenting or coping skills.

I want to add my words of thanks to the gentleman from Indiana (Mr. BURTON), the gentleman from Florida (Mr. SCARBOROUGH), the gentleman from California (Mr. WAXMAN), and the gentleman from Illinois (Mr. DAVIS), the committee and subcommittee chairmen, and ranking members for working expeditiously to bring this important resolution to the floor. I urge all Members to lend their support to this resolution which seeks to protect our Nation's most precious resource and our Nation's most innocent citizens, our children.

Mr. BILIRAKIS. Madam Speaker, I rise today in support of H. Con. Res. 59, which expresses the sense of Congress that a National Shaken Baby Syndrome Awareness Week should be established.

As a cosponsor of this resolution, I want to bring attention to a problem that is often overlooked: Shaken Baby Syndrome (SBS). This issue was brought to my attention by one of my constituents, Janet Goree of Clearwater, Florida, whose granddaughter Kimberly lost her life as a result of SBS. While nothing can be done for Kimberly, it is my sincere hope that bringing the public's attention to this important issue will prevent further tragedies.

Shaken Baby Syndrome (SBS) is a serious acquired traumatic brain injury caused by "shaking" a child in order to stop them from
crying. SBS frequently occurs in children less than one year of age, although there have been documented cases of SBS in children as old as five years of age.

Madam Speaker, most individuals with experience dealing with small children can relate to the knowing how to meet the needs of a consistently crying child. However, it is important that everyone understands that infants cannot and should never be shaken as a remedy to stop them from crying.

The typical causes of SBS is an adult holding a child by the head or trunk and shaking him or her back and forth with a repeated force. When a child is shaken, delicate veins between the brain and skull are ruptured and begin to bleed. Naturally, the pooling of blood causes swelling and pressure, which produces pressure that, along with the natural swelling of the brained brain, causes damage to brain cells. Once brain cells are damaged, they can never be regenerated or replaced.

The swelling and pressure associated with SBS also cause the brain to shift. This can lead to subdural hematomas, which are collections of blood between the skull and brain due to a tear in the dura mater. Medications may be administered to reduce swelling and pressure. If the swelling and pressure are not alleviated, vital functions will cease and the heartbeat will stop. If the swelling and pressure are not reduced, vital functions such as breathing and heartbeat are stopped. If the swelling and pressure are not reduced, vital functions such as breathing and heartbeat are stopped.

The Government of Cuba restricts the freedom of religion of the Cuban people and actively engages in political repression of its citizens. The Government of Cuba continues to commit widespread and well-documented human rights violations against the Cuban people and to detain hundreds more as political prisoners.

Whereas the Castro regime systematically violates all of the fundamental civil and political rights of the Cuban people, denying freedoms of speech, press, assembly, movement, religion, and association, the right to change their government, and the right to due process and fair trials; and

Whereas, in law and in practice, the Government of Cuba restricts the freedom of religion of the Cuban people and engages in efforts to control and monitor religious institutions through surveillance, infiltration, evictions, restrictions on access to computer and communication equipment, and harassment of religious professionals and lay persons; and

Whereas the totalitarian regime of Fidel Castro actively suppresses all peaceful opposition and dissent by the Cuban people using undercover agents in Cuba, death squads, Committees for the Defense of the Revolution, surveillance, phone tapping, intimidation, defamation, arbitrary detention, house arrest, arbitrary searches, eviction, and travel restrictions, politically-motivated dismissals from employment, and forced exile; and

Whereas workers’ rights are effectively denied by a system in which foreign investors are forced to contract labor from the Government of Cuba and to pay the regime in hard currency knowing that the regime will pay less than the pay that is in local currency to the workers themselves; and

Whereas these abuses by the Government of Cuba violate internationally accepted norms of conduct; and

Whereas the House of Representatives is mindful of the admonishment of former Mexican President Ernesto Zedillo during the last Ibero-American Summit in Havana, Cuba, that “[t]here can be no sovereign nations without free men and women [. . .] men and women who can freely exercise their essential freedom of thought and opinion, freedom of participation, freedom of dissent, freedom of decision”; and

Whereas President Vaclav Havel, an essential figure in Czechoslovakia’s transition to democracy, has counseled that “[w]e thus know that by voicing open criticism of un-
democratic conditions in Cuba, we encourage all the brave Cubans who endure persecution and years of prison for their loyalty to the ideals of freedom and human dignity”;

Whereas former Prime Minister Lech Walesa, leader of the Polish solidarity movement, has urged the world to “mobilize its resources, just as was done in support of Polish trade unions and the Solidarity movement to express their support for Cuban workers and to monitor labor rights” in Cuba; and

Whereas efforts to document, expose, and address human rights abuses in Cuba are complicated by the fact that the Government of Cuba continues to deny international human rights and humanitarian monitors access to the country; and

Whereas Pax Christi further reports that these efforts are complicated because “a conspiracy of silence has fallen over Cuba” in which diplomats and entrepreneurs refuse even to discuss labor rights and other human rights issues in Cuba, some “for fear of endangering the relations with the Cuban government”; and

Whereas the annual meeting of the United Nations Commission on Human Rights in Geneva provides an excellent forum to spotlight human rights and expressing international support for improved human rights performance in Cuba; and

Whereas the United States policy in Cuba is to promote a peaceful transition to democracy through an active policy of assisting the forces of change on the island; and

 Whereas the United States may provide assistance through appropriate nongovernmental organizations to help individuals and organizations to promote democratic change and promote respect for human rights in Cuba; and

Whereas the President is authorized to engage in direct assistance to Cuba, including the provision of publications and other informational materials on transitions to democracy, human rights, and market economies to independent groups in Cuba, (2) humanitarian assistance to victims of political repression and their families, (3) support for democratic and human rights groups in Cuba, (4) support for visits and permanent deployment of democratic and international human rights monitors in Cuba; Now, therefore, be it

Resolved, That—

(1) the House of Representatives condemns the repressive and totalitarian actions of the Government of Cuba against the Cuban people; and

(2) it is the sense of the House of Representatives that the President—

(A) should have an action-oriented policy of directly assisting the Cuban people and independent organizations in Cuba in their cause to secure the United States support under former President Ronald Reagan, including support by United States trade unions, for Poland’s Solidarity movement; and

(B) should make all efforts necessary at the meeting of the United Nations Human Rights Commission in Geneva in 2001 to obtain the passage by the Commission of a resolution condemning the Government of Cuba for its human rights abuses; and

(C) should support the appointment of a Special Rapporteur for Cuba.

The SPEAKER pro tempore, Pursuant to the rule, the gentleman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.
The Chair recognizes the gentlewoman from Florida (Ms. Ros-Lehtinen).

Ms. ROS-LEHTINEN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida? There is no objection.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

I rise to render my strong support for House Resolution 91, a resolution which documents and condemns the systematic repression of the Cuban people by Cuba’s totalitarian regime and urges the member countries of the United Nations Commission on Human Rights to block activities coinciding with World Human Rights Day and with the anniversary of the Universal Declaration of Human Rights. This resolution was passed with bipartisan support by the Committee on International Relations last Wednesday, March 29. We thank the leadership on both sides of the aisle for understanding the importance of moving this measure quickly through the House.

H. Res. 91 gives the Cuban people a voice that has been denied to them by the tyrannical regime that represses them. It serves to empower those who are struggling to bring democracy to their island nation of Cuba. It also sends a clear signal to the world and specifically to the member countries of the U.N. Commission on Human Rights that the United States Congress stands firm in our commitment to human rights and freedom, that the U.S. supports the Cuban people and condemns the abhorrent behavior of the Cuban regime. It calls on the member countries of the U.N. Commission on Human Rights to adhere to the Geneva Convention which stipulates that the observance of human rights cannot be conditioned, that no external action can justify violations of the fundamental rights of every human being.

As Mexico’s foreign minister, Dr. Jorge Castaneda, stated on March 20 during his address to the commission in Geneva: “The status of human rights in any nation is a legitimate concern of consequence to the international community as a whole. The task of promoting their enforcement and respect is an undertaking incumbent to all governments and to all peoples.”

My dear colleagues, how much we wish that there were no need for this resolution. How we wish that the Cuban people were free from the shackles of tyranny, able to exercise their rights endowed to them by our Creator. Unfortunately, that is still a dream.

The crackdown on dissidents, the detentions, the harassments, intimidations, physical and psychological torture have not deterred. Pax Christi, Freedom House, the Committee to Protect Journalists, the Inter-American Commission on Human Rights, and our own State Department all provide ample evidence of this grim reality. The intensification of abuses prompted Amnesty International to send a letter in February of this year to the Cuban authorities expressing its concerns at the serious escalation in the campaign of political arrest and torture of political opponents inside the island. Amnesty’s letter stated: “The increasing number of people jailed for peacefully exercising their rights to freedom of expression clearly demonstrates the manner in which the government will go in order to weaken the political opposition and suppress dissidents.”

In just the first week of November of 2000, 27 independent journalists and dissident leaders were arrested. Over the weekend of December 8, 100 dissidents were arrested by Cuban state security to block activities coinciding with World Human Rights Day and with the anniversary of the Universal Declaration of Human Rights. This repression continues to languish in squad jail cells, devoid of light, of food, and of medical attention. Jorge Luis Garcia Perez Antunez, an Afro-Cuban dissident and Amnesty International prisoner of conscience, has been in prison since March 2000. He has been beaten, tortured, his hands and feet bound to each other and attacked by dogs who have clawed into his flesh.

1500

He continues to protest the regime’s human rights abuses from within his jail cell, conducting hunger strikes and writing testimonials which document the atrocities committed inside Cuba’s prisons.

Then there is the case of Maritza Lugo Fernandez, vice president of the democratic movement, “30 de Noviembre-Frank Pais,” and Dr. Oscar Elias Biscet of the Lawton Foundation of Human Rights. Both continue to suffer “tapiados” in a small, humid cell, without windows, a solid steel door with excrement and urine on the floor.

The recently released State Department Human Rights report underscores that prison conditions continue to be harsh and, indeed, life threatening. Prison guards and state security officials subject human rights and pro-democracy activists to beatings and harassment, their homes invaded, raids, evictions, and harassment of religious workers, with common and violent criminals; to systematic repression of the Cuban system; to the cruel and, indeed, life threatening, policies of the Cuban regime.

One of the most significant aspects of this resolution is providing assistance to independent nongovernmental organizations and independent trade unions that can make an enormous contribution to the improvement of human rights in Cuba, and I strongly welcome the resolution on the human rights credentials of Mr. Castro’s regime.

The resolution is providing assistance to independent nongovernmental organizations and independent trade unions that can make an enormous contribution to the improvement of human rights in Cuba, and I strongly welcome the resolution on the human rights credentials of Mr. Castro’s regime.

I urge our colleagues to vote for this important measure and to do it for them. As the posters show on the wall, the families of Cuba’s political prisoners, do it for their sons, for their daughters, for their mothers, for their fathers, husbands and wives; for Cuba’s dissidents and for their opposition. Vote for House Resolution 91 because it is right and because it is just.

As the global leader, the United States has as its duty and obligation the responsibility to carry forth our message of freedom; and let us begin by voting yes on House Resolution 91.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, let me first congratulate my good friend and colleague, the gentlewoman from Florida (Ms. Ros-Lehtinen), for her leadership on this matter.

Madam Speaker, I rise in strong support of this resolution. The United Nations Human Rights Commission is meeting as we speak, and it will soon be considering country-specific resolutions, including a resolution on Cuba, and the appalling human rights situation there.

The Cuban government, Madam Speaker, remains the last dark stain of totalitarianism in the Western Hemisphere, which is otherwise marching forward towards increasingly democratic and open societies.

Our State Department Country Report on Human Rights for the year just ended, again describes the Government of Cuba as having continued to violate systematically the fundamental civil and political rights of its citizens. The State Department report states the Cuban government severely restricts worker rights, including the right to form independent unions.

One of the most significant aspects of this resolution is providing assistance to independent nongovernmental organizations and independent trade unions that can make an enormous contribution to the improvement of human rights in Cuba, and I strongly welcome the resolution on the human rights credentials of Mr. Castro’s regime.

I also want to recognize the ranking Democratic member of the Subcommittee on Western Hemisphere, the

April 3, 2001 CONGRESSIONAL RECORD — HOUSE H1365
gentleman from New Jersey (Mr. MENENDEZ), for his extraordinary leadership in this important arena. He was one of the first to propose directing assistance to these kinds of activities.

We all hope that the U.N. Commission on Human Rights will provide for the appointment of a special rapporteur for Cuba, who could give an independent and objective view of the human rights conditions on the island. I urge all of my colleagues to support H. Res. 91.

Madam Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH), the vice chairman of our committee.

Mr. SMITH of New Jersey. Madam Speaker, I thank my good friend, the gentlewoman from Florida (Ms. ROS-LEHTINEN), for yielding me this time.

Madam Speaker, I am very proud to be the principal sponsor of this resolution on human rights in Cuba and especially grateful to the chairman of the Subcommittee of International Relations and Human Rights, the gentlewoman from Florida (Ms. ROS-LEHTINEN), for her courage, for her consistency in promoting human rights in Cuba and all around the world. That consistency, I think, is very much needed in politics and in statesmanship, and I applaud her for it.

I also wish to thank the gentleman from Florida (Mr. DIAZ-BALART), who has been outstanding in his defense of those who labor against all odds time and time again. Mr. DIAZ-BALART is a man of statesmanship, and it is our hope that the truth, with the help of God, will set the Cuban people free.

We had the only hearing last year on Elian Gonzalez when he was abducted and sent back to Cuba. We heard from a number of people who dealt with children’s rights—or the lack of children’s rights—in Cuba, who talked about how the child is molded by Marxist ideology and that the parents have little or no rights with regard to their own offspring. We heard testimony from Reverend Walker who cited Matthew 25, one of my favorite teaching in the Bible, which talks about our Lord saying, “When I was hungry did you feed me, when I was naked did you clothe me?” And he was defending the Cuban dictatorship. Amazingly, he said that he saw the fulfillment of Matthew 25 in Cuba, which was an astounding and patently untrue statement to be made by a clergyman.

Then I asked him about a portion of Matthew 25 which he somehow left out. Jesus said: “When I was in prison, did you visit me?” So we asked him—I asked him and the gentleman from Florida (Mr. DIAZ-BALART) jumped in right after me—and did you Rev. Walker ever talk about the fact that maybe as many as 1,200, political dissidents, who have languished in Castro’s gulags day in and day out? Did you ever visit any of those?

He said, oh, yes. Then the gentleman from Florida (Mr. DIAZ-BALART) asked if I would yield and he jumped in and said, “Name them.”

Not one single person was named because apparently he had never visited, to the best of our knowledge, an specific dissident: newer spoke to power the dictator that is to say to Castro, in Havana of the needs and the daily degradations that are suffered and endured by those who labor for democracy.

As this resolution attests, and other speakers will surely amplify, the Castro regime is a totalitarian government that routinely employs torture, extrajudicial killings, forced abortion, and other gross abuses against its own citizens.

In my remarks, I would like to concentrate some of my time on the particularly grave situation of human rights defenders, the brave men and women inside of Cuba who dare to criticize the system of the regime or who simply advocate compliance with the minimum standards of civility and decency set forth in the Universal Declaration of Human Rights.

One thing that frequently happens to human rights defenders in Cuba is that they are subjected to what the government calls “acts of repudiation.” Here is what the most recent Country Report on Human Rights Practices issued by our State Department had to say about the regime’s government investigation, and I quote, “Members of state-controlled mass organizations, fellow workers or neighbors of intended victims are obliged to stage public protests against those who dissent from the government policies, shouting obscenities and often causing damage to the homes and property of those targeted. Physical attacks on the victims sometimes occur. Police and state security agents are often present but take no action to prevent or to end the attacks. Those who refuse to participate in these and similar kinds of action, including loss of employment.”

If a human rights defender persists in disagreeing with the government, he or she may be committed to a psychiatric institution. Like its former ally and protector, the Soviet Union, the Cuban government abuses psychiatry to imprison religious and political dissenters under the rubric of such diagnoses as, quote, “apathy towards socialism, or,” and I quote, “delusions of defending human rights.”

Last year, Dr. Oscar Biscet criticized the government for a wide range of human rights violations, including its policy of forcing women and girls to have abortions. Fidel Castro called Biscet a “little crazy man.” The police then took Dr. Biscet to a psychiatric hospital for testing.

Dr. Biscet is now serving a 3-year sentence for the crime of what they call “dangerousness.” Recently for fasting in remembrance of the murder of the men and women on the 13th of March, the boat that was deliberately cleared of its occupants and who were drowned by Castro’s thugs, Dr. Biscet got over a month of solitary confinement simply because he fasted in protest.

Madam Speaker, political and religious prisoners are often subjected to torture and a number have died in prison due to the effects of such mistreatment and denial of proper medical care.

Madam Speaker, reasonable people may have some disagreement about what we should do from time to time with regard to U.S. policy for these brutal acts. Some believe in a policy of so-called constructive engagement. I strongly believe that our policy of isolating the regime subject to carefully defined humanitarian exceptions for food and medicine that are already a part of U.S. law with respect to Cuba is the right policy.

The one thing we should all agree on, whatever our differences on other aspects of U.S. policy, is that the United States should tell the truth. Indeed, the strongest argument in favor of Mr. DIAZ-BALART’s resolution and the Chinese resolution is that the Commission is supported by representatives of sovereign nations who speak to each other openly and honestly about human rights. This is not always as easy as it sounds, because the Commission’s membership includes such world-class human rights violators as the People’s Republic of China, Vietnam, Libya, Iraq, and Saudi Arabia; and it also includes Cuba, which today, weeks after he made up in Geneva last week and proudly reported that, and I quote, “there are no human rights violations in Cuba.”

Give me a break, Madam Speaker. What utter nonsense.

Madam Speaker, a strong bipartisan vote for today’s resolution will send a signal to Havana, to the community of nations assembled in Geneva, and to the victims themselves, that we Americans remain united in our commitment to the truth, and our commitment to the well being of those who suffer daily for democracy and human rights; and it is our hope that the truth, with the help of God, will set the Cuban people free.

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

Madam Speaker, I want to strongly commend my good friend and colleague, the gentleman from New Jersey (Mr. SMITH), for his powerful and eloquent statement.

Madam Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield 2½ minutes to the gentleman from New York (Mr. GILMAN), the chairman emeritus of our Committee on International Relations.

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

Mr. GILMAN. Madam Speaker, I am pleased to rise in strong support of the adoption of H. Res. 91, which expresses the sense of the House regarding the human rights situation in Cuba.
I commend the gentleman from New Jersey (Mr. SMITH), our distinguished vice chairman of the Subcommittee on International Operations and Human Rights, for introducing this resolution, and my colleagues on both sides of the aisle for joining us in cosponsoring this resolution particularly the gentleman from Florida (Ms. ROS-LEHTINEN); and the ranking minority member of our Committee on International Relations, the gentleman from California (Mr. LANTOS); and the gentleman from Florida (Mr. DIAZ-BALART); and the gentleman from New Jersey (Mr. MENENDEZ).

With the rise of democratic dissent in Cuba, Fidel Castro has been forced to increase his efforts to isolate courageous dissidents from their international supporters, but this has become increasingly awkward for one of the world’s last surviving Communist dictatorships.

When Germany’s foreign minister, Joschka Fischer, made an issue of this case and announced his intention to meet with dissidents in Cuba, his visit to Havana was abruptly cancelled by the Cuban government.

Foreign journalists in Cuba have come under increasing pressure recently, and Mr. Castro has lashed out at several foreign leaders for criticizing his outrageous conduct. It would appear that Mr. Castro is willing to sacrifice his carefully packaged international image in order to prevent foreigners to whom Cuba is opposed to his regime from receiving moral support or even having contact with citizens of democratic nations.

Next month, the U.N. Commission on Human Rights will be considering a resolution regarding the human rights situation in Cuba. It is extremely important that this resolution be approved. Moreover, we must not accept any attempts to insert language in that resolution seeking to draw moral equivalency between the Castro regime’s systematic repression of the Cuban people and our embargo, which is intended to pressure that very same regime to free the Cuban people.

Accordingly, Madam Speaker, I urge my colleagues to fully support this bipartisan resolution.

Ms. ROS-LEHTINEN, Madam Speaker, I yield the remainder of my time to the gentleman from Florida (Mr. DIAZ-BALART), with whom I am proud to be going to Geneva for the human rights convention next week. But before doing so, I would ask that the gentleman from Florida (Mr. DIAZ-BALART) yield to us the remainder of his time so that I may yield it to the gentleman from Florida (Mr. DIAZ-BALART).

Mr. LANTOS, Madam Speaker, I yield the remainder of my time to the gentlewoman from Florida (Ms. ROS-LEHTINEN). I would inquire, then, as to the remaining time.

The SPEAKER pro tempore (Mrs. EMERSON). The total time remaining is 20 minutes.

Ms. ROS-LEHTINEN. Madam Speaker, I yield the remaining time to the gentleman from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. Madam Speaker, late last night I was walking through what I consider these hallowed halls, and I came across near the Rotunda two monuments, statues, of two universal values we talk about at this time. One is Kossuth, the apostle of Hungarian freedom. The other is Raoul Wallenberg, a Swedish diplomat who saved tens of thousands of lives during the Holocaust. I know the gentleman from California (Mr. LANTOS) has had much to do with the fact that in these hallowed halls we have those reminders of those universal statesmen.

I realized once again last night, first, what an extraordinary honor and privilege we are able to serve in this Congress. In addition to that, I realized once again last night that this Congress of the United States of America is the center of dignity and democracy for the entire world, for the entire world.

The gentleman from California (Mr. LANTOS), for whom I have ultimate admiration, was born in a land that saw much suffering in the 20th century and now, fortunately, is free. The gentlewoman from California (Ms. ROS-LEHTINEN) and I were born in a land that has seen much suffering for the last 42 years and, unfortunately, is still not free, though it will be.

But the gentleman from California, knowing as he knows what totalitarianism, that scourge of the 20th century that unfortunately still remains in a few places, is all about, totalitarianism, he, perhaps more than anyone else in this hall, understands the challenges this takes for someone who at this moment is languishing in a dungeon and whose husband is as well in another dungeon, because they are leaders of a political party in Cuba that is illegal called the 30th of November Democratic Political Party, and they ask, and they believe, and they advocate for free elections. They have two small daughters that they cannot take care of, and they are at the total mercy of the totalitarian regime, those two small daughters, because father and mother are both political prisoners.

Despite that, a few days ago Maritza Lugo, that leader of democratic Cuba, of the Cuba of the future, managed to sneak out of prison a statement. I would like to read just a part of it: From this horrible place, I come before you, the international organizations who defend human rights, defenders of democracy, justice and peace, the religious organizations, the whole world and its duty to denounce the Government of Cuba.

I accuse the dictatorial government imposed on Cuba and its repressive arm, the State Security, of all the injustices and abuses they commit against the Cuban people, the penal population, and especially against the political prisoners of conscience. I accuse those miserable and cowardly men and women who, through the use of violence and threats, silence human rights violations, while nothing stops them as they attempt to defend a false "revolution" built and maintained upon a foundation of lies and infamies. Despite the dictatorial government’s lies, stop denying that you torture people. Stop denying international organizations access to our prisons with the pretext that you don’t accept others meddling in your internal affairs.

Maritza Lugo continues. I accuse the Castro government of separating the Cuban family who, in desperation, flee Cuba for political reasons, and it goes on and on.

I ask the addressees of these lines, she states, this young woman, soon to convene in Geneva at the Human Rights Commission, to discuss Cuba, to consider the ill treatment of the Cuban people by its own government. I know that no delegation, Madam Speaker, I know that no delegation will be permitted to come visit the Cuban people, and that has seen much suffering for the last 42 years and, unfortunately, is still not free, though it will be.

And another brave woman, an economist, Martha Beatriz Roque, has just published an article, and the gentleman from California (Mr. LANTOS) again knows the kind of ultimate courage that that takes: From within the totalitarian State, Castro’s government maintains a system of economic apartheid that favors foreigners and exploits Cubans basic rights.

There exists an economic apartheid where no Cuban can invest in his country. He would have to leave and return as a foreigner. We cannot hope for development of social progress or an improvement in the standard of living while the economic repression weighs on our people and our country.

Now, despite, as Pax Christi, the organization, states and is quoted in this resolution that I commend the gentleman from New Jersey (Mr. SMITH) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) for, and the gentleman from New York (Mr. GILMAN) and the gentleman from California (Mr. LANTOS) so much more, despite the conspiracy of silence that has fallen over the reality of Cuba, and despite the tourists that constantly have a good time, and the economic apartheid system, not even mentioning one word of the thousands of political prisoners in the repression against the entire Nacional Democratico Party that are today is making a statement. And those people in prison in Cuba will receive this, maybe not tomorrow, maybe not next
The authorities routinely threaten, arbitrarily arrest, detain, imprison and defame human rights advocates and members of independent professional associations, often with the goal of coercing them into leaving the country. The government severely restricts worker rights, including the right to form independent trade unions. It requires children to do farm work without compensation during their summer vacation.

Political prisoners are estimated at between 300 and 400 persons. Charges of dissem- inating enemy propaganda can bring sentences of up to 14 years. The Universal Declaration of Human Rights, international reports of human rights violations and mainstream foreign newspapers and magazines constitute enemy propaganda. The Government controls all access to the Internet, and all email messages are subject to censorship.

All media must operate under party guidelines and reflect government views. The Government attempts to shape media coverage to such a degree that it exerts pressure on domestic journalists and on foreign correspondents.

The law punishes any unauthorized assembly of more than three persons, including those for private religious services in a private home. The Government has not approved a public meeting by a human rights group. The Government continues to restrict freedom of religion. The Government prohibits, with occasional exceptions, the construction of new churches.

Madam Speaker, these are not my words. They are not the words of the Cuban American National Foundation. They are the impassionate words of the State Department Human Rights Report.

I’ll close with two specific accounts of Cubans who suffer under Castro.

Dr. Oscar Elias Biscet, a doctor and human rights leader, was imprisoned for hanging a Cuban flag upside down. He has been beaten and, during several prolonged periods placed in punishment cells in isolation, prohibited from receiving visitors, food, clothes and books—including the Bible. This is worse than the treatment given to Nelson Mandela as a prisoner.

Dorca Cespedes, a reporter for independent Havana Press, was told by the director of her daughter’s daycare center that the toddler could no longer attend, due to the mother’s “counterrevolutionary” activities.

Dr. Biscet has been called the Martin Luther King, Jr., of Cuba.

Ms. Cespedes could be any one of us—a parent trying to make a living and raise her child in a life of truth and justice.

Madam Speaker, any even cursory reading of what’s going on in Cuba today tells us that we’ve seen this before. We’ve seen it for decades in Cuba, just as we saw it for decades in the former Soviet bloc.

Madam Speaker, let us today recall our support for human rights and democracy in the former Soviet Union and Eastern Europe, and note the following, by agreeing to this resolution, the same support for Cubans endeavoring to seek truth and break free.

Whatever a member feels about our policy towards Cuba with regard to the economic sanctions, there is no excuse for not agreeing to this resolution condemning the human rights practices of Cuba’s government.

I thank the gentleman from New Jersey for bringing it before us; I am proud to be an original cosponsor of the resolution; and I urge its unanimous adoption today by the House.

Ms. ROS-LEHTINEN. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, House Resolution 91.

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.

URGING INTRODUCTION OF U.N. RESOLUTION CALLING UPON THE PEOPLE’S REPUBLIC OF CHINA TO END ITS HUMAN RIGHTS VIOLATIONS IN CHINA AND TIBET

Ms. ROS-LEHTINEN. Madam Speaker, I move to suspend the rules and agree to the resolution (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 for other purposes, as amended.

The Clerk read as follows:

H. RES. 56

Whereas the annual meeting of the United Nations Commission on Human Rights in Geneva, Switzerland, provides a forum for discussing human rights and expressing international support for improved human rights performance;

Whereas, according to the Department of State and international human rights organizations, the Government of the People’s Republic of China continues to commit widespread and well-documented human rights abuses in China and Tibet;

Whereas the People’s Republic of China has yet to demonstrate its willingness to abide by internationally accepted norms of freedom of belief, expression, and association by repealing or amending laws and decrees that restrict those freedoms;

Whereas the Government of the People’s Republic of China continues to ban and criminalize groups it labels as cults or heretical organizations;

Whereas the Government of the People’s Republic of China has repressed unregistered religious congregations and spiritual movements, including Falun Gong, and persists in persecuting persons on the basis of unauthorized religious activities using such measures as harassment, prolonged detention, physical abuse, incarceration, and closure or destruction of places of worship;

Whereas authorities in the People’s Republic of China have continued their efforts to extinguish expressions of protest or criticism have detained and incarcerated hundreds of thousands of people associated with attempts to organize a peaceful opposition, to expose corruption, to preserve
their ethnic minority identity, or to use the Internet for the free exchange of ideas, and have sentenced many citizens so detained to harsh prison terms;

Whereas Chinese authorities continue to exert control over religious and cultural institutions in Tibet, abusing human rights through instances of torture, arbitrary arrest, and harassment of Tibetans without public trial for peacefully expressing their political or religious views;

Whereas bilateral human rights dialogues between several nations and the People's Republic of China have yet to produce substantial adherence to international norms; and

Whereas the People's Republic of China has signed the International Covenant on Civil and Political Rights, but has yet to take the important resolution, which urges the Government of the People's Republic of China to offer substantial legal support to obtain passage by the Commission of such resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the resolution now under consideration.

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

There was no objection.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, as a cosponsor of House Resolution 56, I rise in support of the manager's amendment and urge my colleagues to vote in favor of this important resolution, which urges the passage of a U.S.-sponsored resolution at the U.N. Commission on Human Rights which calls upon the Chinese Government to end its human rights violations in China and Tibet.

During committee consideration, the chairman requested unanimous consent that the Chair be authorized to seek reconsideration of House Resolution 56 on the House suspension calendar.

□ 1530

No objection was heard. The manager's amendment includes an amendment by the gentleman from California (Mr. LANTOS) updating the resolution to reflect the fact that the Bush administration has introduced a resolution at the Human Rights Commission in Geneva concerning the deplorable human rights condition in the People's Republic of China. The title will be amended to reflect the modifications made by the manager's amendment.

This resolution is a statement of fact outlining that China is an authoritarian state which continues to systematically violate the human rights of everyone, and the civil and political liberties of all of its citizens. State security personnel are responsible for numerous abuses, such as political and other extralegal detention, physical abuse, and torture.

National, racial, and ethnic minorities remain subject to intense persecution and discrimination. The authorities frequently launch campaigns to crack down on opposition and pro-democracy groups. Freedom of movement, speech, assembly, and association are severely restricted. The controls on religious worship have intensified, with harassment and detention of church leaders and other faithful, including fines, detentions, physical abuse, and torture. Many houses of worship have been destroyed.

Trafficking in persons, mainly women and children, for forced prostitution or illegal forced labor continues, placing this segment of the population in constant risk of slavery.

Recently, we have seen how their blatant disregard for the universal rights and liberties of human beings extends to foreign visitors, as reflected by the detention of academics by the Chinese regime. Dr. Xu Zerong, a Ph.D. from Oxford University, was detained last fall; and to date the Chinese authorities have not offered any explanation for his continued detention. His family still does not know where he is being held.

Professor Li Shaomin, a U.S. citizen who teaches business at the City University of Hong Kong, was arrested on February 25. The Chinese have yet to present any information regarding charges against him.

There is the case of Dr. Gao Zhan, a research scholar based at American University, detained last month by Chinese authorities.

Just today, Human Rights Watch's Academic Freedom Committee sent the letter to the Chinese leader to protest these detentions, and calling on the Chinese leadership to follow internationally recognized standards of due process to protect the lives and the rights of these scholars.

Further, there is the grim situation that the U.S. is facing of protecting and securing the safe return of 25 Americans being held hostage by the PRC. This picture paints a profound and widespread violation of internationally recognized human rights norms.

The People's Republic of China must be held accountable for its action. Constant pressure from the U.S. and the international community is vital if any improvements are to take place in China. The resolutions before us are an important part of that strategy.

I am proud that the Bush administration has rejected the view that Beijing is our strategic partner and considers passage of the China human rights resolution one of its top priorities in Geneva.

As the U.S. delegation works to ensure debate on human rights conditions in China and to secure the votes for a resolution calling on China to end its terrible human rights practices, let us show them our support by voting in favor of the manager's amendment to House Resolution 56.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in support of this resolution. It was with sincere sadness that I introduced this resolution a month ago, and that I now ask my colleagues to strongly support this resolution.

When I introduced this resolution, Madam Speaker, 24 American airmen were not held captive on a Chinese island, contrary to all provisions of international law. It is merely coincidental that we are considering this resolution at the very time when the attention of the United States and, indeed, much of the world is directed at Beijing to see how they will function in their self-induced and self-created crisis.

When I introduced my resolution a month ago, as all Americans, I was also hoping optimistically that the Chinese government would take at least a few minimal steps to improve the abominable human rights record of the People's Republic of China. Unfortunately, the State Department's Human Rights Report indicates that the human rights situation in China this past year has become worse.

As the report demonstrates, the government of China continues to use torture, forced confessions, arbitrary arrest, and detention, and the general denial of due process. The government of China restricts freedom of speech. It restricts the freedom of the press. It denies freedom of religion, including the most brutal crackdown on the Falun Gong spiritual movement, Tibetan Buddhists, Muslims, and, of course, Christians.

The Chinese government continues to subject vast numbers of political prisoners to forced labor, and it prevents the formation of independent trade unions or independent nongovernmental organizations.

The resolution before the House today indicates strong support for the decision of our administration to offer a resolution at the Human Rights Commission in Geneva calling on the Chinese government to end its human rights abuses, both in China and in Tibet.

In the past, Congress has passed similar resolutions, but unfortunately, the Chinese government usually prevails in
Geneva on a so-called no-action motion. Under this devious parliamentary tactic, the Chinese government successfully prevents even the consideration of our resolution.

The Chinese prevail in this vote not because the international community recognizes the government’s performance in the human rights field, but because the Chinese government systematically threatens commercial contracts with the developed world and threatens to deny foreign aid to poor nations.

Chairwoman, Madam Speaker, that it will be anything but an uphill battle to prevail in Geneva this year and to win passage of the China human rights resolution. I commend the President and the Secretary of State, Colin Powell, for moving forward with this effort. I will do whatever I can to urge other governments to support our effort.

In all candor, let me state, Madam Speaker, that I am disappointed in the countries of the European Union as they continue to shirk their responsibilities to promote internationally recognized human rights. The European Union ministers have already announced that they will not co-sponsor the American resolution. Ultimately, some of them will vote with us, but it is a shame that the Europeans continue to bury their heads in the sand, desperately hoping that trade with China will magically bring about the democratic Chinese civil society based on internationally recognized human rights.

I would like to take just one specific example of the intensity and flavor of human rights violations in China. Recently, Madam Speaker, as we know, the Chinese government imprisoned an American University researcher, Gao Zhan, and her family on the phony charge of espionage. Now, Gao Zhan is an academic who has conducted research related to the status of women. She and her husband are permanent residents of the United States, and their son, Andrew, 5 years old, is an American citizen.

Gao and her family had gone to China to visit their family. They were standing in line at the Beijing airport preparing to get on the plane to come back to their home in the United States. Out of nowhere, Chinese officials emerged and pulled all three family members out of line and hustled them into separate cars.

Gao was put in prison, we do not know where. As of today, her whereabouts are unknown. Her husband was blindfolded and driven 2 hours to an unknown location, and their 5-year-old son was taken to a government facility, even though his grandparents live in the city, where they happened to be.

One of my grandchildren is 5 years old. I can imagine the fear and the horror and the nightmare a 5-year-old must go through as she is taken away from her home. The police blindfolded and drove her mother and father are arrested, taken to separate government police cars, and taken away. This little boy for 26 days, 26 consecutive days, did not see his mother, his father, or his grandparents.

This degree of insensitivity to fundamental human rights of a little 5-year-old child is an index of the degree to which the Chinese government respects human rights today.

I strongly urge my colleagues to support this resolution. There is nothing I would like to see more than good relations with China. I have the highest regard for the Chinese people. They represent one of the great civilizations on the face of this planet. They have all the opportunity of building an advanced, civilized society, but they must not do it by trampling on the human rights of their citizens, or on the fundamental human rights of a little 5-year-old American citizen who was deprived for 26 days from contact with his family.

Madam Speaker, I ask my colleagues to support this resolution, and I reserve the balance of my time.

Ms. ROS-LEHTINEN, Madam Speaker, I am pleased to yield 3 minutes to the gentleman from New York (Mr. GILMAN), the chairman emeritus of our committee.

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

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

Madam Speaker, I am pleased to rise in strong support of this resolution. House Resolution 56, a resolution urging our Nation’s representative to the U.N. Commission on Human Rights to move ahead with this resolution at the annual meeting of the Commission in Geneva, a resolution calling upon the People’s Republic of China to end its human rights violations in China and in Tibet.

I commend our ranking minority member of the gentleman from California (Mr. LANTOS), for crafting this resolution. I thank our chairwoman, the gentlewoman from Florida (Ms. ROS-LEHTINEN), for swiftly bringing it to the floor at this time.

Recently, Madam Speaker, our State Department announced it is going to introduce such a resolution. On February 26, the same day its Human Rights Report was released, the State Department spokesman, Phillip Reeker, said the U.S. decision to go forward with the resolution is based upon the fact that the Chinese government’s abysmal human rights record has continued to deteriorate over the past year.

We commend the administration for this decision. Regrettably, Beijing has managed year after year to muzzle the Human Rights Commission by passing a no-action motion on similar resolutions. Accordingly, there is usually no debate on the resolution, and as a result, it almost never comes up for a vote before the Commission.

Unless the international community, our Nation included, finally manages to take a strong stand against Beijing’s abuses of human rights, then its leaders will only become more emboldened to take further repressive action against Christians, against Buddhists, Muslims, and other religious groups within that Nation. For China to condemn China has undoubtedly led to the severe crackdown against Christian house churches, against Buddhists in Tibet, Muslims in east Turkistan, and millions of Chinese Falun Gong followers.

Madam Speaker, I am particularly concerned that Beijing has continued to stonewall any possible meeting with His Holiness, the Dalai Lama; and unless they reach out and grasp the olive branch that His Holiness offers, the regional instability will continue to grow worse.

Accordingly, I urge my colleagues to fully support this resolution, and I thank the gentlewoman from Florida (Ms. ROS-LEHTINEN) for yielding the time to me.

Mr. LANTOS. Madam Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. MCDERMOTT), my good friend.

Mr. MCDERMOTT. Madam Speaker, I have great respect for my colleagues here on the floor who have put this resolution forward. However, I seriously question the decision to bring this bill to the House for debate today.

I know the decision was made last week. It was made before the events of the weekend have occurred, and it seems to me that in choosing to bring such a resolution to the floor at a time when the Chinese Government is holding 24 American servicemen in Hainan incomunicado even after repeated requests by our embassy to visit with them is an unnecessary step for us to be taking.

Madam Speaker, I called the White House today and asked them what position they had on this resolution; they do not have one. I do not know what that says about the 24 people from the State of Washington who are being held in Hainan Island.

It is not that I am unsympathetic with this bill. I have traveled to Dharamsala. I talked to the Dalai Lama in his own place. I have discussed with him at length the Tibetan problem.

I visited Nepal and talked with refugees from Chinese rule there. I have many of them living in my own city. And I do not come frivolously to this floor to discuss this issue, but I do believe that we could easily postpone it until we have resolved whatever is happening on Hainan.

I think we have American diplomats even at this moment negotiating for the release of the crew of the EP-3 and trying to get negotiations started for the crew of the EP-3, and if we believe that we could easily postpone it, and either we believe this resolution means something and therefore will have an impact, and I think most of us who
have traveled abroad have seen the impact of resolutions on the floor of the House in the newspapers and on television of other countries, or you do not believe this resolution has any impact at all, and I think we must consider very carefully what the impact of this kind of legislation is when we are going to be back here in a couple of weeks and we could deal with it.

Madam Speaker, I understand the conference is on now, but I really think that we have to think long and hard about timing. The timing was not one that we have to think long and hard about. The time on this weekend. I would be supporting it wholeheartedly if I did not know what had gone on this weekend. I think for that reason we ought to consider seriously whether or not we want to go forward with this.

Mrs. ROS-LEHTINEN. Madam Speaker, I yield 7 minutes to the gentleman from New Jersey (Mr. SMITH), the vice chairman of the Committee on International Relations.

Mr. SMITH of New Jersey. Madam Speaker, I thank the gentlewoman from Florida (Ms. ROS-LEHTINEN), my good friend, for yielding the time to me.

Madam Speaker, I want to congratulate the gentleman from California (Mr. LANTOS) on his sponsorship of this very important resolution. I am very proud to be one of the co-sponsors. I want to thank the gentlewoman from Florida (Ms. ROS-LEHTINEN), the distinguished and effective chair of the International Operations and Human Rights Committee for her work and the gentleman from Illinois (Mr. HYNE) the Chairman of the Full Committee for moving this legislation to the floor.

I would just say to the previous speaker, the gentleman from Washington (Mr. MCDERMOTT), that this resolution speaks the truth, and it seems to me that truth-telling should always be in season; but there is also the timeliness issue. The U.N. Human Rights Commission is currently meeting in Geneva, and Members should be aware that decisions are being made by various delegations and by various diplomats right now.

A postponement of this resolution could mean the loss of a vote or two from delegates who might think that we are ignoring the issue or having second thoughts that perhaps we are not as serious as we have said we are. Of course nothing could be further from the truth. We are indeed very, very serious.

Time is not on our side. There is only a few weeks left for deliberations by the U.N. Commission on human rights.

Madam Speaker, I have been there. I lobbied delegations on behalf of human rights in the past. We need to send this message right now that we are very serious about human rights in China. Not if, ands or buts, about it!

Madam Speaker, just let me say that the new tension created by the holding of 24 American servicemen by the People’s Republic of China—a crisis situation that all of us want to see resolved immediately—only underscores anew how the policies of the Beijing dictatorship are harsh and unreasonable and how they have continued to worsen and to deteriorate with each and every passing year.

Sadly, universally recognized norms and international laws have no meaningful application to the dictatorship. The dictatorship in Beijing mocks the rule of law.

Madam Speaker, any honest assessment of China’s record on human rights makes it abundantly clear that the leaders who rule China with an iron fist have no respect whatsoever for human life, especially the lives of their own citizens, especially the lives of women and children.

Madam Speaker, forced abortion is an assault on women and babies, and was properly construed to be a crime against humanity at the Nuremberg War Crimes tribunals when the Nazis were held to account. Today, the crime of forced abortion in China is pervasive, it is systematic, and it is common place.

Forced abortion in China is state-sponsored violence against women and children. As I think many Members know, a very significant number of women are enforcing what they call their one-child-per-couple policy, first announced back in 1979, the Chinese Government routinely coerces mothers in China, to have abortions often late in pregnancy or to undergo forced sterilization or mandatory birth control.

Over the past decade, Madam Speaker, I have led three human rights trips to China. I have met with Li Peng. The gentleman from Virginia (Mr. WOLF) and I raised our rights issues; face to face he just dismissed it out of hand as if it was all exaggerated and fabricated. There was no engagement—constructive or otherwise.

I have been to the truth: the torture hearings and markups on legislation pertaining to Chinese human rights abuses and; in the 1980s and the 1990s, I and many others in this Chamber have repeatedly spoken out against forced abortion and forced sterilization in China as well as other egregious abuses.

To my shock and to my dismay, many family planning organizations like Planned Parenthood have decided to either look the other way, as millions of Chinese mothers are cruelly forced to undergo abortion, or in the case of the U.N. Population Fund to aggressively defend it, to whitewash these abuses as “nonexistent” or as the “exception”, rather than the rule.

Madam Speaker, of my hearings we heard from a woman by the name of Mrs. Gao. Mrs. Gao ran one of the family planning programs in Fujian Province. She made the point that during the course the decade that she ran the program, they literally would take women and put them or their relatives behind bars until they acceded to the so-called “voluntary” abortion.

She finally summed up her testimony by saying, by day, I was a monster; by night, a wife and mother.

It seems to me, Madam Speaker, that the Chinese Population Control Program is a “monster”—a monstrous government and an affront to both the East and the West makes us, however unwittingly, complicit in these crimes.

Madam Speaker, just let me say that I encourage Members to read the country reports on human rights practices, all 59 pages dedicated to what is going on in the People’s Republic of China. That report is very accurate; and it makes the point in the declarative sentence near the beginning and I quote, “The government’s poor human rights record worsened, and it continued to commit serious violations. The government intensified crackdowns on religion and in 1995, intensified its harsh treatment of political dissent and suppressed any person or group perceived to be a threat to the government.”

The State Department report goes on to say that by the end of the year 2000, and I quote, “Thousands of unregistered religious institutions have either been closed or destroyed, and hundreds of Falun Gong leaders have been imprisoned; thousands have been sent to the lao gai, or mental institutions.”

The report notes, and I think Members need to take note of this, that more than 100 Falun Gong practitioners were tortured to death in Chinese prisons. Death by torture is often a lingering, excruciating, excruciating pain. It does not happen overnight. After daily beatings and deprivations of food and sleep, finally the victim succumbs to death as a result of those beatings and abuse.

Madam Speaker, the United Nations has documented and numerous human rights groups like Human Rights Watch and Amnesty and, of course, our own Country Reports on Human Rights Practices that torture is endemic in China. If you are a political prisoner, a religious dissenter or even a common criminal, they beat you black and blue, sometimes to death. That is the reality of what is going on in the People’s Republic of China.

Let me just finally say something about truth-telling. Some years back, President Clinton invited Chu Haoten to the United States—the Butcher of Beijing, the man who literally ordered the crackdown on the students at Tiananmen Square, and said, go and bayonet and kill and maim and hunt down those individuals.

After he was invited here, he was at the U.S. War College and gave a speech and made the outrageous claim—a big lie—no one died at Tiananmen Square.

My staff and I quickly put together a hearing and invited eyewitnesses to that massacre; and we invited Chu Haoten to come and testify, or anyone else from the Chinese Government, including Ambassador Li. We had an empty chair because nobody showed up.
We heard from an editor from the People's Daily in China, who accurately reported on the killing—and paid a big price—and we heard from a Time Magazine correspondent and a host of others, others who gave witness to the story that was being told by General Chu. It is well known that she has gone to the United States and she is being held. We are identifying some of the acceptance of the various institutional violations that are occurring in China today. The Chinese government continues to commit human rights violations. The Chinese government is well organized as a religious group in China. I see I have had the pleasure of seeing the gentleman from Washington (Mr. McDermott) and I see Gao Zhan writes in 1887, "The Chinese are illegally holding 26 American servicemen. I hope and pray that they will not, but it would be singularly unacceptable to be intimidated by the current situation on that island.

The Chinese are illegally holding 26 American servicemen. This is a fact. It is also a fact that millions of Chinese are deprived day in and day out of their fundamental human rights, and this body will have to speak out on that subject.

Madam Speaker, I yield myself such time as she may consume to the gentlewoman from Texas (Ms. Jackson-Lee), one of the strongest champions of human rights in this body.

Ms. Jackson-Lee of Texas. Madam Speaker, I thank the gentleman from California (Mr. Lantos) for his unending commitment and as well to the gentlewoman from Florida (Ms. Ros-Lehtinen) and the other speakers that have spoken here.

This is a time, Madam Speaker, that one might pause and offer to tread lightly. We do know that there are American citizens, military personnel, our men and women, who have offered themselves for our freedom now held in China, and we want our loved ones, our Americans, the Americans that are held illegally and against all international agreements, back immediately.

At the same time, I thank the gentleman from California (Mr. Lantos) for recognizing that as we speak, the U.N. conference is being held, and we would be shamed if our voices were silent.

I come wearing a particularly difficult hat, because I was convinced that I should speak for the PNTR. I spoke with President Carter who spoke about the energy and democracies that were occurring in the villages. I was excited about that.

I spoke with others who felt that if you opened the doors of dialogue and communication that we would bring to China the sense of the world ownership or membership, if you will, owning into the world's desire for opportunities for all of the world's people.

Madam Speaker, I was very troubled by the debate in PNTR, because human rights issues were of great concern. At that time the Falun Gong attacks were continuing. Suicides in the squares were going on. People were mutilating themselves or burning themselves out of protest.

But yet there was this discussion that religion was rising in enthusiasm and that we should give China the opportunity. I am somewhat saddened that we now speak in the month of April 2001 and that we can list a litany of infractions or violations, more so for people who are incarcerated, it is their life, that we are talking about.

During the debate, it was said that China does not move as fast as the world does; that we do not understand its culture; that we have to understand what its place is in the world. And, frankly, some of that is appealing or attractive. Yet we find ourselves today longing for China to have made the commitment that we wished it had made and had turned the corner on some of the acceptance of the various religious groups and as well the right to be free.

As the gentleman from California (Mr. Lantos) knows, because I spoke to him earlier today, I am so stricken by the words of Gao Zhan's husband, the professor who is now held in China, along with many other academicians. It is well known that she has gone to China on many occasions visiting her family. It is well known that her lawyer says she is not a spy. Her husband just received his citizenship. She was separated from her husband some 26 or so days. She is being held.

How can any one of us not be frightened and appalled and outraged about the family separation, even while they were in China, to the extent that the son is separated from his father and his mother, and still today remains without a mother. This seems to be an incident that was not provoked, that China did not have to engage in. The family was on their way out of the country; not in the country, trying to get in.

What merciful reason, what reason can they give to explain the stopping of this family at that time? What reason can they give for not stopping them and releasing them? Absolutely none.

So I rise to support this resolution because I hope the proceedings are going on there will be a vote that expresses the United States outrage of China's behavior.

Madam Speaker, we will offer a bill tomorrow to give Gao the citizenship that she deserves, because we believe that the voices of reason are not being heard in China, and that they continuously renounce, reject the hand of friendship, the hand of peace, the hand of understanding that many of us have tried to give in the United States Congress.

I applaud the gentleman from California (Mr. Lantos) for his leadership on this legislation, and my prayers go out to the men and women that are detained, both Chinese and American, and to their families I say that we will work every day to secure their safe return.

Madam Speaker, I rise in very strong support of H. Res. 96, Direct U.S. To Condemn Chinese Human Rights Violations. This resolution says that China cannot suppress religious human rights abuse. If the Chinese government continues to commit human rights abuses in China and Tibet, they also say China has yet to demonstrate its willingness to abide by internationally accepted norms of freedom of belief, expression, and association by repealing or amending laws that restrict those freedoms. Finally, China continues to ban and criminalize groups that it labels as cults or heretical organizations, such as the Falun Gong. People who are persecuted for no reason other than being well organized as a religious group in China.

This resolution expresses the sense of the House that at the upcoming annual session of the U.N. Human Rights Commission in Geneva, the United States should solicit cosponsorship for a resolution calling upon the Chinese government to end its human rights abuse in Cuba and Tibet, in compliance with its international organization; and that the U.S. government should take the lead in organizing multilateral support to obtain passage by the commission of such a resolution.

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This measure states that Chinese authorities have committed to suppress protest criticism. The Chinese leadership is plainly uncomfortable with organized dissent. Furthermore, H. Res. 56 states that Chinese citizens have been detained for peaceful opposition, attempting to expose corruption, trying to preserve ethnic minorities and using the Internet.
bilateral talks with several nations and China have yet to produce substantial adherence to international norms; and that China has signed the International Covenant on Civil and Political Rights but has yet to take the steps necessary to make the treaty legally binding.

Despite the recent crackdown against religious minorities in China, some progress has been made through a commitment to normalize relations between our nations. But we must be vigilant, nevertheless, in speaking out for those who cannot speak. Madam Speaker, I urge my colleagues to vote in favor of the resolution.

Ms. ROS-LEHTINEN. Madam Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DIAZ-BALART), who will be in Geneva carrying forth the message of the United States for freedom for the Chinese people.

Mr. DIAZ-BALART. Madam Speaker, I thank the gentlewoman from Florida (Ms. ROS-LEHTINEN) for yielding me this time.

In regard to some confusion that may have arisen based on some comments made previously from the other side of the aisle, I wish to say that it is the Bush administration, Madam Speaker, which has demonstrated their possession of the dignity as well as the vision and presence precisely the resolution in Geneva that this resolution before us today is in support of.

The regime in mainland China is a brutal, totalitarian, cowardly, rogue regime that tortures men and women due to their religious and political beliefs. It is a regime that brutally forces abortion on its women once they have met Orwellian quotas of birth control. The least that we can do in this Congress today to be true to the values, beliefs, and aspirations that gave birth to these United States of America is to support this resolution.

Mr. LANTOS. Madam Speaker, I do not believe we have any additional speakers, but I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. KIRK), a longtime staffer of the Committee on International Relations and now a member of our institution.

Mr. KIRK. Madam Speaker, I thank the gentlewoman for yielding me this time.

Madam Speaker, China is a powerful nation, but not yet a great nation. Powerful nations muster armies and castles designed to keep people informed. Regularly jams Radio Free Asia broadcasts, including the training of more Tibetan journalists and new programs in Kham and Amdo dialects, in order to counter foreign

Again, without U.S. leadership and the full weight of our U.S. Congress behind this resolution and behind the democratic forces in China, the PRC will once again manipulate the U.N. Commission on Human Rights in Geneva to continue its design of subjugation and terror over the Chinese people.

Let us force the PRC to abide by the covenants and the declarations it has signed. We must stand firm in the face of Chinese aggression against its own people, against foreign visitors and against American citizens.

Madam Speaker, I ask my colleagues to please vote “yes” on the resolution before us.

Mr. LANTOS. Madam Speaker, I rise today in strong support of House Resolution 56, urging the appropriate representatives 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.

Tibet is a country and culture that has garnered international attention and respect over the past several decades. Since 1959, China has implemented a relentless policy and program to erase Tibet from history and existence. The former religious leader of Tibet, the Dalai Lama, was forced to leave Tibet, and now lives in exile in India. There are many other Tibetan journalists and new programs in Kham and Amdo dialects, in order to counter foreign

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

Mr. TOM DAVIS of Virginia. Madam Speaker, I rise today in strong support of House Resolution 56, urging the appropriate representatives 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.

This was an eloquent debate, Madam Speaker, and I want to thank all my colleagues. The American people stand united in demanding that our service members be released unconditionally and immediately, and we are calling on China to improve its human rights record.

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

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

To close, Madam Speaker, I would like to remind my colleagues that the State Department has given us vote counts and cost sheets. They have come up to the Hill to ensure congressional support and help for the Bush administration's priorities in Geneva. When we talk to the State Department officials, they tell us what their directives have been from the President and the White House. We have been meeting with them for the last 3 months, and they clearly stated that the Secretary of State and the White House ask for daily briefings on the status of the China resolution in Geneva.

Madam Speaker, if Congress does not speak today by voting in favor of the resolution before us, House Resolution 56, the Chinese regime will be able to prevent any discussion on its human rights record in Geneva. Yet after year they intimidate members of the Chinese regime that tortures men and women, against foreign visitors and against American citizens.

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radio broadcasters. It is my belief that this intensified focus to jam such broadcasts is a result of the Chinese government’s recent emphasis on propaganda work in Tibet, an important element of Beijing’s campaign to develop the western regions of China. 

The United States has a moral obligation to pursue strong diplomatic pressures which assent an end to civil persecutions not only in Tibet but all countries where individual liberties are routinely repressed. I join by colleagues in voicing every American’s opposition to these atrocities and acts of repression.

I commend Congressman FRANK WOLF from Virginia for his leadership in bringing attention to the plight of the Tibetan people and Tibetan culture, and I urge my colleagues from both sides of the aisle to support this important resolution. 

The SPEAKER pro tempore (Mr. SHAYS). The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 56, as amended.

The motion was taken.

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

Mr. LANTOS. Madam Speaker, on this 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.

SMALL BUSINESS INTEREST CHECKING ACT OF 2001

Mr. OXLEY. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 974) to increase the number of interaccount transfers which may be made from business accounts at depository institutions, to authorize the Board of Governors of the Federal Reserve System to pay interest on reserves and for other purposes, as amended.

The Clerk reads as follows: H.R. 974

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 “Small Business Interest Checking Act of 2001”.

SEC. 2. INTEREST-BEARING TRANSACTION ACCOUNTS AUTHORIZED.

(a) Repeal of Prohibition on Payment of Interest on Demand Deposits.—

(1) FEDERAL RESERVE ACT.—Section 19(1) of the Federal Reserve Act (12 U.S.C. 1824) is amended to read as follows: “(i) [Repealed].”

(2) HOME OWNERS’ LOAN ACT.—The first sentence of section 5(b)(1)(B) of the Home Owners’ Loan Act (12 U.S.C. 1464(b)(1)(B)) is amended by striking “a savings association may not” and inserting “a savings association may not permit any”. 

(3) FEDERAL DEPOSIT INSURANCE ACT.—Section 16(g) of the Federal Deposit Insurance Act (12 U.S.C. 1829(g)) is amended to read as follows: “(g) [Repealed]”. 

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect at the end of the 2-year period beginning on the date of the enactment of this Act.

SEC. 3. INTEGRATION OF TRANSACTION ACCOUNTS AUTHORIZED FOR ALL BUSINESSES.

Section 19 of the Federal Reserve Act (12 U.S.C. 1824) is amended to read as follows:

“(1) IN GENERAL.—Section 19(b) of the Federal Reserve Act (12 U.S.C. 1824(b)) is amended by inserting “(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and” after subsection (a) the following:

“(b) Notwithstanding any other provision of law, any depository institution may permit the owner of any deposit or account which is a deposit or account on which interest or dividends are paid and is not a deposit or account described in subsection (a)(2) to make up to 24 transfers per month (or such greater number as the Board may determine by rule or order), for any purpose, to another account in the same institution. Nothing in this subsection shall be construed to prevent an account offered pursuant to this subsection from being considered a transaction account (as defined in section 19(b) of the Federal Reserve Act for purposes of such Act).” 

SEC. 4. PAYMENT OF INTEREST ON RESERVES AT FEDERAL RESERVE BANKS.

(a) In General.—Section 19(b) of the Federal Reserve Act (12 U.S.C. 1824(b)) is amended by adding at the end the following new paragraph:

“(2) EARNINGS ON RESERVES.—

“(A) In General.—Balances maintained at a Federal reserve bank by or on behalf of a depository institution may receive earnings to be paid by the Federal reserve bank at least once each calendar quarter at a rate or rates not to exceed the general level of short-term interest rates.

“(B) REGULATIONS RELATING TO PAYMENTS AND DISTRIBUTION.—The Board may prescribe regulations concerning—

“(i) the payment of earnings in accordance with this paragraph;

“(ii) the distribution of such earnings to the depository institutions which maintain balances at such banks or on whose behalf such balances are maintained; and

“(iii) the responsibilities of depository institutions, Federal home loan banks, and the National Credit Union Administration Central Liquidity Facility with respect to the crediting and distribution of earnings attributable to balances, in accordance with subsection (c)(1)(B), in a Federal reserve bank by any such entity on behalf of depository institutions. 

“(c) AUTOMATED TELLER TRANSACTIONS.—

“(1) By Amendment.—Section 19 of the Federal Reserve Act (as amended by subsections (a) and (b) of this section) is amended by adding at the end the following new subsection:

“(n) SURVEY OF BANK FEES AND SERVICES—

“(1) SURVEY—The Board shall obtain annually a sample, which is representative by type and size of the institu-

tion and geographic location, of the following retail banking services and products provided by insured depository institutions and insured credit unions (along with related fees):

“(A) Checking and other transaction accounts.

“(B) Negotiable order of withdrawal and savings accounts.

“(C) Automated teller machine transactions.

“(D) Other electronic transactions.

“(E) Credit Cards.

“(F) Minimum survey requirement.—The annual survey described in paragraph (1) shall meet the following minimum require-
mements:

“(A) CHECKING AND OTHER TRANSACTION ACCOUNTS.—Data on checking and transaction accounts shall include, at a minimum, the following:

“(i) Monthly and annual fees and minimum balances to avoid such fees.

“(ii) Minimum opening balances.

“(iii) Monthly fees.

“(iv) Check printing fees.

“(v) Balance inquiry fees.

“(vi) Stop payment order fees.

“(vii) Nonrefundable fund fees.

“(ix) Overdraft fees.

“(x) Deposit items returned fees.

“(xi) Availability of no-cost or low-cost accounts for consumers who maintain low balances.

“(B) NEGOTIABLE ORDER OF WITHDRAWAL ACCOUNTS AND SAVINGS ACCOUNTS.—Data on negotiable order of withdrawal accounts and savings accounts shall include, at a minimum, the following:

“(i) Monthly and annual fees and minimum balances to avoid such fees.

“(ii) Minimum opening balances.

“(iii) Rates at which interest is paid to consumers.

“(iv) Check processing fees for negotiable order of withdrawal accounts.

“(v) Check printing fees for negotiable order of withdrawal accounts.

“(vi) Balance inquiry fees.

“(vii) Fees imposed for using a teller or other institution employee.

“(viii) Stop payment order fees for negotiable order of withdrawal accounts.

“(ix) Nonrefundable fund fees for negotiable order of withdrawal accounts.

“(x) Overdraft fees for negotiable order of withdrawal accounts.

“(xi) Deposit items returned fees.

“(xii) Availability of no-cost or low-cost accounts for consumers who maintain low balances.

“(C) AUTOMATED TELLER TRANSACTIONS.—

“(D) ON AUTOMATED TELLER MACHINES.

“(E) OTHER ELECTRONIC TRANSACTIONS.—

“(F) ON OTHER ELECTRONIC MACHINES.

“(G) Point-of-sale transaction fees.

“(H) Surcharges.

“(I) OTHER ELECTRONIC TRANSACTIONS.—

“(J) ON OTHER ELECTRONIC MACHINES.

“(K) Wire transfer fees.

April 3, 2001
by adding at the end the following new paragraph:

"(4) ADDITIONAL TRANSFERS TO COVER INTEREST PAYMENTS FOR FISCAL YEARS 2002 THROUGH 2006.

"(A) IN GENERAL.—In addition to the amounts required to be transferred from the surplus funds of the Federal reserve banks pursuant to subsection (a), the Federal reserve banks shall transfer from such surplus funds to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury, such sums as are necessary to equal the net cost of section 19(b)(12), as estimated by the Office of Management and Budget, in each of the fiscal years 2002 through 2006.

"(B) ALLOCATION BY FEDERAL RESERVE BOARD.—Of the total amount required to be paid by the Federal reserve banks pursuant to subparagraph (A) for fiscal years 2002 through 2006, the Board of Governors of the Federal Reserve System shall determine the amount each such bank shall pay in such fiscal year.

"(C) REPLACEMENT OF SURPLUS FUND PROHIBITED.—During fiscal years 2002 through 2006, no Federal reserve bank may replenish any such fund by the receipt of any transfer by such bank under subparagraph (A)."

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 19 of the Federal Reserve Act (12 U.S.C. 289(a)) is amended by adding at the end the following new paragraph:

"(5) PAYMENT TO TREASURY.—During fiscal years 2002 through 2006, any amount in the surplus fund of any Federal reserve bank in excess of the amount equal to 3 percent of the paid-in capital and surplus of the member banks to which such bank is related shall be transferred to the Secretary of the Treasury for deposit in the general fund of the Treasury."

SEC. 7. RULE OF CONSTRUCTION.

No provision of this Act, or any amendment made by this Act, shall be construed as creating any presumption or implication that, in the case of an escrow account maintained at a depository institution in connection with a real estate transaction, the definition of "interest" that would apply to a savings account maintained by the depository institution, of expenses incidental to providing a normal banking function with respect to such escrow account; and

(2) the forbearance, by the depository institution, from charging a fee for providing any such banking function; and

(3) any benefit which may accrue to the holder or the beneficiary of such escrow account as a result of an action of the depository institution described in paragraph (1) or (2), may be treated as the payment or receipt of interest for purposes of any provision of Public Law 90-106, the Federal Reserve Act, the Home Owners Loan Act, the Federal Deposit Insurance Act relating to the payment of interest on accounts or deposits at depository institutions.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. OXLEY) and the gentleman from New York (Mr. LaFALCE) each will control 20 minutes.

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

Mr. OXLEY. Madam Speaker, I ask unanimous consent that all Members may have legislative day within which to review and comment on their remarks and to include extraneous material on H.R. 974, the bill now under consideration.

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The Chair recognizes the gentleman from Ohio (Mr. OXLEY).
Madam Speaker, I urge my colleagues to support passage of H.R. 974. Madam Speaker, I reserve the balance of my time.

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

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

Mr. LAFalCE. Madam Speaker, I agree with the overall thrust of H.R. 974, the Small Business Interest Checking Act, which permits banks and thrifts to offer interest-bearing business checking accounts; and I, therefore, support its adoption.

The repeal of the ban on interest-bearing business checking accounts represents another important step in the modernization of our financial services industry. The ban was adopted in the Great Depression out of fear that banks seeking business accounts would bid against each other with higher interest rates and thus contribute to bank insolvencies. The Federal banking agencies have all concluded, however, that the ban no longer serves any useful public purpose; that it is outdated in the modern financial services environment, and I concur.

Madam Speaker, this legislation promotes healthy competition within the financial services community for commercial checking accounts, which can only benefit the business community, and most especially, the small business community, with more efficient, cost-effective financial services.

The current law and market conditions prevent many small businesses from obtaining easy access to interest-bearing checking accounts. For this reason, it is important that repeal of the ban be accomplished with a minimum of delay. The 2-year phase-in provided for in the bill, with 24 sweeps per month for money market demand accounts in the meantime, represents a fair compromise of the competing interests, although I personally would have preferred a shorter phase-in period.

However, I do have some reservations about the policy priorities represented by other provisions in the bill. Provisions permitting the Federal Reserve Banks to pay interest on reserves. It is estimated that the sterile reserve provision will use $1.1 billion of the projected surplus over the next 10 years. I am conscious of the view of many in the banking industry that the combination of required reserves and the inability to receive interest on those reserves is a burden on the industry. I understand that. However, I believe that there are other priorities that should take precedence over interest on sterile reserves, priorities that provide funding for homes for the homeless, small banks for appetite, our hungry, adequate funding for medicine and health care for our sick. These and other governmental corporal works should be given far greater precedence and priority by this body on this floor of the House.

Nevertheless, I support the bill, not only because it provides access to financial services for small businesses, but also because it allows the Congress’ ability to monitor the problem posed by ever-increasing bank fees. This was a very important amendment that we offered to the bill during mark-up which requires an annual assessment of the fees charged to retail bank customers, representing an increasingly growing share of bank earnings, and an annual survey of retail bank fees becomes much more important than ever. Mr. Speaker, I believe that H.R. 974 accomplishes two sound policy objectives. It provides small business easy access to interest-bearing checking accounts and it provides a much needed survey of retail banking fees. For those particular reasons, I support its adoption by the House.

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

Mr. OxLeY. Mr. Speaker, I yield 3 minutes to the gentleman from Alabama (Mr. BACHUS), the chairman of the Subcommittee on Financial Institutions and Consumer Credit.

Mr. BACHUS. Mr. Speaker, I rise in strong support for this legislation. I want to commend the chairman of the Committee on Financial Services for bringing this common sense measure to the floor today, and I do so promptly.

What does this legislation mean? What will it do? I have a letter here from the National Association of Federal Credit Unions which says that it will mean two things. It will mean that their customers, small businesses and their members of the credit unions will receive interest on their accounts, and it also means that their loan rates will be lower.

So I think anything we can do to lower the cost of loans for consumers is good. I think anything we can do to allow small businesses, whether they bank at a bank or a thrift or they are members of a credit union to be able to draw interest on those. It really is legislation that is going to benefit small businesses, whether they are the small banks, the thrifts or the credit unions or the small businesses that put deposits in those institutions. Large corporations already get implicit interest on their deposits. Financial institutions have complex programs such as sweeps which allow the payment of something very akin to interest. But it is the small businesses today that have been denied the right to draw interest. That is why the NFIB and the Chamber of Commerce today I suppose this legislation and has endorsed it.

It will also allow small banks, thrifts and credit unions in our hometowns to compete against large international financial conglomerates and large financial institutions, banks because it will make them more competitive and will allow them to keep more of their deposits. That is why the associations representing our small banks and our thrifts have endorsed this legislation.

Finally, I want to praise the gentleman from Pennsylvania and the gentlewoman from New York who authored this legislation. We will hear from the gentlewoman from New York (Mrs. KELLY) in a minute. I also want to praise a freshman member, the gentlewoman from Pennsylvania (Ms. HART), for her active work on this bill.

Finally, I would like to address what the gentleman from Florida (Mr. DAVIS) said about paying interest on regulation D reserves at the Federal Reserve. The Federal Reserve and the Treasury both came before us; and the Federal Reserve said if we are to maintain a solid monetary policy, a sound dollar, we need this legislation. That is reason enough to pass this.

Mr. Speaker, I include for the Record the following letter from the National Association of Federal Credit Unions that I referred to in my remarks:

NATIONAL ASSOCIATION OF FEDERAL CREDIT UNIONS
WASHINGTON, DC, April 2, 2001.

Hon. Spencer Bachus, Chairman, Subcommittee on Financial Institutions & Consumer Credit, House of Representatives, Washington, DC.

Dear Chairman Bachus: I am writing on behalf of the National Association of Federal Credit Unions (NAFCU), the only national trade association that exclusively represents the interests of our nation’s federal credit unions, and I express our support for H.R. 974 as approved by the Financial Services Committee. NAFCU supports this effort to allow payment of interest on Regulation D reserve requirements of depository institutions, to increase the number of allowed transfers of non-interest-bearing accounts into those paying interest, and to include credit unions in a regular bank fee study by the Federal Reserve. NAFCU thanks you for your leadership on this issue and urges passage of H.R. 974.

Regulation D imposes costly burdens on regulated financial institutions such as federal credit unions. As member-owned cooperative credit unions, we would like the opportunity to pass the cost opportunity resulting from the posting of sterile reserves along to their members either in the form of lower dividend rates on savings, higher rates on loans, or some combination of the two. Under Regulation D federal credit unions are required to structure accounts to meet regulatory definitions, limit transactions to required types and numbers, and must forego interest on sterile reserves. The cost of Regulation D contributes to the continuing exodus of savings from regulated financial institutions to the stock market, mutual funds, and other products of largely unregulated financial service providers.

The current Regulation D reserve ratios are 3% for transaction balances between $0 and $42.8 million with an exemption for balances below $5.5 million. For institutions with reservable balances in excess of $42.8 million, the reserve requirement is $1,329,000 plus 10% of the deposits above $42.8 million. Based on NAFCU year-end 2000 data and utilizing the current Regulation D tranches and ratios, 866 federally-chartered credit unions are currently required to post $1,276,386,000 in required reserves. If legislation were enacted into law today, these credit unions would be required to pay interest at the current Federal Funds rate of 5.5%, then these credit unions and...
July 7, 2001

Mr. Speaker, I want to thank the gentleman from Ohio for his work as well as the gentleman from Pennsylvania [Mr. Toomey] for the very significant contribution he made to this legislation with his bill, H.R. 1009, which was merged into this bill and which I strongly support. My legislation today can be passed in such a way in which everyone wins. This has been an issue which has been pending before the Congress for the past 6 years, and our committee passed everything before us now by a voice vote; and the full House also passed these provisions by a voice vote. It is my hope we can do that again today.

The Small Business Interest Checking Act contains four initiatives. First, to repeal the prohibition on allowing banks to pay interest on business checking accounts after a transition period. This prohibition has been in place since the 1930s. While I believe it should be repealed, I believe a proper transition period is critical. The 2-year transition contained in this bill is not adequate in my estimation. However, I believe it is time the legislation does move forward.

Second, this legislation allows banks to increase money market deposits and savings accounts sweeps from the current 6 to 24 times a month. This gives banks an increase in their sweep activities, enabling them to sweep every night, increasing the interest which businesses can make on their accounts.

Third, the bill gives the Federal Reserve the authority to pay interest on reserves banks keep in the Federal Reserve system. This is good economically since it will bring stability to the Federal funds rate which is subject to volatility when the reserves become too low. This new policy since these reserves have functioned as an implicit tax on our banks and would partially offset the costs of a repeal of the prohibition on business checking.

Fourth and finally, my bill gives the Federal Reserve the flexibility to lower the reserve requirements. This will give the Federal Reserve greater control at maintaining reserves at a specific and consistent level.

My goal in this legislation is to best help our main street banks which are so essential to our small communities. Without their support, our communities would struggle where they are now thriving and stall where they now mostly remain. This new legislation is about creating new and broader market options. We allow banks to pay interest on business checking accounts. We allow banks to increase sweep activities. And we allow the Fed to pay interest on reserves they are required to keep with them. We also allow the Fed to lower reserve requirements. We do not require or mandate anything. This way we can allow the market to create change, not the government.

Mr. Speaker, I have much much more to say on this legislation but in the interest of time, I will place the rest of my comments in the RECORD. I again thank the gentleman from Ohio for his strong leadership on this issue and for the swift consideration of this legislation. I ask my colleagues on both sides of the aisle to join me in strong support for this common sense bipartisan legislation.

Mr. Speaker, I want to thank the gentleman from Ohio [Mr. Oxley] for both yielding me the time and for his considerable efforts to move this legislation forward. I also want to thank my fellow New Yorker, ranking member, the gentleman from New York (Mr. LaFalce), for his work on this issue and for allowing us to bring this legislation to the floor under suspension today.

My legislation today can be passed in such a way in which everyone wins. This has been an issue which has been pending before the Congress for the past 6 years, and our committee passed everything before us now by a voice vote; and the full House also passed these provisions by a voice vote. It is my hope we can do that again today.

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My legislation today can be passed in such a way in which everyone wins. This has been an issue which has been pending before Congress for the past 6 years. Last year our committee passed everything now before us by voice vote and the full House also passed these provisions by a voice vote.


Mr. Speaker, one issue which has held this legislation up in past years has been the issue of the transition period from the bill's enactment to when banks are allowed to pay interest on business checking accounts. Currently, the bill contains a two year transition period. This is a shorter transition period than was contained in Congresswomen Roukema's bill, H.R. 1585, The Depository Institutions Regulatory Streamlining Act, in the 105th which passed the House on October 8, 1998 by voice vote. How many years was that transition period? Six years. Again last year the House passed Congressman Metcalf's bill, H.R. 4067, which again contained this issue, but this time contained a three year transition period. I supported that deal last year and continue to support a three or four year transition period. This transition period are not arbitrary and have been contained in laws that have made changes to interest payments in the past. When Congress enacted legislation to gradually remove interest rate controls on consumer checking accounts in the 1980s (Reg Q), it did so with a six year transition period.

We have listened to testimony before the Financial Services committee about why banks need this transition period to unravel the financial labyrinth they currently have with their business customers. Those groups advocating for shorter transition periods unfortunately seek to create instability in the banking sector. For some this is intentional. The Thrifts, until recently, were prohibited from business checking accounts. They would like this authority in order to attract more business clients from the banks. I don't blame them for this, but the small community banks with assets under $2 billion will suffer under this scenario without a transition.

Those who argue that since there is no transition period in the bill for the Fed to pay interest on reserves ignore the innumerable differences between banks and the Fed and the very different reasons we are changing these laws. One has to do with effective monetary policy of the Fed and the other about the more effective operation of our banks. Let me also clear the air on another point. The Federal Reserve is opposed to a transition period in the bill. They see this in a purely economic perspective. They believe that the disruptions this policy presents will work themselves out.

Well I stand in strong disagreement with the Fed's read of this issue. Banks have long established relationships with the business customers they serve. These banks, while being prohibited in paying interest on reserves provide other tangible benefits to their business customers, such as doing the payroll for the business.

These banks need time to properly prepare for this change we are proposing to the law. They need to be able to sit down with their commercial accounts when their loans turn over, which is every few years.

Some may speak about wasteful sweep activities. Sweeps may be more complicated but they do not hurt the small banks that way. The repeal of the prohibition will. Sweeps are temporarily invested outside of the bank typically in safe repurchase agreements involving T-bills. This imposes zero cost to the bank and the commercial accounts can earn interest. I also
refer to an article from the American Banker I inserted into the record during a hearing last May. It stated that the majority of small banks operate sweep accounts. The computer programs are becoming much simpler and less costly to handle these activities. Additionally, if banks can do this every day they are not limited to commercial customers that keep large balances in the accounts.

Some will say that this bill does not require the payment of interest on commercial accounts, it just allows it. That’s true but the market will require it in order to remain competitive.

Let me sum this up with one final observation. The banks that will be hardest hit with this new cost will be the smaller banks. This will make them more liable to takeovers and jeopardize the best friend of the small businesses—Small banks. We must do everything we can to preserve small banks. They need time to prepare. and should at least give them more time to do so.

Again, I want to thank the Gentleman from Ohio, [Mr. OXLEY] for his strong support and leadership on this issue. I also want to thank all of the others I have worked with on this issue that deserve some of the credit, this list includes former Congressman Jack Metcalf, for whose attention to these issues ensured a fair debate; Congressman Jim Leach, whose leadership on these issues ensured a fair debate; Congresswoman Margie Roukema, whose attention to these issues has been both helpful and thoughtful; Congressman Spencer Bachus, whose insights and encouragement have helped drive this debate; Congressman Pat Toomey, who brought his first hand experience and considerable knowledge to this issue; Senator Charles Schumer, for his strong support for our priorities on this legislation in the Senate; I also need to thank the staff, especially Terry Haines, Bob Foster, Hugh Halpem, Greg Zerzan, Jim Clinger, Garry Parker, Laurie Schaffer, and Alison Watson.

Without the assistance of these good folks we would not have been able to bring such a strong bill to the floor this year. We have before us the best opportunity to move this legislative package through the process. I hope we are able to take advantage of this opportunity. I stand ready to work with all interested parties to ensure that this legislation truly benefits all concerned.

Mr. OXLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. Toomey) who has been a leader and one of the original sponsors of this legislation.

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

Mr. TOOMEY. Mr. Speaker, I want to thank the gentleman from Ohio for yielding me this time.

Mr. Speaker, I rise today to urge my colleagues to pass H.R. 974. This is a bill that contains a number of very good provisions. As we have heard, it will allow the Federal Reserve to pay interest on sterile reserves; and we have heard that it will give flexibility to the Federal Reserve in setting reserve requirements which in turn will help in maintaining our monetary policy.

This bill also includes language from H.R. 1009 which I introduced to allow banks to pay interest on commercial checking accounts. Now, as we all know and we recall from last year, we passed sweeping modernization legislation, modernizing the legal framework within which the financial services industry is regulated. It was historic legislation and had a ripple effect that dated back to the Depression. But we missed one, we might have missed more than one, but one that we missed was repeal of the prohibition on interest on corporate checking accounts. So today we are going to take that up, among other things.

Let me address that specifically as a part of the bill that I had focused mostly on. First of all, repealing the prohibition on interest on business checking is not really for big banks. Oh, it will apply to big banks but as a practical matter, big banks, large, sophisticated financial institutions have the means to circumvent this prohibition and they have done so for years, quite legally. Quite through a very sophisticated series of transactions, they can offer implicit interest if not explicit interest.

This really is also not for large corporations. As the gentleman from Alabama mentioned earlier, large corporations have ways around this as well. They have sophisticated Treasury operations. They have the ability with extensive full-time staff to make sure they do not have idle cash sitting there not earning interest.

What this legislation is really for is small banks and small business. It is for small banks that do not have the means to develop ways to circumvent the prohibition. It will allow them simply to directly pay the interest that they want to pay so that they can compete with the larger institutions and can attract deposits.

And it is for small businesses, small businesses that do not have the resources to pay interest. They do not have the manpower to devote countless hours to making sure there are no idle reserves. What this bill is going to do is it is going to allow those small businesses which struggle so much to provide so many jobs and so much of the vigorous growth in our economy in recent years, it is going to allow them to be a little more competitive and give them a little bit more of a break by allowing them to earn interest on the deposits that they own.

It is quite ironic also as the gentlewoman from New York pointed out that there is no mandate in this bill. This simply allows business and banking institutions to decide amongst themselves without the prohibition of government to decide how much if any interest will be paid on these accounts. But I am confident that that market pressures being what they are will develop an habitual interest for these balances as ought to be the case.

It is long overdue and I think we are getting to the point where we are going to pass this legislation. I am hopeful that the other Chamber will do likewise. I just want to thank the chairman, the gentlewoman from Ohio (Mr. OXLEY), I would also like to thank the gentleman from Pennsylvania (Mr. KANJORSKI) and the gentlewoman from Alabama (Mr. BACHUS) for their leadership in this effort as well as the ranking member, the gentlewoman from New York (Mrs. LAFALCE). I urge my colleagues to pass this legislation.

Mr. OXLEY. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from New Jersey (Mrs. ROUKEMA), the chairwoman of the Subcommittee on Housing and Community Opportunity. (Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Speaker, I certainly want to express my strong support for this legislation and urge that it be passed. I want to particularly commend the gentlewoman from New York (Mrs. KELLY) and certainly the gentlewoman from Alabama (Mr. BACHUS), the chairman of the Subcommittee on Financial Institutions and Consumer Credit, for what they have outlined in their opening statements, and associate myself with their remarks.

I do want to also make the observation that this was passed, at least in the House, in the 105th and the 106th Congress. I am hopeful that this time, the third time will be the charm and that we are going to get this passed. It makes absolute, complete sense. Although I was one that originally wanted the 3-year phase-in, I believe that this bill strikes the proper, good compromise, using the 2-year phase-in.

Of course, the NFIB and the U.S. Chamber, as has already been reported, strongly support the repeal; and we have a large segment of the banking industry and the thrift industries that are supportive. I guess I just have to say that this is long overdue. It is a companion bill with the phase-in which will be included in this bill, and I trust that we will finally be successful this year. Again, long overdue and we must do our job here today.

The controversy in past Congresses and during consideration in the Financial Services Committee this year has been the appropriate time frame for repeal.

While I support a 3-year phase-in, I believe the bill before us today strikes a good compromise between the one-year and three-year alternatives. The one year transition period in the original bill is just too short. Removing the prohibition against the payment on commercial Demand Deposit Accounts raises a variety of difficult transition issues, especially for smaller financial institutions.

Banks currently assume a stable deposit base with stable costs when they enter commercial checking account relationships with small businesses. These contractual relations frequently include a number of other products—such as loans for periods ranging from 5-25 years—at a price and for a period of time that takes into account that the bank is not paying interest on the underlying business checking account.
The immediate implementation of paying interest on those accounts would disrupt the cost/profit assumption under which those loans were made and would require a renegotiation of the overall relationship. If banks are required to pay interest immediately, they would be required to adjust investment portfolios and to maintain a higher level of liquidity to reduce the risk of large balance sheet movements at a time of high market volatility. Banks will be required to review all current customer contracts; determine steps necessary to honor existing commitments for both public and private sectors. Many contracts, particularly those with state, local and federal governments, include periods from 12-36 months and would require substantial adjustments.

Mr. Speaker, this legislation is long overdue and with the compromise of a two year phase in which is included in this bill, I trust that we can finally enact this legislation this year. I urge my colleagues to support.

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

Mr. Speaker, I would point out that this was a brilliant maneuver on the part of the gentleman from Nebraska (Mr. BEREUER), the chairman of the Subcommittee on International Monetary Policy and Trade. (Mr. BEREUER asked and was given permission to revise and extend his remarks.)

Mr. BEREUER. Mr. Speaker, I thank the gentleman from Ohio (Mr. OXLEY) for yielding me time to speak on this legislation.

Mr. Speaker, I commend the gentleman and the ranking member, particularly the gentlewoman from New York (Mrs. KELLY), for her effort; the gentleman from Alabama (Mr. BACHUS.) This has been, as was mentioned, 3 years in the making.

Much has been said, and I would extend my remarks to cover some of the details that have been covered in part by others or perhaps wholly; but I want to say that the emphasis should be here on the positive effect that this will have on small businesses nationwide, not just banks but their small business customers. I think that is the most important thing for us to consider. First, it permits the Federal Reserve to pay interest on balances held in business checking accounts, and it permits the Federal Reserve to sweep accounts because that currently exist for both small banks and small businesses concerning business-checking accounts. It is also aimed at encouraging banks to leave funds in those accounts for which they must post cash reserves with the Federal Reserve—which would mean, by the Federal Reserve and thereby enhance its ability to conduct national monetary policy.

For example, the bill allows—for does not require—the Federal Reserve to pay interest on the cash reserves that banks are required to maintain at Federal Reserve banks. The rate of interest to be paid would be paid by the Federal Reserve, but could not exceed the general level of short-term interest rates.

Any mechanism that may facilitate the growth of small businesses in the banking industry are very important. For this reason, I support this measure. Under the proposed legislation, small business may now obtain an interest on their banking accounts. We must do our best to assist our small businesses in eliminating barriers to economic growth.

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

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

The SPEAKER pro tempore (Mr. SHAYS). The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY) that the House suspend the rules and pass the bill, H.R. 974, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read:

Amend the title so as to read "A bill to repeal the prohibition on the payment of interest on demand deposits, the number of interaccount transfers which may be made from business accounts at depository institutions, to authorize the Board of Governors of the Federal Reserve System to pay interest on reserves, and for other purposes.".

A motion to reconsider was laid on the table.
Mr. NEY. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 66) authorizing the printing of a revised and updated version of the House document entitled “Women in Congress, 1917–1990.”

The Clerk read as follows:

H. CON. RES. 66
Resolved by the House of Representatives (the Senate concurring),

SECTION 1. PRINTING OF REVISED VERSION OF “WOMEN IN CONGRESS, 1917–1990.”
(a) In General.—An updated version of House Document 101–238, entitled “Women in Congress, 1917–1990” (as revised by the Library of Congress), shall be printed as a House document by the Public Printer, with illustrations and suitable binding, under the direction of the Committee on House Administration of the House of Representatives.

(b) Number of Copies.—In addition to the usual number, there shall be printed 

20 minutes.

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

Mr. Speaker, before we today we have a House Concurrent Resolution 66. It is my pleasure to be here today to speak on behalf of this bill authorizing the printing of this rich history of women in Congress. It is also timely, as we now have a record number of 74 women serving in both the House and the Senate in the 107th Congress. Sixty-one women, including two delegates, currently serve as Members of the House of Representatives, and 13 women serve as Members of the U.S. Senate.

The first woman elected to Congress was Jeannette Rankin, a Republican from Montana. It is not that I planned it that way, Mr. Speaker, but a Republican from Montana who served in the House. She was elected on November 9, 1916. This was almost 4 years before American women won the right to vote in 1920. Since that time, a total of 208 women have served in Congress with distinction.

Mr. Speaker, I ask unanimous consent to yield the balance of my time for purposes of control to the gentlewoman from Ohio (Ms. ROS-LEHTINEN).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER) each will control 20 minutes.

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

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

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

Mr. NEY. Mr. Speaker, I yield myself such time as I may consume.
This most cherished right of citizenship was not guaranteed for all American women until the ratification of the 19th Amendment in 1920. How stark a fact, Mr. Speaker, that is. We quote, and I do as well, Jefferson’s historic observation that all men are created equal and that their Creator with certain inalienable rights. What a lesson it is for us that even in stirring rhetoric, our vision can be limited. Even at a time when we think we are reaching out, our rhetorical may exclude many. It is a lesson for us, because clearly Thomas Jefferson was one of the great democrats with a small “D” in the history of the world. But even Jefferson was blind to the discrimination that existed, not only against women, but against African Americans, most of whom when he intoned those words were still perceived as chattels, not human beings. How sad, but how instructive, that is.

Mr. Speaker, during the first 128 years under our present Constitution, no woman’s voice could be heard in debate here. The experiences, perspectives, hopes and dreams of America’s women were not voiced in this body by a woman, nor were they, perhaps, even expressed by men, but imperfectly so, because it is very difficult for us to walk in one another’s shoes if we have a gender difference or a color difference, or even a religious or national difference. It is impossible to know how the absence of women may have affected the deliberations of the first 64 Congresses of the United States. Common sense, however, suggests the effect was not beneficial.

Fortunately, today, women not only can, but do, contribute in a direct, vital and historic way to the deliberations of this Congress and other policy-making bodies throughout the Federal, State and local governments. This is as it should be, and it should have been from the beginning.

As we move forward, Mr. Speaker, more women will have the opportunity to serve in Congress and other public offices throughout the land, strengthening and enriching our democracy. This, too, is as it should be. If I know anything about women in Congress, it is that there are not enough.

Mr. Speaker, a new edition of “Women in Congress” will gather in one volume, useful and important information for teachers, students and others, chronicling the careers of the 208 women who have served in either House to date. I am proud to support this resolution which is cosponsored by every single woman serving in the House, as well as by the gentleman from California (Ms. Millender-McDonald), the gentleman from Florida (Ms. Ros-Lehtinen) and the gentlewoman from Maryland (Mrs. Morella) are here with us this afternoon. They really are a part of a very new, but growing and important part of American history.

We currently have 74 women serving in both the House and the Senate. Mr. Speaker, this would actually be a reprint of that original version, and the resolution for this was entered this past March during Women’s History Month.

Let me say it is a particular privilege to remind our colleagues that this resolution is cosponsored by every single woman serving in the House, as well as by the gentleman from Maryland (Mr. Hooyer), who has been a force inside this institution for equal voices for women, and the gentleman from Ohio (Mr. Ney) for allowing us to participate in this introduction and passage today.

During the first 128 years of America’s history, no woman served in either House of this Congress for nearly a century and a quarter. Finally, in the early years of this past century, the 20th century, after decades of struggle for women’s political and social equality, we began to see some fruit be born. In 1873, Jeannette Rankin from Montana became the first woman to serve in this House of Representatives, and then 5 years later, Rebecca Felton of Georgia became the first woman Senator. So, for our entire history, the written word and the spoken word of women in political environments is still very fresh and very new.

Since Representatives Rankin and Felton broke the congressional gender barrier, dozens of women have followed in their footsteps. We wait for the day when it will be thousands.

Mr. Speaker, as we enter the 21st century, the time has come to update and reprint “Women in Congress.” With it America marks the progress and substantial contribution that women have made in this most democratic legislative body on Earth.

I am confident that a revised volume will quickly become, like the previous edition, a tremendous historical resource and serve to inspire readers across America to seek careers in public service. I hope my colleagues in other Houses support this resolution. It is important especially that we do this and thus introduced this resolution during Women’s History Month in March; and thus the concurrent
Women have come to appreciate the advocacy of our work. While we have achieved many victories since 1917, Mr. Speaker, we still have a long way to go, especially in the area of pay equity and health research and delivery.

Today being Pay Equity Day, Congress has not been able to successfully pass legislation to make sure that women receive equal pay for comparable work. So our job is not over. We will not rest until our daughters and granddaughters obtain the right to be paid equally for comparable work.

Mr. Speaker, we thank all of the outstanding men who have brought this to the floor today.

Ms. ROS-LEHTINEN. Mr. Speaker, I am very proud to yield 3 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

(Mrs. MORELLA asked and was given permission to revise and extend her remarks.)

Mrs. MORELLA. It is a pleasure for me to pay tribute to the gentlewoman from Ohio (Ms. KAPTUR), for introducing it.

I want to thank my colleague, the gentlewoman from Ohio (Ms. KAPTUR), and her colleague in the Congress of the United States.

Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. MILLENDER-McDONALD), cochair of the Congressional Caucus on Women's Issues, who herself does an extraordinary job.

Ms. MILLENDER-McDONALD. Mr. Speaker, I, too, would like to lend my support and thanks to the chairman and the ranking member, those two women who have seen the need and who have been very sensitive to the women of this House and past women by bringing this H. Con. Res. 66 to the House today.

I rise, Mr. Speaker, to support this resolution concerning the revision of the document, Women in Congress, 1917 to 1990. This book chronicles the biographies of the 129 women who served in the House and Senate during that period, but since that printing, another 79 women have served in Congress. The contributions of these women need to be recorded for present-day significance and posterity.

The outstanding women who served and are serving in the House and Senate come from different walks of life. They are lawyers, teachers, social workers, mothers, doctors, veterans, child care providers, grandmothers, all serving in various roles and serving in this House. Their stories need to be told.

We will begin with Jeanette Rankin, the first woman to be elected to the U.S. House of Representatives in March of 1917, 3 years before the ratification of the 19th Amendment, which gave women the right to vote. Another pioneer was Edith Nourse Rogers, who served in Congress from 1925 to 1960 for a total of 35 years until her death.

Shirley Chisholm broke the color barrier in 1969 when she became the first African American woman elected to the House, and Carol Moseley-Braun was the first African American woman in the Senate. These women and all women serve in Congress as role models for current and future generations of girls and women.

We want and need women to pursue public service in all segments of government, especially in the House and Senate. We are 61 strong in the House and 13 in the Senate, which makes up 74, and we want to see those numbers grow. As the cochair of the Congressional Caucus on Women's Issues, we are certainly the voice of American women, monitoring legislation that addresses their needs, including education, children, care and family needs.

Women have come to appreciate the advocacy of our work. While we have achieved many victories since 1917, Mr. Speaker, we still have a long way to go, especially in the area of pay equity and health research and delivery.

Today being Pay Equity Day, Congress has not been able to successfully pass legislation to make sure that women receive equal pay for comparable work. So our job is not over. We will not rest until our daughters and granddaughters obtain the right to be paid equally for comparable work.

Mr. Speaker, we thank all of the outstanding men who have brought this to the floor today.

Ms. ROS-LEHTINEN. Mr. Speaker, I am very proud to yield 3 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

(Mrs. MORELLA asked and was given permission to revise and extend her remarks.)

Mrs. MORELLA. It is a pleasure for me to pay tribute to the gentlewoman from Ohio (Ms. KAPTUR), for introducing it.

I want to thank my colleague, the gentlewoman from Ohio (Ms. KAPTUR), for introducing it.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

As has been pointed out time and time again in our conversations, in 1989, the first time that this book was authorized to be printed as a House document, there were only 31 women serving in the Congress; in 1999, the number of women serving in each body has stayed increased, although not fast enough.

As the gentlewoman from Maryland (Mrs. MORELLA) pointed out, 70 women have served in Congress throughout just the last 10 years, the last time that this book was published.

But numbers alone do not adequately tell the story. That is why the printing of this book and this history is so important. It memorializes in detail and with illustrations the invaluable contributions women have made for many years as Members of Congress. Each in different and invaluable ways has made and continues to make a tremendous contribution to our country, and particularly to the constituents whom we serve.

There is no question that each has made an everlasting difference to Congress as an institution, and to the many issues which they have advocated and indeed have driven before this body and our Nation.

I want to thank in particular the sponsors of the bill, including the gentlewoman from Ohio (Ms. KAPTUR), and additionally I would like to thank all of the members of the Committee on the House Administration, both on the majority, the gentleman from Ohio (Mr. NEY), and the minority, the gentleman from Maryland (Mr. HOYER), and their staffs, who have worked so hard to bring this bill to the floor today.

Although I love and respect the gentlewoman from Ohio (Ms. KAPTUR), I
would like to point out that the dean of the women in Congress is in fact the gentlewoman from New Jersey (Mrs. Roukema), a Republican.

I hope that soon one of our newest members of the United States Congress is also the one sitting right behind me, Patricia Lehtinen, my daughter, who I hope will serve in my district, and I hope that my constituents bring me back many years to come.

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

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

Mr. Speaker, it looks to me like the young Ms. Lehtinen is probably 10, 11, 12 years old.

Ms. ROS-LEHTINEN. Mr. Speaker, will the gentleman yield?

Mr. ROYCE. Mr. Speaker, I yield to the gentlewoman from Florida.

Mr. Speaker, last week we passed a resolution which would update the book which includes African Americans—or actually, 2 weeks ago. This week we will appropriately recognize the women who have served.

As the father of three daughters, all adults, and a grandfather of two young women as well as two young men, those who have said that the women who serve are role models I think are absolutely correct, not only for young women who may want to go into public service, but also for young women who aspire to reach the heights that their talents will allow them to. It is important that we nurture in these extraordinary American women the ability to succeed; the ability to make a very significant contribution; the ability to be equal, as Jefferson surely would have said today.

So I am pleased to rise in support of this resolution. It is appropriate, it is timely, and it is important for all Americans also.

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to support legislation that would abolish a Depression-era ban that prevents banks from offering interest on business checking accounts. Small businesses are hit particularly hard by the current prohibition, because they are typical unable to help larger depositors circumvent the prohibition. While larger businesses have the financial resources to use sweep arrangements, these products are not offered to small businesses because they are the minimum investment necessary to participate in “sweeps.”

As part of a small, family-owned home building business in Michigan, I know firsthand how slim the margins of operating a small business can be. This is why the Small Business Interest Checking Act is so important to our hometown retailers and businesses because it would give these smaller operations the opportunity to finally earn a much-needed extra percentage of a bottom line.

As approved by the Committee on Financial Services, the Small Business Interest Checking Act would completely prohibit the prohibition two years after enactment. The phase-in is included to assist institutions that currently offer sweep account arrangements, which are often based on multi-year contractual agreements. While I am personally of the preference that small business would benefit the most from legislation providing banks the voluntary option to pay interest on business checking accounts without a delay, I strongly support H.R. 974 and encourage my House colleagues.

Mr. ROYCE. Mr. Speaker, I rise in support of H.R. 974 and I would like to take just a moment to address a provision affecting the twenty-two industrial banks in my State of California.

Chairman Oxley was good enough to include in the Committee reported version of H.R. 974 a provision I requested offering a measure of equity and fairness to these twenty-two industrial banks as we implement a national policy permitting interest on business checking accounts. I want to thank him and his staff for their assistance in this matter.

This provision, in Section 3 of H.R. 974, has now been amended to reflect comments offered by the Federal Reserve. The provision amends the Federal Deposit Insurance Act by adding a new paragraph (3) to Section 2 of that Act (PL-93–100).

H.R. 974 would therefore permit a California industrial bank to offer to any account holder, including a business entity, interest bearing demand deposits, commonly called NOW accounts—so long as applicable California law continues to prohibit industrial banks from offering demand deposit accounts—which it does, and so long as the California industrial bank is not an affiliate of any company whose total assets are more than ten percent of the total assets of that particular industrial bank.

As a practical matter, I believe this provision would enable all of California’s twenty-two industrial banks to offer NOW accounts to business entities, if they so choose.

California industrial bank law has been—and remains in its most recent reform—explicit in its prohibition against industrial banks accepting demand deposit (checking) accounts. Also, for California’s industrial banks are small depository institutions and few have operating subsidiaries or own other companies. It is also apparently the case that no California industrial bank currently has operating subsidiaries or owns a company or combination on whose books exceeds 10% of that bank’s total assets. While this latest limitation may be somewhat restrictive with respect to the growth of any existing operating subsidiary, or the addition of operating subsidiaries in the future, California’s industrial banks have indicated they are prepared to work within this particular limitation.

Finally, it is important to note that those few California industrial banks currently choosing to offer NOW accounts to individuals and charitable organizations are subject to regulations, including standard reserve requirements, promulgated by the Federal Reserve System. In permitting these industrial banks to also offer NOW accounts to business entities, H.R. 974 has made a fair change of none of these requirements.

I thank the distinguished Manager for permitting me to make this clarification and for his support of fairness and equity for California’s industrial banks.

Mr. WATERS. Mr. Speaker, I strongly oppose H.R. 974, the Small Business Checking Act of 2001, which represents an example of mixed-up budget priorities. It is particularly inappropriate to consider this extraordinarily unbalanced legislation under suspension of the rules. Thirty of the taxpayers who were not members of the Financial Services Committee an opportunity to have their concerns addressed.

I agree that the Depression-era ban on interest-bearing business checking accounts is one of the most perverse public policy policies, and I would have supported repeal of the prohibition, provided it had been accomplished in a clean bill. However, I cannot in good conscience support this bill because it contains a provision that results in a transfer of taxpayer money to a very small segment of the country’s largest and most powerful depository institutions, while other budget priorities are left unfunded or underfunded.

The provision permitting the Federal Reserve banks to pay interest on the sterile reserves maintained by depository institutions in Federal Reserve Banks will result in the annual transfer of about $100 million in real taxpayer dollars to about 1700 of the approximately 21,000 depository institutions in this country. Thirty of the Federal Reserve’s most powerful financial institutions will receive one-third of the interest that the Federal Reserve Banks will pay out each year.

The Administration has proposed a broad-based tax cut proposal that will consume $2 trillion of the budget surplus. We do not know how we will pay for the President’s tax cut, while meeting the other budget priorities of the Administration, addressing critical needs of the American public, paying down the debt and protecting Social Security and Medicare. Yet, under this proposal, the 30 largest, most powerful depository institutions, while making the job harder by using $1.1 billion of the surplus over ten years to provide a benefit to a very small subset of the American taxpayers. The $1.1 billion could be put to better use by providing adequate funding for combating AIDs in Africa or restoring part of the $2 billion in housing cuts the Administration has proposed or, even, tax relief for the average taxpayer.

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

Mr. ROS-LEHTINEN. Mr. Speaker, I yield back the balance of my time.
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 each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

VOTES WILL BE TAKEN IN THE FOLLOWING ORDER:

H. R. 642, by the yeas and nays; and House Concurrent Resolution 66, by the yeas and nays.

The question will be taken to 5 minutes for any electronic vote after the first such vote in this series.

NEED-BASED EDUCATIONAL AID ACT OF 2001

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H. R. 768.

The Clerk reads the title of the bill.

The consideration of the bill will be taken tomorrow.

THE CLERK presents the bill for the consideration of the House.

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 each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

VOTES WILL BE TAKEN IN THE FOLLOWING ORDER:

H. R. 642, by the yeas and nays; and

H. Res. 91, by the yeas and nays; and

H. Res. 56, by the yeas and nays.

The votes on motions to suspend the rules on each of the following measures will be taken tomorrow:

H. R. 642, by the yeas and nays; and House Concurrent Resolution 66, by the yeas and nays.

The question will reduce to 5 minutes for any electronic vote after the first such vote in this series.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore, Mr. SIMPSON at 6 p.m.

APPOINTMENT OF ADDITIONAL MEMBERS TO ATTEND FUNERAL OF THE LATE HONORABLE NORMAN SISIYK

The SPEAKER pro tempore. Pursuant to House Resolution 107, the Chair announces the additional appointment of the following Members of the House to the committee to attend the funeral of the late Norman Sisisky:

Mr. Waxman of California;

Mr. Franks of Texas;

Mr. Sensenbrenner of Wisconsin;

Mr. Hooyer of Maryland;

Mr. Levin of Michigan;

Mr. Spratt of South Carolina;

Mr. Condit of California;

Mr. Edwards of Texas;

Mr. Reyes of Texas; and

Mr. Turner of Texas.
A motion to reconsider was laid on the table.

Stated for:

Mr. CULBERSON, Mr. Speaker, on rollover No. 76, I was unavoidably absent. Had I been present, I would have voted ‘yea.’

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

EXPRESSING SENSE OF HOUSE OF REPRESENTATIVES REGARDING HUMAN RIGHTS IN CUBA

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 91.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 91, on which the yea and nay votes are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 347, nays 44, answered ‘present’ 22, not voting 18, as follows:

[Roll No. 77]

HOUSE

YEAS—347

Yeas and nays ordered.

[Roll No. 78]

YEAS—406

NAYS—44

Answered ‘present’—22

ANSWERED ‘PRESENT’—22

Ms. KILPATRICK, Mr. Jackson of Illinois, and Ms. VELAZQUEZ changed their vote from ‘nay’ to ‘yea.’

Mr. PASTOR changed his vote from ‘yea’ to ‘nay.’

Messrs. LARSON of Connecticut, MORAN of Virginia, and DeFazio changed their vote from ‘yea’ to ‘present.’

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

URGING INTRODUCTION OF U.N. RESOLUTION CALLING UPON PEOPLE’S REPUBLIC OF CHINA TO END ITS HUMAN RIGHTS VIOLATIONS IN CHINA AND TIBET

The SPEAKER pro tempore (Mr. SIMPSON). The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 56, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 56, as amended, on which the yea and nay votes are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 406, nays 6, answered ‘present’ 6, not voting 13, as follows:

[Roll No. 78]
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<th>Congress</th>
<th>House</th>
<th>April 3, 2001</th>
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**CONGRESSIONAL RECORD — HOUSE**

### Thursday, April 5, 2001

**H. CON. RES. 93**

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of, April 4, 2001, or Thursday, April 5, 2001, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, April 24, 2001, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Friday, April 6, 2001, Saturday, April 7, 2001, Sunday, April 8, 2001, Monday, April 9, 2001, or on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, April 9, 2001, or until such time as the House may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

**SECOND SESSION**

Sec. 1. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, respectively, to request the gentleman from California?

Mr. DOOLITTLE. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1193.

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

There was no objection.

### Friday, April 6, 2001

**REMOVING NAME OF MEMBER AS COSPONSOR OF H.R. 933**

Mr. TOWNS. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 933.

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

There was no objection.

### Saturday, April 7, 2001

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. The Chair will entertain 1-minutes.

### Sunday, April 8, 2001

**ODE TO DUKE UNIVERSITY BLUE DEVILS**

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

Mr. PRICE of North Carolina. Last night, Duke University from the 4th Congressional District of North Carolina was crowned the national champion after the victory over the Arizona Wildcats 82-72 in the Final Four, the king of the NCAA.

This is the first national championship for Duke since 1992. It is the third in their history, and we are as proud as we can be. But tonight, Mr. Speaker, we are not going to be hearing from me.

We are going to be hearing from a couple of fine colleagues with whom I
had an agreement going into this Final Four and who will be all too happy. I am sure, to don the Duke jersey and the Duke cap, and to read a script which they have agreed to deliver in homage to the Duke Blue Devils and their national championship.

Let me yield to the gentleman from Maryland (Mr. HOYER), that Duke in this path to the national championship met not just Arizona, but the University of Maryland in the semifinal, University of Southern California, University of Missouri, and Monmouth.

We are the adversaries of all. We are as proud as we can be.

Mr. Speaker, I am very proud to yield to the gentleman from College Park, Maryland (Mr. HOYER), my friend and colleague.

Mr. HOYER. Mr. Speaker, I ask unanimous consent that my remarks be expunged from the record as soon as they are made.

Mr. Speaker, but for the fact that the rules prohibit it, I would wear this jersey during the course of my remarks; but our Parliamentarian would have a heart attack and think that I had stepped egregiously on the rules. So only because the parliamentarian wants me to take off the Duke shirt do I do so. But I will hold it up.

The SPEAKER pro tempore. The Chair appreciates the gentleman’s cooperation.

Mr. HOYER. I thank you, Mr. Speaker. I will put my jacket back on. I cannot be totally inoffensive.

The SPEAKER pro tempore. The gentleman will put his jacket back on.

Mr. HOYER. I will put the jacket back on. The gentleman from North Carolina (Mr. HAYES), my friend, is helping me with my jacket, who is a graduate of Duke. All the Dukes are pretty gracious tonight. They were not very gracious last Saturday night I noticed.

Mr. Speaker, I humbly rise to deliver an ode to the Duke Blue Devils, college basketball 2001 national champions.

Only one team during the course of the season beat Duke by more than 10 points, the mighty Maryland Terrapins. Unfortunately, it was not Saturday night.

The Duke Blue Devils are champions worthy of the name. They proved it again and again in game after game. But had they not played for the title last night, the Dukies had to get through a Saturday night fright.

The Maryland Terrapins, new to the Final Four, came out of the blocks like they wanted much more. Determined not to fall short to the Blue Devils again, my Terps were as ferocious as a lion guarding her den.

Duke was down 22 points and flat on their backs, 11 at the half, but lo and behold, a comeback was hatched. As the game went on, the Blue Devil would not quit, and for Maryland’s Cinderella season, the slider no longer fit. But the Blue Devils were not finished; they had not cleared the field.

Mr. KOLBE, Mr. Chairman, will the gentleman yield?

Mr. PRICE of North Carolina. I yield to the gentleman from Arizona.

Mr. KOLBE. By Monday night, Duke had beaten Monmouth and Mizzou. They had sent home the Bruins, the Trojans and the Terrapins, too. The time had come to battle our beloved ‘Cats. The final game would determine to whom we would tip our hats.

Duke came from the East and Arizona rode into the West for a final Minneapolis shoot-out to answer who is best. The Devils showed that they were up for the fight, and the question of who is best was answered last night.

We watched the joyous Blue Devils cut down the net, and I thought to myself: why did I make this bet? Arizona, Maryland, and the rest of our teams are left thinking of next year and dreaming championship dreams. For now, the Blue Devils wear the crown, they can celebrate a great victory and say: town.

Mr. HOYER. Here, here.

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman from Maryland (Mr. HOYER) and the gentleman from Arizona (Mr. KOLBE) and the gentleman from Maryland (Mr. HAYES) and the gentleman from North Carolina (Mr. PRICE) lives in Chapel Hill. We defeated the dreaded Tar Heels several times on the way to this victory.

I say to the gentleman from Maryland (Mr. HOYER), we are not gloating here. We are just here saying how proud we are, those of us who were here. We are very proud to have survived this Final Four.

Mr. Speaker, I yield to the gentleman from the Eighth District of North Carolina (Mr. HAYES), a Duke alumnus.

Mr. HAYES. Mr. Speaker, the gentleman from North Carolina (Mr. PRICE) lives in Chapel Hill. We defeated the Tar Heels several times on the way to this victory.

I say to the gentleman from Maryland (Mr. HOYER), we are not gloating here. We are just here saying how proud we are of those young men, the coaching staff, the students and others.

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

Mr. PRICE of North Carolina. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I want to rise a little bit in seriousness and say how proud we are, those of us who were in the ACC, of Duke’s magnificent victory, not in derogation of Arizona, a great team itself, but my, my, my, how Duke plays, how Coach Krzyzewski coaches, the fire that they showed.

I said during the ditty that I was forced to go through, that they were down by 22, and it is because of the character, the heart, the courage and, yes, the extraordinary ability of the Duke players that they came back and prevailed in that game on Saturday night.

I know the gentleman from Arizona (Mr. KOLBE) joins me in congratulating the Duke players, the Duke coach, and Duke itself for a magnificent and winning effort.

Mr. PRICE of North Carolina. Mr. Speaker, I want to thank the gentleman from Maryland (Mr. HOYER) and the gentleman from Arizona (Mr. KOLBE) and to our Duke Blue Devils who exhibited team work, sportsmanship, scholarship and a family of young men and women working together that achieved remarkable things.

Congratulations to the Blue Devils.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. TIBERI). 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.

REGARDING THE RE-REGULATION OF THE AIRLINE INDUSTRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

Mr. LIPINSKI. Mr. Speaker, before I get into my Special Order, since the gentleman from Maryland (Mr. HOYER) is up here, let me congratulate him on his leadership of the Blue Devils.

American Airlines’ acquisition of TWA, which declared bankruptcy in January, is nearly complete. The American-TWA transaction was approved in March by a U.S. bankruptcy court judge. The Department of Justice issued a statement declaring that the agency would not challenge the merger, in essence, approving it.

The Department of Transportation is currently working on the transfer of TWA’s certificates and international routes to American Airlines. Although American Airlines must still survive some legal challenges during the bankruptcy appeals process, and, more importantly, gain approval from its unions, it will, by the end of this month, acquire 190 TWA planes, 175 TWA gates at airports throughout the Nation. 173 TWA slots at the four slot-controlled airports, TWA’s hub in St. Louis, and 20,000 TWA employees.

As a result, American Airlines will now enjoy the title of the world’s largest airline with a 20 percent share of the U.S. domestic market.

Unfortunately, American Airlines’ quest to become #1 does not end there. American Airlines has also joined in the fray of the proposed United-USAirways merger.

Last summer, United Airlines announced plans to purchase USAirways for a total of $11.6 billion. Now American Airlines plans to purchase USAirways $1.2 billion for 20 percent of the USAirways’ assets, which includes 86 jets and 14 gates at six East Coast airports.

As part of the deal, American and United would join together to operate...
the highly lucrative shuttle routes between Washington, D.C., New York, and Boston, which are now operated by US Airways. In addition, American Airlines is willing to pay $32 million for a 49 percent stake in DCAir, the airline created to allay antitrust concerns about the United-US Airways merger. DCAir plans to take over most of US Airways' operation at Reagan Washington National Airport.

If approved, United Airlines and its arch rival, American Airlines, will control half of the U.S. air travel market in the post-merger era, it will not be two megacarriers controlling half of the market assets, and frequent flier programs, to squash power, and even more tools to drive out and keep out new competition. And, if six major carriers do not compete against each other in a post-merger tomorrow? Therefore, if the U.S. airline industry is allowed to consolidate, we will be left with essentially a re-regulated airline industry where the airlines call the shots and set the fares. With so few choices, airlines would have a captive consumer. Customer service would decline—if that is even possible given the level it is at today—and fares would increase. It's a lose-lose situation for customers. In that case, the federal government will have no choice but to step in, in the public interest, to assume its role as regulator. That's right. I firmly believe that if there are only three or four mega-carriers serving the U.S. market, the federal government will once again have to regulate the airline industry—overseeing fares, routes, and access to airports—in order to ensure a healthy state of competition.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 8, DEATH TAX ELIMINATION ACT OF 2001

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 107-39) on the resolution (H. Res. 111) providing for consideration of the bill (H.R. 8) to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period, and for other purposes, which was referred to the House Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. TIBERI). 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 Extension of Remarks.)

EQUAL PAY DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOYER) is recognized for 5 minutes.

Mr. HOYER. Mr. Speaker, just a few minutes ago I was here in jest and in honoring the Duke team. I want to speak on a very serious subject at this point in time.

It is just days after the end of Women's History Month and just weeks before millions of Americans will collectively honor their mothers on Mother's Day. Both events are borne out of the great respect and admiration we have for the women who have so strengthened our Nation, our society, and our families. Yet even today, Mr. Speaker, we must face up to this reality: American women earned only 72 cents for every dollar that men earned in 1990 for an average of 5.5 million because of the unfair wage gap. This wage gap is even larger for women of color. African American women are paid only 65 cents for every dollar earned by a man, and Hispanic women make only 52 cents for every dollar earned by a man.

Yes, our Nation has made great strides in gender equality. In 1979, for example, women earned only 63 cents for every dollar men earned. But the wage disparity that exists in our society continues, and it is simply unacceptable. It is wrong.

I speak not only as a legislator, but as the father of three daughters and the grandfather of two granddaughters. Bella Abzug, a leader in the fight for women's equality and a former Member of this House, once remarked, and I quote, "The test for whether or not you can hold a job should not be the arrangement of your chromosomes." We must apply that same test with equal vigor on the issue of fair pay. If you can do your job, there must be no question that you will receive fair pay for your labor.

This issue, after all, is not strictly a woman's issue. It is an issue that strikes at the heart of family finances and fairness. Unequal pay robs entire families of economic security. More women than ever are in the work force today, and their wages are essential in supporting their families. Sixty-four percent of working women provide half or more of their family's income, according to the 1997 report of the AFL-CIO. And the wage gap costs the average American family approximately $4,000 each year.
Mr. Speaker, we talked about giving their money back to them, the taxpayers. That is an appropriate subject for us to discuss. But it is also clear that paying equal wages to our women workers would be a better benefit for them. So despite the fact that equal pay has been the law since the passage of the Equal Pay Act of 1963 and the Civil Rights Act of 1964, we still have a long way to go.

That is why I have cosponsored, Mr. Speaker, and urge my colleagues to support, H.R. 781, the bipartisan Pay Equity Act of 1991, which would require equal pay for substantially equal work. This legislation would toughen the Equal Pay Act, and I urge my colleagues to support it.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. GRUCCI) is recognized for 5 minutes.

Mr. GRUCCI addressed the House. His remarks will appear hereafter in the Extensions of Remarks.

ENVIRONMENTALISTS ARE HURTING POOR AND WORKING PEOPLE OF THIS COUNTRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, a few days ago it was announced that California utility rates were going up 50 percent on top of an earlier 10 percent increase. Is this a sign of things to come for the rest of the Nation? Already people all over the country have seen their utility bills go up significantly in recent months.

Also, a few days ago it was reported that OPEC has voted to cut oil production by a million barrels a day, and that our gas prices are going to greatly increase this summer. The Air Transport Association told me a few months ago that each 1 cent increase in jet fuel costs the aviation industry $200 million. Thus, if oil goes up even just a little more, airline tickets will have to go up, forcing huge numbers more onto our highways, which are hundreds of times more dangerous than flying.

Who is responsible for all this? We, the American people, are the government. His rhetoric appealed to the wealthiest families, and who are not really responsible for this.

Many of these environmental groups, Sierra Club, Earth First, and others, have grown so large that they can make even Socialists look conservative. They are really hurting the working people by destroying so many good jobs and driving up prices at the same time. They tell former loggers and coal miners and others, don’t do it, worry, that they can retrain them for jobs in the tourist industry; ecotourism. But who in his right mind wants to give up a $15- or $20-an-hour job for the minimum wage, which is what most tourism jobs pay.

These radicals hurt most the very people they claim to help, and help most the big corporations they claim to be against. In the late 1970s, we had 157 small coal companies in east Tennessee. Now we have five. What happened? Well, we had an office of the Federal Government, OSM, open up in Knoxville. First, they drove all the small companies out, then the medium-sized companies. Next, Federal rules, regulations, and red tape hurt small businesses and small farms the most. Big government really helps only extremely big business and the bureaucrats who work for the government.

Mr. Speaker, I chaired the Subcommittee on Aviation for 6 years. Environmental rules and regulations have caused runway and other airport projects to take sometimes 10 or even 20 years to complete. Projects that could have been done in 2 or 3 years. This has caused the cost of air travel to be much higher than it would have been, and has caused many of the delayed flights we have today.

When I talk about the higher utility bills and all the lost jobs that environmental extremists have caused, nothing could potentially cause more harm to working people and lower-income families than the Kyoto agreement. There are not words adequate enough to thank President Bush for his courage in stopping this economic disaster from hitting this Nation. Our economy started slowing dramatically last June, according to the Christian Science Monitor, a liberal newspaper. This was 7 months before President Bush took office. To enforce this Kyoto agreement at a time of economic slowdown would run the risk of putting us in near depression conditions.

Yes, Mr. Speaker, when people see their utility bills shoot up, when gas prices go higher, when homes and every other product made from trees cost twice what they should, they can thank the environmentalists.

We have made great progress over the last 25 or 30 years with our air and water, but some of these groups do not want people to hear good things about the environment because their contributions would dry up.

The really sad thing, Mr. Speaker, is that this is all about big money. Poor and working people are being hurt so environmentalists are doing to the poor and working people in this country.

A NEW DECLARATION OF ECONOMIC INDEPENDENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, America needs a new declaration of economic independence: Freedom, justice, opportunity. These are the values that our parents, grandparents, and forebears lived and died for. These are the values that prompt young men and women to serve. These are the values that reflect the highest ideals of our country and what America has historically offered to the world.

Thus, last week’s debate on taxes, the first major economic debate of the 21st century and of the new Presidency, disappointed me greatly. The debate should have centered on what is the wisest economic course of action for the sustenance of our republic. But the debate basically boiled down to what every American can take for himself or herself. The President went around the country divisively and derisively saying, “It’s your money; it’s your money.” Except for one thing: We, the American people, are the government. His rhetoric appealed to the
most selfish instincts imaginable; and his proposals are proving he is headed towards government of the rich, by the rich, and for the rich.

Contrast his base appeal with that of President John F. Kennedy who once summoned Americans to ask not what your country can do for you, but rather what you can do for your country, and what we together can do for the freedom of humankind.

Mr. Speaker, I urge our colleagues in the other house to choose a wiser economic course than the House and the President, a prudent course, a responsible course for our Nation's future. We should not imperil our Nation's economic growth through reckless tax cuts. America should first pay its bills. The facts are that the interest payments alone on America's $5.5 trillion debt account for an ever-increasing percentage of the annual budget.

Look at this chart. This shows since 1975, interest payments on our national debt have grown every year. This is the year 2000 right here, highest ever, and projected this year, over $434 billion of interest payments alone on the debt. So what is all this talk about this magic surplus? And think about how these interest payments crowd out other important national investments we could be making, in Social Security and Medicare, where we must pay those bills, in defense and education, in veterans benefits, in transportation, in the environment and certainly in agriculture.

In the 1990s, due to unparalleled economic growth and strong budget discipline by Members of this House, we began to turn our ship of state around in the proper direction by finally beginning to get our bills paid. But I urge anyone to go to the U.S. Department of Treasury Web site and see for yourselves what America still owes. Here is the Web site number right up here, http://www.treas.gov.

Let me point out also that the percentage of foreign holders of the Federal debt has tripled since I was a freshman on the Banking Committee, and the largest investor in the world has deepened to historically all-time levels. Almost $500 billion more imports coming into this country on an annual basis than our exports going out. And you ask yourself who is now the largest holder of these private dollars related to goods trade with America? I can tell you it is the People's Republic of China, which is far from my definition of a republic, with over $280 billion of holdings in U.S. dollar reserves.

So what is wrong with the Bush plan? Tomorrow night I am going to continue on that, but let me first say that the President's tax and budget plan ought to lead to paying down our debt and ushering in a new era of economic independence for our country.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

(Mrs. MORELLA addressed the House. Her remarks will appear here-in the Extensions of Remarks.)

IN MEMORIAM: MRS. NOLA BRIGHT, IMMEDIATE PAST PRESIDENT, WESTSIDE BRANCH NAACP

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, today is equal pay day for women. I take this time to stop and pay tribute to a woman who spent practically all of her adult life fighting in behalf of women, minorities and any others whom she felt may have been oppressed and at the bottom of the socioeconomic ladder. Mrs. Nola Bright separate past president of the Westside Branch NAACP.

Nola Bright was born and reared in the city of Chicago and spent the major portion of her life living in, defending and improving that community affectionately known as the West Side of Chicago, in the Lawndale community.

Nola Bright was a family-oriented person. She grew up in a warm family, married John Bright at an early age, and had four children. She was a fiercely dedicated mother and grandmother and was indeed a surrogate mother, mentor and role model for many younger men, women and children who looked to her for guidance and direction.

Nola Bright became a school and community activist at an early age. As she saw her children off to school, she started to work with the Chicago Youth Centers as a way of making sure that children had after-school recreation and leisure-time activities. Mrs. Bright came into her own during the mid-1960s which was a period of great civil unrest, social change and the establishment of new structures. She was intimately immersed in all of these activities and often rose to leadership status within the groups with whom she worked.

She worked most directly with the Chicago Youth Centers, Better Boys Foundation, District 8 Education Council, Greater Lawndale Conservation Commission, Sears, YMCA, Martin Luther King Neighborhood Health Center, Lawndale Urban Progress Center and the Chicago Community Trust.

Nola Bright was a champion of the underdog and spent much of her life working with and on behalf of individuals and causes often considered to be the least popular. Rarely did Nola Bright separate her compensated work from her causes. You generally could not distinguish between her job and her volunteer activity. Over the years, she held a variety of jobs, Chicago Youth Centers, Martin Luther King Neighborhood Health Center, Westside Association for Community Action's Sickle Cell Project. She even worked for me when I was a member of the Chicago City Council and president pro tem. Finally, she worked for Habilitative Systems Social Service Agency from which she retired.

For the past 20 years or more of her life, Nola Bright was totally committed to keeping the Westside Branch of the NAACP alive and functioning. She served as part-time treasurer, membership chairman and held every other office. She performed any and all tasks that she could not get someone else to do. Nola Bright was stubbornly principled and would much rather give out than give in. In actuality, she gave her life to the service of others.

She will be memorialized at the Carey Tercentenary AME Church on Saturday, April 6, 2001, 10 a.m., still looking for equal pay, for equal justice and equal opportunity.

REGARDING THE MIDDLE EAST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, before I make my formal remarks, let me indicate that today I filed H.R. 1336, to give citizenship to the held Chinese citizen, legal resident of the United States, professor in the United States, mother of a 5-year-old and now husband to a United States citizen held in China for now almost 2 months.

I am very pleased that this private citizenship bill is cosponsored by myself, the gentleman from Illinois (Mr. HYDE), the gentleman from California (Mr. LANTOS), the gentleman from California (Ms. MILLENDER-McDONALD), the gentleman from New Jersey (Mr. PALLONE), the gentlewoman from Illinois (Ms. SCHAKOWSKY), the gentlewoman from California (Ms. LEE), the gentleman from Rhode Island (Mr. KENNEDY), and the gentleman from Virginia (Mr. WOLF).

It is a tragedy when families are separated. If we can do anything to enhance the role of the United States of
America to promote peace and democracy and to ease the pain of a family that has now been separated, distressed and in great frustration, this House should move on this legislation immediately. I call on my colleagues to sign this legislation to create this atmosphere for this imprisoned member of this country and as well to provide solace to her family, her husband and her child.

Mr. Speaker, however, I rise today to speak on the Middle East conflict. Peace is never easy to broker. Prime Minister Sharon of Israel has a formidable task ahead of him. We need to forge ahead as an international community to help bring further stability to the Middle East. As Winston Churchill once said, “We shall not escape our dangers by recoiling from them.”

Since the Middle East conflict began anew last fall, 457 people have been killed, including 375 Palestinians, 63 Israeli Jews, and 19 others. With both sides accusing each other of unjustified attacks, there sometimes appears to be no end in sight for the terror affecting the children of the Middle East. It remains a fact, Mr. Speaker, that non-governmental organizations like Save the Children have begun distribution of emergency medical supplies to five hospitals in the territories. Save the Children has worked to bring medical supplies to the Union of Palestinian Medical Relief Committees and the Medical Services, the operation of ambulance services with the Palestinian Red Crescent, the rehabilitation of schools and teacher training so that children have a creative, productive way to channel their energies. This is necessary to respond quickly to the special needs of children caught in the current uprising. And America must do more to assist such ongoing efforts and more to assist in the brokering of peace.

Whatever happens, there can be little doubt that relations between Israelis and Palestinians will have a profound impact on United States strategic interests in the Middle East. And because of that, the United States must remain an interested party in the region. It is absolutely imperative.

As the President of Egypt now visits America, the Bush administration must work to explore new opportunities for peace and reconciliation in the Middle East. We cannot recoil, we cannot be a turtle, we cannot stick our heads in the sand. America must become more engaged regarding negotiations between the Israelis and the Palestinians. Unfortunately, America has been silent since the departure of the former administration concerning a dangerous situation that cannot be resolved without its constructive participation. Too many children stand to lose without our help. I believe that it is critical that both parties need to make every effort to end the current cycle of provocation and reaction. Each side bears a special responsibility to seek an end for the riots, the terror, the bombings and the shootings. This must be a time-out on violence before the situation degenerates into war that we cannot stop.

We can all remember the images from last fall of the Palestinian child hiding behind his father caught in the crossfire shot to death; and then the images a few days later, the pictures of an Israeli soldier who was beaten while in custody and thrown out of a second floor window of a police station to be beaten to death by the mob below. We must stop this travesty.

It is easy to understand how passions can run high and frustration and fear can drive violence, but it is also easy to lose these feelings, even these feelings that can get out of control and lead to ever-deeper and never-ending cycles of violence. Will it end?

The children, Israeli and Palestinians, are the targets of increasing hatred that they simply do not understand. We must have respect, Mr. Speaker, for the peace and the necessity of moving forward.

In conclusion, Mr. Speaker, let me just say that it is important to follow the words of Robert F. Kennedy: “It is when expectations replace submission, when despair is touched with the awareness of possibility, that the forces of human good and the passion for justice are unloosed.”

We must unloose it in the Middle East. We must fight for peace.

Mr. Speaker, peace is never easy to broker. Prime Minister Sharon of Israel has a formidable task ahead of him, and we need to forge ahead as an international community to help bring further stability to the Middle East. As Winston Churchill once said, “We shall not escape our dangers by recoiling from them.”

Since the Middle East conflict began anew last fall, 457 people have been killed, including 375 Palestinians, 63 Israeli Jews and 19 others. With both sides accusing each other of unjustified attacks, there sometimes appears to be no end in sight for the terror affecting the children of the Middle East. It remains a fact, Mr. Speaker, that non-governmental organizations like Save the Children have begun distribution of emergency medical supplies to five hospitals in the territories. Save the Children has worked to bring medical supplies to the Union of Palestinian Medical Relief Committees and the Medical Services, the operation of ambulance services with the Palestinian Red Crescent, the rehabilitation of schools and teacher training so that children have a creative, productive way to channel their energies. This is necessary to respond quickly to the special needs of children caught in the current uprising, and America must do more to assist such ongoing efforts.

Whatever happens, there can be little doubt that relations between Israelis and Palestinians will have a profound impact on United States strategic interests in the Middle East. And because of that, the United States must remain an interested party in the region.

As President Hosni Mubarak now visits America from Egypt, the Bush administration must work to explore new opportunities for peace and reconciliation in the Middle East. America must become more engaged regarding negotiations between the Israelis and the Palestinians. Unfortunately, America has been silent since the departure of the former administration concerning a dangerous situation that cannot be resolved without its constructive participation. Too many children stand to lose without our help, Mr. Speaker.

I believe that it is critical that both parties need to make every effort to end the current cycle of provocation and reaction. Each side bears a special responsibility to seek an end for the riots, the terror, the bombings, and the shootings. There must be a “time out” on violence before the situation degenerates further into war. We can all remember the images, from last fall, of the Palestinian child hiding behind his father, caught in the cross-fire, shot to death, and then the images, a few days later, the pictures of the Israeli soldier who was beaten while in custody and thrown out of a second floor window of a police station to be beaten to death by the mob below. We must stop this travesty.

It is easy to understand how passions can run high, and frustration and fear can drive violence. But it is also easy to see how these feelings—even these feelings, that are based in the aspiration for control and lead to ever deeper, and never-ending, cycles of violence. The children, especially the young, are targets of increasing hatred that they simply do not understand.

If both Israel and the Palestinians can make progress in curbing or ending the violence, the United States can play an important role in helping to shape intermediate confidence-building measures between Israel and the Palestinians. The current environment makes a comprehensive agreement very difficult indeed, but proximity gives the Israelis and the Palestinians no choice but to learn to live together. The alternative is clearly war.

The children of Israel and the Palestinian Authority are not expendable; they are the casualties of intolerable violence. The United States must continue to work together with both Israel and the Palestinian Authority to enhance security in the region.

America can play a decisive role in fostering peace and stability in the Middle East. The Bush administration must respond more effectively in the peace process. We should not take sides in this lengthy conflict. However, the United States bears an unquestionable obligation to maintain a constructive role in the Middle East peace process.

The larger question of a lasting peace in the region, of course, remains, and our continued negotiations with the Palestinians. I will always be a strong supporter of the Middle East peace process because we can never stop trying. We struggle for peace, Mr. Speaker, because the current wave of violence is unacceptable. It undermines the very basis for peace, the notion that Palestinians and Israelis can trust each other and live together.

Last year, we edged a little closer to establishing a permanent blueprint for peace between the Israelis and Palestinians at Wye River. While a peace agreement did not come from that process, the negotiations conducted an unprecedented level of negotiations in the pursuit of a permanent peace. They discussed issues and exchanged viewpoints on
pivotal matters of dire meaning to the Israeli people and the Palestinian people.

Mr. Speaker, we don't really know when all parties to this ongoing conflict will find everlasting peace and reconciliation. We do know, however, that Chairman Yasser Arafat of the Palestinian Liberation Organization and Prime Minister Sharon of Israel have an acute sense of the high stakes involved.

Mr. Speaker, let me close with an admonition by Robert F. Kennedy in a 1966 speech made at the University of California. "Men without hope, resigned to despair, when expectations replace submission, when despair is touched with the awareness of possibility, that the forces of human desire and the passion for justice are unleashed." The recent violence in the Middle East only underscores the need to get the peace process back on track. We must do so expeditiously for the sake of the children.

The SPEAKER pro tempore (Mr. TIBERI). Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized for 5 minutes.

(Mr. LANGEVIN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Ms. MCKINNEY) is recognized for 5 minutes.

(Ms. MCKINNEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

REMEMBERING ROBERT B. GANLEY, CITY MANAGER OF PORTLAND, MAINE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

Mr. ALLEN. Mr. Speaker, I rise to remember Robert B. Ganley, for 14 years the city manager of Portland, Maine, who died suddenly from a heart attack on Saturday, December 23, 2000. He was 51.

Bob Ganley preached substance over style, and that is how he lived. As city manager first of South Portland and then of Portland, he revitalized our communities. A master of the budgetary process, he made local government more efficient, improved services, held down taxes, and made Portland a better place to live.

His sometimes blunt demeanor could not hide a passionate commitment to his city, his family, the Portland Sea Dogs and Boston sports teams.

Bob might have become a journalist, but as he told a friend who was one, "I loved government." Not many today understand the depth of his kind of commitment to public service.

For 6 years, from 1989 to 1995, I served on the Portland City Council, including one year as mayor. I learned from Bob the importance of fighting for the long-term interests of the community against the negative passions of the moment.

Bob Ganley knew that his job was to strengthen the community he served. He wanted Portland to be a place where people cared about each other and could work effectively toward goals that transcended their individual interests. Portland today is that kind of community.

When homeless people were sleeping in city parks in the late 1980s, Bob pushed the shelter program to meet his declared goal that no one would be without a bed in Portland. He succeeded.

When the local economy stalled in the early 1990s, Bob helped create a downtown district, pushed through tax increment financing packages, and established a business advisory committee to connect city hall with downtown businesses. He worked closely with our employee unions to cope with unusual budgetary pressures.

Bob seized opportunities. When Portland was offered the chance to host the AA baseball team, Bob made it happen and became one of the biggest fans of the Portland Sea Dogs. He understood what the team would do to lift the spirit of the city, even though the economic impact could never be calculated.

Bob Ganley's management style was defined by his unwavering public support of the men and women who worked for the city. He had high expectations for his staff and they knew it. He nudged and pushed and challenged them; but in public he always defended them, even if he thought they were mistaken. He did it in private meetings. Above all, Bob could make decisions. We can do this, he would say, about some difficult undertaking, and his staff and the council went out and did it.

When Bob died on December 23, he left behind three children. His pride in them was evident to all who knew him because if he was not talking about the city or sports, he was telling friends about his kids. He had reason to be proud. Dimitri, Julian, and Robert, Jr., all now young adults. Their mother, Susan, is helping them adjust to their loss.

At Bob's memorial service in the Merrill Auditorium at city hall, his son Bobby said "Thank you, Dad, for teaching me that life is all about substance and not about style." He captured his father's character, as well as his passion for public service.

Bob's own life was about change. He had proposed to Tracy Sullivan less than 2 years before he died. Tracy's sadness after so much joy is profoundly felt by all who know her. Her young son, Dimitri, loved Bob, too. His friends, family, and colleagues all miss Bob Ganley; but we take heart from his example, for he showed us how to brush aside cynics and lead the citizens of Portland to build together a better place to live.

Thank you, Bob, for all you taught us.

WOMEN DESERVE EQUAL PAY FOR EQUAL WORK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. BACA) is recognized for 5 minutes.

Mr. BACA. Mr. Speaker, when President John Kennedy signed the Equal Pay Act into law on June 10, 1963, women on the average earned 61 cents for each dollar earned by a man.

Today, working women earn 73 cents for every dollar earned by a man, according to the Bureau of Labor Statistics.

President Kennedy told his fellow citizens that he was taking the first step in addressing the unconscionable practice of paying female employees less wages than male employees for the same job.

While progress has been made, still more needs to be done. If Congress acts this year, more can be achieved; and I say more can be achieved and will be achieved if we come together.

In my State of California, families lose on average $21 billion of income annually to the wage gap. If women in California received equal pay, poverty and single-mom households would go from 19.2 percent to 9.2 percent.

Women in the Inland Empire, for example, lose an average of $1,000 every year because of unequal pay, and I state because of unequal pay they lose that much; that is $4,000. This is money that cannot buy groceries, housing, child care, clothing for their families, and we must realize how important and critical it is when someone has to budget their dollars based on the amount of monies that they get paid.

I ask my colleagues to support H.R. 781, the Paycheck Fairness Act, and the Fair Pay Act legislation currently pending in Congress that is designed to help eliminate the wage gap that still exists between men and women.

Many working women lack the basic benefits they need in order to care for their young children. They are our grandmothers, our mothers, our wives, our sisters, our daughters, and our colleagues. They are doctors, lawyers, teachers, caregivers, and leaders.

Women lawyers earn $3,000 less than a male attorney, and a lot of people are asking themselves why they think they earn an equal amount of pay and they do not.

Female doctors make $5,000 less than male colleagues.

Wages for female nurses, where 95 percent are women, earn $30 less each week than male nurses who make up 5 percent. Can one imagine, only 5 percent are male and the majority, which
Fighting for pay equity and advancing the status of women is not just a social and moral issue. Mr. Speaker, it is an economic imperative, and it is long overdue.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman 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. PRICE) is recognized for 5 minutes.

(Mr. PRICE of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

DECONTAMINATION EFFORTS REQUIRE IMMEDIATE ACTION BY CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 60 minutes as the designee of the minority leader.

Mr. BLUMENAUER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my Special Order.

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

There was no objection.

Mr. BLUMENAUER. Mr. Speaker, it is time at this juncture appropriate to stop short and take stock of recent actions. We have had some commentary here on the floor this evening dealing with the environment and dealing with the recent activities of this Congress and the administration. I think it is appropriate for us to do this, as I have fresh in my mind very vivid memories of a tour that I organized today to visit the exclusive residential area of Spring Valley here in the District of Columbia around the American University campus. It was a tour to be able to understand clearly one of the key environmental issues that deals with 1,000 sites around the country.

Twenty-six years after the Vietnam War, 56 years after the conclusion of World War II, 83 years after World War I, there is still a battle taking place, and it is taking place right here on the soil of America. It involves mines, nerve gases, toxics and explosive shells. This battle has claimed 69 lives and has maimed and injured far more. Sadly, this battle continues every day. If we are not careful, this battle may continue for another 100 years, 500 years. There are some estimates that the areas of contamination by military

April 3, 2001

CONGRESSIONAL RECORD—HOUSE

H1393

is 95 percent female, earn less money. That is not fair.

Waitresses' weekly earnings are $50 less than waiters' earnings.

The situation is even worse for women of color. African American women, 67 cents, and Latina women, 56 cents for every dollar that men earn. This continues to be a disparity, and a lot of times when we look at our Nation and we look at the diversity that we have, all we are asking for is for equal pay for equal work; that African American women and Latinos should earn the same amount of dollars that anybody else should earn because they are willing to work and they are not asking for any special privileges. They are saying pay me for the same work that somebody else earns.

The wage gap impacts women's retirement also. Women have less to save for the future and will earn smaller pensions than men; and when we look at today's society, it is no longer a man's world; it is providing but a woman a lot of times is providing for the family.

It is important that they also have that security for retirement when they are looking towards retirement.

On the job, working women are looking for respect, better benefits and, most of all, the three Rs: respect, recognition, and reward for a job well done. We all need a pat on the back, and we all need to be rewarded for a job well done. We all need the three Rs: respect, recognition, and reward for a job well done.

This continues to be a disparity, and a significant implications for life-long savings. Social Security, and retirement earnings. Thus, lower pay is not only socially, but the only source of a higher percentage of women than men work in service, nonunion jobs, and part-time jobs, where pensions are less likely to be offered.

Additionally, while women no longer routinely drop out of the labor force for child-bearing and child-rearing, more women than men leave work to care for children, elderly parents, or spouses. All of these factors take their toll.

In the private sector, only 31 percent of retired women age 65 or older have a pension, and the median benefit received by women who have pensions is only 38 percent of the median amount received by men. Women's worries are exacerbated by the fact that women tend to live longer than men so their retirement assets must spread over a longer period of time. Clearly, there is something seriously wrong when women 65 and older are twice as likely to live in poverty as their male counterparts.

Today, there are nearly 6 million women business owners. They are the fastest growing segment of small business development in this Nation. Between 1987 and 1999, the National Foundation for Women Business Owners estimated that the number of women-owned firms increased by 82 percent nationwide. However, women still have less access to credit and are less likely to receive financing than men. This is a severe barrier to business growth, Mr. Speaker, and ultimately prosperity. We must recognize that when women thrive, our Nation prospers and women's families are strengthened.

Women comprise more than half of the Nation's population. We account for the future of this Nation. We account for the future of our Nation and its economic prosperity. The majority of new workers in both industrialized and developing countries. Women in developing countries are generally low paid, yet they have a severe barrier to business growth, Mr. Speaker, and ultimately prosperity. We must recognize that when women thrive, our Nation prospers and women's families are strengthened.

Women comprise more than half of the world's population. We account for the majority of new workers in both industrialized and developing countries. Women and men share the human and labor rights, whole families and communities benefit. When women gain knowledge, power, and equal resources to make their own choices, the chains of poverty will be broken.

This is how progress is generated. This is how lasting prosperity is built and measured.

Mr. Speaker, I will end with the words of Supreme Court Justice Ruth Bader Ginsberg who said, "Bias, both conscious and unconscious, reflecting traditional and unexamined patterns of thought, keeps up barriers that must come down if equal opportunity and nondiscrimination are ever genuinely to become this Nation's law and practice."
hazardous waste are such that at the current rate, it may take over 1,000 years.

Toxic explosive wastes of our military activities here in the United States, unexploded ordnance on formerly used defense installations, probably contaminates at least 25 million acres in the United States, and, indeed, that number could be as much as twice as high, approaching 50 million acres or more. Sadly, nobody can even give an accurate appraisal of this problem, but we do know that at the current rate of spending, which is less than $300 million a year, this problem of many billion dollars of magnitude will take centuries to return the land to safe and productive uses. Sadly, some areas of this country are so damaged that we cannot even attempt to clean them up at all.

Mr. Speaker, unexploded ordnance is a serious problem today. Human activity and wildlife is encroaching on more and more of these sites as our neighborhods grow. As our cities sprawl, and, at the same time, the natural rhythm of nature, flooding, earthquakes, landslides, aided and abetted by human activity, exposes these dangers and sites. As mines, as unexploded bombs and shells work their way to the surface. Today across America we are finding lost and forgotten unexploded ordnance that in some cases was intentionally buried in a feeble attempt just to get rid of it. We find shells that were fired and missed their mark and did not explode as intended. These are acute dangers.

I recalled one example that occurred in San Diego where two children, actually there were three, who were playing on a vacant lot in a subdivision that was formerly military territory. This had been used as a bombing ring, as a target. These children found an unexploded shell, started playing with it. It killed two of them and seriously injured a third.

At the sites that I visited today, there is a child care center on the campus of American University that has been closed because the level of toxicity from arsenic is so high that it poses a threat to human health. Across the road there is a grand home that belongs to the Korean Ambassador, and the whole backyard has been excavated away, as they are dealing there again with high levels of soil contamination. There are acres and acres of this site next to the American University campus and some that is on the campus itself that was used to test chemical weapons during World War I. At the height of the activity, there were almost 2,000 people working on this area. There were over 100 buildings. They were testing things like mustard gas, arsenic. There were circles where they tied animals and subjected them to the gas. There were areas where they manufactured these chemical weapons.

When the war was over, we were pretty much haphazard about what happened there. In some cases, the buildings were so contaminated, they just burned them, and then covered them up. There was no careful accounting of the materials, and we have found over the years that some of the shells and explosives and toxics have been exposed. The consequence is unexplained. In San Diego late in the last decades, in the 1990s, and as they were bulldozing away, they found shells that contained toxic explosives. There was a glass container that was broken open in the late 1990s during construction to the hospital. There was phosphorus that was encountered that when the container was broken open and the phosphorus was exposed to the air, it exploded into flame. Now, this is an area that is developed with homes and a university campus less than a 30-minute bike ride from where I am speaking this evening. We were done with it by 1919, and yet we have yet to thoroughly decontaminate the area.

Now, there are many targets of frustration. There are more sites than we can count, and fewer resources to solve this problem. That is developed with homes and a university campus less than a 30-minute bike ride from where I am speaking this evening. We were done with it by 1919, and yet we have yet to thoroughly decontaminate the area.

Mr. Speaker, I will tell the Members on his record as Governor of Texas that he was going to be particularly enthusiastic. He was shocked at what we have been visiting. He was shocked at the scale of the problem, and at the same time, the natural rhythm of nature, flooding, earthquakes, landslides, aided and abetted by human activity, exposes these dangers and sites. As mines, as unexploded bombs and shells work their way to the surface. Today across America we are finding lost and forgotten unexploded ordnance that in some cases was intentionally buried in a feeble attempt just to get rid of it. We find shells that were fired and missed their mark and did not explode as intended. These are acute dangers.

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Now, there are many targets of frustration. There are more sites than we can count, and fewer resources to solve this problem. That is, in fact, at risk every day.
not with the summoning of a call to arms to use our energy more thoughtfully, more carefully, more constructively to conserve. Instead, they are pushing ahead with their proposal to drill for oil in the Arctic National Wildlife Refuge, even though this will take 10 years to implement. This is opposed by the majority of the American public, even though this will be a false proposal to provide energy security for the United States.

The Secretary of Energy managed to make the speech about the so-called energy crisis that we are in right now, and there was profound concern expressed in calling for building 1,600 new generation plants, and virtually no word about conservation. I believe there was one line about energy conservation.

There was no word about the opportunity to conserve oil by improving the mileage of American vehicles, even though this is the area in which it would be easiest for us to take aggressive action.

Indeed, this administration is proposing a budget that will cut the budget of the Department of Energy 7 percent and cut money for energy conservation 10 percent, an absolute wrong-headed approach for energy conservation.

This administration took action to reverse the cleanup regulation for hardrock mining, returning to regulations that do not require mining companies to pay for their own cleanup and restoration when mining for silver, gold, and other metals. That is absolutely outrageous, and completely out of sync with where the American public is.

This administration is failing to regulate CO2 emissions from power plants. This is despite explicit campaign promises from candidate Bush that he was going to introduce mandatory legislation to deal with a reduction of CO2 emissions. This was a formal presentation of the most highly-scripted campaign perhaps in our Nation’s history. They knew exactly what they were doing.

Indeed, President Bush as a candidate attacked, during the debate with Vice President Gore, attacked the Vice President, who has a lifetime of working to protect the environment, because he was too soft; because he, Gore, was not ready to campaign for energy security. We have heard this administration for people to do something. I believe there was one line about energy conservation: making do with what we have in a more creative way.

There are simple things we can do. Painting the roofs in California a light color that is reflective could cut the temperature in the buildings. There are things that could be done for vehicle emissions from 1980 that do not require additional regulations.

One of the areas that the last administration for people to do something, especialties in the Clinton administration, is being proposed by the rabid environmentalists in the Clinton administration. This was 2 years ago that Secretary of the Treasury, Paul O’Neill, in his previous life as chairman and CEO of Alcoa Aluminum, likened global warming to a potential disaster on the par of a nuclear holocaust. This was 2 years ago that Secretary of the Treasury, in his prior life as a respected business leader, was saying that we need to get serious. Now President Bush and this administration are falling back from our global responsibility.

I had an eye-opening experience on the campus of American University on the hazards of arsenic. As I was looking at that site of the former military test ground for chemical weapons at American University in the Northwest part of the District of Columbia, I thought about this administration and wondered if they would be as concerned about it, because this, after all, is the administration that has now recently revoked the arsenic rule, dismantling a rule that was mandated by Congress to reduce the level of carcinogenic arsenic in water from 50 parts per billion to 10 parts per billion and provide healthier drinking water for the American public.

This is not some crazy standard that is being proposed by the rabid environmentalists in the Clinton administration; this is the standard of the European Union, of the World Health Organization. This was the standard that was recommended for the American public for its protection. Yet, this administration has now revoked that rule.

It is hard to imagine what would have happened if candidate Bush had spoken what was in his mind and his heart, the campaign trail. I think if he had proposed making this an issue rule as a candidate, I do not think we would have had to worry about hanging chads in Florida. I do not think the election would have even been close, the election where Vice President Gore based his campaign on a majority of votes of the American public.

This administration has proposed eliminating Project Impact, a creative project with the Federal Emergency Management Administration that is working with over 2,500 partners in the private sector around the country, and dozens and dozens of governments are working to eliminate hazards before they occur from flooding, hurricane, and earthquake.

This administration is ignoring the energy crisis in ways that could have the most impact now. If we ask any of the experts in the energy field, there is only one thing that is going to make a difference in the short term to provide more energy for those of us in the West who are having a serious problem, particularly in the Pacific Northwest. Because of the drought, we have been supplying energy that we cannot afford to share, actually, with our friends in Georgia. We are paying far higher prices for the privilege. Yet, if we ask the experts in industry, in the environmental community, in business, in the neighborhoods and local government, the only thing that is going to make a difference now is energy conservation: making do with what we have in a more creative way.

We have seen this administration move forward threatening the designation of important national monuments. One of the areas that the last administration was known for for generations is in a positive way is moving to protect critical designations of national monuments, the most designations since the Antiquities Act was first used by President Teddy Roosevelt almost a century ago.

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that was going to be more compassionate, kinder, gentler. They are, in their rush to have a tax cut that was supposed to only be $1.6 trillion, and now is over $2 trillion and counting in terms of the proposal they want, they are, in order to be able to carve out money in the budget to do this, they are reducing funding for everything from child care assistance for low-income families, programs to combat child abuse, cutting funding for the Interior Department, the EPA, and important bipartisan conservation agreements.

As I mentioned, this budget proposes a 7 percent reduction in the budget of the Department of Energy when allegedly some people in this administration think we have an energy crisis, and a 10 percent reduction in energy conservation when this is the only approach that is going to make a difference this year.

I recently had lunch with the retiring superintendent of Yellowstone Park, Michael Finley, a creative, brilliant public servant who has served us, and served us well, for over 30 years.

Mr. Finley, and I think it is no coincidence that he is an Oregonian and has this reverence for the trees. In my speech, I was able to have stewardship for, he called forth the critical requirement to control the use of snowmobiles in our national parks, like Yellowstone.

Mr. Speaker, it is a tragedy and a travesty to have people roaming through at 60 miles an hour, 80 miles an hour, spewing forth pollution, the noise, the haze, to wildlife, the wind, blown to the air, the hazard to the tranquility that other park-goers treasure and, indeed, a risk to each other in terms of the death that results from the reckless operation.

This administration is now reviewing the highest quality in terms of their peers of the nominees and other people in the legal community, their integrity, and their judicial temperament; and instead it is all going to be done in the White House with the aid and assistance of organizations that are by no stretch of the imagination impartial.

In fact, you have seen in the newspapers of this country the expressions of glee on the part of the most reactionary elements that they have been able to push the ABA, making it easier to be able to have the most extreme people nominated and make it easier to confirm.

Finally, I would reference the repeal of the ergonomic standards for repetitive stress. This was important in terms of the work that is done. And I am not concerned frankly by the majority of the American employers. The vast majority of the people that I represent in Oregon, in areas that I have worked around the country, I am confident that we have been able to cut the costs by 20 percent, and a 10 percent reduction in energy consumption; sometimes recour to the courts is the only avenue open to citizens to protect the environment.

Mr. Speaker, I found it extraordinarily disconcerting that this administration has chosen to reverse a policy implemented by Chief Justice Eisenhower over 50 years ago to provide the American Bar Association as a nonpartisan impartial body that would review the qualifications of judicial nominees.

This has served us well, Republican, Democrat, and Liberal. Every President since Eisenhower has relied on this screening process to help ensure, regardless of the philosophy of the candidates in question, to ensure the highest quality in terms of their standards, their qualifications.

This administration has decided to not have that impartial professional review from the bar association. They have removed the ABA from this role of interviewing the peers of the nominees and other people in the legal community, their integrity, and their judicial temperament; and instead it is all going to be done in the White House with the aid and assistance of organizations that are by no stretch of the imagination impartial.

Bear in mind, as I mentioned, this is a summary of some of the most depressing actions on the part of this administration in just the first 3 months. These are not the actions of candidate George Bush. These are actions of this President. These are actions of some cases violate explicit campaign promises, misleading the American public about its intentions. There are things that are going to have serious consequences for decades to come.

Mr. Speaker, I am hopeful that we will have an opportunity to review in greater detail these activities on the floor of this Chamber. I am hopeful that the American public is going to push back to hold this administration accountable for the specifics and the rhetoric that was embodied on the campaign trail.

It is important for us to take several of these items to be able to focus on them, to make sure that the American public is, in fact, heard.

I think there is no area that perhaps there is a greater difference between where the American public is and where this administration is pushing with drilling in the Arctic National Wildlife Refuge. This is one of the premier approaches to this administration for solving the energy crisis that they are talking about.

Bear in mind, as I mentioned, this administration is not proposing an increase in conservation. In fact, they are proposing to cut conservation dollars. They are proposing to cut the budget for the Department of Energy. Yet they are proposing to solve the problem by drilling in the Arctic Wildlife Refuge.

This refuge is a more sensitive area than Prudeo Bay. It is a resting, nesting and breeding area for over 160 species of birds, including species that visit each of the lower 48 States.

It is known as America's Serengeti because of the huge herds of caribou, 130,000 of them that calf and rear their young on the coastal plane. These are the herds that provide subsistence for native Alaskans in an area whose way of life would be destroyed by a disruption of the United States.

We could talk about the disruption of the habitat of significant polar bear denning habitat, but the time this
evening actually does not permit me to go into the detail that I would; but sur- fice it to say that this is an area of deep, deep concern for many in the environ- mental community, because 95 percent of Alaska North Slope is already available for oil and gas exploit- ation and development.

This Wildlife Refuge is only the remain- ing 5 percent and it is the most sensitive. It is an area first and fore- most that makes no sense in terms of a timely reaction to the energy prob- lems that we have here.

First of all, only about 1 percent of the State that is having the most dif- ficulty, California, comes from petro- leum-based sources. Of that 1 percent, the Arctic Wildlife Refuge is not going to help at all. It will take conserv- atively 10 years before this oil is going to flow and be available.

But reflect for a moment the total amount of oil that would be available, according to reasonable projections, is only about a 6-month supply for this American public. It is an amount, to put it in perspective, that we could save if we simply increase the miles per gallon of SUVs in this country 3 miles a gallon. Three miles a gallon, we would not have to drill at all.

Okay, maybe that is a radical notion to take SUVs and have a 3-mile per gal- lon improvement. Forgive me, but let us suggest a less radical proposal, be- cause the mileage fleet numbers for the United States this year are tied for a 20-year low. Just taking that 20-year low and improving it ½ mile per gallon across the board for the fleet, we would not have to drill in the Arctic.

But what about energy security some of my colleagues suggest? This is an area that will improve America’s en- ergy independence and security by being able to exploit our own re- sources. This is perhaps the most bi- zarre notion that we are going to take an aging pipeline, 800 miles long that already has problems, and we are going to rely on for our energy security for protecting this 800-mile length of the pipe- line.

Everybody that I have talked to ac- knowledges that this 800-mile aging pipeline is already subjected to any de- ranged person, to hostile powers, to acci- dent. If this is what we are relying on, we are potentially in big trouble in the future, because this 800-mile pipe- line is a sitting duck for a terrorist, a foreign threat, or simply a deranged person in this country. We have seen them act.

It is far more appropriate, I would suggest, rather than drilling in the Arctic Wildlife Refuge, for us to get se- rious about improving fuel efficiency, improving how we utilize energy for this country, if we were only to listen to the American public.

The vast majority of the American public says nothing, and something that I have found intriguing, even citi- zens of Alaska are conflicted on this issue. A slight majority in the most re- cent poll I have seen oppose develop- ment: 46.7 percent to 45.7 percent.

Now, these are people for whom the permanent fund in Alaska State with no sales tax, no income tax, that runs on mining property, man, woman and child who has resided in Alaska for more than a year gets a payment, I believe last year it was $2,000, these people with a financial stake in drilling, a slight majority op- pose drilling. But this is not the limit of where the administration has reversed its direction and moved in the wrong way relating to the environment.

Mr. Speaker, we look at hardrock mining. One of the things that I was pleased the last administration did was to deal with proposing the regulations under which the Bureau of Land Man- agement dealt with hardrock mining. The Clinton administration, after 4 years of work listening to the public, listened only very superficially at the last minute, issued new regulations. These 3809 hardrock mining regulations re- quired that the companies that mine for silver, for gold, copper, lead and zinc, that they have to administer and pay for restoration efforts on the land once the mine closes to re- duce the risk of water pollution. Re- versing these regulations will open legal loopholes for the mining industry and allow them to evade cleanup costs after they finish mining.

From Pennsylvania to Montana to my State of Oregon, we have seen the devastation from the mining industry, often on public lands owned by the pub- lic. The mining companies are able to extract these minerals for a pittance, and bear in mind that the Mining Act of 1872 is exactly as it appeared when it was signed into law by President Ulysses S. Grant. It is not adequate to pro- tect the American public. The Amer- ican public does not get adequate value for the minerals that are extracted under it, unless you think $250 an acre, in some cases $5 an acre, is adequate payment to the American public for the ability to exploit, extract, and then leave ravished land.

These standards have aggravated the mining industry. They have prompted numerous lawsuits, and now the Bush administration has requested the re- turn to the inadequate, inferior regula- tions of 1980.

Mr. Speaker, I am frankly shocked that we have seen this reversal. I am disappointed at a time when I would hope that there would be some areas that would be exempt from this ex- treme activity. According to Taxpayers for Common Sense, a watchdog agency that has helped us a great deal to sort of focus a spotlight on this, a non- partisan group that is looking over our shoulders, the return to the old rule would allow mining practices to con- tinue that will cost taxpayers more than $1 billion to clean up.

I think it is another example where we cannot afford these type of rever- sal of the hard, painstaking activity of the previous administration.

Mr. Speaker, I referenced earlier in my opening summary that the adminis- tration has turned its back on the ar- senic rules. I mentioned that this was something that was heavy on my mind because I had visited polluted sites here in the District of Columbia where arsenic contamination is something that we are spending millions of dollars to eliminate. The Environmental Protection Agency, and it is not just EPA, it is the Environ- mental Protection Agency, the same agency that was caught flat-footed when President Bush reversed himself on his explicit campaign promise to re- vers CO2 emissions, the EPA has an- nounced its intention to withdraw a new drinking water regulation on ar- senic that was approved by the Clinton administration.

Governor Whitman announced that the EPA will propose to withdraw the pending standard that was issued on January 22 that would have reduced the acceptable level of arsenic in water from 50 parts per billion to 10 parts per billion.

Mr. Speaker, this is a reduction in a standard of a known carcinogen, and it is not some wild-eyed environmental proposal. And forgive me at times for being a wild-eyed environmentalist, which is something, given the alter- native, is not that bad. This 10-parts- per-billion standard is already the standard in place to protect the people in the European Union. This is the World Health Organization standard that is already in place. At least 11 million Americans rely on drinking water with arsenic standards higher than the proposed standard, and one that I think should give pause to Americans across the country.

This 55-parts-per-billion standard was adopted in 1942 by the Public Health Service. This was before we had proven the causal connection between arsenic and cancer. The Academy of Sciences found that the EPA’s old standard was not protective of health and should be reduced as promptly as possible. We do not need to study this anymore. It should be reduced as promptly as possible.

The National Academy of Sciences found in its unanimous 1997 report, Ar- senic in Drinking Water, that the prior standard that the Bush administration proposes that we go back to “does not provide a health standard that the Academy recommends improving public health protection; and, therefore, requires downward revision as promptly as possible.”

The Academy found that drinking water at the current standard that the Bush administration wants to go back to could easily result in a fatal cancer risk of 1 in 100. That is a cancer risk 1,000 times higher than the EPA allows for food, and 100 times higher than the EPA has ever allowed for tap water. The Environmental Protection Agency in the name of all that is holy does this administra- tion plan to go back, to reverse that standard, to study it further?
Arsenic is found in the tap water of millions of American homes. Over 26 million American homes have levels averaging over 5 parts per billion. Scientists point out that not everybody is equally susceptible. It is the children and infants who are especially susceptible. A wider margin of safety might be needed when conducting risk assessments, the National Academy found, because of variations in the sensitivity of these individuals. But the administration has proposed that we go back to the standard that was good enough for 1942.

Mr. Speaker, I am deeply concerned that this Congress, in its rush to focus on a very narrow agenda, has done away with the American public turning a searchlight on that proposal, on the $1.6 trillion tax cut that was conjured up by Presidential candidate Bush 2 years ago because that was just right. We did not need it. The economy was rolling along and, therefore, we needed to return the surplus. Now the same proposal is needed when the economy is going down because that is somehow magically going to stimulate the economy. But of course that was not going to stimulate the economy 2 years ago.

There is a certain discontinuity, I find, in terms of that argument, and I would suggest that the American public would focus on it. I would wish that the American public would focus on the illusion $5.6 trillion surplus that the administration is claiming, except if they use the same budget assumptions that the recession came, and actually I don’t have any qualms about the American public turning a searchlight on that proposal, on the $1.6 trillion tax cut that was conjured up by Presidential candidate Bush 2 years ago because that was just right. We did not need it. The economy was rolling along and, therefore, we needed to return the surplus. Now the same proposal is needed when the economy is going down because that is somehow magically going to stimulate the economy. But of course that was not going to stimulate the economy 2 years ago.

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I rise tonight to speak out against the polluters. We cannot erase decades of progress. We are the biggest contributor to global warming. As a candidate, George W. Bush declared, “We will require all power plants to meet clean air standards in order to reduce emissions of sulfur dioxide, nitrogen oxide, mercury and carbon dioxide within a reasonable period of time.”

He also states that voluntary reductions were insufficient; “in Texas, we’ve done better with mandatory reductions, and I believe the nation can do better.” I agree. We can do better. However, as President, Mr. Bush has reversed himself on carbon dioxide, claiming that the nation cannot afford to reduce emissions.

The fact is, we can’t afford not to. We cannot erase decades of progress. We cannot wipe out the accomplishments of such wild eyed radicals as Richard Nixon who signed the Endangered Species and Clean Air Acts.

We have to move forward, not backward. We have to set drinking water standards that will safeguard human health. We need to establish protections for the Arctic National Wildlife Refuge and other replaceable wilderness areas.

And we need to live up to our commitments to reduce greenhouse gas emissions because global warming threatens the well-being of the entire planet.

Tomorrow, as a first step in restoring our national and international commitments to a cleaner environment, I will be introducing the Carbon Dioxide Emissions and Global Climate Change Act.

This resolution will send a strong message to the President and the country that Congress will hold Mr. Bush to his campaign promises, that it recognizes that global warming endangers our commitment to our future, our economy, and our national security, and that this country must seek to reduce its CO2 emissions.

As a member of the International Relations Committee, I am fully aware of the impact that abandoning our commitments to reduce greenhouse gas emissions will have on our allies in Europe and throughout the world.

As a member of the human race, I am aware of the impact that it will have on our planet.

We must uphold our commitments and responsibilities to the rest of the world. We are the biggest contributor to global warming, and we must also take the lead in reducing pollution.

Clean air and clean water are the most basic of human rights.

However, we have a President who apparently feels that arsenic is good for kids, that oil spills are good for caribou, and that excessive carbon dioxide is good for all of us.

The American people disagree. They overwhelmingly oppose weakening arsenic standards, drilling in the Arctic Wildlife Refuge, and abandoning CO2 reductions.

We cannot turn back the clock; we cannot abandon our commitments, and we cannot give up this fight for our future.

ELIMINATING THE ESTATE TAX

The SPEAKER pro tempore (Mr. CANTOR). Under the Speaker’s announced policy of January 3, 2001, the gentleman from South Dakota (Mr. THUNE) is recognized for 60 minutes as the designee of the majority leader.

Mr. THUNE. Mr. Speaker, when I came to Congress a little over 4 years ago, I came here with some very specific objectives in mind as well. And since coming to Congress, we have achieved a lot of the things that I sought to do in working with the House and our brethren in the Senate and the administration. For the 4th year in row we have balanced the Federal budget. We are actually paying down the publicly held debt. We have done that. This year it will be over $600 billion.

We have protected Social Security and Medicare. We cut taxes back in 1997, something that had not happened in a very long time. In fact, the truth is the budget being balanced for the first time 4 years ago was the first time since 1969 when I was 8 years old. All my formative years all I heard about was deficits, deficits, deficits. And so finally we have gotten the fiscal house in order here in the United States Congress.

It is sort of ironic that our colleagues on the other side under whose stewardship the debt ballooned and spending ballooned now have this new-found sense of fiscal responsibility which is
of Congress, the people who actually write budget plan to work as advertised, Members spending too much of our money. Pennsylvania Avenue. on previous occasions have actually held here before this in this body. And We start a debate, a debate which is taxes. the American people who pay all the way that makes it more equitable for Code more fair and reforming it in a systematic way here in the have for several weeks now been work- more of their hard-earned dollars. We will allow the American people to keep a cut and that the source of deficits is unre- finally to someone in Washington, D.C. state candidly that reducing the growth of spending is not a cut and that the source of deficits is unre- straining growth in spending. For Bush’s budget plan to work as advertised. Members of Congress, the people who actually write the spending bills, have to listen to Bush’s messengers hear what the rest of us heard: “You’re tax- ing us too much and spending too much of our money.” That is from the Rapid City Journal dated February 28, 2001.

Tomorrow, Mr. Speaker, we take up yet another piece of the tax plan that will allow the American people to keep more of their hard-earned dollars. We have for several weeks now been working in a systematic way here in the House to lessen the tax burden on working families in this country, to put some fairness and equity back into the Tax Code as it pertains to married couples who are penalized in the form of higher taxes because they chose to get married. We are trying to bring some much needed tax relief to people who are raising families by increasing the per child tax credit and a number of other things, marginal rate reductions which affects everybody contrary to what our colleagues and our opponents of this legislation are suggesting, actually benefits everybody who pays income taxes in this country by lowering of rates.

The other thing is, Mr. Speaker, it actually brings tax reform to the Tax Code. We are talking about tax relief, but about making the Tax Code more fair and reforming it in a way that makes it more equitable for the American people who pay all the taxes.

Tomorrow we pick up another piece. We start a debate, a debate which is long overdue, a debate which we have held here before this in this body. And on previous occasions have actually passed legislation that would eliminate the death tax, but unfortunately it ran into roadblocks on the other end of Pennsylvania Avenue.

Tomorrow we will take that legisla- tion up again, very important legisla- tion, and what I would like to visit about here in just a moment, and that is the death tax. It impacts farmers and ranchers and small businesses, people who are the heart and soul of South Dakota’s economy and I dare- say of economies all over this country, particularly in the heartland of America. We have some gentlemen on the floor this evening who are going to join in this discussion, one of whom is a Mem- ber of the Committee on Ways and Means. Last week, I believe, of actually reporting out of that committee the legislation that we will be acting on tomorrow. I think it is important to note as we get into this debate again that this is a tax which is fundamentally unfair because after the Federal Government taxes and taxes and taxes people throughout the course of their lifetime on their earnings, on their work, on their accumu- lation of wealth and everything else, when it comes time to actually pass on to the next generation one of that hard work, the Federal Govern- ment comes in again and says, “I’m sorry, you can’t do that. We want our fair share.” It just so happens the Fed- eral Government and their fair share takes in some cases about 55 percent of that estate. Now, that hits farmers and ranchers and small businesses right between the eyes because in many cases if you do not have the cash flow that is necessary to pay the tax, you have to liquidate the very assets that are producing in this country, adding to our economic growth and creating jobs.

Mr. Speaker, this evening I would first like to yield to the gentleman from Arizona, a distinguished member of the Committee on Ways and Means who was instrumental and had a hand in writing that legislation that we will be acting upon tomorrow.

Mr. HAYWORTH. I thank my col- league from Arizona for taking this time, Mr. Speaker. We are joined by our colleagues from Pennsylvania. Again we give thanks for the opportu- nity to come to this Chamber as a free people, holding opinions and living out notions that may be diametrically opposed. Mr. Speaker, I could not help but no- tice the vision of America proffered by my friend from Oregon in the preceding hour. It seems we have a fundamental flaw in it. It ignores the highest and best use of a citizen’s money is by the Washington bureaucracy. There is an element of thought here that everyday Americans should surrender more and more and more and more of their hard-earned money to the Federal Government through taxation, because Washington can somehow do a better job with that money. Mr. Speak- er, I would simply say to those who join us tonight, I think we have come to understand certainly in the last half of the last century that that notion is exactly backwards.

Mr. Speaker, I would suggest that for years my friends on the other side have offered that outmoded notion that your family should sacrifice more so that Washington can do more, when instead we embrace the fundamental notion that Washington should make some sacrifices and be a good steward of the people’s money so that families across the country have more dollars to spend.

That is the crux of what we are discussing tonight.

Indeed, when you look throughout our history, and I am so glad we are joined by a friend from the Common- wealth of Pennsylvania with him here on the floor. I am reminded of another great Pennsylvania who one bi- ographer calls really the First Amer- ican, Dr. Benjamin Franklin, a noted scientist, statesman and a humorist. As a publisher in Poor Richard’s Alman- ac, it was Dr. Franklin who observed there were only two certainties in life, death and taxes. But even with his pre- science, even with his foresight, I doubt very seriously, Mr. Speaker, that Dr. Franklin could envision the day that the federal constitution which he helped to found would literally tax Americans on the day of their death. Yet that is the spectacle we see today.

My colleague from South Dakota stated the problem accurately. For so many family farms and ranches, for in- deed, Mr. Speaker, virtually the bulk of American commerce in rural areas, this death tax is especially egregious. And I want to ask Mr. Speaker, to reassure the American people that we offer a variation, a depar- ture that rings out with echoes of the past. Our new slogan might be, “No taxation without respiration.” It is fundamentally unfair to ask an Amer- ican family to visit the undertaker and the tax collector on the same day. We have seen time after time small busi- nesses, Mr. Speaker, what I would in- stead suggest are more accurately de- scribed as essential business because they employ more Americans than the major corporations in our so- ciety, but we see small businesses, es- sential businesses, family-owned enter- prises snatched away by the hand of government and this excessive tax. We see ranches and farms, the proverbial land rich but cash poor circumstance because so many of those who literally make their livings off the land, pump their energy and their hearts and their very being not to mention what liquid- ized their land, back into the farm, back into the ranch and when the holder of the es- tate dies, to liquidate, to come up with the cash to pay an extensive and expen- sive tax bill, the farm or the ranch is sold or divided up, subdivided, what some might suggest is the plague of urban sprawl.

So we come to this Chamber with a respectfully different approach than those on the other side who believe the highest and best use of your money is that Washington should believe every American family should hang on to more of their hard-earned money and send less of it here to Washington.
That is why our colleague from South Dakota outlined the fact that just last week, we decided to say good-bye to the marriage penalty. We decided to raise the per child tax credit an extra $100 this year to $600 retroactive, eventually up to double what it was, to a full $1200.

We went back earlier as my colleague outlined and reduced the tax rates, the margins for every American paying income tax because we realized to reduce the tax bill, that is an important step.

And now we come to this juncture, where last week the Committee on Ways and Means on the same day when on this floor we voted to get rid of the marriage penalty, we voted to increase the per child tax credit, we voted for common sense, family-friendly policies. We went back last week into committee and will bring to the floor here tomorrow another common sense piece of legislation to put the death tax to death, because it is fundamentally unfair.

It is a job killer. It is a business killer. It drives a stake through the heart of family-owned enterprises. And it is patently wrong. How wrong?

Simply states, tax audits, create more headaches, more hassles, for all the heartaches, for all the turmoil, when you take a look at the vast expanse of Federal revenues, Mr. Speaker, the death tax brings into our Treasury about 1 percent of the total Federal revenues in terms of taxation. Yet three-quarters of that 1 percent is spent in hot pursuit of those families who are grieving, of those families who are trying to deal with the estates, of those families who are trying to come to grips with a fundamental change in circumstance, and that leads to the unfairness.

Mr. Speaker, for these reasons and several others, the death tax deserves to be put to death. We will take a very important step here tomorrow in that direction.

Mr. THUNE. Mr. Speaker, I recognize my colleague from Pennsylvania, someone who came to this Chamber at the same time I did and a distinguished member of the Committee on Appropriations and someone who also has been a leader on this issue and someone who I believe probably has a good number of people in his fine State just like in my fine State who are impacted day in and day out, the people who are creating helping create economic activity in this country and who are feeling the penalty of this very punitive tax.

And it is costing not only in terms of the tax itself and the people that it affects directly but the people day in and day out who take steps and spend dollars and spend time trying to figure out ways to avoid the tax, planning for the estate. It has become a cottage industry.

Frankly, it is hard to factor in and to quantify in specific terms all of the dollars that are affected here, all the dollars that are taken, soaked out of the economy, not just by the death tax and the loss of jobs it has created when a small business or a family farm has to sell assets in order to pay that tax but also in the cost of avoiding the tax. That, too, I think robs our economy in a big way of much of the productivity that it could generate.

I yield to the gentleman from Pennsylvania for his observations as well about this important legislation and what we can do to further improve the plight of small businesses and farmers and ranchers, many of which I know live in his district.

Mr. PETERSON of Pennsylvania. I am pleased to follow the gentleman from Arizona and my friend from South Dakota. I bring a background of being a small businessman myself. I owned and operated a supermarket for 26 years. I built it from scratch. I right now find that those who say this is about taxes for the rich do not have any idea what they are talking about.

Because the rich people are not paying this tax. They use the complications of the tax system and the way they shield their resources, they are not the ones that pay it. Let me tell you who does. In the next 2 weeks, most of our small businesses that employ the vast majority of America are paying their income tax. They pay a lot of that, too, because they are the ones that pay the high rate. If you have a local business that has 100 employees and makes a decent profit, they are paying a lot of taxes and there is not a lot of growth and wealth for our communities.

If you are building a community, what kind of a business do you want? Would you choose some global corporation that would put 500 jobs in your community or would you take five local companies that would put 100 jobs in your community where the families live there and work in the communities and serve on local governments and serve on boards and agencies and do all of those things that make communities good places to live?

I think we would all choose those five employers that have 100 people, because they are not going to be moving to Mexico; they are not going to move the plant to another State because this is their community.

If you want to talk about growing your community, I have come from a part of Pennsylvania that has been hit hard with companies closing. We have been hit hard for a lot of things that are no fault of the workforce and no fault of our area.

When you lose the local ownership of a company, the large global corporations may take a look at one of the businesses that have been in your community for years and has grown to 400 or 500 jobs and has a good workforce and a good product line, and let a death in the family come and that is the chance to buy that business and make it part of their global corporation.

Now, I am not against global corporations but when you lose that local ownership to the global corporation, it is never the same, because 5 years from now that business could be on a little bit of a hard time and it is very easy to take those machines and move them into another country, and those jobs are gone.

The backbone of our communities is independent business, and this tax hits them really hard. This is the tax that forces them to make the tough decision, because they cannot borrow that much money and still make the business profitable, and the only economic choice they have is to sell it.

I think that is the part that people must realize. This is the backbone of our communities, independent businesses that are growing and prospering. They pay that tax on January the 15th, this year, next year, the year after.

They build this nest egg. They do not have huge Keoghs and huge IRAs. They build their resources, in the building, in the inventory, in the machines. That is their family nest egg, and maybe the funds have helped grow the business and they have worked like troopers to grow this business, the backbone of their local job, their local job in the community; and the father or the parent dies and the business has to be sold because there is not enough equity left after you pay the estate taxes.

Whether it is farmers, whether it is a local supermarket, whether it is a local manufacturer, a local processor, whatever, it is local employers that make our communities good places in which to live, and the estate tax is the greatest threat to local jobs of any part of our tax package. That accumulation of wealth by buying more machines and adding on to the building and all of that, that is out of profits that they have paid their taxes on. This is not through some cheating or somehow takin' money out of those that are trying to deal with things that make communities good places to live.

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I yield to the gentleman from Pennsylvania for his observations as well about this important legislation and what we can do to further improve the plight of small businesses and farmers and ranchers, many of which I know live in his district.
There are very few businesses, because of the estate tax, that last to the third generation, a small fraction. There is a myth, a Federal estate tax is an efficient way to distribute wealth. Well, the reality is, and the gentleman said it very simplistically, the Internal Revenue Service in 1997 found that the cost of collection and compliance, and that includes the litigation and disputes between the IRS and taxpayers, makes it a wash. So the government really does not benefit from all the money they spend on the estate tax, it is a wash. But at the same time those 500 jobs, those 300 jobs, those 50 jobs, those 40 jobs from our communities are gone forever.

It is the second and third tax on the same income, and it just should not be.

Mr. THUNE. If the gentleman would yield back, I could not agree more. I think, unfortunately, the gentleman hit it exactly on the head. If you are talking about a small town environment, you hit the one I come from, oftentimes it is. I mean, the only economic activity, the only hope for jobs and that sort of thing in some of those small communities, really is those small independent businesses. If those jobs did not stay in business because the Federal Government insists on taxing them, as you said, over and over and over again and then when it comes time to expire they get taxed again, there is only so much that those small business owners can take, and still continue to do what they do, and that is provide the jobs and provide not only the jobs but the benefits to their employees.

What the gentleman is talking about here again is the cost of compliance with the estate tax and everything else. It robs dollars that otherwise could be put into things like providing health care for their employers.

Now we have a gentleman here this evening, and I would note that there is a famous gentleman from Illinois, from his home State, who once said, and I quote Abraham Lincoln, “It is not the years in your life that count. It is the life in your years.”

Unfortunately, there are thousands of hard working business owners and family farmers who have a difficult time enjoying the life in the years with the shadow of the estate tax looming over them.

The gentleman from Illinois (Mr. SHIMKUS) is with us this evening on the floor. He is someone who as a member of the Committee on Commerce and someone who as well also has a number of small businesses and people in his district who are affected by the death tax, and someone who I might add whose in-laws live in South Dakota so he has an extra special reason to be interested in this because my constituents care very deeply about this. I would be happy to yield to the gentleman from Illinois (Mr. Shimkus).

Mr. SHIMKUS. Mr. Speaker, I came over on this side because I know tomorrow we will have a lot of our friends on the Democrat side of the aisle who are going to come and join us in support. I am speaking on behalf of my constituents and also for all my friends on this side who again I know will join us.

I will try to be brief. I cannot match the eloquence of the folks down here. Yesterday, some interest groups took opposition with my support of the death tax. One of the comments was made, well, only one in 20 farms actually has a farm sale. And my point to them was, well, obviously it is not your farm. If there is one in 20 farms, which we know is not a good measure, it is definitely not their farm that has to get sold, and we can give countless cases in the 29th District of Illinois of farms being sold.

I have one in Christian County that was just devastating, but I would like to talk especially about the agricultural economy as was addressed by my colleague from Pennsylvania, the commodity prices since the Depression.

Part of farm income, income on the balance and income statement, you have revenue and you have expenses. And people fail to understand the fact that the death tax compliance cost to save the farm from the death tax is an added cost of doing business, which in these low commodity prices makes it very, very difficult to make ends meet. So in eliminating the death penalty, what you do is you are going to help the farm income of the family farm in the 29th District and throughout the country.

The second thing I want to mention, I have two cases both in Quincy, Illinois, one was back in 1969, Rich Neiman, who when his father passed away, and he is the chairman and CEO of Neiman Foods, Incorporated, of Quincy, Illinois, when Richard’s father passed away suddenly in 1969 the family was faced with the bill of several hundred thousand dollars which was due, by law, within 9 months. The Neiman family had to use all the resources from the sale of the company’s wholesale operations to pay the estate tax bill. In essence, they sold the wholesale operation of their business to provide funds to pay the death tax. That was in 1969.

More recently, 17 months ago, a good friend of mine, a small business owner, a small business owner, obviously talking to talk about and we are going to hear a lot of rhetoric on the floor tomorrow and a lot of propaganda and demagoguery about how this is going to help the really mega rich in this country, but the reality is it affects people, average people, who are investing, who are taking that risk, who are using the market system that we have in this country, to create a better life for themselves and their families, but also to create jobs and a better quality of life for the people who are working for them and to build their communities.

There is not a small businessperson in a small town who is not the one who want to turn over that money, I think we would welcome it.

The last point I want to make to the super wealthy who think this is unnecessary, the government has plans to redistribute that wealth throughout the country.

We would say that is an award and a benefit for taking the capital risk and creating jobs and keeping our economy going and if you want other people to go back to small town America to create five to 10 to 15 jobs, you ought to make sure that they can pass on their after-tax wealth, after-tax wealth, to their family.

So I appreciate the gentleman scheduling this hour to talk about this. It is very timely with our vote tomorrow. I know I have a lot of friends on this side that are going to be very supportive. I look forward to the debate and I look forward to casting the votes. It is a pleasure to join my colleagues down on the floor.

Mr. THUNE. Mr. Speaker, it would simply say in echoing the remarks of the gentleman that if we think about the way that this impacts people, obviously trying to talk about and we are going to hear a lot of rhetoric on the floor tomorrow and a lot of propaganda and demagoguery about how this is going to help the really mega rich in this country, but the reality is it affects people, average people, who are investing, who are taking that risk, who are using the market system that we have in this country, to create a better life for themselves and their families, but also to create jobs and a better quality of life for the people who are working for them and to build their communities.
gets asked to support every single charity, every single activity that is going on, whether it is the local baseball team or whatever, and they are there to step up and to support those many activities, and it is part of our community."

I am going to give an example. I want to read a short letter here that I received from a constituent in South Dakota. This is a family farmer and this is again a direct impact on not the super rich but on the family farmer. "Eleven years after my mother died and 7 years after my father passed away, I still cannot be sure that the estate is settled. We sold off 480 acres of the family farm to pay the taxes, but I do not have a final signed letter from the IRS stating that the estate and the audit are officially closed. My wife and I have to meet with an estate planning team on a regular basis to try to keep our children from experiencing the same estate tax problems we have had."

Those are the words of a South Dakota farmer who has been hit hard by this death tax. Surprisingly enough, he considers himself one of the lucky ones. He actually survived the death tax and he can still farm after selling a quarter of his land, land that has been in his family for generations.

His family farm narrowly survived, even though he was hit 3 times. Not only did he and his family pay the Federal estate tax, he paid nearly $71,000 in State inheritance taxes and he had to shell out at least $30,000 in legal fees to settle it. No, his children, of course, stand to face the same problem if we do not do something about repealing this tax.

Unfortunately, this farmer’s story is all too common in rural America. The death tax literally can destroy family-owned farms and ranches by forcing farmers and ranchers to sell off land, buildings and equipment just so that they can pay Uncle Sam.

Make no mistake about it. Despite the rhetoric we are going to hear here tomorrow, when farms and ranches disappear, the rural economy suffers. We are seeing people move out of rural areas into more populated areas of this country. If we want to preserve the fabric and the bedrock values of this country and make it strong by allowing family farming to survive, we have to do something about this death tax.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from South Dakota, and I would say to the gentleman from Illinois, he sells himself short, Mr. Speaker, when he supposed a lack of eloquence on his part, because nothing is more eloquent than the real-life experiences of fellow citizens that he outlined. The gentleman from South Dakota has followed suit. Then, of course, we have the gentleman from Pennsylvania here who built a business, a grocery store in his hometown, employing local folks. Talking about the local perspective is so vital.

Mr. Speaker, I would note that the gentleman in the chair, the Speaker pro tempore, from the first district of Pennsylvania, the gentleman from Illinois, Mr. Speaker, we understand how this affects rural and small town America. But as we have seen in Arizona, with the incredible growth and, indeed, over the last 10 years, the equivalent of the State of Nebraska has moved to Arizona; we have growing urban areas, we have people coming in from all over the United States.

One lady stopped me in one of our cities the other day and she talked of the experience of her father who was a milkman in post-World War II America. He got up every day very early, ran his route, saved what he could, invested wisely, and built what some would call a nest egg, but what the Federal Government calls substantial wealth, the estate in the millions of dollars. The lady who stopped me, Mr. Speaker, said, you would never have thought that. My father was a hard-working man, but even he said about his profession that he lived in America and the opportunity to live in America; to have those opportunities, but in much the same way our colleague from Illinois outlined the problems, in much the same way our colleague from South Dakota read of the plight of a farmer in his home State, so this was this suburban housewife, the beneficiary, if you will, of her father’s estate, having to grapple with this incredible problem. She and her siblings were bearing the brunt of liquidating their father’s estate. His hard work, the wages on which he had been taxed, his very success was being penalized.

My colleague from Illinois had it right when he talked about a grand debate, a fundamental difference of vision. When it comes to the notion of wealth, there are those in this chamber who honestly believe, as difficult as it is for most Americans to grasp this, they honestly believe that the Federal Government, that the Washington bureaucracy should have first dibs on the riches of their father’s estate. His hard work, the wages on which he had been taxed, his very success was being penalized.

My friend from Illinois brought up another topic that bears amplification because, Mr. Speaker, in this town, there is the punditocracy. There are special interest groups who step forward with the most lurid ideas, and the irony we have seen of the mega rich stepping forward to say that this death tax should be enforced deserves comment. The gentleman from Illinois, Mr. Speaker, was exactly right. If our friends who are mega rich, billionaires, and in some slanging of our children from experiencing the full picture of this thing, and it is a misguided policy. Because the estate tax does not just rear its ugly head when someone dies; as Abraham Lincoln said, it is not just the years of your life that count, it is the life of your years. It is present through the life of our years, and this fact can be plainly demonstrated by looking at the arguments being made by those who are opposed to its repeal, because they talk about the targeting death tax relief by increasing the small business and family farm exemption already found in the Tax Code. This is, again, of how the IRS, how much paperwork it takes to maintain this Tax Code, the exemption consumes nearly 13 pages in the Tax Code. Now, ironically, it is so narrow and so complex that it only applies to roughly 3 percent of small businesses and family farms. So in order to qualify for that exemption, taxpayers have to plan for over a year, and again, in order to meet the rigorous adjusted gross estate value and material participation requirements that are in that Tax Code. We talk about it as a death tax, and it is, but it is also a tax during people’s lives that they have to pay for over and over again, depriving the resources, the time, the investment that could be put to much more productive use.

Incidentally, I just want to mention to the House we think the gentleman from Pennsylvania often is it that actually a family farm or small business or operation gets passed on to the next generation, and
the numbers I have here in front of me say that 80 percent of small employers spend the costly resources to protect their families from the death tax and in spite of that, in spite of that, they still often fail, because 70 percent of small and family-owned businesses do not survive the second generation, and 87 percent do not make it to the third generation. So 9 out of every 10 survivors whose family business failed within 3 years of the owner’s death said death taxes played a major role in their demise.

So if we think about the impact this has on the transfer of the economic engine in this economy for the next generation and what we are doing, which is, in effect, making it even more difficult if it is, and it is difficult enough to make it happen. So again, this is a tax on death, it is a tax on life; it is something that is so costly to comply with and something which literally deprives one generation of America from working very, very hard for the benefit of passing that hard work on to the next generation.

So I just think again, we have an opportunity to do something about this and we have tried and tried and tried, as the gentlewoman from Arizona always says, to get this done, and yet despite our best efforts in the last couple of years, because again we met the veto pen at the other end of Pennsylvania Avenue; this year it is different. There is a new gentleman in town and we have an opportunity to do what is right by family farmers and ranchers and small business people, not just in the rural areas of the country, but in the more populated areas, like the gentleman from Arizona where he lives.

I might add that a lot of people from my State like to go down there because it is a little warmer climate than what we have had to deal with, but there are a lot of us who like to live in South Dakota—

Mr. Speaker, this is important work that we are doing. I yield to the gentleman from Pennsylvania, who I say so eloquently earlier about his personal experience with this issue.

Mr. PETERSON of Pennsylvania. Mr. Speaker, if you want less of something, tax it another way, another time, if you want more of something, do not tax it. Any time we can remove an impediment from businesses succeeding, we ought to be about it.

I am going to diverse just for a moment, because Bill Gates has said this 3 or 4 times in my presence and it has made a big impact on me. He said, as he travels around the world, because he is one of the leaders of the technology revolution that has brought about the strong economy in this country, he says, everywhere he goes, he will go to Japan and he said, why did it not happen here first? Why did it happen in the States? He will go to Germany and Europe and other countries, and he will say, why did it not happen here? We are smart people. And he said the reason it did not happen there and that it happened here is we have the most economic freedom. We have the least bureaucracy. We have the least power in the bureaucracy to control and regulate.

Now, a lot of us think we have too much, but we do not have as much as they do. He said, they could not have brought about the changes that were necessary to implement this. This technology was around a while before it took off, before it became this spur to our economy. I just want to say that, because it is that economic freedom of this country that we must defend.

The difference in America from anywhere else in the world, and our future, in my opinion, depends on the ability of any individual that has a process, a manufacturing process or a commodity to market that process or that commodity or manufacture that product and compete against the big boys. Now, when I was in the food business, I was an independent supermarket. I had to fight the chains. Now, I do not dislike the chains. They are large, they are powerful, they have thousands of stores, and the power of buying, and I had to compete with them. But that is what America is about, allowing little people with big ideas and lots of intense hard work to build a business. We never know when we have an employer of 50 people that can suddenly bust out and be 500 people, 5,000 people. I have seen it happen, where somebody started in a garage and then moved into a vacant building and the next thing we knew, they need new factories and they are employing hundreds, if not thousands, of people.

We do not want to do anything to trip those people up on their way, because that is what makes America different: It is a land of opportunity. It is a land of economic freedom. When we tax two and three times and take that power of earnings away from people, and cause families to lose that whole thrust, they may salvage the business, but for the next 5 to 10 years they are paying interest on this debt that they have accumulated to pay the taxes.

If we add up the money that is spent in this country avoiding this tax, I would not be surprised if this tax, what it costs people and businesses and what it costs the government to collect it, that it is an absolute loser. It is not time to tinker with it, it is time to get rid of it. We need to get rid of the impediment to growing successful businesses in this country. It is one less impediment for families and hard-working people.

Most people who own a business do not work 8 hours a day, they work double shift, triple shift, whatever it takes to make the business work, to pay the bills. Those people should not be threatened and have the problem of spending all their resources and time trying to salvage their family business.

It is time to put the death tax to bed. It is time to just remove it and get it out of the way as something that really is not in the best interests of our economic futures.

Mr. Speaker, I thank the gentleman from Pennsylvania.

I also recognize on the floor right now a new addition to the Congress, the gentleman from Missouri (Mr. AKIN), who has joined us this year. He also, I think, represents a good number of people who probably care very deeply about this issue.

He has come to this Congress I think intent, like many of us have, on making a change for the better to try and get the economic freedom in this country where the American people get to keep more of what they earn, and where we are distributing power out of Washington, getting more power back into the economy and back into the hands of the people and families and less in the hands of Washington bureaucrat.

Mr. Speaker, I yield to the gentleman from Missouri (Mr. AKIN).

Mr. AKIN. Mr. Speaker, I thank the gentleman for yielding to me. I want to make a comment on here is the timeliness of this measure that is before us. One of the things we are aware of is that the economy has not been as strong as it might be. There is no coincidence that we are dealing with the repeal of the death tax.

I think people sometimes do not understand the connection, though. I think that the connection is rather straightforward when we consider the fact that it is that people are employed in America. What we find is, and it is not intuitively obvious, I do not think, is that about 80 percent of our jobs are in small businesses. Those small businesses, many of them are started either by some individual or the parent of some individual.

Those small businesses, with the death tax the way it is now, stand at risk. Because if we take a lot of those businesses and all of a sudden we have to take that asset at a 55 percent rate, we basically close the business down and send those jobs somewhere else. I do not think that is what we want to be doing with this economy.

Mr. Speaker, the whole point of getting rid of the death tax really has a lot to do with keeping jobs in this country and really helping, because if we take a look, all of our big corporations which we consider to be national assets, they all started at one time as a small business somewhere. So protecting those small businesses is allowing them to remain solvent, allowing those jobs to remain in this country and not closing down the family farm,
Mr. HAYWORTH. Mr. Speaker, I thank the gentleman for his comments.

I think just as a matter of fundamental tax policy and principle in this country, we have said this before and it is true, when a family member dies the family should not have to deal with the undertaker and the IRS at the same time. That is in effect what we have created with the Tax Code in this country.

As we again move into this debate tomorrow, we are going to hear a lot of arguments from the other side which will range in all kinds of ways. I cannot even envision, imagine, and contemplate at this point what we might hear in terms of opposition to this, but I can tell you that I will continue to make the fact that this is going to help those who are particularly affluent and wealthy in this country.

The fact of the matter is they will use examples like Bill Gates and others, people who have done well in this country. Yet, the people that I represent in the State of South Dakota are not the Bill Gateses, Steve Forbeses, Donald Trumps, they are hard-working American men and women, who are trying to make ends meet, and who are trying to raise their kids and educate them, and create a better quality of life for themselves and their families and their communities.

Someone said earlier, I think the gentleman from Illinois when he was here on the floor, that only one in 20 farms is lost in this country or has to be sold to pay the death tax.

If we think about that, in my State of South Dakota, there are 30,000 round numbers, family farmers. If we lose one in 20, that is 5 percent. That is 1,600 farms.

Mr. Speaker, one does not have to be a real serious mathematician over time to look at what happens as far as a trend line. We will see in a very short time. That is in effect what we have created with the Tax Code in this country.

Mr. THUNE. Mr. Speaker, I thank the gentleman from Missouri.

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Missouri, to this Chamber and to service in the United States House.

My friends from Missouri often say, show me. Sadly, the Federal government has taken a slogan that Hollywood popularized a few years ago, show me the money, and taken it from family enterprises.

It has been noted before, Mr. Speaker, that the power to tax is the power to destroy. Mr. Speaker, nowhere have we seen it with a more egregious impact, with a more unfair specter, with a fundamental departure from our values and ethics, than we have seen with this death tax.

Yes, for years it was called an estate tax, offering this type of placid, pastoral recognition. But what it is in reality is the death tax: the destroyer of jobs, the destroyer of economic opportunity, the destroyer of communities and a way of life.

Some have come to service on this Hill offering a slogan and a written word. It takes a village. Well, Mr. Speaker, I think it is fair to ask, what happens then to the businesses and farms and ranchers in said village literally to death? What happens when we abandon the notion of basic fairness and penalize people whose only offense is to succeed?

Why punish those who have worked to establish a growing business, an agricultural or economic enterprise creating jobs, generating wealth, and not coincidentally, Mr. Speaker, paying taxes on those profits, even as they are taxed the businesses and tax the survivors, and destroy the businesses or drive them into arcane policies where time and money is drained from job creation in the conventional sense, instead to go to lawyers and accountants, and to drain the productivity of the economic enterprise?

Now, Mr. Speaker, we will have those who come to the floor, and we should acknowledge the fact, as my colleague from South Dakota has done standing on that side of the aisle, there will be those who will join with us in a bipartisan way tomorrow, but there will be others who say, “Yes, this tax is unfair, but we cannot vote to do this now;” or, “not this way;” or maybe, “There is a cheaper way to do this;” for political advantage or partisan embarrassment.

Mr. Speaker, I would simply say to the American people on the eve of this estate tax debate, accept no substitute. Join with us to put this death tax to death, because the power to tax has in this instance for too many families, for too many farms and ranches and small towns and essential businesses, become the destroyer of their worth and their vision and their very livelihoods.

Mr. THUNE. Mr. Speaker, I thank the gentleman from Missouri for stating in very eloquent and concise terms really what this debate is about, because on a fundamental level, inasmuch as we talk sometimes about these issues in abstract terms, this really is another issue, and we have discussed many of them as we have talked about the President’s agenda, that affects very real people in a very real and personal way.

As we move through trying to implement an agenda which, because of the hard work of the American people, has generated more money in the Federal Treasury than is necessary to run the cost of government, the American people I believe, and the President believes, that when an issue is here on the floor of this Chamber, the American people want and deserve a refund.

I think that if we look at the marriage penalty, which in my State affects 75,000 couples, if we talk about the personal tax credit which we acted on last week, which affects 119,000 children in South Dakota and their parents, it is about taking the dollars that are coming in here that are more than are necessary to run the cost of government, protecting and enhancing Social Security, addressing the long-term needs to reform Medicare, paying down the Federal debt in historic levels, levels never before seen; certainly not seen in the last 40 years, when our colleague on the floor from this Chamber. I do not know when the last time is when we have had substantial paydown of the Federal debt.

But we have had an opportunity to allow the American people to keep some of this surplus which is theirs in the first place. The President has said it, it is the people’s money. We need not forget that.

So whether it is the marriage penalty on the personal tax credit, the death tax, reducing marginal rates, it is important that the American people understand that they have overpaid the cost of government, very simply, very fundamentally. When that happens, just as we have today, just as they go into the store to buy a pair of shoes, they have overpaid the tax, offering this type of placid, pastoral recognition.

That is where the American people I think really need to be tuned into this debate, because it is their money we are talking about. We all know that if it stays here in Washington, it is going to get spent on more and bigger government programs.

It all comes back to the basic question, somebody talked about ideology earlier of who has the power: Does Washington, D.C., have the power, or does the American family have the power?

We happen to believe as a matter of principle that when we have an opportunity to allow the American people in their communities on the side, in their hard-earned dollars, they have more power and more control of over their lives to make decisions that are in the best interests of themselves also and their families and their communities.

That really is what this debate is all about.

Tomorrow is another chapter in that debate. We take up the death tax;
Again, I hope that we can successfully piece together a tax relief package that incorporates principles that not only provide tax relief, but tax reform and tax fairness to the American people.

The interesting thing about this is that our friends on the other side, they will complain and holler, but they are coming along. They have already agreed to more tax relief than this President vetoed last year when we acted upon it.

They are now rolling out alternatives in all kinds of alternatives. They may not like exactly the way we are doing it, but they understand what the American people understand. That is that this is their money, the American people understand. That is doing it, but they understand what the President vetoed last year when we agreed to more tax relief than this coming along. They have already

provide tax relief, but tax reform and

piece together a tax relief package that

serves System, transmitting the Board

of Governors of the Federal Reserve

System, transmitting the Board’s final

rule—Consumer Leasing (Regulation M; Docket No. R-1047) received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

140. A letter from the Director to the

Board, Board of Governors of the Federal Re-

serve System, transmitting the Board’s final

rule—Truth in Savings (Regulation DD;


141. A letter from the Speaker to the

Board, Board of Governors of the Federal Re-

serve System, transmitting the Board’s final

rule—Consumer Leasing (Regulation M; Docket No. R-1047) received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

142. A letter from the Assistant to the

Board, Board of Governors of the Federal Re-

serve System, transmitting the Board’s final

rule—Truth in Lending (Regulation Z; Dock-

et No. R-1045) received March 30, 2001, pursu-

ant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

143. A letter from the Director, Office of

Federal Housing Enterprise Oversight, Depart-

ment of Housing and Urban Affairs, transmit-

ting the Department’s final rule—Assessments (RIN: 2550-AA15) received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

144. A letter from the Director, Office of

Federal Housing Enterprise Oversight, Depart-


145. A letter from the Assistant General Coun-

sel for Regulations, Office of Public and

Indian Housing, Department of Housing and

Urban Development, transmitting the Depart-

ment’s final rule—Allocation of Operat-


146. A letter from the Director, Office of

Legislative Affairs, Federal Deposit Insur-

ance Corporation, transmitting the Corpo-

rations final rule—Rescission of Depo-

sit Broker Notification, Recordkeeping and

Reporting Requirements (RIN: 3061–

AC49) received April 3, 2001, pursuant to 5

U.S.C. 801(a)(1)(A); to the Committee on

Financial Services.

147. A letter from the Acting Assistant

Secretary for Mine Safety and Health, De-

partment of Labor, transmitting the Depart-

ment’s final rule—Diesel Particulate Matter


148. A letter from the Acting Assistant

Secretary for Mine Safety and Health, De-

partment of Labor, transmitting the Depart-

ment’s final rule—Diesel Particulate Matter


149. A letter from the Director, Corporate


150. A letter from the Director, Regula-

tions Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department’s final rule—Medicaid Device; Exemption From Premarket Notification; Class II Devices; Pharmacy Compounding Systems [Docket No. 00P–AB88] received April 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.
H1406

CONGRESSIONAL RECORD — HOUSE

April 3, 2001

1431. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy’s proposed Letter(s) of Offer and Acceptance to Australia for commercial articles and services (Transmittal No. 01-04), pursuant to 22 U.S.C. 277(b); to the Committee on International Relations.

1432. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department’s report pursuant to title VIII of Public Law 104-240, the Foreign Relations Authorization Act for Fiscal Year 1999-91, as amended; to the Committee on International Relations.


1434. A letter from the Chairman, Consumer Product Safety Commission, transmitting the Fiscal Year 2000 Annual Program Performance Report; to the Committee on Government Reform.

1435. A letter from the Acting Assistant Secretary, Policy, Management and Budget and Chief Financial Officer, Department of the Interior, transmitting the Department’s Annual Accountability Report for Fiscal Year 2000; to the Committee on Government Reform.

1436. A letter from the Secretary, Department of Labor, transmitting an Annual Report on Performance and Accountability for FY 2000; to the Committee on Government Reform.

1437. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission’s FY 2000 Performance Report; to the Committee on Government Reform.

1438. A letter from the Executive Director, Neighborhood Reinvestment Corporation, transmitting the Corporation’s Fiscal Year 2000 Annual Program Performance Report and the Fiscal Year 2002 Performance Plan; to the Committee on Government Reform.

1439. A letter from the Director, Office of Government Ethics, transmitting the Annual Program Performance Report for FY 2000; to the Committee on Government Reform.

1440. A letter from the Chair, Railroad Retirement Board, transmitting an Annual Program Performance Report for Fiscal Year 2000; to the Committee on Government Reform.

1441. A letter from the Acting Administrator, U.S. Agency for International Development, transmitting a report on FY 2000 Accountability; to the Committee on Government Reform.

1442. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department’s final regulations on protected species; to the Committee on Government Reform.

1443. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels 60 Feet Length Overall and Longer Using Hook-and-Line Gear in the Bering Sea and Aleutian Islands (Docket No. 01112013-1013-01; I.D. 0328511B) received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Resources.

1444. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels 60 Feet Length Overall and Longer Using Hook-and-Line Gear in the Bering Sea and Aleutian Islands (Docket No. 01112013-1013-01; I.D. 0328511B) received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Resources.

1445. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels 60 Feet Length Overall and Longer Using Hook-and-Line Gear in the Bering Sea and Aleutian Islands (Docket No. 01112013-1013-01; I.D. 0328511B) received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Resources.

1446. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency’s final major—Disaster Assistance and Fire Assistance (RIN: 3067–AD12) received April 2, 2001, pursuant to 5 U.S.C. 801(a)(1); to the Committee on the Judiciary.

1447. A letter from the Secretary, Judicial Conference of the United States, transmitting the Biennial Survey of Article III Judgeship Needs in the U.S. courts of appeals and the U.S. district courts; to the Committee on the Judiciary.

1448. A letter from the General Counsel, National Tropical Botanical Garden, transmitting the annual audit report of the National Tropical Botanical Garden, as of December 31, 2000 and 1999, pursuant to 36 U.S.C. 4610; to the Committee on the Judiciary.

1449. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency’s “Major” final rule—Assistance to Firefighters Grant Program (RIN: 3067–AD21) received April 2, 2001, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Science.

1450. A letter from the Director, Office of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting the Department’s final rule—Claims Based on the Effects of Tobacco Products (RIN: 2000–AJ50) received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Veterans Affairs.

1451. A letter from the Director, Office of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting the Department’s final rule—Signature by Mark (RIN: 2900–AK07) received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Veterans Affairs.

1452. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service’s final rule—Action on Decision: Farmland Indemnity Commission’s (RIN: 1545–AD10) received March 26, 2001, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. FERGUSON (for himself, Mr. KENNEVY of Rhode Island, Mr. BURR of New Jersey, Mr. SCHROCK, Mr. SAXTON, Mr. QUINN, Mr. LA TOURITTE, Mr. ROUSSEL of Michigan, Mr. PLATTS, Mrs. KEILY of Massachusetts, Mr. GILMAN, Mrs. JOHNSON of Connecticut, Mrs. ROUKEMA, Mr. GILCHRIST, Mr. 1 make permanent the favorable treatment of need-based educational aid under the anti-trust laws (Rept. 107–32). Referred to the Committee on the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 601. A bill to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration for other purposes; with an amendment (Rept. 107–33). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 601. A bill 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 for other purposes; with amendments (Rept. 107–31). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 581. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to carry out approved land management and fire management in the Department of the Interior and Related Agencies Appropriations Act, 2001, to reimburse the United States Forest Service and the National Marine Fisheries Service to facilitate the interagency cooperation required under the Endangered Species Act of 1973 in connection with wildland fire management (Rept. 107–35). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 768. A bill to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period, and for other purposes; with amendments (Rept. 107–37). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. H.R. 8. A bill to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period, and for other purposes; with amendments (Rept. 107–37). Referred to the Committee of the Whole House on the State of the Union.

Mr. REYNOLDS: Committee on Rules. H.R. 1817. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Eight Mile River in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; with amendments (Rept. 107–36). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. H.R. 974. A bill to increase the number of interaccount transfers which may be made from business accounts at depository institutions to authorize the Board of Governors of the Federal Reserve System to pay interest on reserves, and for other purposes; with amendments (Rept. 107–38). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

Mr. FERGUSON (for himself, Mr. KENNEVY of Rhode Island, Mr. BURR of New Jersey, Mr. SCHROCK, Mr. SAXTON, Mr. QUINN, Mr. LA TOURITTE, Mr. ROUSSEL of Michigan, Mr. PLATTS, Mrs. KEILY of Massachusetts, Mr. GILMAN, Mrs. JOHNSON of Connecticut, Mrs. ROUKEMA, Mr. GILCHRIST, Mr.
Oxley, Mr. Grucci, Mr. Burton of Indiana, Mr. Ney, Mr. Boehner, Mr. Reynolds, Mr. Weldon of Pennsylvania, Mr. McHugh, Mr. Walsh, Mrs.6. H.R. 1332. A bill to amend title 35, United States Code, to provide for improvements in the quality of patents on certain inventions; to the Committee on Energy and Commerce.

By Mr. Conyers: H.R. 1332. A bill to amend title 35, United States Code, to provide for improvements in the quality of patents on certain inventions; to the Committee on Energy and Commerce.

By Mr. Berman (for himself and Mr. Boucher): H.R. 1332. A bill to amend title 35, United States Code, to provide for improvements in the quality of patents on certain inventions; to the Committee on Energy and Commerce.

By Mr. Gilman (for himself, Mr. Nadler, and Mrs. Maloney of New York): H.R. 1332. A bill to amend title 35, United States Code, to provide for improvements in the quality of patents on certain inventions; to the Committee on Energy and Commerce.

By Mr. Garamendi (for himself, Mr. Conyers, Mr. Pelosi, Mr. Stark, and Mrs. Woolsey): H.R. 1332. A bill to amend title 35, United States Code, to provide for improvements in the quality of patents on certain inventions; to the Committee on Energy and Commerce.
the transmission of abortion related matters, and for other purposes; to the Committee on the Judiciary.

By Mr. GIBBONS (for himself and Ms. CAPPS): H.R. 1346. A bill to designate the facility of the United States Postal Service located at 81 South Street in Yorkton, Canada, as the “Joseph E. Dini, Jr. Post Office”; to the Committee on Government Reform.

By Mr. HUTCHINSON (for himself and Mr. PETRI): H.R. 1348. A bill to provide funds to the National Center for Rural Law Enforcement, and for other purposes; to the Committee on the Judiciary.

By Mr. ISAKSON: H.R. 1349. A bill to repeal the 50 percent limitation on courses offered through telecommunication for student financial assistance programs; to the Committee on Education and the Workforce.

By Ms. SANCHEZ (for herself, Mr. ABERCHROMBIE, Mr. ALLEN, Mr. BACA, Mr. BALDACCI, Ms. BALDWIN, Mr. BENTSEN, Mr. BIERMAN, Mr. BLAUGUEVICH, Mr. BLUMENTHAL, Mr. BROWN of Ohio, Mr. CAPUANO, Ms. CARSON of Indiana, Mr. CUMMINGS, Mr. DAVIS of Florida, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DELAUNA, Ms. DELAURA, Mr. DOOLITTLE of California, Mr. EVANS, Mr. FARR of California, Mr. FINKER, Mr. FRANK, Mr. FRANKEL, Mr. HARMAN, Mr. HARTLEY, Ms. HORTON, Mr. HOLT, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JOHNSON of Connecticut, Mr. PATTICK, Mr. LANTOS, Ms. LOWEY, Ms. MALONEY of New York, Mr. MALONEY of Connecticut, Mr. MATSU, Ms. MCCULLOM, Mr. MCGOVERN, Mr. MCKINNEY, Mr. MEHAN, Ms. MILLINDER-McDONALD, Mr. GEORGE MILLER of California, Ms. MINK of Hawaii, Mr. NADLER, Mrs. NAPOLITANO, Mr. PAYNE, Ms. RIVERS, Mr. RODRIGUEZ, Mr. SANDERS, Mr. SCHOWKOWY, Mr. SERRANO, Mr. SHAYS, Mr. SIMMONS, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mrs. THURMAN, Mrs. JONES of Ohio, Mr. THURNEY, Mr. TOWNS, Ms. WATER, Mr. WATERS, Ms. WATTS, Mr. WEISS, Ms. WOOLSEY, Mr. WYNN, and Mr. SHERMAN): H.R. 1350. A bill to restore freedom of ownership of the airspace over that land; to the Committee on Energy and Commerce.

By Mr. KING (for himself, Mr. GRAHAM, Mr. BLAUGUEVICH, Mrs. MCCARTHY of New York, Mr. MYRICK, Mrs. MALONEY of New York, Mr. SHOWS, Ms. ESHOO, Mr. THOMPSON of Mississippi, Mr. LANGEVIN, Mr. TAPIA, Mr. ISRAEL, Mr. SERRANO, Mr. ANDREWS, Ms. HOOLEY of Oregon, Mr. NADLER, Mrs. ROUKEMA, Ms. JACKSON-LEE of Texas, Mr. BEAUMONT of Pennsylvania, Mrs. THURMAN, Mr. MCNULTY, and Mrs. KELLY): H.R. 1354. 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; 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. KING (for himself, Mr. GRAHAM, Mr. WEINER, Ms. SLAUGHTER, Mr. BLAUGUEVICH, Mrs. MCCARTHY of New York, Mrs. MYRICK, Mrs. MALONEY of New York, Mr. SHOWS, Ms. ESHOO, Mr. THOMPSON of Mississippi, Mr. LANGEVIN, Mr. TAPIA, Mr. ISRAEL, Mr. SERRANO, Mr. ANDREWS, Ms. HOOLEY of Oregon, Mr. NADLER, Mrs. ROUKEMA, Ms. JACKSON-LEE of Texas, Mr. BEAUMONT of Pennsylvania, Mrs. THURMAN, Mr. MCNULTY, and Mrs. KELLY): H.R. 1355. 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; 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. ABERCHROMBIE: H.R. 1356. A bill to amend the Social Security Act to update provisions to the Committee on Education and the Workforce.

By Mr. ABERCHROMBIE: H.R. 1357. A bill to amend title III of the Elementary and Secondary Education Act of 1965 to provide for digital education partnerships; to the Committee on Ways and Means.

By Ms. ROUKEMA (for herself, Mr. FRANKLIN, Mr. CONDIT, Mr. FARR of California, Mr. BACA, Mrs. CAPPS, Mr. COX, Mr. WAXMAN, Mr. GARY G. MILLER of California, Mr. EDWARDS, Mr. FULFORD, Mr. GILBERT, Mr. LANGLEY, Mr. LANTOS, Mr. MAST, Mr. MURPHY, Mrs. MILLER of Pennsylvania, Mr. PAYNE, Ms. RIVERS, Mr. RODRIGUEZ, Mr. SANDERS, Mr. SCHOWKOWY, Mr. SERRANO, Mr. SHAYS, Mr. SIMMONS, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mrs. THURMAN, Mrs. JONES of Ohio, Mr. THURNEY, Mr. TOWNS, Ms. WATER, Mr. WATERS, Ms. WATTS, Mr. WEISS, Ms. WOOLSEY, Mr. WYNN, and Mr. SHERMAN): H.R. 1358. A bill to eliminate the withholding of income taxes aware of the true cost of government by the workers; to the Committee on Energy and Commerce.

By Ms. SANCHEZ (for herself, Mr. QUINN, Mr. FINKER, Mr. SIMMONS, Mr. SHOWS, Mr. HILLEARY, Mr. HILL, Mr. PETERS, Mr. LUTHER, Mr. PATTON, Mr. HALL of Ohio, Mr. BACIA, Mr. SHAYS, Mr. OLIVER, Mr. HORN, Mr. STRICKLAND, Mr. BARR of Georgia, Ms. WOOLSEY, Mr. FOSSELLA, Mr. MOX of Kentucky, Mr. HILL of Indiana, Mr. MASCARA, Mr. BHORHLET, Ms. DELAURA, Mr. BARTLETT of Maryland, Mr. LAFalCE, Mr. GOODLATTE, Mr. PAYNE of Florida, Mr. LAHOOD, Mr. LAMPSON, Mr. ENGLISH, Mr. LEVIN, Mr. CAMP, Mr. BALDACCI, Mr. SHIMKUS, Mr. MALONEY of Connecticut, Mr. WYNN, Mr. OLEARY of Oregon, Mr. FRANK, Mr. PALEONAYROGA, Mr. JEFFERSON, Mr. DAVIS of Illinois, Mr. COYNE, Mr. MOX of Kentucky, Mr. CARSON of Indiana, Mr. LARSON of Connecticut, Ms. THURMAN, Mrs. JONES of Ohio, Mr. MCNULTY, Mr. DOYLE, Mr. SKELTON, Mr. DRAL of Georgia, and Mr. GILLOT): H.R. 1351. A bill to amend title 38, United States Code, to provide for Government furnished headstones or markers for the marked graves of veterans; to the Committee on Veterans’ Affairs.

By Mr. JONES of North Carolina: H.R. 1352. A bill to amend title 10, United States Code, to codify and make modifications to certain provisions relating to “Buy American” requirements; to the Committee on Armed Services.

By Mr. KENNEDY of Minnesota: H.R. 1353. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin; and for other purposes; to the Committee on Education and the Workforce.

By Mr. OTTER (for himself, Mr. HANSEN, Mr. YOUNG of Alaska, Mr. MICA, Mr. RADANOVICH, Mr. SIMPSON, Mr. GIBBONS, Mr. HANSON of North Carolina, Mr. CANNON, Mr. NETHERCUTT, Mr. MCGINNIS, Mr. SCHAPPER, Mr. CONOVER, Mr. HERLEY, Mr. HIGERS, Mr. STUMP, Mr. GILCHRIST, Mr. HASTINGS of Washington, Mr. ISAKSON, Mr. HAYES, Mr. WALDIN of Oregon, Mr. REHBERG, Mr. FLAKE, and Mr. ROSWELL): H.R. 1361. A bill to help ensure general aviation aircraft access to Federal land and airspace over the United States; to the Committee on Resources, and in addition to the Committee on Agriculture, and 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. PAUL: H.R. 1364. A bill to restore freedom of choice and to end the uniformity of seeing outside the United States; to the Committee on Armed Services.

By Mrs. JOHNSON of Connecticut (for herself, Mr. QUINN, Mr. FINKER, Mr. SIMMONS, Mr. SHOWS, Mr. HILLEARY, Mr. HILL, Mr. PETERS, Mr. LUTHER, Mr. PATTON, Mr. HALL of Ohio, Mr. BACIA, Mr. SHAYS, Mr. OLIVER, Mr. HORN, Mr. STRICKLAND, Mr. BARR of Georgia, Ms. WOOLSEY, Mr. FOSSELLA, Mr. MOX of Kentucky, Mr. HILL of Indiana, Mr. MASCARA, Mr. BHORHLET, Ms. DELAURA, Mr. BARTLETT of Maryland, Mr. LAFalCE, Mr. GOODLATTE, Mr. PAYNE of Florida, Mr. LAHOOD, Mr. LAMPSON, Mr. ENGLISH, Mr. LEVIN, Mr. CAMP, Mr. BALDACCI, Mr. SHIMKUS, Mr. MALONEY of Connecticut, Mr. WYNN, Mr. OLEARY of Oregon, Mr. FRANK, Mr. PALEONAYROGA, Mr. JEFFERSON, Mr. DAVIS of Illinois, Mr. COYNE, Mr. MOX of Kentucky, Mr. CARSON of Indiana, Mr. LARSON of Connecticut, Ms. THURMAN, Mrs. JONES of Ohio, Mr. MCNULTY, Mr. DOYLE, Mr. SKELTON, Mr. DRAL of Georgia, and Mr. GILLOT): H.R. 1351. A bill to amend title 38, United States Code, to provide for Government furnished headstones or markers for the marked graves of veterans; to the Committee on Veterans’ Affairs.

By Mr. JONES of North Carolina: H.R. 1352. A bill to amend title 10, United States Code, to codify and make modifications to certain provisions relating to “Buy American” requirements; to the Committee on Armed Services.

By Mr. KENNEDY of Minnesota: H.R. 1353. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin; and for other purposes; to the Committee on Education and the Workforce.

By Mr. GEORGE MILLER of California (for himself, Mr. ABERCHROMBIE, Ms. LEE, Ms. SLAUGHTER, and Mr. QUINN): H.R. 1359. A bill to ensure project labor agreements are permitted in certain circumstances; to the Committee on Education and the Workforce.
By Mr. SAXTON (for himself and Mr. SIMMONS):
H.R. 1374. A bill to provide for the conservation and rebuilding of overfished stocks of Atlantic highly migratory species of fish, and for other purposes; to the Committee on Resources.

By Mr. SAXTON:
H.R. 1368. A bill to amend the Internal Revenue Code of 1986 to provide that transfers of buildings and properties located on lands of the United States Forest Service to the District of Columbia shall be exempt from estate taxation; to the Committee on Ways and Means.

By Mr. STARK (for himself, Mr. MATSUI, Mr. FELNER, Mrs. MALONEY of New York, Mr. GUTENBERG, Mr. FRANK, Mr. SOLIS, Ms. MCAFFERTY of Missouri, Mr. GEORGHILL of California, Mr. CRAWLER, Mr. LEVIN, Mr. ALTMAN, Mr. DOUGERT, Mr. KENYER of Rhode Island, Mr. CONYERS, and Ms. CARSON of Indiana):
H.R. 1371. A bill to provide for grants to State child welfare systems to improve quality standards and outcomes, and to authorize the forgiveness of loans made to certain students who become child welfare workers; to the Committee on Ways and Means, and in addition to the Committee on 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. STARK:
H.R. 1372. A bill to prohibit the expenditure of Federal funds to conduct or support research on the cloning of humans, and to express the sense of the Congress that other countries should establish substantially equivalent restrictions; to the Committee on Energy and Commerce, and in addition to the Committee on Science, 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. STUPAK:
H.R. 1373. A bill to designate the facility of the United States Postal Service located at 310 South State Street in St. Ignace, Michigan, as the “Robert W. Davis Post Office Building”; to the Committee on Government Reform.

By Mr. STUPAK:
H.R. 1374. A bill to designate the facility of the United States Postal Service located at 600 Calumet Street in Lake Linden, Michigan, as the “Philip E. Ruppe Post Office Building”; to the Committee on Government Reform.

By Mr. STUPAK (for himself, Mr. WATKINS, Mr. FROST, Mr. PAUL, Mr. COSTELLO, Mrs. EMERSON, Mr. FAIR of California, and Mr. OSBORNE):
H.R. 1375. A bill to amend title XVIII of the Social Security Act to adjust the labor costs relating to hospital services rendered in a health care facility that is previously determined by the Secretary of Health and Human Services to be a low income facility to the basket of goods most closely related to the costs of services rendered in the facility; to the Committee on Ways and Means.

By Mr. THOMPSON of California (for himself, Mr. BLUMENSAUER, Mr. MAT-SUI, Mr. BEEN of California, Mr. OXM, Mr. RADANOVICH, and Mr. DOOLY of California):
H.R. 1376. A bill to amend the Internal Revenue Code of 1986 to provide that transfers of family-owned business interests shall be exempt from estate taxation; to the Committee on Ways and Means.

By Mr. TEBBON (for himself, Mr. CUNNINGHAM, Mr. SAM JOHNSON of Texas, and Mr. TAUSSCHER):
H.R. 1377. A bill to ensure that military personnel do not lose the right to cast votes in elections in their domicile as a result of their service away from the domicile, to amend the Uniform and Overseas Citizens Absentee Voting Act to extend the voter registration and absentee ballot protections for absent uniformed services personnel under such Act to State and local elections, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Veterans’ Affairs, the Judiciary, and Armed Services, 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. TEBBON:
H.R. 1378. A bill to authorize grants for water, wastewater, and solid waste disposal facility projects in rural areas; to the Committee on Agriculture.

By Mr. UDALL of Colorado:
H.R. 1379. A bill to provide for a study of options for protecting the open space characteristics of certain lands in and adjacent to the Arapahoe National Forest in Colorado, and for other purposes; to the Committee on Resources.

By Mr. UDALL of Colorado (for himself and Mr. UDOE):
H.R. 1380. A bill to designate as wilderness certain lands within the Rocky Mountain National Park in the State of Colorado; to the Committee on Resources, and in addition to the Committee on Agriculture, and 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. UDALL of Colorado:
H.R. 1381. A bill to direct the Secretary of the Interior to establish the Cooperative Landscape Conservation Program; to the Committee on Resources.

By Mr. UDALL of Colorado:
H.R. 1382. A bill to authorize increased fines for improper use of vehicles that result in damage to public lands or national forests, and for other purposes; to the Committee on Resources, and in addition to the Committee on Agriculture, and 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. UDALL of New Mexico (for himself and Mr. CANNON):
H.R. 1384. A bill to amend the National Trails System Act to designate the Navajo Long Walk Trail as a national historic trail; to the Committee on Resources.

By Mr. OXLEY:

By Mr. ABERCROMBIE (for himself, Mrs. MORELLA, Mr. BALDWIN, Mr. BLUMENSAUER, Mr. BURKE, Mr. DELAURER, Mr. ENGEL, Mr. FELNER, Mr. HONDA, Ms. MCCARTHY of Missouri, Mr. MCBRIDE, Mrs. MINK of Hawaii, Ms. NEAL, Mr. SANNERS, Ms. SCHAKOWSKY, Mr. SERRANO, Ms. SLAUGHTER, Ms. SOLIS, Mrs. TAUSCHER, Mr. WYNN, Mr. PASTOR, Ms. HACA, Ms. CARSON of Indiana, Mr. LANTOS, and Mr. GUTERREZ):
H. Con. Res. 94. Concurrent resolution recognizing the significance of Equal Pay Day to demonstrate the disparity between wages paid to men and women; to the Committee on Government Reform.

By Mr. TANCREDO:
H. Con. Res. 95. Concurrent resolution supporting a National Charter Schools Week; to the Committee on Education and the Workforce.

By Mr. TRAFFICANT:
H. Con. Res. 96. Concurrent resolution expressing the sense of Congress that the People’s Republic of China should release immediately the crew members of the United States Navy EP-3E Arleigh A. Burke reconnaissance aircraft that made an emergency landing on the Chinese island of Hainan on April 1, 2001, and should release immediately and intact that aircraft in accordance with international law; to the Committee on International Relations.

By Mr. Berman (for himself and Mr. BRUCHE):
H. Res. 110. A resolution providing that it shall not be in order in the House of Representatives to consider certain funding measures for the United States Patent and Trademark Office; to the Committee on Rules.

By Mr. FOLEY (for himself, Mr. STARK, Mr. SIMMONS, Mr. KOLBE, Mr. SKWENBY, Mr. MILLER of Florida, Mr. KELLER, Mrs. THURMAN, Mr. SHABAB, Mr. MOORE, Ms. HART, Mrs. JO ANN DAVIS of Mississippi, Mr. WILSON, Mrs. MINK of Hawaii, Mr. TRUKE, and Mr. BUVEN):
H. Res. 112. A resolution recognizing the upcoming 100th anniversary of the 4-H Youth Development Program and commending such program for service to the youth of the world; to the Committee on Education and the Workforce.

MEMORIALS
Under clause 3 of rule XII, 14. The SPEAKER presented a memorial of the Legislature of the State of Maine, relating to resolutions H. P. 398 memorializing the United States Congress to either provide 40% of the national average per pupil expenditure to assist states and local education agencies in serving the educational needs of students with disabilities and an Individual with Disabilities Education Act to
allow states more flexibility in implementing its mandates; to the Committee on Education and the Workforce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred to:

By Ms. JACKSON-LEE of Texas:
H.R. 183: Mr. PALLONE.
H.R. 1385: Mr. BENTSEN, Mr. UDALL of Colorado, Mr.狀, Mr. CUNNINGHAM, Mr. STEARNS, Mr. WATKINS, Mr. ROHRABACHER, Mr. SPENCE, and Mrs. BONO, Mr. TAYLOR of Mississippi, Mr. GIBBONS, and Mr. LEWIS of Kentucky.

H.R. 347: Mr. CLEMENT.
H.R. 438: Mr. BAUCUS, Mr. JOHNSON of New Mexico, Mr. MCCARTHY of Missouri, Mr. GOODE, Mr. REED of Georgia, Mr. SCHUTZ, Mr. MURTHA, Mr. RODRIGUEZ, Mr. OWENS, and Mr. ISRAEL.

H.R. 664: Ms. LOGOREN, Mr. KENNEDY of Rhode Island, Ms. CARSON of Indiana, Ms. KILDER, Ms. MATSUI, Mr. MOORE, Mr. HILL, Mr. FLETCHER, Mr. BLUNT, Mr. LUCAS of Oklahoma, Mr. RODRIGUEZ, Mr. OWENS, and Mr. ISRAEL.

H.R. 672: Mr. FARR of California.
H.R. 683: Ms. JACKSON-LEE of Texas and Mr. HONDA.
H.R. 688: Mr. HARTINGS of Florida, Mr. BUCHER, Mr. KIND, Mr. CLEMENT, Mr. BURDICK, and Mrs. JONES of Ohio.

H.R. 687: Mr. BUCHER, Mr. BURDICK, Ms. MCGOVERN, and Mr. CAPUANO.
H.R. 696: Mr. CHRISTENSEN, Mr. MCNULTY, Mr. CAPUANO, Mr. FRANK, Mr. PAYNE, and Mr. FILNER.
H.R. 699: Mrs. WOOLSEY.
H.R. 717: Ms. DE LAURO, Mr. SMITH of Washington, Mr. BONILLA, Mr. TERRY, Mr. FERGUSON, Mr. PAYNE, Mr. MERHAN, Mr. CARSON of Oklahoma, Ms. SCHAkOWSKY, and Mr. SWEENY.

H.R. 737: Mr. MCGOVERN, Mr. SHIMKUS, and Mr. SANDLIN.
H.R. 770: Mr. HONDA.
H.R. 774: Mrs. JOHNSON of Connecticut and Mr. LAHOOD.
H.R. 775: Mr. LAHOOD.
H.R. 781: Mr. STARK, Mr. SABO, Ms. HARMAN, Mr. OBERTSTAR, and Mr. DAVIS of Illinois.

H.R. 786: Mr. FROST.
H.R. 790: Mr. MASON of New York.
H.R. 804: Mr. LEWIS of Kentucky.
H.R. 808: Mrs. MALONEY of New York, Ms. DEGETTE, Mr. GILLMOR, Mr. ROTHMAN, Ms. LEWIS of Georgia, Mr. GREENWOOD, Mr. WU, Mr. REYES, Ms. SLAUGHTER, Mr. GILCHREST, and Mr. MALONEY of Connecticut.

H.R. 817: Mr. GOODE.
H.R. 818: Mr. WELDON of Pennsylvania, Mr. WEXLER, and Mr. McCARTHY of Missouri.
H.R. 822: Ms. WOOLSEY.
H.R. 823: Mr. CUNNINGHAM.
H.R. 826: Mr. LEWIS of Kentucky.
H.R. 827: Mr. OSBORNE, and Mr. DAVIS of Wisconsin, Mr. STUMP, Mr. MANZULLO, Mr. DOOLITTLE, Mr. HUTCHINSON, Mr. CUNNINGHAM, Mr. STEARNS, Ms. EMERSON, Mr. JONES of North Carolina, Mr. BUSH of Indiana, Mr. SESSIONS, Mr. BERRY, Mr. SKREN, Mr. SIMPSON, Mr. NETHURKT, Mr. CALVET, Mr. SAM JOHNSON of Texas, Mr. SCHAFER, Mr. BUYER, Mr. AKIN, Mr. REID, Mr. TANCREDO, and Mr. DUNCAN.

H.R. 883: Mr. PETERSON of Minnesota, Mr. DELAY, Mr. SHOWS, Mr. HILLARY, Mr. GREEN of Wisconsin, Mr. OTTSTROM, Mr. STIMPSON, Mr. MANZULLO, Mr. DOOLITTLE, Mr. HUTCHINSON, Mr. CUNNINGHAM, Mr. STEARNS, Ms. EMERSON, Mr. JONES of North Carolina, Mr. BUSH of Indiana, Mr. SESSIONS, Mr. BERRY, Mr. SKREN, Mr. SIMPSON, Mr. NETHURKT, Mr. CALVET, Mr. SAM JOHNSON of Texas, Mr. SCHAFER, Mr. BUYER, Mr. AKIN, Mr. REID, Mr. TANCREDO, and Mr. DUNCAN.

H.R. 907: Mr. LARSON of Connecticut.
H.R. 909: Mr. POMEYRO.
H.R. 911: Mr. LANTOS and Mr. MATSUI.
H.R. 912: Mr. SOUDER, Mr. MURTHA, Mr. CHANCE, Mr. LEVIN, and Mr. BRADY of Pennsylvania.
H.R. 913: Mr. DAVIS of Illinois.
H.R. 914: Mr. SAM JOHNSON of Texas.
H.R. 917: Ms. ESHOO.
H.R. 919: Mr. MCGOVERN and Ms. HART.
H.R. 949: Mr. KOLBR. Mr. HART, and Mr. HASTINGS of Washington.

H.R. 950: Mr. KOLBR. Mr. HART, and Mr. HASTINGS of Washington.
H.R. 951: Mr. BEREUTER, Mr. CONRYS, Mr. McCARTHY of Missouri, Mr. GOODE, Mr. GILSEY, Mr. McCARTHY of Missouri, Mr. HILL, Mr. WELDON of California, Mr. BUSH of Indiana, Mr. SESSIONS, Mr. CALVET, Mr. OSBORNE, and Mr. HINCH.
CONGRESSIONAL RECORD—HOUSE

April 3, 2001

H.R. 974: Mr. Sherman.
H.R. 993: Mr. Hyde.
H.R. 1008: Mr. Ose, Mr. Latham, and Mr. Solomon.
H.R. 1014: Mr. Moore, Mr. Hastings of Florida, Ms. Norton, Mrs. Maloney of New York, Mr. Eddie Bernice Johnson of Texas, Mr. Aderholt, Mr. Filner, Mr. Evans, Mr. Lewis of Georgia, Mrs. Mink of Hawaii, and Ms. Brown of Florida.
H.R. 1018: Mr. Gutknecht, Mr. Sensenbrenner, Mr. Sessions, Mrs. Myrick, and Mr. Spence.
H.R. 1024: Mr. Crane, Mr. Bausch, Mr. Matsui, Mr. Crenshaw, Mr. Shaw, Mr. Petri, Mrs. Johnson of Connecticut, Mr. English, and Mr. Lewis of Georgia.
H.R. 1051: Ms. Carson of Indiana, and Mr. Davis of Illinois.
H.R. 1052: Mr. Dingell, Mr. Israel, and Mr. Davis of Illinois.
H.R. 1053: Mr. Davis of Illinois.
H.R. 1054: Mr. Davis of Illinois.
H.R. 1055: Mr. Davis of Illinois.
H.R. 1056: Mr. Davis of Illinois.
H.R. 1057: Mr. Davis of Illinois.
H.R. 1058: Mr. Davis of Illinois.
H.R. 1059: Mr. Davis of Illinois.
H.R. 1060: Mr. Frank, Mr. Lantos, and Mr. Davis of Illinois.
H.R. 1061: Mr. Davis of Illinois.
H.R. 1072: Mr. Hastings of Washington, Mr. George Miller of California, Mr. Norton, Mr. Baldacci, and Mr. Paul.
H.R. 1073: Mr. Rothman, Mr. Hill, Mr. Matsui, Ms. Woolsey, Mr. Shieh, Mr. Kanorski, Ms. Hoolgy of Oregon, Ms. Lee, Mr. McNulty, Mr. Nkil of Massachusetts, Mrs. Jones of Ohio, Mr. Raca, Mr. Blumenauer, Mr. Tom Davis of Virginia, Mr. Gordon, Mr. Doyle, Mr. Hilliard, Mr. Jackson-Lee of Texas, Mr. Kildee, Mr. Lipinski, Mr. Holt, Mr. Hastings of Florida, Mr. Menendez, Ms. Norton, Mrs. Roukema, Mr. Sanders, Mrs. Emerson, Mr. Israel, Ms. Maloney of Connecticut, Mr. Dicks, Ms. Pelosi, Mr. Owens, Mr. Ewing, Ms. McCarthy of Missouri, Mr. Baird, Mr. Good, Mr. Kennedy of Rhode Island, Mr. Towns, Mr. Welleir, Mr. Strickland, Mr. Wynt, and Mr. Capuano.
H.R. 1075: Mr. Condit.
H.R. 1078: Mr. Oberstar.
H.R. 1082: Mr. Barcia, Mr. Gutknecht, Mr. Clement, and Mr. Sanchez.
H.R. 1086: Mr. Blagojevich.
H.R. 1088: Mr. LaTourette.
H.R. 1089: Mr. LaTourette and Mr. Rush.
H.R. 1100: Mr. Hostettler.
H.R. 1117: Mr. Blagojevich, Mr. Simmons, Mrs. Lowey, Mr. Rancho, Mr. Honda, Mr. Kennedy of Rhode Island, and Mr. Delahunt.
H.R. 1119: Mr. McGovern.
H.R. 1127: Mr. Sessions.
H.R. 1129: Mr. McGovern and Mr. Clement.
H.R. 1130: Mr. McGovern and Mr. George Miller of California.
H.R. 1135: Mr. Clement and Mr. Pickering.
H.R. 1136: Mr. Davis of Illinois and Mr. Clement.
H.R. 1137: Mr. Hinchey and Mr. Frost.
H.R. 1144: Mr. Rush.
H.R. 1150: Mr. Pickering.
H.R. 1155: Mr. Camp, Mr. Frelinghuyzen, Mr. Bilirakis, Ms. Pyuce of Ohio, Mrs. Thurman, Mr. Baird, Ms. Berkley, and Mr. Schiff.
H.R. 1162: Mr. DeFazio, Mr. Sherano, and Mr. Fattah.
H.R. 1170: Mr. Lantos, Mr. Oberstar, Mr. Nadler, and Mr. Underwood.
H.R. 1176: Ms. Baldwin, Mr. Roybal-Alard, Mr. Hayworth, and Mr. Hastings of Florida.
H.R. 1179: Mr. Gutierrez and Mr. Kono.
H.R. 1203: Mr. Nethercutt and Mr. Otter.
H.R. 1227: Mr. English.
H.R. 1230: Ms. Kilpatrick, Mr. Brown of Ohio, Ms. Rivers, Mr. Peterson of Minnesota, Mrs. Mink of Hawaii, Ms. Livin, Mr. Conyers, and Mr. Rangel.
H.R. 1233: Mr. George Miller of California, Mr. Clay, and Mrs. Melk of Florida.
H.R. 1238: Mrs. Johnson of Connecticut, Mr. Foley, and Ms. Norton.
H.R. 1242: Mr. Ros-Lehtinen.
H.R. 1252: Mr. Blumenauer, Mr. Berman, Mr. Reyes, Ms. Woolsey, Ms. Kilpatrick, Ms. Velazquez, Mrs. Mink of Hawaii, Ms. Slaughter, Mr. Conyers, and Mr. Ruth.
H.R. 1271: Mr. Burr of North Carolina, Mr. Hastings of Florida, Mrs. Northup, Mr. Vitter, and Ms. Berkley.
H.R. 1274: Mr. Wamp.
H.R. 1280: Mr. Crane, Ms. McKinney, Mr. Frost, and Mr. Borski.
H.R. 1291: Mr. Rogers of Michigan and Mr. Skelton.
H.R. 1300: Mrs. Meek of Florida and Mr. Lewis of Georgia.
H.R. 1306: Mr. McGovern, Mr. Gonzalez, Ms. DeLauro, Mr. Paschell, Mr. Clay, and Mr. Rush.
H.R. 1307: Mr. Waxman, Mr. Wolf, and Mr. Davis of Illinois.
H.R. 1308: Mr. Hastert, Mr. Brady of Texas, Mr. Doolittle, and Mr. Sessions.
H.R. 1311: Mr. Frank.
H.R. 1323: Mr. Rangel, Mr. Hastings of Washington, Mr. Underwood, and Mrs. Napolitano.
H.J. Res. 15: Mr. Rahall and Mr. Leach.
H.J. Res. 20: Mr. Ryun of Kansas and Mr. Barton of Texas.
H.J. Res. 36: Mr. Gekas, Mr. Peterson of Pennsylvania, Mr. Graves, Mr. Linder, and Mr. Tiberi.
H.J. Res. 40: Mr. Kolbe.
H. Con. Res. 17: Mr. Tierney, Mr. Thompson of California, Ms. DeLauro, Mr. Kolbe, Mr. Bentsen, and Mrs. Johnson of Connecticut.
H. Con. Res. 26: Mr. Frank.
H. Con. Res. 42: Mr. Pascrell and Mr. Levin.
H. Con. Res. 58: Mr. Horn.
H. Con. Res. 72: Mr. McGovern, Mr. Hart, and Mr. Pickering.
H. Con. Res. 89: Ms. Hooley of Oregon, Mr. Simpson, and Mr. Rohrabacher.
H. Res. 56: Ms. Schakowsky, Mr. DeFazio, Ms. DeLauro, Mrs. Lowey, and Mr. Payne.
H. Res. 91: Mr. Hoefpel.
H. Res. 97: Mr. Borski, Mr. George Miller of California, Ms. Kaptur, Mr. Oliver, Mrs. Napolitano, Mr. Meeks of New York, Mrs. Biggert, Ms. Carson of Indiana, Mr. Klineka, Ms. Eddie Bernice Johnson of Texas, Mr. Barrett, Mr. Foley, Mr. Scott, Mr. Kucinich, Mr. Sanders, Mr. Filner, Ms. Velazquez, and Ms. DeLauro.
H. Res. 109: Mr. Evans, Mr. Rangel, and Mr. Spratt.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:
H.R. 933: Mr. Towns.
H.R. 1198: Mr. Doolittle.
The Senate met at 9 a.m. and was called to order by the Honorable Bob Smith, a Senator from the State of New Hampshire.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Rev. Edward J. Arsenault, Diocese of Manchester, Manchester, NH.

PRAYER

The guest Chaplain, Rev. Edward J. Arsenault of the Diocese of Manchester, Manchester, NH, offered the following prayer:

Gracious God, You give without measure. We offer You praise and honor for the gifts which You have bestowed upon our Nation: natural splendor, freedom from all forms of oppression, a national spirit of enterprise and achievement, and a desire to serve the less fortunate in whom we see Your face.

We ask that You bless those who serve our Nation in this hallowed Chamber. It is here that bold ideas are scrutinized, important decisions are reached, and the lofty vision of a nation is made new. May the exchange among our Senators be imbued with a profound sense of the responsibility which they bear to You, to one another, and to those whom they serve: the people of this great Nation.

Lord, when our faith is weak, make us strong. When our hope is dampened, make us bold. When our charity is measured, make us mindful that Your love knows no bounds. May all that is done here today have its origin in You and, by You, be brought to fulfillment. Amen.

PLEDGE OF ALLEGIANCE

The Honorable Bob Smith 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 legislative clerk read the following letter:

U.S. SENATE
PRESIDENT PRO TEMPORE

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Bob Smith, a Senator from the State of New Hampshire, to perform the duties of the Chair.

STROM THURMOND
President pro tempore.

Mr. Smith of New Hampshire 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.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER. The Senator from New Mexico.

SCHEDULE

Mr. Domenici. Mr. President, the leader has asked me to announce that today the Senate will immediately resume consideration of the budget resolution. Senators who have amendments and opening statements should work with the bill managers on obtaining floor time. A few hours were used up during last night’s session, and therefore there are under 50 hours remaining. Senators should be prepared for votes throughout each and every day this week in an effort to complete the budget resolution prior to the end of this week.

I thank my colleagues for their attention.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. Smith of New Hampshire. Mr. President, I rise today to congratulate Father Ed Arsenault for the moving prayer we just heard. Father Ed is a cabinet secretary for administration and chancellor of the Diocese of Manchester, NH. The Diocese of Manchester, of course, encompasses the entire State of New Hampshire. He is also the pastor of St. Pius X parish in Manchester where he shows great compassion for the poor and the needy.

As secretary for administration, Father Ed is responsible for the daily operation of the diocesan administration, and as chancellor he oversees the maintenance of all records in the diocesan archives and serves as executive assistant to Bishop John B. McCormack in the daily operations of the bishop’s office.

Father Ed holds a masters in divinity from St. Mary’s Seminary in nearby Emmitsburg, MD. He was ordained a priest by Bishop Leo O’Neill on June 1, 1991.

Father Ed is very special to me and my family because he is our spiritual adviser and has been for many years. He sponsored my wife Mary Jo as she actually converted to Catholicism. Father Ed also presided over the marriage of my daughter Jenny to her husband Eric in New Hampshire in 1998.

It is a privilege to have Father Ed join us in the Senate to share his words of prayer with our Nation. Father Ed’s friendship and spiritual guidance have been a blessing to me and my family.
CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEARS 2001-2011

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H. Con. Res. 83, which the clerk will report.

The legislative clerk read as follows:


Pending:
Amendment No. 170, in the nature of a substitute.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CONRAD. 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. CONRAD. Mr. President, we have begun debate on the budget resolution, the budget resolution for the country for the next year. Under the rules of the Senate, we are also required to put it in the context and the framework of a 10-year budget, and so begins what is in many ways perhaps the single most important debate that we will have this year. It is the question of choices we make with respect to the priorities of the Nation.

Our President has said on many occasions that it is the people’s money; we ought to give the money back to the people. I think all agree that the President is exactly right when he says it is the people’s money. Of course it is. That is exactly right. But I think we also understand that there are more choices than just giving the money back to the people by way of a tax cut. There are certain things that we do collectively as the people of a nation which we cannot do individually; for example, providing for our national defense.

There are other things that we do as a society to make it a better nation. We have a Social Security system to safeguard our elderly. We have a Medicare program to provide for the health of our senior citizens. We have support for education because we all understand that is the Nation’s future. We also have a national debt, a publicly held debt that, as we meet here today, is an other debt that we don’t talk very much about. That is the gross debt of the United States. That gross debt is $5.6 trillion. While we say many times we are paying down the publicly held debt, and that is true, it is also true that the gross debt of the United States is actually increasing. I think that confuses many people.

The publicly held debt is that debt which is held by people outside of the Government. It is debt held by the public. And the public is not just the public here in America; the debt is also held abroad. It is held by Japan, by Germany, and by other countries. That is the publicly held debt, $3.4 trillion as we meet here today.

But the gross debt of the United States is the debt not only owed to the public but the debt that is owed to other government entities. For example, the trust funds of the United States—the general fund of the United States Social Security trust fund hundreds of billions of dollars. Under the President’s proposal and under all other proposals, the way we are going to be paying down the publicly held debt is to take the surpluses that are in Social Security and use those to pay down the publicly held debt. Because the money is not needed by Social Security at the moment, and will not be needed for the next decade, that money is in surplus. It is those surpluses—the surpluses that are in the trust funds—that are being used to pay down the publicly held debt.

While we pay down that publicly held debt, obviously we are creating another debt. The debt we are creating as we pay down the publicly held debt and use those trust fund moneys is a debt to the trust funds from the general fund of the United States. That debt is increasing. While we talk about surpluses, I think we should be very mindful that those surpluses are temporary. When we get past this 10-year period, we are going to face, instead of surpluses, deficits. We know that. The Comptroller General of the United States has warned that we will face a demographic tidal wave as the baby-boomer generation retires. And then these surpluses turn to substantial deficits.

With that in mind, the Democratic alternative to the budget proposed by our colleagues on the other side has adopted these fundamental principles. First, we protect the Social Security and Medicare trust funds in every year. Second, we pay down a maximum amount of the publicly held debt. Third, we provide for an immediate fiscal stimulus of $60 billion to give some lift to this economy. Finally, we believe that is what we ought to be debating on the floor of the Senate this week. We think we ought to be talking about the fiscal stimulus package. Instead of a budget resolution talking about the next 10 years, we ought to be talking about a fiscal stimulus package for this year. Fourth, we believe we should provide significant tax relief for all Americans, including income tax, marriage penalty relief, and estate tax reform.

In addition, our budget reserves resources for high-priority domestic programs, including education, a prescription drug benefit, strengthening of our national defense, and funding agriculture. Those are very clear priorities of the American people.

The American people tell us in meeting after meeting: We want you to improve education. We want you to invest in our kids. And they are right. Our budget responds to that call. They also say: We want a meaningful prescription drug benefit. We know that the pattern and practice of Medicare have changed since Medicare was enacted and we ought to have a modernized Medicare, one that includes a prescription drug benefit. That is costly. But we have provided for it in our budget. And strengthening our national defense; there is broad bipartisan consensus that our defense must be strengthened. Additional resources must be provided. If they are going to be provided, they have to be in the budget. That is what we have done with our budget. Finally, we have provided $750 billion to strengthen Social Security and to begin to address our long-term debt. We think that is critically important.

The President on the executive branch has provided nothing for this purpose—no dollars to strengthen Social Security and to begin to address our long-term debt. We think that is critically important.

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us, looking at their previous forecasts and the variance from what they projected and what actually came true, they said this could be anywhere from a $50 billion deficit to over a $1 trillion surplus in the 5th year alone, based on the previous variances in their forecasts. So it is highly uncertain.

Then we take out the Social Security trust fund. We protect it. We protect the Medicare trust fund. That leaves us with the non-Social Security non-Medicare remainder of $2.7 trillion that is left.

The Senator from Texas, Mr. Gramm, put up a very interesting chart last night. He started with the same projection of surplus, but when he subtracted out trust funds, he only subtracted out the Social Security trust fund. There was not any mention of the Medicare trust fund in his presentation. There was no mention at all. I guess that shows what the case is by anything but 25 percent has argued there is no Medicare trust fund. He said there is no surplus in the Medicare trust fund.

That is not what the law says. That is not what the Secretary of Labor says. That is not what the reports of the Congressional Budget Office say. That is not what the President’s own budget document says. All of them make very clear there is a trust fund surplus in Social Security and there is a trust fund surplus in Medicare. Medicare Part A has a surplus of anywhere from $400 billion to $500 billion. The Congressional Budget Office says it is $400 billion. The President’s budget document says it is over $500 billion. Medicare Part B is in rough balance over the 10-year period.

The Senator from Texas says: Oh, no, Part B is in deficit. It is not in deficit. That is just not so. He tries to make the case, by subtracting 25 percent of the funding for Medicare Part B comes from premiums; 75 percent comes from the general fund. That has nothing to do with being in deficit. That has to do with the law that we have passed in the Congress. We will get to that as we go through this comparison.

Then we take a third of the non-trust-fund money and use it to address our long-term debt. $750 billion to strengthen Social Security because that is the source of most of our long-term debt. This $750 billion is also available as a strategic reserve in case these projections aren’t ready.

Then the interest costs associated with the other elements of the plan, because anytime you cut taxes, anytime you spend money, that increases your interest cost because the money is not paying down debt. If we are not providing a tax cut, if we are not spending money for other purposes, it would be $750 billion to pay down debt. To the extent we pay down debt, we reduce interest costs. So if we use the money for other purposes, if we provide a tax cut as we do, or if we spend money on high-priority domestic needs as we do, then there is less money going to pay down debt and that means additional interest costs.

Let me make the point that we are doing far more dedicating of resources to protection than is the case on the other side of the aisle. The President has said he would dedicate $2 trillion to paying down debt and his $2 trillion comes from the Social Security trust fund. We have reserved all of that money going to pay down publicly held debt, $2.5 trillion plus $400 billion for the Medicare trust fund. So we are dedicating more money to paying down the publicly held debt than is the plan on the other side. In addition, we have reserved $750 billion for the long-term debt.

We have tried not only to emphasize the short-term debt and the publicly held debt but to also focus on the long-term debt facing our Nation. If you add the one-third of what remains after we protect the trust funds with the trust funds money which will go to paying down debt, we have a combined total of nearly $3.7 trillion out of the $5.6 trillion for paying down short-term and long-term debt.

That is the fundamental difference between our plan and their plan. They have a much bigger tax cut. We have much more for paying down short-term and long-term debt.

The Senator from Texas tried to say last night that the real difference is spending. No, it isn’t. There are some differences in spending because we make more of a commitment to these high-priority domestic needs—education, prescription drugs, national defense, health care, and expansion. We spend more money in those high-priority areas. But that isn’t the biggest difference between us. The biggest difference between us is that we have reserved over two-thirds of these projected surpluses for paying down short-term and long-term debt. The President has reserved about 35 percent of the money for that purpose.

We have done this comparison chart to try to get at the heart of the differences between our proposal and their proposal.

You can see from the GOP budget that while the President says he will only use $2 trillion to pay down publicly held debt, his budget numbers actually show that he is using all of the Social Security money for paying down publicly held debt. We do the same.

On the Medicare trust fund, we have reserved all $400 billion. The President’s proposal has taken that money and put it in an unallocated category. We will get to that as we go through this comparison.

On tax cuts, the President proposes $1.5 trillion; we propose $750 billion.

On spending, the President proposes $713 billion over the 10 years above the so-called baseline. We are at $743 billion because of the high-priority domestic needs of education, health care, prescription drugs, and national defense.

Here is the place where there is a major difference. We have the strategic reserve to strengthen Social Security and deal with our long-term debt. They have nothing in their budget. We have $750 billion.

As I indicated before, the interest cost on the Republican budget is $472 billion; $490 billion in our plan.

If you add up the totals in the Republican plan, it comes to $1.5 trillion, ours is $5.6 trillion, and they have left unallocated $846 billion. Let’s remember that $400 billion of that is from the Medicare trust funds. They call it unallocated. It is fully allocated. It is fully committed. It is committed to the trust fund.

By saying it is unallocated, by saying it is available for a contingency, they are opening up the Medicare trust fund
for the raid—the raid that has gone on in the past, the raid we have been able to stop the last 3 years. They are getting ready to raid the Medicare trust fund all over again.

If we take that out of their contingency fund with the $500 billion. That is not enough to cover education, prescription drugs, national defense, and the alternative minimum tax reform that is made necessary by the President’s tax cut plan because the President’s tax cut plan which advertises as costing $1.6 trillion actually will cost a great deal more than that because it will require us to change the alternative minimum tax.

Currently, about 2 million people are caught up in the alternative minimum tax. The President’s plan will put over 30 million people under the alternative minimum tax. Boy, are they in for a big surprise. They thought they were going to get a tax cut. They thought they were going to get a reduction. What they are going to get is caught up in the alternative minimum tax.

Thirty-million taxpayers—nearly one in four taxpayers in our country—are going to be caught up in the alternative minimum tax under the President’s plan. It costs $300 billion to fix. On top of his $1.6 trillion tax cut, it will cost another $300 billion to fix the alternative minimum tax.

Then, of course, you have the interest costs associated with the President’s tax cut and fixing the alternative minimum tax. That is another $500 billion. Now we are talking real money.

The reported cost of $1.6 trillion, of course, is reestimated by the budget experts of the Congress. I can tell you that they reestimated just part of his plan and they found it costs much more than $1.6 trillion. Over in the House, they reestimated just part of his plan and it went up in cost by $126 billion.

The $1.6 trillion plan, the $1.7 billion plan, then you have to fix the alternative minimum tax, which is another $300 billion, and then you have the associated interest costs, which is another $500 billion. Now you are talking real money—$2.5 trillion from their supposed projected 10-year surplus of $5.6 trillion.

Unfortunately, $3.1 trillion of that, according to the President’s numbers—because it is totally different from the Congressional Budget Office number—$3.1 trillion of that $5.67 trillion is trust fund money. It is trust fund money—$3.1 trillion of $5.6 trillion is trust fund money.

Then you take the President’s tax plan. It costs $2.5 trillion when you include all of the costs. You can see he has used all the non-trust-fund money for his tax cut plan. That is the fundamental problem with the President’s plan. That is the fundamental problem with trying to find a way to get his plan to add up.

For just a moment I would like to talk about the question of reconciliation. Very soon we may face the vote on reconciliation. I think it may be one of the most important votes not just in this debate but it may be one of the most important votes in all of our service in the Senate. It may be one of the most important votes that affects the future role of this institution. Why do I say that?

Reconciliation was created for deficit reduction. It was created to short-circuit the normal way of doing Senate business, giving the right to extend debate and giving Senators the right to amend legislation. The reason Senators were given those rights was that our Founding Fathers believed it was critical to the constitutional functioning of the U.S. Congress.

They created the House of Representatives with Members serving 2-year terms to respond to the heat of the moment, to respond to the public passion. They created the Senate to be the cooling saucer, to be the place where debate and critical assessment can be made. That is the constitutional role of the Senate. It is absolutely critically important to the functioning of our democracy.

Reconciliation sweeps all of that away. It uses special procedures that allow only 20 hours of consideration of legislation on the floor of the Senate—no extended debate, no right by every Senator to amendment. That is all out the window. That reconciliation is put in place for one purpose. The purpose was the deficit crisis that was facing the country. It was designed to be a way to raise taxes and cut spending to reduce deficits. That is why reconciliation was put in place. It was not designed for programs to increase spending or to cut taxes. That is just the opposite of what reconciliation was created. I repeat, reconciliation was created for deficit reduction.

It would be a perversion of the reconciliation process to use it for spending or for tax cuts. That is not deficit reduction. That is the opposite of deficit reduction. That is for what reconciliation ought to be reserved. Everything else ought to be under the regular order of the Senate, permitting Senators the right to extended debate, permitting Senators the right to amend because that is the constitutional role for this body. To change that role is a fundamental threat to the constitutional structure of the Senate.

Nothing could be more important in this debate because if we fundamentally make the Senate of the United States into the House of Representatives, we have fundamentally changed the nature of this institution. We have fundamentally—and perhaps for all time—altered what our Founding Fathers intended.

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This goes way beyond the question of a tax cut. This goes to everyone’s vision of what this Chamber should be about. Do we believe in our Founding Fathers’ belief that the role of the Senate is to be the cooling saucer. This is where we should have extended debate. This is where Senators should have the
right to offer amendments, and to have them voted on, and to have our colleagues ultimately held accountable as to their votes. There should be no rush to judgment. There should be no process that short-circuits all of the protections that are given to individual Senators to represent their individual States and protect the rights of a minority. When I asked what the fundamental problem is with the budget plan that has been offered by the other side, I go back to this chart because the numbers tell the story. We start with a projected surplus of $5.6 trillion. But $2.6 trillion of that is Social Security; $500 billion is Medicare. Now, these numbers are slightly different than the numbers I used on my chart because I was using CBO numbers. We are required to do that in the Budget Committee. These are the President's numbers. Instead of a Social Security trust fund that the Congressional Budget Office says amounts to $2.5 trillion, the President says it is $2 trillion. The Congressional Budget Office says the Medicare trust fund is $400 billion; the President's office says $500 billion. This is the President's budget. So I am using the President's numbers.

That leaves us with $2.5 trillion of non-trust-fund money. We take out the Bush tax cut—$1.7 trillion, as reestimated by the House—we take out the cost of the alternative minimum tax reform that will be required by his plan—$300 billion of that is not part of his plan, but it is required by it—that costs another $300 billion, the interest cost—$500 billion—of the tax cut and the alternative minimum tax fix and the Bush spending proposals above the baseline of $200 billion. That adds up to $2.7 trillion, and the President is "in the hole" by $200 billion.

Where does it come from? There is only one place I can find it can come from, and that is the trust funds. That is the trust funds. That is the case, and the President's plan does not make any change in the trust funds. That leaves us with $2.5 trillion of non-trust-fund money that we take out the Bush tax cut—$1.7 trillion, as reestimated by the House—we take out the cost of the alternative minimum tax reform that will be required by his plan—$300 billion of that is not part of his plan, but it is required by it—that costs another $300 billion, the interest cost—$500 billion—of the tax cut and the alternative minimum tax fix and the Bush spending proposals above the baseline of $200 billion. That adds up to $2.7 trillion, and the President is "in the hole" by $200 billion.

We have had trouble getting the appropriations bills passed on time in recent years and I guess even before then. Last year the complete package was not signed into law until December 21. By that time, several of us had already written our letters to Santa Claus. We would have rather gotten a lump of coal in our stocking than to be still dealing with appropriations bills at that late date.

If we were to miss the budget deadline now, it would make our timeframe even more of a problem, and we could lag further and further behind the rest of the year.

There was a very interesting exchange last Friday about that between the distinguished Senator from West Virginia and the Senator from Arizona. I say this is one of the central issues that often gets overlooked in this discussion. If we miss the deadline now, we are set up for missing deadlines all year long, deadlines we have enough trouble meeting as it is.

These are not simply arbitrary dates that do not matter. When we fail to have a budget by the start of the fiscal year, the agencies are severely affected. They do not know how to plan, they are put in limbo, and we pass short-term continuing resolutions. That just keeps the doors open and keeps us busy with make-work, passing of the short-term continuing resolutions.

One cannot develop a consistent year's plan for the operation of an agency with a stop-and-start, stop-and-start continuing resolution agenda. This causes agencies and the programs to be less effective in serving our citizens. In turn, we get further behind in our preparations as well.

I am unwilling to say that we can afford to miss the April 15 deadline facing us knowing that to do so will put us even further behind. We must move forward using the best information we have, and the information we have turns out to be pretty good.

We gave ourselves a little extra leeway, a little extra breathing room so we can borrow again down the road when we need to pay benefits to retiring baby boomers. That is $2.5 billion in debt reduction, putting that money, again, to use for Social Security later.

Some have said we do not do much debt reduction in the President's proposal. Mr. President, $2.5 trillion is not enough? That is out of a total of $3.4 trillion in debt held by the public. At the end of the 10 years covered by this budget resolution, less than $1 trillion will be left of the debt. We know that under this formula we will retire all the debt that is actually possible to retire. The only question is when we will reach that point.

Federal debt is used as an investment for corporations and other people around the world. Pension plans use it as a safe place to put their funds. They will not want to part with it unless we pay a big premium to make it worth their while to give up that investment. It makes no sense for us to pay down debt to the point that we would have to pay a premium to buy back the obligations that people hold.

I do not know about the occupant of the chair, but certainly in our family—my son was, we bought savings bonds. We expected over a period of time the Federal Government would pay the interest on that debt and that he would have a long-term investment in a federally guaranteed, federally safe investment. To buy all those savings bonds back, as well as the bonds held by funds, not only disrupts the planning in the private sector, but probably cannot be done without paying a premium.

Mr. President, I say there is only so much debt we can pay down. I believe any economist will tell you the price to buy some of that debt down is exorbitant. There is no reason for us to pay down debt before it is due if we are going to have to pay a premium. We should set aside Social Security money and pay pretty much all the debt we can, we still have $3.1 trillion left. That is a lot of money to meet critical priorities.

One of the priorities, obviously, is Medicare. Since this program was set up in the sixties, medicine has made tremendous progress. Problems that required expensive hospital stays now...
can be treated with prescription drugs. It is cheaper for the taxpayer and better for the patient. It makes sense to have a reformed Medicare plan that includes prescription drug coverage.

Clearly, one of the things we must do in this Congress is reform Medicare. Fortunately, we have bipartisan work going on with the Senator from Louisiana and the Senator from Tennessee coming up with a plan that makes some sense instead of the current plan where we have the Government trying to control the costs merely by raising prices when the patients and the providers control the usage.

As I have said before, that system does not make sense. The Health Care Financing Administration, which is right in the middle of the system, has made it even worse. They have imposed arbitrary cuts. For example, they have put more than one-third of the home health care agencies in the Nation out of business by demanding too great a cut in their reimbursement. We need to put Medicare on a sound footing. We need to blow up the current function of HCFA and move into a system that has some rational being, some common-sense approach to ensuring that we provide the service and that we do so in a cost-effective manner.

I hope we will get to the Medicare reform proposal because people in the health care field tell us that Medicare and HCFA are the biggest problems. Over the last 20 years, the problems we have seen with HCFA administering Medicare under the Balanced Budget Act have been huge. They are probably the most unresponsive agency in the Federal Government. If our experience in small business is anything like the experience other committees have had, we can assure our colleagues this is a system that is not working.

We will have the money in Medicare for reform. There is surplus in one of the Medicare trust funds. The hospital insurance trust fund will be nearly $400 billion over the next 10 years. This budget resolution ensures all that money can be used for Medicare purposes, and it allows us to pay, at least in part, for prescription drug coverage.

I believe my colleagues on the other side of the aisle rounded that figure up to $500 billion, but the figures we have are about $392 billion. That is a little bit of a rounding up error.

Mr. CONRAD. Will the Senator yield?

Mr. BOND. Of course.

Mr. CONRAD. I tried to make clear in my presentation, and I know the Senator wasn’t there, there are two different sets of numbers. One is the President’s number from the Office of Management and Budget. He says there is $500 billion in the Medicare trust fund Part A. The CBO says $400 billion or the specific amount of $392. That is the difference.

I have referred to be clear throughout on these differences, that it is a difference between the agencies. The CBO that we must use says $400 billion, and the President’s Office of Management and Budget says $526 billion. That is the difference. Mr. BOND. I thank my colleague. As he said, we do use Congressional Budget Office numbers in the congressional budget resolution.

In any event, it will round that up to $400 billion. I think we found a basis of agreement. We have already overcome one of the big hurdles, and we now, at least for this side, agree it is $400 billion.

However, one of the fundamental issues that separates our side of the aisle from our Democratic friends is what we do with that money. It is set aside for Medicare. I agree with Senator DOMENICI and voted on March 13 for his version of the lockbox that allows Medicare money to be spent on Medicare. It sounds like common sense to me. That is what we have a trust fund for, to provide for Medicare. So let’s use it. That is how we make prescription drugs affordable. That is how we move Medicare from the private sector where we now put the programs stronger, solvent for the long term, and ensure our senior citizens will continue to have not only Medicare coverage but, if they have prescription drug coverage, they will continue to have that. If they don’t, they will have a prescription drug option and low-income seniors will get assistance for their prescription drug payments.

Our friends on the other side of the aisle want to lock money away in a lockbox that would not allow Medicare money to be used for Medicare. We don’t think that makes sense. That approach would have jeopardized the growing consensus that we need to provide prescription drug coverage. The Democratic approach would have made it unaffordable. Medicare money should be spent for Medicare. I am committed to that. But the so-called lockbox that wouldn’t allow Medicare money to be spent even on Medicare is counterproductive and unrealistic.

Finally, after setting aside Social Security money, after paying down as much debt as we can, and after making prescription drug coverage available in a reform Medicare program, we have money left over to return to the hard-working folks who earned it in the first place—or, better yet, not really returning it; we are leaving it in their pockets.

I don’t know how many of you have the workout T-shirt that I have from the small business community. It says it is the money that we sent to Washington; it is not the IRS. It is not theirs; it is ours. We are sending it to Washington because they need it. If Washington doesn’t need it, we need to leave it in their pockets. We need to leave it in the pockets of the hard-working American families who have debts they have to pay. They have needs they have to secure for their families. Our proposal would leave more of that money in their pockets.

We have $1.6 trillion in tax relief. Leaving that money in the pockets of families, farmers, and small businesses will have a tremendous impact.

As chairman of the Small Business Committee, I listen to small businesses every day, 21.2 million of whom are taxed at personal rates. In other words, 21.2 percent of the businesses flow to them. They are either proprietorships or partnerships or limited liability corporations, subchapter S. corporations, and instead of being taxed in the corporate entity, they are taxed at the personal level. Mr. President, 21.2 million pay income taxes based on personal rates.

When we lower marginal rates as proposed by the President, No. 1, we are giving the greatest tax cut to the low-income people. Six million people at the bottom of the income-tax-paying ladder are taken off the income tax rolls. If you are a family of four making $35,000 a year, you get knocked off the income tax rolls and receive $400 billion over 10 years. The family of four making $50,000 a year receives a 50-percent tax reduction: $1,600 will be the reduction. Up the scale, a farmer or businessman will have reduced income taxes. It allows them to save, to invest in equipment, to hire more workers, and to pay more to the workers.

We have had a tremendous explosion in the productivity of our workforce in recent years because we have invested in information technology. Where did that come from? No. 1, from the reductions in capital gains rates. It encouraged more money to go into the productive-enhancing activity of our business. Chairman Alan Greenspan and other reputable economists agree that if you want to give a boost to the economy, which is sagging, which was not rescued by the last 50 percentage bases point rate reduction by the Federal Reserve, the best thing to do is tax relief, tax reduction. The best kind of tax reduction is the marginal rate reduction.

A few years ago, we agreed 28 percent of our workforce be the top bracket. I think most people, if surveyed over what is the maximum the Federal Government ought to take from anybody’s income that they worked to earn, would answer maybe 30 percent. We are not going to come anywhere near that. We will lower that 39-percent bracket, which because of the cockamamie scheme of phaseout of deductions, becomes as high as 44 percent in some areas. We will lower that rate to 36 percent, which will still leave the top 1 percent of the taxpayers paying more of the total tax burden than they do today. That is very important for our economy. That is very important for the healthy growth of small businesses, improving the American dream, and strengthening our communities.

Second, we will fix the marriage penalty. It is ridiculous to punish citizens for getting married. We ought to encourage stable households and relieve the burden that comes when two working married partners move into a higher tax bracket than they would if they were single.
Second, we need to fix the death tax by getting rid of it. It is ridiculous for the tax collector to show up at people's weddings. It is even more ridiculous for the tax collector to show up at a funeral.

There was a recent movie, "Four Weddings and a Funeral." For the IRS, four weddings and a funeral makes five taxable events. We fix that unfairness in the budget resolution. We get rid of the death tax that erases an entire lifetime of productive efforts by making small businesses sell out just to pay taxes. We also eliminated the costly burden of inheritance tax planning and insurance costs that put unnecessary drags on small businesses while the owner is still alive and trying to plan around the death tax.

One of the best arguments for getting rid of the death tax is the complexity of the code. Many have had an opportunity to listen to Larry Lindsey. We know the death tax only brings in about one percent of all revenue. We can think of the significant number of pages in the Tax Code that were put in there to try to shore up the death tax to make sure people could not get around the death tax. Add to that the tens of dollars that millions of families and small businesses have to pay just to figure out how to get around the death tax and you see why it is such a nonproductive burden on the economy.

I had a friend of mine was telling that in his father's final illness they had to spend $97,000 on legal and accounting fees just to try to figure out how to keep the farm together to make it a viable agricultural productivity unit. They wasted $97,000 that could have gone a long way towards a down payment on a new tractor or other equipment they needed on the farm.

Speaking about the death tax, there is an article in yesterday's Washington Post about African Americans by media economics experts calling for the repeal of the death tax. Many fellow citizens have been able to participate in our economy for a long time and have accumulated assets across several generations. For African Americans who are often getting into the economic life for the first time thanks to the civil rights movement and others, the death tax is holding them back. A generation that has finally gotten to enjoy some level of opportunity is finding that the death tax can undermine that progress.

For example, Robert L. Johnson, chief executive of Black Entertainment Television and an organizer of the campaign, said the group was influenced by recent efforts by very wealthy white Americans such as William Gates, Senator, and members of the Rockefeller family to fight repeal with similar ads. Johnson said although it might be easy for people who have accumulated assets for generations to support the tax, many African Americans have built up wealth only since the passage of the Civil Rights Act in 1964.

"Many members of a white family may be wealthy through their own effort," he said in the black community, where "business executive may have been the first in a family to go to college, "all that wealth is in one person's hand, but others are living hand to hand."

Repealing the tax, he said, will help close a wealth gap that has left the net worth of an average black family one-tenth of that of the average white family. He also said that the group believes the estate tax is a form of double taxation because businesses have already paid taxes on earnings.

"Mr. President, I ask unanimous consent that this article be printed in the RECORD. There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 2, 2001]

BLACK GROUP SEEKS REPEAL OF ESTATE TAX

BUSINESSMEN SAY LEVY INCREASES DISPARITY IN WEALTH AMONG RACES

(Cher By Glenn Kessler)

Opening a new front in the battle over the estate tax, more than three dozen African American business leaders this week plan to support repeal of the tax because they say it helps widen the wealth gap between whites and blacks.

President Bush has made repeal of the tax a key part of his $1.5 trillion, five-year tax plan. The tax is scheduled to vote Wednesday on a bill that would repeal the estate tax by 2011, and that day the group will run full-page advertisements in major newspapers to clear its support for repeal. Bush face poor among African American voters in the presidential election.

Robert L. Johnson, chief executive of Black Entertainment Television and organizer of the campaign, said yesterday the group was influenced by recent efforts by "very wealthy white Americans," such as William Gates Sr. and members of the Rockefeller family, to fight repeal with similar ads.

Johnson said he is worth more than $1.5 billion, said although it might be easy for people who have accumulated assets for generations to support the tax, many African Americans have built up wealth only since the passage of the Civil Rights Act in 1964.

"Even then, he said, African Americans often face such discrimination, such as difficulty in getting bank loans, and have had to build up businesses by catering mostly to black customers.

Now, Johnson said, the first generation of significant black wealth is threatened by the estate tax. Not only might the tax force the sale of businesses with few liquid assets to the majority community, but also it might force small businesses such as difficulty in getting bank loans, and have had to build up businesses by catering mostly to black customers.

Mr. CONRAD. Mr. President, there was a couple of statements made by my colleague from Missouri that I think require a response.

I pointed out how much debt can be retired, the President has said only $2 trillion of publicly held debt can be retired. But when we examined the budget offering by my colleagues on the other side, we reduced the debt by $400 billion over that. Perhaps at some point we could get a clarification on how much debt they intend to pay down because while the President has repeatedly said there is $1.2 trillion that can't be retired, when we examined the budget document that has come from our colleagues on the other side, we saw they have paid all but $800 billion of publicly held debt.

So there seems to be some conflict within the troops on the other side. I'm wondering what that President says, that there is $1.2 trillion you cannot pay down, or is it as the budget document that has come from our colleagues on the other side, which says, no, it is not $1.2 trillion, it is $800 billion?

I think the $800 billion comes closer to the truth, by the way, than the President's assertion that you can only pay down $2 trillion of the publicly held debt and that there is $1.2 trillion that can't be retired. Again, the budget document that has been provided by the other side says they are prepared to pay publicly held debt down to the level of $800 billion.

The second point: When we do an analysis, a detailed cashflow analysis on paydown of debt, we find that if you save all of Social Security and Medicare trust funds, you have no cash build up problem until 2010. There is no cash build up problem until 2010. So all this talk about you are going to be paying foreign debt holders more than they should be paid, that just does not match the facts.
That whole scenario arose out of the notion that we do not have a tax cut, that we do not have any additional spending initiative. But under both plans, under the Republican plan and our plan, there are significant tax cuts and there are spending initiatives. The fact is you have no cash building problem until the year 2010, and you may well not have it then because this 10-year forecast may not come true.

So I hope we are not debating kind of in the fog with respect to paying down debt and that some are trying to pay down more debt than is available to pay down. Certainly that is not the case based on the testimony received in the Senate Budget Committee.

Finally, on the estate tax, a point that my colleague made on the other side, we do have a difference on the estate tax. We believe it ought to be fundamentally changed, that it bites at much too low a level on estates. We believe that ought to be substantially changed. We feel in a couple years we should be able to preserve $4 or $5 million without having any estate tax; a small business or a farm, $8 or $10 million without paying any estate tax; and we think we ought to phase in those dramatic changes quickly. It is interesting; the proposal on the other side does not relieve a single estate of taxation in the next 10 years. Their proposal cuts the tax rates on the wealthiest estates first. I call it the upside down approach. Instead of expanding those estates that are not subject to taxation, our Republican friends have a proposal that cuts the rates on the wealthiest estates first, does not relieve a single estate of taxation over the next 10 years, and makes this promise out there: Well, just be patient; at the end of 10 years we will eliminate it. We will eliminate it. We will eliminate it in the second 10 years right when the baby boomers start to retire and the cost of elimination is $750 billion for that second 10-year period.

I say to my colleagues I do not think it will ever happen. What will happen is, if we go that route, they will come up with another name for another tax and they will put it on and people will have lost the opportunity in this 10-year period to have our plan pass.

Our plan, which would dramatically increase the exemptions for estates, our plan will shield a million for a couple, $8 or $10 million for a small business or farm so that they do not pay any estate tax, is significant. It would relieve 40 percent of estates from taxation in the first year. Forty percent of currently taxable estates would be relieved of taxation in the first year. We would relieve two-thirds of all taxable estates from any taxation over the 10 years of this budget plan.

Contrast that to what the Republicans have. They do not relieve a single estate of taxation in the next 10 years. They cut the rates on the wealthiest estates first. I don’t know where they came up with that plan, but I don’t think that plan is going to enjoy much popular support. It certainly does not in my State. We are now ready to turn to amendments.

Mr. DOMENICI. I yield myself time off the budget resolution. I yield myself up to 10 minutes, Mr. President.

First I want everybody to know that while my friend who is manning on the Democrat side might choose to answer every detail of research given on this side, I am not going to do that in reference to what he talks about in the Chamber. I will every now and then indicate why I think it is wrong.

I want to make sure we start with everybody understanding what the Republican budget proposal is. I am pleased to have the other side say they would do it differently. But I want to know how we make sure the country understands that based upon the regular budget concepts that we have been using now for a long time with reference to what is within a budget, what is not within a budget: This is the budget. It is very simple. I don’t want to say it is right because I have just asked that perhaps the other side not be so dogmatic and say right and wrong. But I would say it is what the President asks us to do, with a few changes.

Frankly, it is a very good budget, if you want to give the American people, the average family, a substantial portion of this surplus; if you want to give that back to them so they can spend it for themselves as they see fit, perhaps sitting around a table saying we are going to get $1,600 back, we are going to get $1,200 back, which is the average in my State; $1,600 is the average in Texas. They are going to say every year we are going to get that much! That is right! Frankly, I will trust any choice they make sitting around that table rather than us keeping it up here in the Federal Government and making that choice for them.

This is a very basic budget. I am sorry it was prepared when we were still meeting in small rooms. So next time we have it, it will be very big so people will not have to strain. I told them order it twice as big so it will not be so tough for me to explain it.

Every amendment the one Congressional Budget Office estimates, which we are bound to do—and incidentally, to my friend, the ranking member, when he asked about the debt service and how do we get at these numbers, there is a simple answer: We use the Congressional Budget Office estimates. So that question of us, How do we get the debt service paid like we are? The Congressional Budget Office estimates, which we are supposed to use.

The Congressional Budget Office has estimated a $5.6 trillion surplus. Everybody starts with that over 10 years. I want to editorially comment on it. There has been some talk about should we use that number. Let me make sure everybody knows what I think. I think absolutely we should use that number because, if you look at what they tell us, what the CBO tells us, the Congressional Budget Office, the President asks us to do, cut modestly, modest productivity, modest growth, and assume a couple of downturns over the next decade, that is the number they recommend.

Every other business about it could be four times higher and it could be three times lower—they are telling us that might happen. But then you ask them: But what do you recommend? That is what they recommend. That number. That means in the next decade that is going to be sitting around up here, not being needed to pay for the ordinary operations of Government—unless we choose it as an opportunity for spending and we say we are going to spend a bunch of money. Then that will change. We will not have the number that much. We will tell you what we think we ought to spend because we think it is right.

Next, take out all the Social Security money, everything that is supposed to go toward the debt on Social Security. I don’t think there is any argument there, that is $2.5 trillion. Then what we call the rest of the Government surplus, $3.1 trillion—the rest of the Government surplus.

The President of the United States has asked us to approve a budget resolution that says the committees that write the taxes can lower taxes up to $1.6 trillion. Interestingly enough, my friends in the Senate, and anybody else who is interested, this budget resolution does not tell us which tax cuts are going to take place. So when we get up and say we know what the Republicans’ tax proposal will be, we know what the Democrat’s tax proposal will be, we do not know. We do not know the tax-writing committee will write whatever they want with reference to tax cuts, and make sure they do not exceed $1.6 trillion. That is all we are doing in this budget.

If you want to talk about whose estate tax is better, you have to work on that in the Finance Committee when you write up the bill. When you talk about which kind of marginal rate cuts you are going to have, they will come up in the Finance Committee. Say Republicans want to cut as much as possible and Democrats say we are going to cut the taxes for the rich. We say we want to cut everybody’s marginal rates and, in fact, for those in the middle-income area, they get a rather substantial tax cut, each and every one of them, because their marginal rates are going to be cut. But that may not happen because the tax-writing committee will write what they can work out among themselves.

The next amendment will be offered by the ranking member of that Finance Committee. He cannot stand up here and say this is what the Republicans say they are going to do in the Finance Committee and I know they are going
to do it. He is probably going to say, whatever you say to him, we are going to work our will and he is going to be part of that working our will.

Next, available for other priorities—$1.5 trillion. Identified priorities: Medicare, part B, is $200 billion; the surplus for Medicare, for Part A, is $400 billion, and the debt service that it causes is $400 billion.

The important thing is, no matter what is said on the other side, under our budget there is $1.2 trillion—$500 billion—that is not spent. It goes nowhere. It is there to be used as a contingency fund over the next 10 years. That is it, plain and simple.

The other side may choose to put in some other numbers. They have another place they want to say we are going to put $700 billion because we are waiting around for somebody to draft up a program that will let people, independently, invest in investment accounts.

The point of it is last time I saw that it was part of Social Security reform. The last time I heard about it, it disappeared from the horizon, it seems to me, until the stock market comes back. A lot of other things are not dependent on the stock market, but you come down here to try to sell an overhaul of the Social Security system that includes investing money now in independent accounts that involve the common stocks of America. I think it would be good if we went through everybody's head, why don't we wait a year or two? I think that is what is going to happen. I wish it was not. So this is what we normally put in a budget. We believe it is a good budget for the American people.

Having said that, I want to make sure everybody knows that, plain and simple, as this Senate sees it, every time we get close to giving the American people a large sum of the surplus back, such as in a big project, program, or activity is invented by the other side to spend it. It is presented with great, great ardor, with great effectiveness. All of a sudden, something that was never used before in a budget, never thought necessary, as soon as we get close to giving those American people a big tax break up pops another one: Here is $700 billion you ought to set aside for something else. Here is $500 billion more you should spend on Medicare plus agriculture. Just remember those who are listening, you will hear many things. But for the most part, it will be: We have found some way to use more of this surplus for Government purposes rather than for individual purposes. Up pops the spending up pop that thing going through everybody's head, why don't we wait a year or two? I think that is what is going to happen. I wish it was not. So this is what we normally put in a budget. We believe it is a good budget for the American people.

I yield the floor. I understand the other side has an amendment. The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I listened to my colleague. First of all, let me say that I have enormous respect for the chairman of the committee. He is a good chairman. He is a fair chairman. But we do have a significant difference of opinion with respect to the budget that is before the country.

The chairman believes that the size of this tax cut is the appropriate way to go. He tries to poster it as a question of spending versus tax cuts. But the truth of it, that is the tired debate. It doesn't relate to the facts of their budget.

It is not the proposal that we have made. The fundamental difference is we have reserved 70 percent of the money for short-term and long-term debt reduction. They reserve, under the President's plan, about 35 percent of the money for debt reduction.

The fundamental difference is not a difference between taxing and spending. It is a question of do we do more debt reduction as we advocate or more of a tax cut as they advocate?

We have a substantial tax cut but one that is half as big as theirs because we reserve the difference for money to deal with our long-term debt that is primarily Social Security. We say: Look, we have had the Comptroller General of the United States come and tell us the situation we face.

The Social Security and Medicare trust funds face cash deficits as the baby boomers retire. Yes, we are in surplus today, but we are headed for deficits tomorrow. We say in our plan that we ought to set aside some of their money they want to use for a tax cut to deal with the long-term debt crisis facing our country.

That is the difference. That is the big difference between their plan and our plan. They want it all for a tax cut. We want half of it and we want half of it to begin to deal with our long-term debt crisis that is facing this country.

If we want to strengthen Social Security for the future, for the long-term—then it is the privatization plan that their President advocates. From where is the money going to come?

The chairman of the committee puts up a chart. You can't find a single dime set aside to strengthen Social Security for the long term—then it is the one thin dime. You can't find a penny to deal with this long-term debt problem, not a penny.

That is the difference between us.

We reduce the size of the tax cut so that we have resources to strengthen Social Security for the long term to deal with this long-term debt crisis.

Look at what we are told. The Social Security and Medicare trust funds start to run into massive deficits in this second 10-year period. Let me conclude. When they say this is a question of the Democrats just wanting to increase spending, no, this isn't a question of Democrats just wanting to increase spending.

Let's go to the facts. The facts are under our plan the Federal role will continue to shrink. Last night the Senator from Texas said facts are stubborn things. Indeed they are.

Here is our spending proposal. The rate of growth of the Federal Government would continue to decline. In fact, it would go to the lowest level since 1951 under our proposal. This is not increased spending. This is reducing the role of the Federal Government so more resources can be dedicated to debt reduction—both short-term and long-term under our plan.

That is the fundamental difference between these plans.

Our friends on the other side want to take all of the non-trust-fund money and put it out for a tax cut. We say, no, that is not wise. Yes, half of it could be used for a tax cut, but half of it ought to be used to deal with our long-term debt crisis; that we ought to strengthen Social Security for the long term.

That is the fundamental difference between these plans. And it is a profound difference. It recognizes, No. 1, the uncertainty of the forecast. Any 10-year projection is uncertain.

More than that, it recognizes that at the end of this 10-year period, the baby boomers start to retire. These surpluses turn to deficits, and we have an obligation to deal with that long-term...
AMENDMENT NO. 172 TO AMENDMENT NO. 170

(Purpose: It is the purpose of this amendment to establish a prescription drug benefit under Title XVIII of the Social Security Act, without using funds generated from either the Medicare or Social Security surplus, that is voluntary; accessible to all beneficiaries; designed to assist beneficiaries with the high cost of prescription drugs, protects them from excessive out of pocket costs, and give them bargaining power in the marketplace; affordable to all beneficiaries and the program to be administered by private sector entities and competitive purchasing techniques; and consistent with broader Medicare reform.)

Mr. BAUCUS, Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read the following:

The Senator from Montana [Mr. BAUCUS], for himself, Mr. ROCKEFELLER, Ms. STABE- low, Mr. MUKULSKI, Mrs. MURRAY, Mr. DAY- nes, Mr. WYDEN, Mr. ENZI, Mr. REED, and Mrs. CARNARON, proposes an amendment numbered 172 to amendment No. 170.

Mr. BAUCUS, Mr. President, I ask unanimous consent 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. BAUCUS, Mr. President, this amendment is very simple. It provides the funds necessary to establish a good, solid prescription drug benefit in the Medicare program for our seniors and disabled. That is what it does. It is not excessive. It is not gold plated. It is voluntary, the total benefit that some of our seniors would like. But it is a good, solid benefit—coverage that would meet the commitment that so many of us have made so many times to our seniors.

To offset the cost of the new benefit, the amendment would make a very modest reduction in the size of the proposed 1.6 trillion tax cut. It would be very modest.

Let me put this amendment in perspective. Medicare was enacted in 1965. Since then, the practice of medicine has changed dramatically. No one doubts that. Today, more often than not, medicine involves not only a trip to the doctor, but a trip to the pharmacy to pick up a prescription drug as part of therapy.

At the same time, we all know that drug prices are rising very fast. In the year 2000, drug prices rose by 11 percent. Since 1990, prescription drug spending has more than tripled.

Let’s go beyond the statistics and look at the effect on real people. Take the drug Prilosec. It is used to treat ulcers and digestive problems. If you don’t have health insurance, it might cost you $1,400 a year. If you are a senior citizen living on Social Security, payments of about $10,000 a year—and many seniors are—that is more than 10 percent of your income on one prescription.

I ask you, how many seniors have only one prescription? Virtually none. They have several. They have to.

And I heard this from a senior citizen in Havre, MT. She wrote:

"Senator Baucus, I am a senior citizen on a fixed income. I take medication to deal with anxiety. That medicine used to cost me $20; now, I pay $50.

Something should be done about this."

How right she is. In fact, I will bet virtually everyone in this Chamber...
agrees, something should be done about this.
That is where the budget resolution comes in. Simply put, the budget reso-
lution proposed by the Senator from New
Mexico does not go far enough. It does
not do what it claims to even do. It pro-
ed funds to support a solid prescription
drug program. In other words, it sells our seniors short.
I will be more specific. The budget resolution sets aside about $153 billion
over 10 years for a new prescription
drug program. That tracks with the President’s proposal, the so-called “im-
mediate helping hand.”
I am not critical of the President, nor am I critical of the senator from
New Mexico. Their proposal is a start. It acknowledges the need to expand
prescription drug coverage. It makes a good-faith effort to get there. But even
though it is a start, it has two very sig-
nificant problems that have to be rem-
edied. First of all, the budget reso-
lution doubles the cost of the Presi-
dent’s proposal. CBO now esti-
mates the President’s proposal would
cost $207 billion over 10 years. So the
budget resolution is more than $50 bil-
lion short. The chart behind me shows that;
that is not in here. It won’t work. It would
be disingenuous. It would be a false
promise to our seniors. We have to do
enough that works. Not a gold-plated
program, but a solid one.
To offset the cost of our amendment
reduces the size of the tax cut by $158
billion, or about 10 percent. Since $153
billion is already provided for in the
budget, we take $158 billion out of the
tax cut, totaling about $311 billion. That
is our amendment. That still al-
lows us plenty of room to cut tax rates,
reform the estate tax, the marriage
penalty, and other necessary changes
to the code.
Some will argue that a $1.6 trillion
tax cut is the Holy Grail. It is sac-
rosed. We can’t touch it. It is locked
in stone. It is almost in the Constitu-
ution. That is what we hear, that we
must pass a tax cut that large at all
costs, regardless of the consequences,
regardless of the other important pri-
orities that we have to be shunted aside. I disagree.
The process of writing a budget reso-
lution is a process of setting priorities.
A large tax cut is an important pri-
ority, but so is the health and welfare
of our seniors. It is our job to ask the Sen-
ate to strike a balance, and that is pre-
cisely what our amendment does.
Mr. President, we may hear a coun-
terproposal, a second-degree amend-
ment to accomplish some of the same
objectives by taking the money out of
the so-called contingency fund, rather
than by reducing the proposed tax cut
by $158 billion. This is an honest de-
bate. Where do we get the money? Do we take it out of the contingency
fund, or do we take it out of the tax
cut? That is the decision with which
this body is confronted.
We know that the contingency fund
has been accounted for by as many
times as there are Senators in this
body and more than that, because each
Senator has different ideas how to use
that contingency fund.
That contingency fund is not going
to be there. Let me indicate why. If
you take the final amendment in the
contingency fund presented by the Sen-
ator from New Mexico, he said it is
about $450 or $500 billion—I am not sure
exactly which—here are some of the
costs of doing so. We can cut $311 billion
in various ways: uninsured benefits, peo-
ple want to start providing a benefit
for the 43 million Americans who are
uninsured; the alternative minimum
tax, what is that going to cost us? That
is going to cost us $200 to $300 billion.
We all know we are going to fix the al-
ternative minimum tax defect. Extend-
ers, tax extenders, not in the budget,
another $200 billion. Already that is
close to $600 billion.
Business tax breaks, does anybody
here think there are not going to be
some business tax breaks in this bill,
say $200 to $300 billion? Agriculture,
that is not in here. Disaster assistance,
that is not in here. The $100 billion
over 10 years. Education, $150
billion; missile defense, possibly an-
other $200 billion. There is just so
much in here or not in here that if we
honestly look at the tradeoffs, either
reducing the tax cut by $158 billion or
using the contingency fund for a pre-
scription drug benefit, it is clear where
the money is going to be and where the
money is not going to be.
How many Senators in this body
think they can’t touch the $1.6 trillion
tax cut. That it is just a given. But
nothing is a given around here. We are
here to make choices. We are here to
represent our people. I will bet dollars
to doughnuts that if you were to ask
all of the people in your State, and if
every senator were to ask all the peo-
ple in their own States, what do you
prefer, a $1.6 trillion tax cut with no
prescription drug benefit, except a very
minority one that we are going to cut
the tax cut reduced by $158 billion for a real
honest-to-goodness prescription drug
benefit that will work, we all know
what the answer to that will be. People
will say: Of course. That is such a mod-
est nick in the tax reduction for some-
thing so good and so needed. There are
so many seniors destitute and down
and out who need prescription drug
help. That is a no-brainer.
Compare that with asking: Should we
take the benefit out of the contin-
tency fund? We all know, we are
adults, we have been around here a
while, that is kind of a phony issue,
that contingency fund, because every-
bodys knows the claims on it are more
than the number of senators in this
body.
Let’s do what is right. It is a very
modest reduction in the President’s
proposed tax cut, a modest reduction
that clearly makes sense. I ask sen-
ators to forget what the computer
saying for a moment. Maybe just for
a nanosecond, someone might say: Gee,
that is a good thing to do.
In so saying, I urge senators to support the amendment offered by myself and Senators GRAHAM and KENNEDY, reserve the remainder of my time, and yield to the senator from Florida.

Mr. REID. The time would be off the bill, Mr. President.

Mr. CONRAD. Mr. President, may I indicate that Senator GRAHAM’s time will come off the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered. The senator from Florida is recognized.

Mr. President, before I turn to the specific issues raised by the amendment offered by my friend and colleague from Montana, myself, and others, I will make a couple of general comments about the context of this discussion of the budget resolution.

We are looking at the world as if it ended exactly 10 years from the end of this fiscal year. That is a very artificial restraint.

At a meeting of the Senate Finance Committee on March 29, a former Director of the Office of Management and Budget under the administration of the first President Bush made this statement in response to a question about the artificiality of the 10-year limit. Dr. James Miller stated:

I think the timeframe does matter. We sort of lull ourselves into, when I was budget director, in 5-year timeframes, and now you are looking at 10-year timeframes, and it is appropriate, really, to look beyond that. And what we know, of course, is that they’ll be running big surpluses until about 2020, whatever. And then we will be running deficits again.

During that hearing, I used the important historical fact that on March 30, 1936, Senator Robert La Follette’s daughter had her sixth birthday. I can report it was a happy celebratory occasion. If my daughter and her husband were to view the economic consequences relative to their triplets as we all do with this budget, they would stop the clock 10 years from now when their triplets had their 16th birthday. That would give a very false impression of what the true cost of raising triplets in the 21st century is going to be because 2 years after their 16th birthday will be their 18th birthday, the year in which, hopefully, they will all be entering college. Any family who has some idea of what college costs for one child in the year 2001 can calculate what the costs are going to be for three children and project what they are likely to be in another 12 years from now.

In many ways our Nation is similar to my daughter’s family. We have some very big expenses that are coming just beyond this 10-year timeframe. What is driving those big expenses is a contract. Actually, it is a series of contracts between the American people and their Federal Government.

Those contracts provide that when Americans reach retirement age, they will become eligible for Federal assistance in paying their health care costs, a contract which in part, through the Part A hospital trust fund, they have also been paying for throughout their working life.

The numbers of Americans today who are cashing in that contract are relatively modest. I happen to be 64. In November of this year, I will become fully eligible for Social Security and Medicare. When I become eligible, I will also become eligible for Medicare on the trust funds because, frankly, there were not a lot of people born in 1936. It was the depth of the Depression and most people did not see that as a propitious time to be adding to the size of their family.

Right after World War II, Americans started having babies in record numbers. It is those babies who will begin to become eligible for Social Security and Medicare in about the year 2011, just after this 10-year window shuts down, and they will rapidly increase in numbers. As Dr. Miller said, by the time of 2020, whatever, then we will be running deficits again.

In my judgment, the context in which we look at all of the issues we are discussing is not the 10-year context but the generational context of the next 25 years so that we will be taking into account this enormous number of Americans who will be eligible for the Social Security and Medicare rights they have been paying for in Social Security and Medicare.

Another thing is going to be happening to that population. Not only will it be reaching retirement age, but that generation is going to start living longer. The average life expectancy of an American when Social Security was established in the mid-1930s, after one reached 65, was about 7 years. Today, the average age for a female who reaches 65 is almost 20 years, and it is almost 16 years for an American male.

During this century, those ages beyond 65 will continue to grow. So we are going to have a much larger population over 65 and that population will live substantially longer, placing additional economic challenges to the Federal Government.

In my judgment, the key step we should be taking now to prepare for that is to save every dollar of the trust funds of Social Security and Medicare for their intended purposes. We should do this to the maximum extent possible by paying down the national debt, and then we need to be creative after we have reached the point that we have paid off the national debt fully or to the extent feasible, as to how we can continue to reserve those funds so that they will be available when this tidal wave of retirement comes in the next decade.

Those are some of the contexts for the discussion on the issue that will dramatically affect this generation that will soon be retiring, and that is the quality of the Medicare program they will become eligible to receive.

I strongly support the addition of a prescription drug benefit to Medicare. Frankly, if anyone were to suggest that a Medicare program be fashioned to include not only prescription drugs, they would be considered to be a dinosaur in terms of what is a modern health care system.

This belief that Medicare should include a prescription drug benefit is now widely accepted by the American people. Both the candidates for President in the year 2000 committed to work for a prescription drug benefit for older Americans.

I have been conducting a poll on my Senate Web site for over a year on the question of Medicare prescription drugs. The first question we ask is, Should Medicare coverage include a prescription drug benefit?

I have no pretensions as to the statistical appropriateness of this poll. It is just anybody who logs on to our site and takes advantage of the opportunity to express their opinion. But of those who have done that—this, as I said, represents over a year and a half—who have taken advantage of this poll—88 percent have answered the question: Yes; Medicare coverage should include prescription drugs. I think that is close to representative of what the American people believe about this issue.

The challenge is before us this week to make a determination: Are we going to provide in this budget resolution a sufficient amount of funds to provide an affordable, comprehensive, realistic prescription drug benefit within Medicare?

I submit the proposal which is contained in the budget resolution as submitted is not an adequate proposal to provide that comprehensive benefit.

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

Mr. GRAHAM. I ask for an additional 10 minutes.

Mr. CONRAD. We will be happy to provide the Senator an additional 10 minutes off the resolution.

Mrs. HUTCHISON. Mr. President, the Senator intends to take 10 more minutes; is that correct? May I ask, then, that following the Senator from Florida, I be able to speak for 15 minutes.

Mr. KENNEDY. Reserving the right to object, and I do not intend to object, but I have a similar request; that I follow the Senator from Texas.

Ms. STABENOW. I also ask to follow the esteemed Senator from Massachusetts.

Mr. CONRAD. Perhaps we can propound a unanimous consent request. Mr. President, I ask unanimous consent that the Senator from Florida, Mr. GRAHAM, continue for 10 minutes; then turn to the Senator from Texas, Mrs. HUTCHISON, for 15 minutes; then go to the Senator from Massachusetts, Mr. KENNEDY, for 15 minutes; and then conclude with me, Ms. STABENOW, for 10 minutes.

The PRESIDING OFFICER (Mr. ENZI). Is there objection?
Mr. BAUCUS. Mr. President, reserving the right to object, my understanding is there are 7 minutes remaining on the amendment. I want to reserve 5 minutes on the amendment.

Mr. FRIST. Mr. President, reserving the right to object, we all are marching back and forth on the sides? I did not hear the unanimous consent request.

Mr. CONRAD. There were no requests on the Senator's side. We can certainly do that.

Mr. FRIST. If not, I want to be inserted wherever convenient following Senator HUTCHISON, if we are alternating back and forth.

Mr. CONRAD. I amend the unanimous consent request to 10 minutes for the Senator from Florida, then 15 minutes for the Senator from Texas, then back to our side for 15 minutes to the Senator from Massachusetts. How much time does the Senator from Tennessee want?

Mr. FRIST. Twelve minutes.

Mr. CONRAD. Twelve minutes to the Senator from Tennessee, and then come back to the Senator from Michigan for 10 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BAUCUS. I have 5 minutes.

Mr. CONRAD. The Senator from Montana had previously requested and, as I understood it, reserved 5 minutes off the amendment. All of those other times are the amendment on our side. On the Republican side, I am assuming they will be off the amendment.

Mrs. HUTCHISON. Off the resolution.

Mr. CONRAD. Off the resolution.

Mr. BAUCUS. I suggest, frankly, under the rules, each side has 30 minutes. This side has virtually used up 30 minutes, and none of the time has been used on the other side. My suggestion is during this debate we also use time off the amendment as well as time off the resolution, but we will start first with the amendment and then the resolution so that is taken care of.

Mrs. HUTCHISON. That is not my intention. My intention is to take time off the resolution.

Mr. CONRAD. I repeat my unanimous consent request and we reserve 5 minutes off the amendment for the Senator from Montana.

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

The Senator from Florida.

Mr. GRAHAM. The amendment on which we are debating provides $153 billion in new budget authority in outlays for a prescription drug benefit for the period 2002 through 2011. As my colleague, Senator BAUCUS, has already indicated, the assessment of the plan that President Bush has submitted would be that it would have a cost over that 10-year time period of $207 billion. So the amount of money requested in the budget resolution would not even be adequate to finance the barebones, the budget resolution would not even stretch it as he states he will attempt to do during the last 6 years of this 10-year period to cover all Medicare beneficiaries, the effect of that would be to provide a plan which could require as much as $1.750 deductible before any prescription drug benefit is provided for payment under the prescription drug benefit.

As Senator BAUCUS has already demonstrated, the Director of the CBO has described the attempt to stretch a universal benefit under the amount of dollars available providing a great deal for any one person. There is a second defect in this plan in addition to its inadequacy. That is the fact that it purports to use Part A funds as the means of paying for this prescription drug benefit. That is quite directly stated in the plan which has been passed by the House, where their budget resolution specifically says prescription drugs will be paid through the Part A trust fund.

The prescription is not that explicit, but as you go through the analysis provided by the Senator from North Dakota and the Senator from Montana, you inevitably come to the conclusion that the proposal is to switch the Part A trust fund surpluses to a contingency fund and then use that contingency fund for a variety of purposes, including the payment of prescription drug costs to the Federal Government. The Part A trust fund is one of those contracts between the American people and their Federal Government. That Part A is intended to pay for hospital costs, not for other costs. If we are intending to add to the Part A trust fund a new obligation to pay for prescription drugs, then we are going to have to ask ourselves how are we going to provide the additional dollars that will be required for the Part A to be able to meet its current obligations of paying hospital benefits and do so on this new, nonactuarially balanced responsibility for prescription drugs.

I believe this amendment being offered presents the opportunity to tell the American people we are serious about providing a prescription drug benefit and that we recognize the urgency of doing so.

Today, prescription drug benefits for older Americans, which have traditionally been provided from other sources, are declining. There are four key areas in which, traditionally, Medicare beneficiaries have received some prescription benefit. Medigap, which is the purchased insurance, is becoming so expensive that fewer than 5 percent of the Medicare beneficiaries today are purchasing it. Managed care has been dramatically reducing prescription drug benefits. In my State of Florida, it is common for there to be a $500 per year maximum of prescription drug benefits. Many elderly use that in less than 2 years.

Retiree plans are becoming less prevalent and less generous, and Medicaid—my State of Florida is an example has restricted prescription drug benefits to just three medications.

In every area, the places that the elderly have looked to in the past for benefits are declining. At the same time, the cost of drugs is rapidly increasing. The average annual drug spending per Medicare enrollee today is $1,756. This is projected to increase to $4,412 by the year 2010.

The time is urgent. We face this issue of the necessity of providing a meaningful prescription drug benefit for older Americans, and to do so through the Medicare program. What would be the outline of an appropriate plan? I think an appropriate plan would have the following characteristics: It would be voluntary in the same way the physician benefits which are currently provided through Part B of Medicare are voluntary. It would be comprehensive. It would be available to all Medicare beneficiaries. It would be adequate.

Today, the physician component of Medicare is paid 75 percent by the Federal Government, 25 percent by monthly premiums. I propose for this prescription drug benefit it be an equal, a 50/50, division of responsibility between the Federal Government and the Medicare beneficiary.

Projections have been that at that level of support we could anticipate substantial voluntary participation in this plan, sufficient participation to maintain its actuarial soundness and to avoid the ever-present adverse selection of only those who were the most in need. This would be within Medicaid—hopefully, a reformed Medicare. It would use an insurance model. It would emphasize to people that this is not just a dollar-for-dollar exchange for products you know you will purchase. It also represents a transfer of the risk that you might become seriously ill and your prescription drug costs dramatically increase.

We would provide for a deductible at the beginning of the process, but also very important, a stop loss, once you have expended $4,000. At that point, the Federal Government would pay the full cost of your prescription drugs.

We believe this is an affordable plan. Last year, a plan with these characteristics was costed as $245 billion for a 10-year period. Today, it is estimated that the same plan will cost $311 billion for 10 years, which is some indication of how rapidly prescription drug costs are rising. Particularly those drugs that are most used by older Americans, have been increasing.

The American people want and expect this Congress will provide a prescription drug benefit. They have a right to expect that benefit will not be a sham, that it will provide meaningful, comprehensive, adequate coverage for all seniors who elect to participate in this program. They have a right to expect it will not be done at the sacrifice of their current expectations in terms of hospital benefits. Those hospital benefits have been paid for over the years in their payroll payments.
taxes. This is not the time to raid that fund to try to finance a prescription drug benefit. It should be done through a combination of general revenue Federal funds and the premiums paid monthly by the beneficiaries on an equal shared basis. That is what our amendment will finance. I urge my colleagues who are serious about telling their constituents they voted for a prescription drug benefit to vote for this amendment.

The PRESIDING OFFICER. The Senator from Texas.

ORDER FOR RECESS Mrs. HUTCHISON. Mr. President, I ask unanimous consent the Senate recess from 12:30 to 2:15 for weekly party conferences to meet and the time be counted equally with respect to the budget resolution.

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

Mrs. HUTCHISON. Mr. President, I rise today on the resolution itself. I am very proud of the budget resolution that has been produced. I commend Senator DOMENICI for his leadership in that has been produced. I commend very proud of the budget resolution.

The overall budget increase is 4 percent. There will be more in some areas such as public education—11.5 percent—and less in some areas. There will be dead even expenditures 1 year to the next in some areas. In some cases, projects have already been finished and they do not need more funding.

So we are taking the responsible approach of saying $1.6 trillion goes back into the pocketbooks of the people who earned it. What is going to happen with that $1.6 trillion? That money will go back into the economy, either through spending, savings, or investment, all of which will make our economy stronger. Our country doing nothing for the economy. In fact, some economists say it is a drag on our economy to have this big a surplus sitting in Washington, doing nothing. It is better to be in the pocketbooks of the people. So just send it and so it will go back into the economy and create the jobs and the prosperity that will keep the economy strong.

We are talking about a $5.6 trillion tax relief package. But Senator DOMENICI and Senator CONRAD have agreed on the $60 billion figure. Senator DOMENICI has agreed on that figure. Senator CONRAD has agreed on the $60 billion figure. That is in the budget, the people of our country will know they are going to get some relief immediately.

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First, let’s talk about debt reduction. This budget resolution provides for the largest and fastest debt reduction in the history of our country. We will pay off $2.3 trillion of our $3.2 trillion in public debt over the next 10 years. Not only is this an aggressive schedule, but it is the maximum debt reduction possible unless we want to pay a penalty, which would not make economic sense. So without penalties, we are paying down this debt to the maximum extent possible.

Under this budget resolution, the Government’s publicly held debt will decline from 35 percent of the gross domestic product to 7 percent in 2011, the lowest in 30 years. By 2011, the publicly held debt was 80 percent of the gross domestic product in 1950, following World War II; it was 42 percent of gross domestic product in 1990, following the cold war; and by 2011, under this budget track, it will be 7 percent. That is a healthy debt reduction, and most certainly a healthy reduction.

Tax relief. We are going to have $5.6 trillion in surplus over the next 10 years. We are proposing to divide that right down the middle and set aside all of the Social Security and Medicare surplus so that those items will only be spent for those two very important programs. But of the other half, which is the income tax withholding surplus, which means that people are sending $2.5 trillion more to Washington than we need to fund the current programs, we want to return $1.6 trillion, leaving approximately $1 trillion for added spending. That is about adding spending in our priority areas.

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No. 3, protecting Social Security and Medicare. We want to make sure that Social Security is secure. That is our No. 1 priority. That is exactly what we are doing in this budget resolution. The Social Security surplus will be used for Social Security beneficiaries. We are paying down the deficit because we have the surplus that is there for Social Security. The same is true for Medicare. The budget resolution ensures that every dime of Medicare Part A will be used for Medicare, for paying down the debt. It also provides for the education benefits. We are going to give them education benefits. We are going to give them higher pay. We are going to give them health care benefits. And we are going to give them better health, we owe them. They are doing a job for our country that no one else can do.

We are going to have the next generation of technology so that we keep our superiority in national security: so that we keep the air superiority we have seen just in the last year absolutely perform in the way we had hoped it would.

We are going to keep the superiority of our defenses because we know that the best defense is a good defense. We know that peace will come through strength. Knowing that we have the best is the best deterrent that we can have for any country that might choose to fool around with America. I am proud of this budget resolution.

I am proud of the President of the United States.

There is a new era in Washington. I hope we can keep the promises we made to the American people and pass a responsible budget resolution with responsible spending and responsible tax relief for every hard-working American.

I yield the remainder of my time to Senator Frist.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. Frist. Mr. President, how much time remains on the amendment?

The PRESIDING OFFICER. The Senator from Massachusetts was to follow the Senator from Texas. The Senator from Texas has 4 minutes remaining.
Does she intend to allow the Senator to use her time?

Mrs. HUTCHISON. Mr. President, I had 15 minutes, and it is my intention to yield the remainder to Senator FRIST.

Mr. CONRAD. Mr. President, reserving the right to object, we have a unanimous consent agreement in place. The unanimous consent agreement provided for time for the Senator from Texas, and then we were to go to the Senator from Massachusetts, and then back to the Senator from Tennessee. I think what has been suggested would be out of order.

The PRESIDING OFFICER. The Senator from Massachusetts was next to be recognized. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, as I understand it, I have 15 minutes. I ask the Chair to let me know when I have 12 minutes left.

Mr. President, first of all, I commend Senator CONRAD, the ranking member of the Budget Committee, for his excellent presentation both last evening and this morning. I also commend him for his deep and profound and thoughtful analysis of the whole budget that is before us at this time in the rather unusual form because, as I think every Member understands, we don’t have the President’s budget. I think all of us believe we should have the actual budget of the President so we can find out the President’s priorities and the cuts that are going to be made in the various programs rather than predicting or surmising what might be in that particular proposal.

I commend Senator CONRAD for the very strong analysis he has made of this. From any fair reading of the debate, to date, one would have to find that the presentation made has been clear and convincing—that we are not going to be able to do all things for all people and going to be able to afford these very dramatic tax cuts, which I believe are too large, too unfair, and too unpredictable, and still deal with the many challenges that we are facing.

I commend the Senators from Montana and Florida, Mr. BAUCUS and Mr. GRAHAM, for their leadership on this issue of prescription drugs. They have made a very effective case. It is one which I strongly support. I thank them.

It is a clear indication of the priorities on this side of the aisle that our first amendment is on the issue of prescription drugs. This amendment recognizes the enormous need for giving assurances for prescription drugs to our seniors. I want to underline that fact. Today, as was pointed out in the presentation of Senator BAUCUS of Montana and the presentation of the Senator from Florida, this is really a life and death issue.

Our debate on the budget is really a question of priorities, and it is also a question of values. What we are saying with this amendment is that we put a high priority on the issue of prescription drugs—guaranteeing an affordable, dependable, reliable, and effective prescription drug program for our seniors in this country, and for others in desperate need.

There is a critical failure to make that commitment in the underlying budget proposal. As has been debated on the floor of the Senate on a number of different occasions, the issue of prescription drugs is a life and death issue.

This budget is about priorities. We are talking about life and death issues. For senior citizens, prescription drugs are as important as going to the hospital today. They are as important as the physician’s care.

If you can, imagine what would happen in this country if the Senate of the United States decided to take away all guarantees of hospitalization under Medicare. The country would be in an uproar. If we decide to take all guarantees of the physician’s care away, the country would not tolerate it. Yet for our senior citizens, make no mistake about it, prescription drugs are life and death issues.

I listened to my good friend—she is my good friend—from Texas talking about investing in the NIH and producing these new miracle drugs. That will be meaningful unless we are going to set up a system to get the magnificent new drugs out to the people who need them. That is what this amendment is all about.

What we see before the Senate—in terms of choice and in terms of priority—is a Republican budget that effectively provides for a $1.6 trillion tax cut for the wealthiest individuals, and only $153 billion for the Medicare program.

For the over 1 million individuals who are making more than $1 million, they will get $729 billion. Those seniors who are on Medicare and need prescription drugs get $153 billion. These tax breaks are for the millionaires who benefit from very wealthy individuals for just several years. We are going to give them $729 billion and $153 billion for the 39 million senior citizens and others who depend on Medicare.

Who are these senior citizens who depend on Medicare? The average senior citizen who depends on prescription drugs and Medicare is 73 years old, a widow, about $14,000 in income, with multiple ailments.

Do we understand that? A senior citizen making about $14,000 gets one-fifth in this budget what we are going to give the wealthiest 1 percent. This is the question of priorities.

This chart shows very clearly that about 80 percent of all seniors have incomes under $25,000. Those are the people about whom we are talking.

This issue is about priorities. Are we going to give tax breaks to the wealthiest individuals? Are we going to say— as a matter of national priority—our senior citizens are a priority? They are in desperate need for a prescription drug program.

With all due respect to the proponents of the administration’s budget, in the proposal that is before us, just look at what they say in justifying their position on prescription drugs:

If the Committee on Finance of the Senate reports a bill which improves the solvency of the Medicare program—what does that mean, “improves the solvency of the Medicare programs”? That is “wordspeak” for if they are going to cut out benefits, because here it says: “without the use of new subsidies from the Medicare programs”—is that the “improves the solvency” mean if we report out of the Finance Committee—if they are going to report a bill—it is going to improve the solvency of the Medicare program by cutting out other benefits, because it says here: “without the use of new subsidies from the general fund.”

Therefore, the only way you are going to get prescription drugs is if they decide to do it, and it is only going to happen; if they make cuts in the Medicare program and if the bill “improves the access to prescription drugs.”

Wouldn’t you think they would at least put the words in there that would guarantee prescription drugs? No. It is “access to prescription drugs.”

What in the world is happening? “Access to prescription drugs”—is that the President’s old program, a “helping hand” for prescription drugs? Is it a welfare benefit program? What is it? All it says is “access to prescription drugs.” It is no guarantee that there will be an effective prescription drug program that will be universal, that will be comprehensive, have basic and comprehensive coverage, and that will be affordable, like in the Baucus proposal. It also says: if there is . . . . access to prescription drugs for the Medicare beneficiaries, the chairman of the Budget Committee of the Senate may—may—“revise the allocations, but not to exceed the . . . . $153 billion.”

We know what is going on here. The Budget Committee on the one hand mandates tax cuts for the wealthiest individuals. There is no contingency in this budget proposal with regard to taxes. There are no ifs, ands, or buts; there is a mandate for the Finance Committee on taxes, and for prescription drugs. You would think if they were going to put this completely inadequate amount of money into the budget for prescription drugs, they would actually say: “When the Committee on Finance does report a prescription drug program.” But, oh, no.

So make no mistake about it, this is phony. It is made up. No senior citizen
in this country can take any—any—satisfaction whatsoever from what has been included in the budget proposal.

The proposal that is before the Senate at this time by the Senators from Montana and Florida remedies that. It puts to rest debate, there are four major criteria by which we should evaluate the budget plan:

Is it a fiscally responsible and balanced program? As has been pointed out by the Senator from North Dakota and others, it does not meet that test.

Does it protect Social Security and Medicare for future generation retirees? It flunks that test.

Does it adequately address the urgent needs, such as the prescription drug program? It really enhances what is necessary if we are going to make education a priority in this country? We will have an amendment that will be offered by our colleague and friend, the Senator from Iowa, Mr. HARKIN.

And does it distribute the benefits of the surplus fairly amongst all Americans? It fails that test.

If the American people care about prescription drugs, this amendment is the way to go. It is well thought out. It is responsive to the challenge. It is absolutely essential to meet the health care needs of our senior citizens, at a time when their prescription drug coverage is dropping right through the bottom.

A third of our seniors have no coverage. A third of our seniors have no coverage. Another third have employer-sponsored retiree coverage, but it is in rapid decline. We have seen how that has fallen off 40 percent in the last few years.

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. KENNEDY. Then we have seen what has happened in Medicare HMOs. Last year, 325,000 Medicare beneficiaries were dropped from their Medicare HMOs. This year it is 934,000—three times as many as in 2001 as were dropped in 2000. People have to be asking: Business as usual? I hear from the other side: Business as usual. Business as usual.

We are challenging that theory with the American people and the true priorities of American families. I hope the amendment will be adopted. I thank the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Tennessee.

Mr. FRIST. Thank you, Mr. President.

I rise to continue our dialog and debate this morning on Medicare, how we improve Medicare, how to strengthen Medicare for our seniors, as well as for our individuals with disabilities.

We are in the middle of the budget debate which sets the framework for our policies over the coming days and weeks and months of this year.

I am a little more optimistic than the Members I heard this morning because I think we have a unique opportunity, an opportunity that is reflected in the budget put forth by both President Bush and Senator DOMENICI, as reflected in the budget resolution that is before this body—a body that aims at what I think is most important when we look to our seniors or our individuals with disabilities because what they really want is health care security; that if they need care at a certain time, it will be available for them and include the hospital bed, the surgeon’s knife, the operation, the outpatient unit, the doctor’s visit, and prescription drugs. Is there where the opportunity comes in. So I would like to speak to that shortly.

We are talking about the budget today, so let me begin with what the President’s budget is, what is reflected in the budget resolution that we have passed, and what are the numbers.

If we look at Medicare, and we look at fiscal year 2002, the Medicare outlays would be $229 billion. It is a large number, but until you start looking at other numbers, how large is it? And what happens to it?

In that first year, it is $229 billion. Our budget, the budget we are talking about on the floor, goes out, year by year, to year 5 and year 10. In year 10, that $229 billion in the budget resolution put forth by Senator DOMENICI is up to $459 billion. That is in the budget. That is about an 111-percent increase, if you compare the first year on out to 11 years. And that is the resolution.

In addition to that, there is $153 billion in addition to that—the increases I just talked about—which is placed on top of it, to be directed to modernization, to strengthening Medicare, to give our seniors more security by including prescription drugs. And I hope, as we modernize Medicare, and as we strengthen Medicare, we do other things—in fact, I would say we absolutely have to do that if we want to have a program that is going to be sustained in the long run, more preventive care, more chronic care, better care for heart disease, for lung disease, and for cancers.

That is where it comes back to the great opportunity we find before us that is laid out in the policy behind this budget; that is, that we have the opportunity to strengthen Medicare, to improve Medicare, to modernize Medicare, to bring it up to the standards of modernity that tomorrow will be so broadly distributed in the private sector.

I should add, what Senators and Members of the Congress get, what the President of the United States gets, what Federal employees get—our seniors and individuals with disabilities deserve it.

When I say strengthen Medicare, which this budget allows us to do, I am talking about improving it, making it stronger, injecting energy into the program to make it more responsive to the individual needs of seniors or individuals with disabilities.

When I say improve Medicare, which this budget allows, and the policy behind it almost assures, I am talking about the inclusion of prescription drugs, which will be universally available, adding more elements of preventive care and chronic care, disease management, the sort of disease management that is routine in the modern world. We cannot, because of this rigid stratification and micromanagement, be included in Medicare today.

I am talking about strengthening, improving, and modernizing Medicare.

The problem we must address as we increase this budget from $229 billion under the current proposal, to $309 billion in year 6, to $459 billion in year 11 in this budget, is Medicare today is based on a 1965 health delivery system. Think of the cars you were driving in 1965. Some of them are pretty nice on the road today if they have been buffed, polished, and kept tuned. There are not many people who would want to be driving today the same car they drove in 1965. We must continue to invest in Medicare because our senior citizens deserve it.

We have to add $153 billion in addition to the $459 billion we have done in the underlying bill because right now we do not have prescription drugs. As a physician who has prescribed and written tens of thousands of prescriptions, I know the value of those prescription drugs. They absolutely have to be a part of the toolbox, the tools, the armamentarium that physicians and nurses, recipients, beneficiaries, individuals with disabilities, and seniors can use to maximize quality care, and that is health care security.

There are no outpatient prescription drugs as a part of Medicare today, and...
that is the challenge this body has, especially as we develop policy, and that will come, in part, in this budget debate, but really after the budget debate by the Finance Committee and elsewhere.

Limited access to new technologies: Most people know it takes not just weeks and months but years and sometimes an act of Congress to get new technology considered in Medicare today. Our seniors deserve better.

Little preventive care today in Medicare: A lot of our seniors, as I travel around the country at hometown meetings say: I like my Medicare, and it is good. Medicare has been a hugely successful program over the last 35 years, and I, as a physician, have seen it day in and day out, and it has been hugely successful.

What a lot of people do not realize—and it was clearly apparent in the hearings we had in the Subcommittee on Public Health of the Finance Committee—is that some of the benefits that are in the private sector have continued to improve, where the benefits in Medicare have been stagnant; they have not changed or changed slowly. That is why it is outdated. We absolutely must strengthen, improve, and modernize it.

Right now Medicare only covers 53 percent of a senior’s health costs. Ask a senior: Of health care costs over the next 10 years, how much will be covered by Medicare? Many think 80 percent, but in truth it is 53 percent.

Micromanagement: Again, that is a product of us being well intended, passing laws year after year, and giving it to an organization called the Health Care Financing Administration which has layered regulation on regulation to the point the regulations, rules, and explanations that cover that simple doctor-patient relationship amount to 135,000 pages of regulations. The Internal Revenue Service has about 40,000 pages of regulations.

Those regulations governing the relationship between the doctor and patient are not $5,000, $10,000, 60,000, 80,000; it is 135,000 pages of micromanaging regulations. We have to simplify it. We have to streamline and modernize so we can meet the individual needs of our seniors.

In this whole idea of micromanagement, improving Medicare, there are 10,000 different prices coded for everything you do in that doctor-patient relationship. As you talk to a patient, you treat them, diagnose them, send off their tests, and there are 10,000 different prices. Even on top of that, they are different in 3,000 different communities.

The inefficiencies, the lack of value in Medicare today, have to be improved as we go forward.

I listed the baby boomers. There is going to be a huge increase in the number of seniors. We have to prepare for the future.

We just had the Medicare report from the Medicare trustees. It is strange. One reads the newspapers and sees this optimism about Medicare: that it is on sound footing right now. Medicare, one could argue, is on sound footing. I guess, although I will show it certainly is not as sound as we think. The rate at which we are depleting the HI trust fund—I will show you the graph shortly—is depleting rapidly as we go forward.

This is the budget, so I am going to talk a little bit about the numbers as we go forward, again, to show the background.

There are two trust funds, Part A and Part B, in Medicare. We need to look at health care security—Part A is hospitals and Part B is physicians and prescription drugs, which we as a body will add and hopefully integrate into Medicare—we need to look at it as a whole.

As a physician, when I am treating a patient with a particular problem and I diagnose that problem, I do not start thinking of all these different programs. I like to integrate that: Should that patient go in the hospital? Should we treat that patient as an outpatient? Should we try a new prescription drug? Should we use a generic drug? One needs to think in an integrated fashion.

If we look at just the Part A trust fund and Part B, surmising the Part A trust fund is about half; Part B is the other half—the Part A trust fund is what we talk about when we talk about solvency.

On this chart, if we look at just the HI trust fund, Part A, hospitals, green is what we actually spend and red is income. The important point is, in 15 years, in the hospital trust fund, we will be spending more than we will be taking in. We are deficit spending.

A lot of people say: We do not have to worry about Medicare modernization now; why worry? That is 15 years from now; we will have new technology; costs will come down; we will have prescription drugs. Which we do not think about although the Part A trust fund does not begin deficit spending until 2016, look how quickly the blue line diminishes over time to 2029.

When we look at the Medicare program as a whole, today we are deficit spending. Right now Medicare as a whole—Part A and Part B—is spending more than it is taking in. I just showed the HI trust fund for hospitals, which is about half the overall program; in 2002, there is a surplus. So people feel pretty good: Let’s not worry about modernizing Medicare.

Part B, which people around here for the first time you can get arthritis and for the first time you can get up and get around.

Think about a mother who is dying. You want the best drug available to reverse that course. You will die. You will try to pay for it in any way possible. You will ask the Government for it, the taxpayer for it; you will take it out of your pocket. That is the money we are seeing with prescription drugs because they are revolutionary today. Isn’t it great they are, the fact you can have crippling arthritis and for the first time you can get up and get around.

Look at what we are getting ready to add on Medicare, rightfully so, but we have to do it the right way. The chart illustrates prescription drug expenditures in the United States of America from 1965 to 1999. You see the huge growth in total prescription drug expenditures. For seniors alone, it is probably about a third of that. If we project to the future, what we are getting ready to add to Medicare—again, appropriately so—this is what we just saw, in red, and this chart shows, in 2001, 2003, 2005, and 2007, explosive growth. We need to come back and do it the right way. We have to integrate prescription drugs into Medicare today.

I strongly support the proposal put forth by Senator DOMENICI and President Bush. It increases Medicare spending to $450 billion over the next 10 years and increases it by $153 billion for prescription drugs.

The PRESIDING OFFICER. The Chair recognizes the Senator from Michigan.

MR. JABEANOW. Mr. President, I rise today as a proud cosponsor of this very important amendment to the budget resolution. I thank the Senator from Montana for his leadership on
this issue and on the Finance Committee, as well as the Senator from Florida and my leader on the Budget Committee, the Senator from North Dakota. I very much appreciate his ongoing leadership on this important issue.

As a personal aside before speaking about this amendment, I come from the great State of Michigan with Michigan State University. If I might say to the Senator from North Dakota, we are looking forward to betting you in hockey on Thursday evening.

Now to the serious issue before the Senate. This is an issue of priorities for the American people as we look at the next 10 years. We all agree it is difficult to look into the crystal ball 10 years from now. We are being asked to do that, and many Members are cautious and concerned about locking in the next 10 years on revenues since it is not possible to be accurate. We know that. Chairman Greenspan called it educated guesses.

We do know when we are debating this list of priorities that the President has laid out a plan that says if you were to put Medicare and Social Security surpluses aside—and he chooses a small part of those, which we will debate later—if you put that aside, the President has said the only priority for the American people for 10 years is a tax cut geared to the wealthiest Americans that we hope will trickle down to everyone else.

Now, in Michigan, the people I represent want a tax cut as one of the priorities for the future. I support an across-the-board tax cut that gives as much as possible to middle-income families working hard every day, sending kids to college, to help moms and dads and seniors with their prescriptions, and put money in their pockets, and family farmers and small businesses, as one of the priorities of the country. I support that. I don’t think it is the only priority for the next 10 years.

What we are talking about today in this amendment is another very important priority; that is, updating Medicare to cover the costs of prescription drugs to assure our seniors, who have been promised that Medicare would be there, that health care would be there when they retire, that those who were disabled and were promised Medicare would be there, that in fact, really is what the issue of prescription drugs is about.

I am concerned for most of our seniors. Most of the seniors in Michigan, most of the seniors in America, will not receive any of the tax cut being proposed. But if we want to put money back in their pockets, we have a chance to do it in this amendment by lowering the costs of their medicine. We all know it is the right thing to do. I bet there is not a person in this esteemed body who did not talk about the importance of prescription drugs and how Medicare needs to have the opportunity to negotiate a good discount, you get a better deal. Medicare needs to be there when they were out campaigning.

Now is the time when the rubber meets the road, the time when we have a chance to vote what we have talked about and the real priorities of the country. I can’t explain, when a senior citizen comes to me and says he has been told by his doctor there is a pill he can take that will stop him from having open-heart surgery, why the pill costs $400—one pill a month, $400. Medicare will pay for the operation. It won’t pay for the pill. He asks me how that makes any sense. I have to say it doesn’t make any sense.

Now is the time to correct that. Today, right now, as we are on the floor, there are seniors sitting down at the kitchen table deciding: Do I eat today or do I take my medicine? Do I pay my utility bill or do I take my medicine? Do I cut my pills in half? Do I take them every other day? I have doctors coming to me expressing grave concerns about seniors who put themselves in serious health jeopardy by trying to self-regulate their medication—every other week, every other day, doing something they shouldn’t to make the pills last longer. We all know the stories. This amendment says we are serious about fixing it.

This is not an issue we have made up. I heard our esteemed budget chairman say that every time we talk about tax cuts, we have an issue. That is true, and it just pops up because we want to spend money. I know the issue of prescription drug coverage is not made up. Everybody in my State, young or old, knows the need to cover prescription drugs and make them available for our seniors is not made up. It is very serious and it is very real. It is very unfair, as we found in a statewide study throughout my State. There we looked at the costs that uninsured seniors pay when they go to the pharmacy versus somebody with insurance. We found on average they pay twice as much. That is not fair.

If you have insurance and they can negotiate a good discount, you get a better deal. Medicare needs to be there to give our seniors a better deal. That is what this is about: updating Medicare to cover the way health care is provided today, having Medicare out there getting our seniors a better deal. That is what this is about: updating Medicare—$135 billion. I believe that is a very small change with a very big impact for our seniors and our families.

I commend my colleagues, again, for their leadership in this area. With just a small change, we can begin to get some balance back in this debate about the budget. We have a number of important priorities facing our country. I believe a tax cut is one of those, as is paying down the debt to keep money in people’s pockets, with lower interest rates, as are jobs. I also believe lowering the cost of prescription drugs is a critical part of this pie.

I ask my colleagues, if not now, when? We are not going to do it if we are running deficits. We are not going to be able to do it if we move into a serious recession. If we cannot update Medicare now and keep the promise to our seniors and the disabled when we have surpluses, we never will. We should admit it and stop talking about it, stop using it as a campaign issue.

This is the opportunity for us to do what everybody is talking about: provide a substantial Medicare prescription drug benefit and make sure that, in fact, it does something real for our seniors to allow them to live in dignity and have the quality of life they deserve.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I commend the Senator from Michigan who is a valued member of the Senate Budget Committee. She is new to this body, but she is certainly not new to the issues because she served with distinction in the House of Representatives and was a leader on many of these issues in the House of Representatives. She brought that knowledge and that commitment to the issues to the Senate.

There has been, really, no new member of the Budget Committee who has been any more responsive in terms of his commitment to the Budget Committee than the Senator from Michigan. She cares deeply about getting our fiscal house in order and keeping it there. She cares deeply about the right priorities for the country, including improving education and providing a prescription drug benefit. She has made a very valuable contribution to the work of the committee.

I think she was disappointed, as I was, that we did not have a markup in the Budget Committee. We did not even attempt to mark up a budget for our colleagues, which is unprecedented. But I want to say she has made a valuable contribution during the deliberations of the committee and the set of hearings we had and in producing the Democratic alternative. I think her very much for those contributions.

Senator DORGAN from North Dakota is in the queue for time to speak, and I yield him 10 minutes off the resolution.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I am here to talk about this amendment,
but I say to my colleague, Senator CONRAD, I also am interested in coming over at some point soon and spending a little time talking about this budget resolution and especially the issue of the increase in public debt. I want to go through with the chairman of the Budget Committee the issue of the increase in public debt over a 10-year period, which seems to me incompatible with this notion that we have such large surpluses that we can provide a 10-year tax cut costing trillions of dollars. A large part of this proposal will work for senior citizens. We know there are a large number of citizens, especially senior citizens, in this country who cannot afford the prescription medicines they must take, the prescription medicines prescribed by their doctors necessary to continue a healthy lifestyle. All of us have an opportunity—day by day and week to week, as we are in our respective States, to talk to older Americans who are taking increasing amounts of prescription drugs and paying more for them.

Senior citizens represent 12 percent of our country’s population. Yet they consume one-third of this country’s prescription drugs. Why is that the case? In one century, we have increased the life expectancy in our country by nearly 30 years—from 48 to nearly 78. I know some wring their hands and groan because of all the problems we have with Medicare and also with Social Security. All of those problems are born of success: people are living longer and have better lives. Let us not gnash our teeth too much about the success of having people living much longer in this country. We can and should address the financing issues in Social Security and Medicare, and we can do that without, in my judgment, great difficulty.

One of the issues with people living longer, and one of the issues with the substantial amount of new medicines available to prolong life in this country is, how do we pay the bill? Especially if you are consuming prescription drugs whose cost is increasing substantially at a time when you have reached that retirement age, the time in life when your income is decreasing a great deal, how do you address that?

The proposal by members of my caucus in the Senate, the Democrats, as well as a proposal now by the Bush administration, is to provide a prescription drug benefit for senior citizens. We proposed to put it in the Medicare program. The prescription drug proposal, as a part of this budget, needs to be sufficient so the prescription drug benefit will work for senior citizens.

We all know the cost of prescription drugs is going up dramatically, 15 to 16 percent a year in increased costs for prescription drugs. Part of that is increased utilization and part is price in-

I have told my colleagues of a woman who came to me one evening at a meeting I had in the northern part of North Dakota. She was perhaps 75 years old. She approached me and said: Senator DORGAN, I am retired. I am getting up in age. I have to take several medicines to treat diabetes and heart trouble. But I don’t have any money. I am left without any possibility of the type of insurance that I can’t afford to take these medicines. Yet my doctor says I really must take these medicines.

As she began to talk to me, her chin began to quiver and her eyes welled with tears and it was clear she was on the edge of crying because she knew what she had to do. She needed to take this medicine to prolong her life and treat her illnesses and she didn’t have the money to do so. This goes on across this country all the time. I was at a hearing in Dickerson, ND, one day and a doctor said he had a senior citizen as a patient who had breast cancer. After the patient had surgery, the doctor prescribed a medicine and said that medicine is something you must take because it will reduce your chances of recurrence of cancer. The woman looked at the doctor and said: Doctor, there isn’t any way I can take that medicine. I can’t possibly afford that medicine. All I just have to take my chances with breast cancer.

I was at a hearing in New York with my colleague, Senator SCHUMER, when one of the witnesses talked about going to the grocery store but always going to the back of the store first where the pharmacy was because first she had to buy her prescription drugs. Only then would she know how much money she would have left to purchase food. I have heard that a dozen times, if I have heard it once. Should we do something about this? The answer is clearly yes.

The Senate budget resolution provides a certain amount of money for a prescription drug benefit. But let me quote the Congressional Budget Office Director, Dan Crippen, who said in testimony before the Senate Finance Committee:

If you are going to provide $150 billion over the entire Medicare population—again for 10 years—it won’t provide a great deal for any one person.

The money provided in the Republican budget resolution does not even cover the cost of the President’s own Healthy Hand prescription drug proposal. About 25 million of the nearly 40 million Medicare beneficiaries would be ineligible for the President’s plan.

If the amount proposed by the President in his budget were used to provide a universal drug benefit in Medicare—which is really what a universal drug benefit would be—it would provide about $200 coverage for a beneficiary for the first year.

This debate is about choices. The budget debate is always about choices. The most significant choice is the front end of this debate, and according to the President, is the tax cut. I believe we are going to enact a tax cut. I will support a tax cut. But I don’t believe we ought to have a tax cut of the tune of trillions of dollars—and, yes—that is more than $1.6 trillion as proposed by the President. Everyone scores it at well over $2 trillion.

To do that when we don’t know what the future will bring with respect to this economy, to do that at a time when we have the public debt increasing and not decreasing, and to do that when we don’t have sufficient resources to improve our schools, or, yes, in this circumstance on this amendment, to provide enough resources so that we have a prescription drug benefit under the Medicare plan, in my judgment, shortchanges all Americans.

It means we will have an increasing Federal debt—not decreasing. It means we are short of doing what we ought to do in this country—improving our schools, providing for the family farmers during tough times, and in this amendment providing for a prescription drug benefit for Medicare.

My colleagues have offered the amendment today to the budget that we could reach agreement in this Senate. At least between the two political parties, doing this makes sense. Adding a prescription drug benefit to the Medicare program makes sense. Surely everyone now that if the prescription drugs were available when Medicare was created that are available now, clearly we would have had a prescription drug benefit in the program.

Said differently, if we had no Medicare program but we were going to create one in the year 2001, just as clearly it would include a prescription drug benefit, because we are moving away from acute care hospital stays, we are moving towards outpatient procedures in medical facilities, and especially we are moving towards prescription drugs that allow people to live without having acute-care health. That is much less expensive in many ways.

These new medicines that are available are breathtaking, lifesaving medicines. They are good for researchers on the public payroll—at NIH and elsewhere—those in private prescription drug companies, and others. It is good for America. We are developing wonder drugs that allow people to do things they wouldn’t have before thought possible.

But it is very expensive. We ought to find a way to say to those who have reached their declining income years in life: We want to help you to be able to afford the prescription drugs you need to continue to live your life.

This isn’t some luxury. This isn’t some optional expenditure. The prescription drugs are necessary for senior citizens who are in many cases required to take 2, 5, 10 or even 12 different kinds of prescription drugs a day. It is very expensive to do so.
We must pass this amendment to make room in this budget for a prescription drug benefit in the Medicare program. That is why I support this amendment.

Let describe a couple of other different priorities, if I might.

Mr. President, 100 years from now everyone in this Chamber will be dead. It is an ominous thought, but it is true.

The only historical reference about who we are of what we did here will be to look at this budget and see what we did that was considered valuable: What were our priorities? What did we think was important for this country?

This budget represents the framework by which future generations can judge us. Every time in this country we have tried to do something new, there have been those who have said no.

They opposed everything for the first time. It didn't matter what it was—Social Security, Medicare, minimum wage—you name it; they opposed it.

This budget resolution establishes our priorities.

Let me describe few priorities.

First, a tax cut. Yes, let's do that, and let's make it fair. Is it fair that the top 1 percent of the taxpayers pay about 21 percent of all income taxes and payroll taxes but would get 43 percent of the tax cut? Absolutely not. Let's do a tax cut. Let's make it fair.

Second, let's pay down the Federal debt. I want to ask the chairman of the committee and others why the public debt is increasing on page 6 of this budget document over 10 years.

Third, what about other priorities? I mentioned schools. Does anybody think our future doesn't depend on improving our schools? Of course it does. Should we and could we improve our schools? Of course. But we must have the resources to do that as well.

In addition to improving our schools, we know we need to pass an amendment such as this to provide a prescription drug benefit in the Medicare program.

We need to have room in this budget resolution to help family farmers given these price valuations. If this country believes that we are a better country than the last 7 or 8 years. We ought not end this period with substantial increases in Federal indebtedness.

We have a lot of priorities. My hope is when we look back at the work of this Budget Committee and decisions by this Congress, we will have said: Yes, this Congress reflected the right priorities for this country; yes, we made the right investments; yes, we voted for a tax cut that was fair for all; and, yet, we decided to commit ourselves not just to talk about paying down the Federal debt but to really paying down the Federal debt even as we have experienced the surpluses that come from better economic times.

I believe the hour of 12:30 has arisen. I yield my time.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent that I be permitted to speak for 2 minutes.

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

Mr. DOMENICI. Mr. President, I do not come to the floor to try to answer all the various arguments made. I would just like to say to the American taxpayers: It ought to be interesting to you, Mr. and Mrs. America who are paying taxes, because, in fact, what is happening here is the happening out of the opportunity to give the taxpayers back some of this $5.6 trillion surplus—a number we cannot hardly understand—instead of putting that right up at the top of the priority list, we are speaking about priorities. But isn't it interesting, every single priority is to spend more of the taxpayers' money. All the priorities that are being stated here are spending a part of this surplus to spend on something for Americans.

The whole purpose here is that we suggest you put the taxpayer at the top of that list, not at the bottom of the list— at the top of the list—and that instead of using their money for new programs and add-ons, whatever it is, that we ought to do them first. Included in that is the President's tax plan which is good for the economy.

I yield the floor.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. I ask unanimous consent for 1 minute.
and it is, but when one estimates what it would take to provide a real prescription drug benefit, the cost is much more. That comes from reliable experts in the field.

First of all, I am concerned about how we would finance a plan we would want. It would provide block grants to States to develop programs, but these programs would only be for the very low-income seniors, despite the fact that half of the seniors who need help are in the middle-income bracket.

What is the cost? Mr. Chairman, I think $5,000 a year is a more reasonable estimate so that we can have a plan that realizes the promise of Medicare for all seniors.

As our plan is implemented, we believe the savings are large and will grow as we continue to grow. We think that the savings can do just what you have said, Mr. President, and that is to help us meet the compelling needs of our citizens, but let’s also make sure that the people who are really caught in the vice of low-income don’t have to spend enormous amounts of money on prescription drugs.

Mr. REID. I say to my friend who is asking for the floor that I would be happy to have the floor at any time that he wants to have the floor.

Mr. CONRAD. Mr. President, I ask the Senator to yield.

Mr. REID. Will the Senator yield for a question before we go into a quorum call?

Mr. CONRAD. I am happy to yield.

Mr. REID. I say to my friend who is managing the legislation, are we arriving at a point where we are able to vote on this amendment?

Mr. CONRAD. We certainly are on this side. We have used virtually all of the time that was available to us. I think that we should be having an important amendment on the floor.

Mr. CONRAD. Mr. President, I ask the Senator to yield.

Mr. REID. Will the Senator yield for another question?

Mr. CONRAD. I am happy to yield.

Mr. REID. I say to my friend who is managing the legislation, are we arriving at a point where we are able to vote on this amendment?

Mr. CONRAD. We certainly are on this side. We have used virtually all of the time that was available to us. I think that we should be having an important amendment on the floor.
Mr. CONRAD. We will have, in fact, a series of amendments on the question of what the priorities really are for the country. We believe we should have a significant tax cut, but we do not believe we can afford one of the President's ideas without being threatening to us that we go into deficit and without threatening to raid the trust funds of Social Security and Medicare. For that reason, we will be proposing a series of amendments to further pay down this national debt.

I want to mention one of the Senators is here who has been very active on the question of the prescription drug benefit and somebody who has really been a leader on the Senate Budget Committee in trying to get a prescription drug benefit under the Medicare program, one that would really have the resources to provide a meaningful prescription drug benefit. That would be the Senator from Oregon.

I yield the floor.

The PRESIDING OFFICER. Who yields time to the Senator?

Mr. CONRAD. I yield 5 minutes off the resolution.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. I thank the Chair.

First, I thank the Senator from North Dakota. If there is one change that the Democratic Party has tried to transmit over the last decade, it has been the question of emphasizing fiscal responsibility. I want to make it clear to the Senator from North Dakota how appreciative I am that he has pounded away again and again in the committee and on this floor how important it is to reduce the national debt.

In my view, that is the single most important message the Democrats have tried to communicate over the last decade. I am so pleased he has emphasized it again today.

I will speak briefly on this question of prescription drugs because in the last year I have come to the floor of this Senate more than 25 times to talk about the need for a bipartisan initiative in this area. The fact is, the Baucus amendment, the amendment on prescription drugs, will allow Members to put together a bipartisan effort that would encourage Members to put together a prescription drug benefit. It is going to take the resources to do the job right. It seems to me the Baucus-Graham amendment makes those resources available. By recognizing that we would need to be consistent with what we did in the Senate Budget Committee last year on a bipartisan basis—Senator SNOWE, Senator SMITH, and I—and is consistent with a variety of other approaches. I hope my colleagues will recognize what we are trying to focus on today is, first, the single most important message of Democrats in the last decade, which is, we have to have fiscal responsibility. That is why we emphasize today the question of paying down the debt. Second, we do want this country to make a handful of well-targeted investments in our future. In my view, one of those key areas would be prescription drug coverage. When it comes to paying for this benefit, this country can't afford not to do prescription drug coverage right.

I yield the floor.

Mr. CONRAD. Mr. President, I suggest the absence of a quorum, and I ask that the time be charged equally to the resolution.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the names.

Mr. CONRAD. 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. CONRAD. Mr. President, I will comment for a moment on the role of the Senator from Oregon in the Senate Budget Committee. He has been among the most innovative Members in trying to find ways to extend a prescription drug benefit and to do it with bipartisan support. In the Senate Budget Committee last year, he worked with one of our colleagues on the other side of the aisle, the Senator from Maine, Ms. SNOWE. They offered the amendment that opened the door to a prescription drug benefit last year. It is that model that again is being pursued this year in an attempt to reach across the aisle to find bipartisan consensus on a prescription drug benefit that would be meaningful for the American people.

I wanted to take a moment while he was here to thank the Senator. He has spent countless hours working to come up with prescription drug proposals that would have bipartisan support. I thank and commend him publicly.

Mr. WYDEN. If the Senator will yield briefly, I thank him for that.

What the Baucus amendment does is allow Members to put together that bipartisan effort that would encourage an approach that is within Medicare, with defined benefits, based on real marketplace choices, so there would be cost containment. I thank Senator CONRAD and Senator BAUCUS for emphasizing the two key messages of this party.

First, our message of the last decade, which is that fiscal responsibility is paramount. One does that with the focus on debt reduction. Second, that we can make a handful of investments in our country's future. That is what the Baucus amendment does. I am very pleased to be associated with both Senators' efforts.

Mr. CONRAD. I thank the Senator from Oregon for his contribution on the committee.

To give the Senator from Montana a little backdrop, the Senator from Montana reserved 5 minutes off the amendment. That time is still available. It is up to the Senator from Montana whether he wishes to use that time or I am happy to give him time off the resolution. We don't have a Member on the other side of the aisle present, but hopefully there are people watching and listening. We are prepared to go to a vote on the prescription drug amendment. We hope the manager on the other side of the aisle appears in short order and tells us what the plan is on their side. We are prepared to go to a vote in very short order.

I yield 5 minutes off the resolution to the Senator from Montana.

Mr. BAUCUS. Mr. President, I don't want to dramatize this point, but I think it is accurate. If this amendment does not pass, an extremely modest amendment—and I mean extremely—there is a very good chance, more than a 50-percent probability, that this Congress will not pass a prescription drug benefit bill this year.

Why do I say that? I say that because the amount in the resolution is so small that seniors won't use it. Why do I say that? I say that roughly the $153 billion in the budget resolution under earlier estimates would require a deductible of about $2,000. How many seniors, I don't know how to put it, but I might participate in a prescription drug program with a deductible of $2,000? This is voluntary. This is not a mandatory program under
this amendment. It is all voluntary. Contrast that with catastrophic, years ago, which was mandatory; this is voluntary. Seniors will not use it. It is not worth it.

We will be making a false promise if we agree to something such as that. We won’t pass it because too many seniors will already have exposed it for what it is.

Instead, we are suggesting, by our amendment, take a very small sliver out of the $1.6 trillion tax bill, however you want to categorize it. We know for sure it is a lot more than $1.6 trillion by definition. Frankly, $2.6 trillion is conservative. Take out a small sliver—$158 billion, that is all—and add it on to the $133 billion that is contained in the budget resolution. That adds up to $311 billion over 10 years for prescription drugs. That will be the beginning for a modest drug prescription benefit provision for seniors who now do not have prescription drug coverage. In some places, they pay the highest prescription drug costs in the industrialized world. That is about 35 percent of senior citizens in America who are not covered or are under-covered. But 35 percent of American seniors, at least, pay more for prescription drug benefits today than do seniors in any other country in the industrialized world. Where is the United States of America? Where are we? Who do we think we are? We brag about ourselves and our values. Let’s step up to the plate. It is a very modest amendment. I yield 5 minutes off the resolution to the Senator from West Virginia.

The PRESENTING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I thank the Senator from North Dakota. As the able Senator from Montana has indicated, we desperately need a prescription drug benefit. The question is, What form is it going to take? Are we going to fund it fully enough so it really has any meaning?

If we go with a prescription drug benefit of about $133 billion, the fact is we are going to end up with deductibles that could be anywhere between $2,000 and $15,000 for people who are sick. You cannot do that to people in the country because they are poor or because no plan offers it.

Do not forget, health benefit plans today providing prescription drug coverage to seniors are every year dropping more and more people from their plans. Medicare-Choice last year dropped 900,000 seniors. The year before, 400,000. Why? Because costs are going up. So they are dropping people out, which forces them back to nothing or any Medicare they may have. I suggest taking a small sliver—it is small compared to the huge tax cut the President is proposing as contained in this budget resolution—and giving it to the literally millions of seniors who do not have any prescription drug coverage, with the cost of drugs rising as fast as they are and utilization rising as fast as it is. Who is going to be hurt if we cut down one-sixth, two-sixths? It will probably come out of the most wealthy, maybe a sliver out of the estate tax, maybe a sliver out of the top rate, Who knows?

Certainly, according to America’s values, our country’s priorities, who we think we are as Americans, this only makes sense. There are seniors who are so wonderful—our mothers, our fathers, our grandparents, our grandfathers, many of whom gave so much to this country through the Depression. Why in the world can’t we at least take a small sliver out of this tax cut and give it to you, a senior citizen who today has no prescription drug coverage? Because that is what is right.

Let me just say this as a reminder. Senior citizens in America who are not now covered under a prescription drug benefit plan, some company or whatnot, pay the highest prescription drug costs in the industrialized world. That is a fact. That is about 35 percent of American seniors. Up to 50 percent are just barely covered or are totally covered. But 35 percent of American seniors, at least, pay more for prescription drug benefits today than do...
Mr. CONRAD. I am saying what this document says. This is not my calculation. This is their calculation. This is their document. This is their amendment.

Mr. REID. Will the Senator repeat how much it goes up?

Mr. CONRAD. It goes from $5.6 trillion today—that is where this chart leaves off. And under their proposal the public debt goes up every year until it reaches $6.7 trillion.

Mr. REID. My friend has talked a lot the last month about an idea that I hope is going to be in the form of an amendment to this budget. As I understand what the Senator from North Dakota has been advocating, if, in fact, we have a surplus—and thank goodness we do have a surplus—one-third of that should be applied toward reducing the debt, one-third should be used to give the average family a much needed tax cut, and one-third should be left so that we can do something about the huge class sizes—reduce class size, build some new schools, fund IDEA, the program for the physically and emotionally disadvantaged children.

Hasn’t the Senator talked about the need to have one-third for tax reduction, one-third for deficit reduction, and one-third to make sure we can fund some of the programs that even President Bush says we need? Is the Senator going to do that in the form of an amendment to this package?

Mr. CONRAD. Yes, we will. I think part of the confusion comes from the language that we use. Our friends on the other side of the aisle are talking about reducing the publicly held debt. That is not the full debt of our country. The gross Federal debt is the full debt.

They talk about having the maximum amount of reduction in the publicly held debt. At the very time they are doing that, we are seeing the gross Federal debt of the country continuing to climb.

Their budget does not do anything about this long-term debt expansion...

That is the difference between us. We not only are dedicating more of the projected surplus to paying down the publicly held debt, which is really the short-term debt—that is the debt that is owed to the public—but we are also offering for the first time that anybody has had a budget proposal before this Congress to do something about this gross debt, this long-term debt, this debt that is building in Social Security and Medicare. It is a liability on the level that is growing geometrically.

This has already happened to the gross debt of the United States. It has skyrocketed and it will continue to grow under the proposal that our friends on the other side of the aisle have made. Their own budget document says they are going to take the gross debt of the United States, which is $5.6 trillion today, and increase it to $6.7 trillion all the while they talk about a massive tax cut. It really makes you wonder if there is not confusion about language here.

Mr. REID. When we talk about saving one-third of the surplus for programs, one of those programs is something that President Bush talked about wanting. And that is now the subject matter of the first amendment before this body; is it not? That is a prescription drug benefit for Medicare.

My first client as a member of a hospital board—at that time the largest hospital in Nevada, Southern Nevada Hospital. It was in 1965 that Medicare came into being. Medicare is a wonderful program. It has been proven to be a great program even since then—imperfect but it is a good program. But in 1965, when Medicare came into being, there was no need for prescription drug benefits because there were not a lot of prescriptions that met the medical need at that time. It has only been in the last 35 years that prescription drugs have come out that now keep people alive. They can make people more comfortable, and they heal people.

How can we claim that we are the only superpower left in the world have a program for senior citizens to take care of their medical problems and we don’t have prescription drug benefits? It is my understanding that in the Senator’s amendment, those programs are going to be reserved for programs. Part of that money will be used for a prescription drug benefit for seniors. Is that not right? And in the program that the Republicans have offered, there is no money in their prescription drug benefit.

Is that fair?

Mr. CONRAD. As we have said, this program provides half as much for prescription drugs. The budget proposal that the President proposes includes $153 billion. But everybody acknowledges that is not sufficient and that there is simply not enough money there to provide a meaningful prescription drug benefit. They are engaged in a little bit of fiction that I would call fiscal sleight of hand. If you look at our proposal, we take this projected surplus, and we are quick to acknowledge that this is a 10-year projection. It is highly unlikely to ever come true.

We believe the prudent thing to do is to be cautious in light of the basis of all we are doing being a 10-year forecast. We save all of the money for the Social Security trust fund, all of the money for the Medicare trust fund, and with what is left we talk about one-third for a tax cut, one-third for these high-priority domestic needs, including prescription drugs and infrastructure and education.

Anyone who has flown or driven on a highway knows that we need additional resources for infrastructure in America. And education is the highest priority of the American people for additional resources.

We also believe we need to strengthen our national defense and then provide additional resources especially for health care and disasters. Because we know we are going to have a certain number of disasters every year, we believe we ought to provide funding for it.

Finally, the last one-third would be for long-term debt and to strengthen Social Security and provide a strategic reserve in case these forecasts are wrong. Of course, the interest costs associated with all three of those.

We believe we have a cautious, conservative program—one that dedicates the vast majority of the money for debt reduction.

Here is why: The Social Security trust fund money is not needed for Social Security at the moment. That goes to pay down the publicly held debt. The President uses $2 trillion of that money for the same purpose—to pay down the publicly held debt.

We also reserve all the Medicare trust fund money. That will go for paying down the publicly held debt. We have $2.9 trillion reserved for debt paydown.

In addition to that, we have another $750 billion for our long-term debt. This is where our friends on the other side don’t have a nickel for this purpose. They don’t have any money to deal with the long-term debt.

In our proposal, of the $36.5 trillion forecasted surplus, we are reserving $3.65 trillion for the paydown of short-term and long-term debt. That is in comparison to the President’s plan that only has $2 trillion. We have nearly twice as much to pay down long-term debt and short-term debt.

Mr. REID. Will the Senator yield 5 more minutes?

Mr. CONRAD. If you do not mind, we should ask the Senator from Minnesota who is next on our list.

Mr. REID. If I could just ask one more question.

Mr. CONRAD. I yield an additional minute to the Senator.

Mr. REID. Will the Senator indicate why he put his $2.7 trillion across from non-Social Security and non-Medicare? Why is that in red?

Mr. CONRAD. That is in red because we believe it would be profoundly wrong to use any of the Social Security trust fund money or any of the Medicare trust fund money for other purposes. That has been done in the past. We have just stopped doing it in the last 3 years. We believe we shouldn’t go back to the bad old days of raiding the trust funds and using the money for other purposes. We have reserved all of the Social Security money and all of the Medicare trust fund money for the purposes intended.

I thank the Senator from Nevada for his questions. I ask the Senator from Minnesota how much time he would like.

Mr. WELLSTONE. I say to my colleague, I am actually speaking on the amendment. I can do this in under 5 minutes.
Mr. CONRAD. I yield the Senator from Minnesota 5 minutes off the resolution itself.

The PRESIDING OFFICER (Mr. BOND). The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, later on I have a chance to come out here, with my colleague, Senator HARKIN, with an amendment that deals with funding for education and children. That is the heart and soul to me. I guess if there is any one issue that I am more emotionally connected to than any other, it would be anything and everything that deals with children and education.

But I have listened carefully to this debate. I want to say this: We have all the numbers. The Republicans have $153 billion. I think we have $311 billion or thereabouts. I want to get away from the numbers and just simply say this about this debate. For a good period of time that I have been a Senator, we want to do the right thing. The government deficit reduction. Then I had hoped that when the economy began to do better, and we began to see surpluses— I hope we will continue to do so; who knows what will happen over the next few years—but I had this hope that now, after many years that was not going well, it would be better, and with some surpluses, that finally—finally—as a Senator from Minnesota, I would be able to do really well for people. It would not just be stopping the worst, it would be doing the better.

I mentioned children and education, but I want to mention elderly people and prescription drug coverage. I can tell you, in the State of Minnesota, 65 percent of the elderly people, senior citizens, have no prescription drug coverage whatsoever. They have no coverage at all. I can also tell you all of the stories about people who cut the pills in half—and you have heard them all—or the stories about people during the cold winter where it is either too cold to get there or they are going to be able to afford a prescription drug or have heat because if they get their prescription drug, they can't afford their heating bill and they go cold.

I want to do this a different way. I want to say to my colleagues on the other side of the aisle, I had two parents with Parkinson's disease—two parents. That is rare. Both of them, as the Senator from Montana. Mr. CONRAD. I thank the Senator from Minnesota. I appreciate his contribution to the debate.

Let me just say to colleagues, very soon we will have a second-degree amendment. The other side has announced their intention to amend our amendment in the second degree to our amendment. I wish they would not do that. I wish they would permit a straight consideration of our amendment by the body. But they have announced their intention to amend our proposal in the second degree, and then we will have a debate on the amendment that they offer. That is being drafted.

So if there are colleagues who are listening, if they would like to come to the floor to give their opening remarks on the budget resolution, this would be a good time to do that. We have called a number of offices for those who are in line in terms of the informal queue we have here to speak on the resolution. But if you would notify your Members, those who are in the queue, to come, this would be a good time to speak.

Mr. DOMENICI. The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Parliamentary inquiry, please.

Mr. CONRAD. I yield the Senator from Minnesota 5 minutes off the resolution itself.

Mr. DOMENICI. The PRESIDING OFFICER. There is 30 minutes remaining on the Baucom amendment for the Senator from New Mexico and 7 minutes for the Senator from Montana.

Mr. DOMENICI. OK. Mr. President, I yield myself 10 minutes. I say to my good friend, the ranking member, and Senator Reid, we clearly do not intend to take a long time before we are ready to vote on this amendment except we will offer a second-degree amendment. It is just being written up. And it is moving a lot of numbers around, which is not easy, as you all know. But that is being done as expeditiously as possible.

I suggest that in the basic budget that we bring to the floor, we have a number in it that is proposed to be used for prescription drugs, along with reform of Medicare; that number is $56 billion.

I want to say this: We have all the numbers. The Republicans have $153 billion. I think we have $311 billion or thereabouts. I want to get away from the numbers and just simply say this about this debate. For a good period of time that I have been a Senator, we want to do the right thing. The government deficit reduction. Then I had hoped that when the economy began to do better, and we began to see surpluses— I hope we will continue to do so; who knows what will happen over the next few years—but I had this hope that now, after many years that was not going well, it would be better, and with some surpluses, that finally—finally—as a Senator from Minnesota, I would be able to do really well for people. It would not just be stopping the worst, it would be doing the better.

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Mr. DOMENICI. The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Parliamentary inquiry, please.
married couples, for those others who might be considered as part of the tax relief effort.

Again I remind everyone that Senators can come to the floor from either side and tell us what, indeed, this tax plan is going to look like because they choose to support the President’s proposal—understand it is a proposal—or they choose a part of what somebody else is going to propose that is going to be part of this tax plan and talk as if we are doing that in this budget resolution. I am sure that before we are finished, a few people listening who did not want to learn about budget resolutions will talk a little bit because we have to talk a little bit of budget language but not very much.

Essentially, no one knows what the tax bill is going to look like. In fact, I am sure the Presiding Officer in his home state of Missouri has talked to his people as to what he thinks it is going to look like. I am quite sure he did not say that it is exactly, in every respect, what the President has proposed because we do not know that.

What we know is that $1.6 trillion out of a $5.6 trillion estimated surplus can be used in this resolution for the American people. That is what we know—$1.6 trillion, not $1.6 trillion minus a whole bunch of things, such as the $156 billion we would take out of that tax reform proposal. We take it out and make it $156 billion less.

When that Medicare prescription drug plan comes up—and we will talk about our amendment—we will talk about what it ought to be, and it will be related to something very practical on which everybody can count. Then it will say that we do not need to take it out of the tax relief package if, indeed, it costs the maximum amount we are going to allow, which I do not believe it will. We would not be taking that money from the taxpayers. They would be getting their full tax cut. We would take it out of the contingency fund in this budget.

As I understand it, when I started, there were 20 minutes remaining on the amendment—10 minutes on the Democratic side on the amendment.

The PRESIDING OFFICER. Seven.

Mr. DOMENICI. That does not mean if someone wants to talk with the time coming off the budget resolution they cannot.

I want to finish our discussion on the amendment and offer our second-degree amendment that says: We are just going to have this money come out of thin air somewhere, and we are going to provide an unspecified amount of money for a prescription drug benefit and not identify precisely from where that money is coming.

On our side, we have reserved the Social Security and Medicare trust funds in total for the purposes intended. We have not permitted a raid on those funds for any other purpose. With what is left, we provided a third for a tax cut, a third for these high-priority domestic needs, including a prescription drug benefit fully funded, and the final third to deal with long-term debt, strengthening Social Security so that when the baby boomers retire, that promise can be kept.

What is being hearing is that the Republicans may propose to open up the Medicare trust fund to provide a Medicare prescription drug benefit. That, to me, would be classic double counting. That trust fund for Medicare is needed to keep the promises that have already been made. If they are now going to make a new set of promises and fund it out of that same trust fund, that is the kind of double counting that will get this country into financial trouble. That is exactly what happened in the 1980s.

The underlying budget that Senator DOMENICI proposed in the President’s budget put in significant dollars, $11.2 billion in 2002, $12.9 billion in 2003, and $14.8 billion in 2004, for low-income people, to get immediate assistance to help them buy expensive drugs. It employs Medicaid to help those who can’t help themselves; let’s get that money to them, through the States, and make it effective now.

Unfortunately, the amendment before the Senate strikes that language. It eliminates the $40-some-old billion of the President’s Helping Hand Program and increases Medicare, raising taxes and spending, without Medicare reform.

I hope very much we do not go back to the bad old days of debt, deficits, and decline. That is not the way to proceed. Instead, we ought to be cautious; we ought to be prudent; we ought to reserve the trust funds for the purposes intended and not use them for any other purposes.

Mr. President, if I can inquire as to the time remaining on the budget resolution.

The PRESIDING OFFICER. The Republican side has 21 hours 53 minutes; the Democratic side has 20 hours 5 minutes.

Mr. CONRAD. I thank the Chair.

Mr. DOMENICI. How much was there on the Republican side?

The PRESIDING OFFICER. Twenty-one hours 53 minutes.

Mr. DOMENICI. Plenty of time. I suggest the absence of a quorum and ask it be charged equally.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. The quorum call is rescinded.

Mr. NICKLES. Mr. President, I ask unanimous consent the time I speak be charged to the Senate resolution.

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

Mr. NICKLES. Mr. President, I wish to make a couple of comments in regard to Medicare, Medicaid, and prescription drugs, and to speak in opposition to the amendment pending before the Senate now, offered by my friend and colleague from Montana, Senator BAUCCUS. This amendment purports to say we will do something positive on prescription drugs. It actually takes drugs away from low-income people next year, in the year 2002 and the year 2003.

The amendment before the Senate DOMENICI proposed in the President’s budget put in significant dollars, $11.2 billion in 2002, $12.9 billion in 2003, and $14.8 billion in 2004, for low-income people, to get immediate assistance to help them buy expensive drugs. It employs Medicaid to help those who can’t help themselves; let’s get that money to them, through the States, and make it effective now.

Unfortunately, the amendment before the Senate strikes that language. It eliminates the $40-some-old billion of the President’s Helping Hand Program and increases Medicare, raising taxes and spending, without Medicare reform.

I happen to be on the Finance Committee. I am in favor of Medicare reform. I want to improve Medicare and provide prescription drug benefits. I think we can do that. To say we don’t have the money to help the low-income people in the first 3 or 4 years, and to create a new entitlement for Medicare without reforming and saving Medicare
This amendment, while very well intended, would do damage to the system. It would not get prescription drugs to the people who desperately need help, and need help now.

Every time I see a body knows that Medicare is a ticking time bomb. We need to save it. We need to expand benefits—including prescription drugs—but it cannot all be done simultaneously. We can do it the right way, this Congress and in a bipartisan fashion.

Elimination of the Helping Hand Program, where we give assistance to those who need it the most, would be devastating. I urge my colleagues to work together, see if we can do both, see if we can get assistance to the States to help those who really need it, immediately, so we can do some assistance in the year 2002.

For an example, under the President's proposal, there is $11.2 billion in the year 2002 for drug assistance for low-income people; under the Baucus amendment, there is only a $100 million expenditure for prescription drugs.

Certainly the Domenici proposal, the President's proposal, does a lot more in the year 2002.

I compliment my colleague from New Mexico. I urge our colleagues not to support the underlying Baucus amendment yesterday, so we cannot come up with something to provide a prescription drug benefit in Medicare, as well as re-forming Medicare. I disagree with those who say we shouldn't use Medicare trust funds to do that, to help pay for prescription drugs.

Medicare is financed by a payroll tax, on all wages, at 1.45 percent. That is matched by the employer, with another 1.45 percent. If my math is correct, that is 2.9 percent on all payroll. There was an enormous tax increase for Medicare as a result of President Clinton's tax increase in 1993. This was when they increased the base for Medicare taxation away from the Social Security base, which right now I believe is $80,000. The Democrats put a tax on all wages, even if wages equal $1 million or $2 million or $10 million. A tax of 2.9 percent on all wages to help pay for Medicare.

The reason there is a surplus in Medi-care funds is because of an enormous tax increase that was paid as a result of President Clinton's tax increase in 1993. This is a new tax for anybody who makes over the Social Security base amount, which used to be 70-some thousand dollars and is now climbing up. Why not let those people help pay for Medicare prescription drugs? I heard the argument, we can't use Medicare tax to pay for Medicare benefit. I disagree with that. I don't think that makes sense.

I urge my colleagues to use common sense, to use Medicare funds to pay for Medicare benefits. That includes prescription drugs. Do it in context with overall Medicare reform. Increasing benefits, without fixing the system, when we know demographically we have some challenges ahead—is only doing a small part of the job. Unless we take a big sweep at the reform and provide benefits we are making a mistake.

Mr. CONRAD. Will the Senator yield?

Mr. NICKLES. I am happy to yield.

Mr. CONRAD. What happens, if you take a prescription drug benefit out of the Medicare trust fund, to the solvency of the Medicare trust fund?

Mr. NICKLES. Mr. President, I think my colleague raises an interesting point. What my colleagues have tried to do on the Democrat side is to institute a new Medicare benefit without financing it by Medicare. In other words, use general revenues to finance anything.

I think if it is Medicare, it ought to be financed under the Medicare system. Maybe that is old fashioned. But if we are going to give it the Medicare designation, that is what it should be. A lot of people want to move a lot of different funds and have general revenues subsidize Medicare, but Medicare taxation is growing, and growing substantially.

Let me give a couple of examples. Maximum taxation right now for a person who makes $76,000, paying Social Security tax, Social Security tax equals $9,000. Medicare tax equals over $2,000. I remind my colleagues they have to pay for those taxes with aftertax dollars. They already have to pay income tax on those dollars to pay Social Security and Medicare tax. I am not sure everybody is aware of that. I think it is grossly unfair. Maybe one of these days we will be able to fix that. Right now, we haven't fixed it.

So people ask, do you understand this dilemma, a person who makes $80,000 has to pay $9,000 Social Security tax, $2,000 in Medicare tax, and they have to do it with aftertax dollars. So to pay that $11,000, in reality they have to make about $14,000 or $15,000. That is the present system.

Now our colleagues are saying: That is not enough; we want to have a whole lot of general taxation—in other words, money coming out of your income tax to pay for it. That is a really wrong way. Because we are increasing benefits faster than you can pay for them. That is the argument that is being made on the other side. I disagree with that.

I think to just say let's increase new taxes because it is a money- making proposition. I think the Democrats are going to give it the Medicare designation, that is what it should be. A prescription drug benefit that some people are advocating and you do not have proper cost controls and so on, this cost can explode.

Last year in the budget resolution we had a couple of Medicare provisions. We said, let's have $20 billion we can put in immediately and another $20 billion contingent on Medicare reform, for a total of $40 billion over 5 years.

Then, if I remember, the Senator from Virginia, Mr. Robb, came up with an amendment on the floor that said that is not enough. Let's come up with another proposal, let's do it to the tune, if I remember, of $248 billion. That was his proposal. We voted on that proposal. We defeated that proposal. That proposal had enormous cost impacts and an enormous cost share of up to $80 copays, a huge expense. Yet it still was not enough for the Democrats.

Now we have a proposal that is not 10 over 5, not 13—that is the President's proposal—over 10. Somehow that is still not enough, even though it is a lot more than we passed last year. The Democrats want to double the President's figure.

They say we have not carried a program and they do not have an estimate of what the copays are going to be. They don't have anything. They say whatever you have, we are going to double it, and you cannot use Medicare funds to pay for it. That simply does not make sense.

If somebody makes 1 million, 2.9 percent of that is $29,000. There are a fair number of people who make that amount. There is a lot of money that is available, and we are not going to let them use some of that money for prescription drugs? That is the argument being made on the other side. It just does not make sense.

I urge my colleagues to go about dealing with prescription drug benefits in a fiscally responsible way, not just to try to score points. It is not responsible to double the figure just because there is political capital in doing so. Let's work together to come up with something that is financially responsible, that is solvent, that will not be putting our kids at a disadvantage.

I yield the floor.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from North Dakota.

Mr. CONRAD. Mr. President, I was very interested to hear the lack of response to the question that the Senator from North Dakota posed to the Senator from Oklahoma. The Senator from Oklahoma answered every question except the one that was posed to him. The simple question that was asked was what happens to the solvency of the Medicare trust fund if you use money out of that trust fund to provide a prescription drug benefit?

The correct answer to that question is, you reduce the solvency of the Medicare trust fund. You make the trust fund go broke even sooner. That is what this chart shows.

If you raid the Medicare trust fund to provide a prescription drug benefit, you
They do not have the matching funds. 

Mr. BAUCUS. I listened closely to my good friend, the Senator from Oklahoma, and his basic arguments against the pending amendment. As I heard him, he had a basic argument that the pending amendment would not provide benefits and he took that it would provide nothing contained in the budget resolution, which he believes will get benefits to seniors more quickly.

I do not know if my good friend knows, whenever we have tried that in the past that is block grants programs like CHIP—it takes States a couple of years at least to implement the program. It is never something that comes up and is implemented right away.

Second, a lot of States do not want the provision that is contemplated in the budget resolution. Why don't they want it? Because they cannot afford it. They do not have the matching funds.

Furthermore, some State legislatures like Montana's meet every other year. Consequently, it would take a couple of years for those States to enact the measure that is contemplated by the ideas of the Senator from Oklahoma.

I think that those States that already do have a plan in place, they will just use the Federal money to substitute for the State money. It is a zero sum game. We are not adding anything. The evidence and testimony before our committee are clearly along those lines.

I might also say that if the majority is thinking of getting a prescription drug benefit out of the contingency fund we hear so much about, they should just work out the numbers. I know these are the numbers the Senator from Oklahoma is working off of. They show that in the years 2005 to 2006, the contingency fund for those years will be in deficit by about $5 or $6 billion. That means that if there is any kind of prescription drug benefit program, it has to come out of the hospital insurance trust fund. There are only two places it can come from.

We need to provide help for our States—particularly rural States—and rural hospitals. It is difficult for them to make ends meet under Medicare. It is important for all of us to remember that more than half of the income for some rural hospitals is from Medicare. A prescription drug benefit fund would hurt those rural hospitals, and that's not something we want to do.

I also want to lay to rest a misconception that might exist. The amendment I am offering contemplates Medicare reform. It does not preclude Medicare reform. In fact, the chairman of the committee and I, my staff and the staff of the chairman of the committee, have been talking about different Medicare reform options to go forward with a prescription drug benefit. It is true that there are all kinds of different Medicare reform provisions. Obviously, the most extreme are not going to be passed this year.

My amendment basically says, OK, there is probably not going to be enough money in the contingency fund. And if our other option is the hospital insurance trust fund, we certainly don't want to do that. I suggest taking a very small sliver out of the President's tax cut proposal—about $1.58 billion—to fund a prescription drug benefit for our seniors. That $1.58 billion would supplement the $1.33 billion that is already contained in the budget resolution, providing $311 billion total for a prescription drug benefit that is going to work and that is paid for.

I believe that when you do something, you should do it now, and do it right the first time. 'Right the first time' for me is enough to come out to get the program started.

The PRESIDING OFFICER. The Senator’s 5 minutes has expired.
is also during that last 5 years that most of the projected surplus falls. We have two things occurring simultaneously. The bulk of the costs of the tax cut and the benefits occur at exactly the same time that the bulk of the surplus projection occurs, and also at the same time that those surplus projections are riskiest, when they are least reliable.

Does it make common sense for us to have the bulk of a surplus which coincides with the time when the surplus projections are at greatest risk for being wrong? We know these projections are going to be wrong. That is the one thing we don’t have any doubt about. We just do not know how wrong. And we need to be straight with the American people about that.

So knowing these projections are going to be wrong, what is the sensible thing to do? The sensible thing to do is to have mandatory IRAs; that we set some part of the surplus at that point to provide mandatory IRAs to the people around the country, which helps deal with the demographic shift that we know is coming in the near decade. This is something we can talk more about, but we need to start focusing on this before it is too late.

What I am suggesting is the common sense thing to do, knowing the unreliability of the surplus projections, knowing that we need to pay down our debt, knowing that we need to protect Social Security and Medicare, and make sure the tax cut is fair to all the American people.

If 5 or 6 years from now—and we can’t predict right now what is going to occur—the surpluses actually exist, and we have enacted a moderate tax cut, we have done everything we can to pay down the debt, and if we have protected Social Security and Medicare, we can do something else. We can do another tax cut.

In the alternative, or even in addition, we can also do something about what we know is coming in the next decade—the retirement of the baby boomers. No one is talking about that, but this is going to put a tremendous strain on the Social Security system. But we know it is coming.

One suggestion which has been made by the Concord Coalition is that we have mandatory IRAs; that we set some part of the surplus at that point to provide mandatory IRAs to the people around the country, which helps deal with the demographic shift that we know is coming in the near decade. This is something we can talk more about, but we need to start focusing on this before it is too late.

In conclusion, we are at a remarkable moment in our country’s history. We have a chance to have a real impact not only over the course of the next decade but over the course of the next century. But we can only do it if we make the right decisions, if we are careful and deliberate and thoughtful, and if we are straight with the American people. We can have a balanced, moderate tax cut, giving real tax relief to the American people. We can pay down our debt, which is the responsible thing to do. We can preserve and shore up Social Security and Medicare. And if we do that, we can do all the other things that we know is coming in the near future.

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If 5 or 6 years from now—and we can’t predict right now what is going to occur—the surpluses actually exist, and we have enacted a moderate tax cut, we have done everything we can to pay down the debt, and if we have protected Social Security and Medicare, we can do something else. We can do another tax cut.

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The PRESIDING OFFICER. The Senator from North Dakota controls the time.

Mr. CONRAD. I am happy to yield time off the resolution to the Senator from Florida for the purposes of a question that he proposed.

Mr. NELSON of Florida. The Senator from North Carolina has made such a compelling argument. I just want to question him about his people in North Carolina and their feelings about paying down the national debt. Would he further expound on that?

Mr. EDWARDS. I have town hall meetings all the time with people in North Carolina. I say to Senator Nelson. Over and over people tell me exactly the same thing, which is, they know that we need to pay off the national debt. They know it is really important to them that their kids not be saddled with this debt and the interest payments on the debt. They know that what has happened over the course of the last 8 or 9 years is we have taken a course of real responsibility. It is one of the reasons we have had such extraordinary economic growth, such extraordinary productivity. They know that in their gut. They do not need an economist to tell them. They know it. They know when they owe money they pay it back. That is what they expect our government to do. They do not want their kids saddled with this debt.

So they think it is critically important, I agree with that.

Mr. NELSON of Florida. I suspect the people in North Carolina know, as do the people in Florida, that if there is an available surplus out there over the next 10 years, we ought to use it wisely, be fiscally disciplined; and one of the first priorities should be that we pay down the national debt—that we leave some, after we enact a tax cut, in order to be able to pay down the national debt.

Mr. EDWARDS. I say to the Senator, I think that is the only responsible thing to do under the circumstances. That is what I hear from folks in North Carolina. The truth of the matter is, they do not need some fancy projection or some economist to come tell them. It is just common sense. It is the sensible thing to do. And they know it is the sensible thing to do.

Mr. NELSON of Florida. I thank the Senator for yielding.

Mr. EDWARDS. I thank the Senator for the question.

Mr. NELSON of Florida. I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, when Senator Domenici wants the floor to do something, I will yield. But I want to yield myself such time as I might consider off the resolution to speak about the issue that has been discussed on the other side of the aisle.

I do not question the sincerity of the people who have been speaking to the point that we need to know what is down the road before we give tax cuts. The only thing that is strange about that argument is, they use that argument now, at a time when we have an opportunity to let the people keep some of their own money, at a time when we have tax relief for every taxpayer who pays income tax.

This somehow is a little bit unjust, to bring up the argument that maybe we can’t quite see what the future will deal us, and stand on a tax cut. For decades, I have served in Congress, listening to issues of spending—whether or not we should spend more money. I never heard these arguments back in the days of deficits. No one ever said that we could not see down the road far enough, so we should spend a little bit less.

It seems to me that it is very inconsistent to use this argument. I am not questioning the legitimacy of it; I am questioning the fact that it is used when we have a fairly healthy economy for working men and women, while at the same time, they don’t use it when talking about whether we ought to spend more money. Spending more money, without consideration of what is doing right and what is wrong. Over the last 28 years of unbalanced budgets and driving up the big budget deficit that we had. So we ought to be as concerned about it on one side of the ledger as we are on the other. I think it is very important—whether or not we are standing on a tax cut and the priorities in the budget—that we always keep in mind that the American people are suffering from the highest level of taxation, as a percentage of the gross domestic product, since World War II.

Right now, the rate of tax is 20.6 percent of GDP.

What does 20.6 percent of GDP mean? Compare it to a 40-year average of around 19 percent. Does 19 percent correspond to more? Yes, it means a lot, because that money is run through the Federal Treasury. This means political decisions are made on how it is going to be spent. This process does not create new wealth. If it is in the pockets of the taxpayers, whether it is spent or invested, it is going to create new wealth. Money in the taxpayers’ pockets turns over many more times in the economy than if government spends it. Wealth is created only in the private sector. Government does not create wealth, it expends wealth.

This situation is as if you had a 7 percent mortgage and you received more income than originally intended. Would you pay down your mortgage or talk about something that was going to pay 9 or 10 percent? If you are a good business person, you are going to invest it in something that pays a higher rate of return.

Returning this money to the taxpayers is going to give us a higher rate of return. It will keep us in line with the 19 percent of the gross domestic product which has been paid to the Federal Treasury as taxes from the American people. Hopefully, it will keep us at a level of expenditures around the same amount or a little bit less than we have spent in the past. This way, we will not build up artificially high levels of expenditures. If taxpayers receive back 21 percent, it is a good way to go.

Senator DOMENICI wants the floor to do something from Iowa.

Mr. NELSON of Florida has made such a compelling argument. I just want to question him about his people in North Carolina and their feelings about paying down the national debt. Would he further expound on that?

Mr. EDWARDS. I have town hall meetings all the time with people in North Carolina. I say to Senator Nelson. Over and over people tell me exactly the same thing, which is, they know that we need to pay off the national debt. They know it is really important to them that their kids not be saddled with this debt and the interest payments on the debt. They know that what has happened over the course of the last 8 or 9 years is we have taken a course of real responsibility. It is one of the reasons we have had such extraordinary economic growth, such extraordinary productivity. They know that in their gut. They do not need an economist to tell them. They know it. They know when they owe money they pay it back. That is what they expect our government to do. They do not want their kids saddled with this debt.

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Mr. EDWARDS. I thank the Senator for the question.

Mr. NELSON of Florida. I yield the floor.

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I do not question the sincerity of the people who have been speaking to the
The Federal Government becomes a significant holder of private assets, and it cannot pay down any more without paying tremendous premiums for calling in the bonds. That is not the best way to save. We do not want to call in, whether it is young kids saving money through savings bonds or older people who have their money in savings bonds. They think it is very safe.

Then, I think some of those issues that we will want to allow people to have for their own well-being. We can pay down every cent on the national debt that can be paid down. But when we get too much money coming in, it burns a hole in our pocket, it will be spent. We do not want that to happen. Suppose it does not burn a hole in our pocket and we do not spend it. What are we going to do with it? We are not going to put it in a mattress at the Treasury Department. We are going to go into the market and buy things that will produce a return on that money. We do not want the Federal Government upsetting the financial markets by buying things on Wall Street or even certificates of deposit. When the Government goes into the market, it goes in a big way that distorts the market. We should not have the Government doing that.

Everybody seems to be hung up on this $1.6 trillion tax cut. The $1.6 trillion tax cut is my personal preference, and I do not think that there is anything magic about it, but it is something we have talked about in an election. A person who is elected ought to perform in office commensurate with the rhetoric of that campaign. Consequently, if anybody is surprised about President Bush suggesting $1.6 trillion as tax relief for working men and women, the only shock they should have is that there is now somebody in office who ran on a platform and is presenting the program on which they ran.

That is unusual in politics at all levels in America. This President is determined to help reduce the cynicism towards Government, so most of the ideas he has suggested to Congress in his first 100 days in office are those ideas on which he ran for office, and he wants to perform in office according to that.

I am fortunate as chairman of the Senate Finance Committee to have an opportunity to work with the President who has goals I have been trying to accomplish before he ever decided to run for President. I am glad to be able to work through some pieces of legislation that are on his program, which is legislation I have wanted to accomplish in both the Senate and House and were vetoed by the previous President. We now have a chance to get these through the Congress, have them signed by the President, and give working men and women tax relief. I hope we move forward on these tax issues.

Most importantly, for people on the other side who are nervous about a tax cut, that has been a 10-year projection. Remember, these are nonpolitical people making these projections. They don’t have a 1,000-percent batting average. I have noticed them getting much better in the years I have been in the Senate. They are not entirely off the mark. Out of the discussions I have had, I do not believe that the predictors of the economic future may be, and compare that information to their own results. They take a fairly intermediate course, not one that projects the most rosy scenarios for the future or the least rosy scenarios for the future, but intermediate scenarios. That is a reasonably responsible approach.

For those concerned about taxes, I hope those Members are as consistent and concerned when it comes to expenditures. I hope you are just as cautious in making expenditures, not knowing what the future holds, as you want everybody else to be when it comes to tax reductions.

I wonder whether or not the people who are concerned about whether we can look 10 years into the future to make budget policy have any concerns about the fact that Jack Kennedy had a tax cut in 1963, bigger than the tax cut we are talking about, and it only look ahead 1 year. When the second biggest tax cut of this half century was in 1981 under President Reagan, I don’t know that there was any concern that we only looked ahead 5 years at that time. We are trying to look further ahead because it is a wiser way to make public policy.

On the other hand, I wonder how the very same people, raising the very same concerns about not being able to look down the road far enough to make decisions, ever got nerve enough to take out a 30-year mortgage. Surely they had to go to their banker. They had to ask the banker, can I get a 30-year mortgage? They had to show the banker they had the ability to repay that loan over the next 30 years. They had to think for the next 30 years, what is my income going to be? Will I ever be fired? They got a loan, I bet, based upon having some sort of confidence in the future.

That is how we go about making a decision on handling the $25 trillion that is coming into the Federal Treasury over the next 10 years. We decided that a lot of it will be spent and we will need to accommodate for inflation during that period of time. We built in 4-percent increases just for inflation and some growth each of the next 10 years. That is all figured into the $25 trillion that is coming in before we figured that we had a $5.6 trillion surplus. Out of the $5.6 trillion surplus, we take all the rosy projections, fund our priorities, and put it off the table. We take $1.6 trillion off the table for a tax cut, and what we have left for emergencies is $900 billion. This can be used of prescription program for senior citizens, and unanticipated expenditures.

We have been very cautious as we approach the future. We use the same tools at hand that any citizen has in making decisions for the future. If you go to your banker, you borrow, you make plans on what they will spend down the road. Two trillion dollars is a lot of money. My guess is this growth of the economy has been figured conservatively enough that we will have much more in the future over the next 10 years. We just have to wait. I think this is doable.

Some of my Republican friends said this tax cut ought to be a lot more than $1.6 trillion. I think it is important to build confidence. I think intellectually we can show it is doable. We can pay down every cent on the national debt that can be paid down over the next 10 years. We can have prescription drugs, fund our priorities, and keep money for working men and women to be further rewarded for the fruits of their labor and the fruits of their minds that have given us this great economy and the great economic growth we have had.

Mr. DOMENICI. Will the Senator yield?

Mr. BROWNBACK. I ask unanimous consent that the time between now and 5 o’clock be equally divided for debate on both amendments, and following the use or yielding back of that time, the Senate proceed on two consecutive votes, the first on or in relation to the Grassley amendment, which I have just described as to its cosponsorship, to be followed by a vote on or in relation to the Baucus amendment, without any intervening action or debate, and that no second-degree amendments be in order to either amendment.

Mr. DOMENICI. Two minutes equally divided, or the floor is available to the PRESIDING OFFICER (Mr. BROWNBACK). Without objection, it is so ordered.

Mr. BROWNBACK. I yield the floor.
prescription drug benefit for all seniors through the Medicare program.

The Democratic amendment makes an investment in an affordable, accessible, and meaningful prescription drug benefit for all beneficiaries. Instead of making the commitment in a Medicare prescription drug benefit, the Republican budget resolution invests only $153 billion over 10 years in this critical initiative. This investment is nowhere near sufficient to meet the need.

The Republican Leadership’s tax cut would make it impossible to provide the additional investment needed to meet the demand of this important national priority. The Democratic amendment would reduce the tax cut by $158 billion over 10 years and invest a total of $311 billion over 10 years in a Medicare prescription drug benefit for all beneficiaries.

The Democratic amendment to the budget resolution poses a prescription drug benefit for all Medicare beneficiaries that does not use funds from the Medicare or Social Security surpluses. The amendment will provide a benefit that is voluntary, gives beneficiaries protection for prescription drugs, and ensures access to the drugs seniors and people with disabilities need at the pharmacies they trust. In addition, it is consistent with broader Medicare reform.

It is time that Congress act on this important matter.

Mr. REED. Mr. President, I rise today to offer my support for the Bau-

ous-Care Act prescription drug amendment. The amendment sets a total of $311 billion for the creation of a Medicare prescription drug benefit. The need for a prescription drug ben-

efit under Medicare grows each and every year. Unfortunately, the budget resolution currently before us fails to meet our seniors tremendous need in this area.

Advances in medical science have revolutionized the practice of medicine. And the proliferation of pharmaceuticals has radically altered the way acute illness and chronic disease are treated and managed. Further fueling these advancements have been annual increases in the budget of the National Institutes of Health, NIH. This year, the NIH is slated to receive an increase of $2.8 billion, which not coincidentally just happens to be the total increase in the entire Department of Health and Human Services, HHS, budget.

While the allocation of $153 billion for both Medicare reform and the cre-

ation of a prescription drug benefit is probably the most blatant example of how the Republican Leadership’s tax cut has been shortchanged by the budget reso-

lution, the overall budget for HHS is laden with vital programs that are being decimated so the Administration can fund an ever-growing and mis-

guided tax cut. However, we will not know exactly which programs have been sacrificed until after the budget resolution has already passed.

With regard to pharmaceuticals, I am deeply concerned that we are creating a situation like the classic story of Rapunzel, except in this case, scientists and remarkable new medical treatments are in the ivory tower and the people who would most benefit from the breakthroughs are on the other side of the moat with no bridge.

Thanks to the years we held the course of fiscal discipline, we now have a historic opportunity to fund our nation’s priorities, prepare for future ex-

penditures and return some of the re-

maining surplus back to the American taxpayer. Later this week, an alter-

native budget resolution will be offered which I believe strikes the right bal-

ance of fiscal discipline and investing in our priorities. It includes adequate funding for a universal Medicare prescrip-

tion drug benefit for every senior in America.

We are already painfully aware of the fact that remarkable advances in medical science, particularly in the area of pharmaceuticals, do not come without a cost. Since 1980, prescription drug ex-

penditures have grown at double digit rates and today prescription drugs con-

stitute the largest out-of-pocket cost for seniors. For millions of seniors, many of whom are living on a fixed in-

come and do not have a drug benefit as part of their health insurance cov-

erage, access to these new medicines is simply beyond their reach.

Even more alarming, it is estimated that 38 percent of seniors pay $1,000 or more for prescription drugs annually, while 3 in 5 Medicare beneficiaries lack a dependable source of drug coverage. This lack of reliable drug coverage for today’s seniors is reminiscent of the lack of hospital coverage for the elderly prior to the creation of Medicare. Back in 1963, an estimated 56 percent of seniors lacked hospital insurance cov-

erage. Several years later in health care and prevention, 53 percent of seniors still lack a prescription drug benefit. This is unacceptable.

The need for a Medicare prescription drug benefit is a top concern for the elderly and disabled in my home state of Rhode Island. Many seniors continue to be squeezed by declines in retiree health insurance coverage, increasing Medigap premiums and the capitation of annual prescription drug benefits at $600 or $1,000 in managed care plans. Seniors in my state are frustrated and burdened both finan-

cially and emotionally by the lack of a reliable prescription drug benefit. As their Senator, I am committed to doing all I can to relieve them of this tre-

mendous burden.

While the need for a prescription drug benefit is clear and the desire on the part of some members of Congress is there, action on Medicare prescription drug legislation has been slow. I am sincerely hope that this chamber can have the courage to fulfill the promise we made over 30 years ago to provide for seniors’ health care needs. Clearly, in today’s world that means the provi-

sion of prescription drug coverage. The time is now to make the step from rhetoric to action on a Medicare pre-

scription drug benefit. We should all feel compelled to seize this opportunity to strengthen and enhance Medicare for the new millennium.

Mr. DOMENICI. I believe Senator GRASSLEY has the proposed amend-

ment.

Mr. GRASSLEY. Mr. President, I yield myself such time as I may con-

sume.

AMENDMENT NO. 173 TO AMENDMENT NO. 170

Mr. GRASSLEY. I send an amend-

ment to the desk and ask for its im-

mediate consideration. This is for Senator GRASSLEY, Senator SNOWE, Senator DOMENICI, Senator COLLINS, and Sen-

ator Frist.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY], for himself, Ms. SNOWE, Mr. DOMENICI, Ms. COLLINS, and Mr. FRIST, asks unanimous consent to make an amendment to amendment No. 173 to amendment numbered 170.

Mr. GRASSLEY. Mr. President, 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:

On page 49 strike line 15 through line 6 on page 50 and insert the following:

SEC. 203. RESERVE FUND FOR PRESCRIPTION DRUGS AND MEDICARE REFORM IN THE SENATE.

If the Committee on Finance of the Senate reports a bill or joint resolution, or a conference report thereon is submitted, which reforms the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) and improves the access of beneficiaries under that program to prescription drugs, the Chairman of the Committee on the Budget of the Senate may revise committee allocations for the Committee on Fi-

nance and other appropriate budgetary aggregates and allocations of new budget au-

thorities (and the outlay authority (i.e., fund) in the Medicare program) in this resolution by the amount provided by the bill, joint resolution, or conference re-

port, but not to exceed $300,000,000 for the period of fiscal years 2002 through 2011. The total adjustment made under this section for any fiscal year may not exceed the Congress-

ional Budget Office’s estimate of the Presi-

dent’s Medicare reform and prescription drug plan (or, if such a plan is not submitted in a timely manner, the Congressional Budget Of-

fice’s estimate of a comparable plan sub-

mitted by the Chairman of the Committee on Finance).

Mr. GRASSLEY. Mr. President, the amendment I am offering with Sen-

ators SNOWE, DOMENICI, COLLINS, and FRIST this afternoon represents Senate Republicans’ following through on our commitments. We joined President Bush in committing to strengthen and improve Medicare to meet the needs of older Americans. And the amendment I am offering demonstrates that we will keep our promise.

This amendment provides the flexi-

bility necessary for the Finance Com-

mittee to craft legislation that not
only provides necessary reforms and improves access to prescription drugs, but does so in a responsible fashion—so we’re not left with uncontrollable spending.

I hear from constituents all the time about things in Medicare that need to be updated. And while prescription drugs is the most visible improvement, it is surely not the only one.

Medicare is operating on a system that is almost a half-century old. There is little doubt in anyone’s mind that this system is not only out-of-date, but that it cannot support the surge of baby boomers that will enter the program over the next decade.

We owe it to our beneficiaries to provide a high-quality 21st century medicine, so we owe it to our providers to let them deliver the care they were trained to provide instead of spending all of their time on paperwork and regulations, and we owe it to our taxpayers to make sure we’re spending every dollar wisely—and not wastefully.

I think we have a real opportunity to get Medicare legislation done this year and the amendment I am offering today allows us an opportunity to do just that.

I look forward to working with the President and my colleagues here in the Senate to craft a Medicare proposal that makes sense for beneficiaries and that is fiscally responsible for our taxpayers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, my good friend from Montana, my chairman and myself are attempting, in a good-faith way, to figure out how we are going to get a greater prescription drug benefit to our seniors. It is clear our seniors need it. The only question that is facing this body is simple: which of the two alternatives is the one offered by the chairman or the one offered by myself, is more likely to get them the benefit?

The circumstance is a bit awkward, a bit difficult. My chairman and myself are offering competing amendments. In a real sense, they are very similar. It is about the same thing. We are both trying to get a prescription drug benefit, and in each case the amount is roughly the same, $300 billion. The amendment of the Senator says up to $300 billion over a 10-year period. The amendment I am offering says we will add $158 billion to the current $153 billion. That comes out to $311 billion. So we are both talking about $300 billion total in prescription drug benefits for the next 10 years for our senior citizens who, essentially, are currently not covered.

The question really is, Why are we here? We are both talking about $300 billion. What is the big deal? Why don’t we just agree and get on with the other amendments to Medicare?

The point is there is an honest, good-faith difference of opinion as to which of the two is more likely to provide the actual prescription drug benefits. The amendment I have offered very simply states we will take $315 billion out of the $1.6 trillion tax bill and add that to the budget resolution of $153 billion, which means a specific $311 billion for prescription drug benefits which includes reform.

My amendment does not in any way preclude Medicare reform. Certainly, Medicare reform has to be addressed, and I think we should begin to address this year in the Finance Committee. That is not to say that my chairman—he is a great guy, I might add. He is a great Senator and great chairman of the committee. But I think we have a little bit of an honest difference of opinion as to which approach is more likely to get the result. His amendment, if I might read it, is very simple.

I will cut out the useless words and just state the pertinent words: If the Committee on Finance of the Senate reports a bill or a joint resolution which reforms the Medicare program and includes benefits to each and every beneficiary, the chairman of the Budget Committee may—underline the word may—revise committee allocations that are appropriate.

It goes on to say the total adjustment may not exceed the Congressional Budget Office estimate of the President’s Medicare reform and prescription drug plan.

Basically, there are several soft phrases and soft words which raise questions as to the degree to which this is going to come to pass. The first soft word is “if” the Committee on Finance. It doesn’t direct the Committee on Finance to report out a prescription drug bill. It just says “if.” Of course, who knows what the Committee on Finance is going to do if it is not mandatory.

Second, it provides even if the Committee on Finance reports out this bill, the committee on budget “may” revise committee allocations. Not that it shall revise committee allocations, only that it may.

I think there is probably a pretty good reason why the word is “may” and not “shall.” That is, to be honest, because we do not have the dollars. The contingency fund—everybody has a claim to it. It most likely will not be there. The other only alternative is to go into the hospital insurance trust fund. We certainly do not want to do that.

The practical result of this amendment, it seems to me, from any fair reading, is that most likely—even though we intend to have the dollars there, intention is not enough—as a practical matter, the dollars are not going to be there so we will not have a meaningful prescription drug benefit. It also provides the chairman of the Budget Committee “may” provide this allocation only “if” it does not exceed the estimate of the President’s plan in Medicare reform. So it only precludes us in the Senate from adopting any prescription drug plan or Medicare reform plan other than the President’s. I think we should have a little leeway on what we are doing.

So the alternative we face is very simple. It is a very simple alternative and Senators will differ about it. Clearly some Senators do not want to touch the dollar. They don’t know what it is that it should be. Other Senators think it is maybe too much. But the choice is very simple. I think this is a fair statement and it is pretty hard for anybody to come up with anything very different than what I am going to say is that it should be. The choice is to reduce the President’s tax cut—or the Budget Committee tax plan—by about $158 billion over 10 years, and add that to the prescription drug benefit called for in the budget resolution for a total of $300 billion, and specify that—which means roughly $311 billion for a prescription drug benefit along with reform—that is option 1—or option 2 is no reduction in the President’s tax plan but hope that maybe the Finance Committee will report out a bill, the hope that maybe the chairman of the Budget Committee will come up with the reallocation, and that basically it must conform with the President’s number.

I love to think we have the money there under the contingency fund for Medicare prescription drugs that is not out of the hospital insurance trust fund but somewhere else. But this is all so simple. I do not have the list in front of me, but all of the claims on the contingency fund are just innumerable. Alternative minimum tax, it is the tax extenders, it is some business tax cuts, it is pension reform, it is emergency assistance, it is defense.

Does anybody here think in the next 10 years the President of the United States is not going to, under NMD, offer a big significant boost in defense spending, say, next year or the following year? We know it is coming. There is nothing left in this contingency fund. It is just not there.

I do not want to get too technical about this, but even under the budget resolution provided for on the floor, in years 5, 6, and 7, the deficit in the contingency trust fund, is negative, is $6 billion or $7 billion during that period. That means any plan has to come out of the hospital insurance trust fund.

I made my point. It is a simple alternative. One is definite. It tells the Finance Committee to come up with $300 billion. The other is a big maybe. And the maybe is based on very shifting stands. It is just not solid enough to support the conclusion that the money is going to be there.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, parliamentary inquiry. How much time do we have remaining?

The PRESIDING OFFICER. The Senator has 81 minutes 22 seconds.

Mr. DOMENICI. On the other side?

The PRESIDING OFFICER. They have 13 minutes 43 seconds.

Mr. DOMENICI. I yield myself 2 minutes and then I will ask Senator Frist...
to manage on my side, I have to leave the floor. He and Senator Grassley will finish up the debate.

I say to everybody listening, the plain and simple fact is we propose we not reduce the President’s $1.6 trillion tax cut and maintain the spending for prescription drug reform because we believe that is exactly what the contingency fund of $500 billion was intended for. We provide a mechanism to make sure that if the President poses a permanent fix to Medicare, or the Finance Committee, in each case it will be funded not to exceed $300 billion.

The Senator says there is a lot of “ifs” and “maybes.” I want to close by saying: Whatever happens to their amendment, there is no prescription drug bill until the committee writes one, right? So you are saying you are putting the money in and it is all full of ifs and ands and buts and maybes; to wit, you have to write a bill.

Now then the bill will be written. Why do we put the money in? We are not sure what it is going to be. We have estimates from $316 billion to $500 billion, if necessary.

We think we are doing the judicious thing to tax cut intact and providing for prescription drug reform that is significant that can be up to but not exceeding $300 billion. And we will assign it to the committee on the happening of either of two events: the President submits one which the Congressional Budget Office estimates or the distinguished chairman of the Finance Committee produces one that is costed out. And then we give them the money but not to exceed $300 billion.

That is the summary underneath our proposal. Unless and until we write a bill, there will be no money spent on Medicare prescription drugs because we still have to write the reform measure.

I yield the floor at this point. I yield it to Senator Grassley.

Mr. CONRAD addressed the Chair. The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, what a difference a few hours makes. What a dramatic transformation. When we proposed this morning a prescription drug benefit and the funding for it of $311 billion, the other side said: There the Democrats go again. All they want to do is spend money.

But what do they want at 4:30 in the afternoon and the Republicans are back. And what do they want to do? They want to spend almost the identical amount of money.

What has occurred here is absolutely fascinating. There has been a transformation. It has been really quite remarkable. All of this morning the Republican line was, Oh, the Democrats just want to spend money. But by 4:30 in the afternoon the Republicans want to spend the same money. The difference is they want to raid the Medicare trust fund, and we want to protect the Medicare trust fund. We want a prescription drug benefit directly and clearly out of surpluses outside of the trust funds.

Let me show you why the proposal of our friends on the other side will put us right into the trust funds. This chart shows the surpluses available under the Republican proposal. In each case it will be funded not to exceed $300 billion. As you can see, in the year 2005, there is only $7 billion available before they are into the Medicare trust fund. They are here proposing $300 billion of expenditures for a prescription drug benefit. If they use $300 billion by the 10 years covered, that is about $30 billion a year. If they use $30 billion in the year 2005 for a prescription drug benefit, guess what. They are using Medicare trust fund money to fund a prescription drug benefit. What is wrong with that? That way leads to bankruptcy of the Medicare trust fund at an earlier date. That leads to insolvency of the Medicare trust fund at an earlier date.

That is why our amendment is superior. It is better fiscally. It is better for a prescription drug benefit because we will not permit raiding the Medicare trust fund to fund a prescription drug benefit. We protect every penny of the Social Security trust fund and every penny of the Medicare trust fund, and we fund a prescription drug benefit—the $300 billion they are talking about—out of what is remaining. They are funding the Medicare prescription drug benefit out of the trust fund.

It is just as clear as it can be. This amendment ought to be relabeled the “Grassley Raid the Medicare Trust Fund Amendment.” That is what we ought to call it because that is what it does.

I yield the floor.


The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise to share the concern expressed by my colleague representing Wisconsin, leadership on this budget resolution. I respect the chairman of the Finance Committee, the distinguished Senator from Iowa.

I must rise to indicate that I could not be more concerned about the approach that is being taken on this amendment. I am proud to be a co-sponsor of the underlying Baucus amendment that provides a real prescription drug plan for our seniors. No ifs, ands, or buts, it is real. It is there, and it will not come out of the Medicare trust fund.

As to what was said by our distinguished Senator from North Dakota talking about the Medicare trust fund, this budget resolution, unfortunately, is a big shell game. It starts by saying, except for Medicare and Social Security, every penny-plus will go to a tax cut to wealthiest Americans; every penny-projected for 10 years of any possible prescription drug coverage. Then, to pay for funding, it moves Medicare trust funds of $500 billion-plus over into something called the contingency fund.

We have been spending a lot of time trying to shore up Medicare and Social Security and protect it for the future. We know the baby boomers are going to be retiring within the next 11 years. The last thing we need to do is be spending those trust funds.

This proposal, unfortunately, spends Medicare in order to provide some possible prescription drug coverage. It is an amendment that goes against itself.

We need to be protecting the current Medicare trust fund, modernizing Medicare, and adding dollars so we are strengthening it in terms of prescription drug coverage.

Earlier this afternoon I heard comments on the other side of the aisle talking about how we don’t know how we are going to pay for this proposal, that the seniors are going to have to wait, and that we can’t afford to do this. How long do the seniors of this country have to wait? How long do they have to wait?

I have been in the Congress only 4 years—four in this distinguished body in which I am so honored to serve on behalf of the people Michigan. But in the entire time I have been here, we have been talking about updating Medicare to cover prescription drugs. And every day we wait, we are pursuing millions of seniors who are sitting down at the kitchen table in the morning saying: Do I eat today or do I get my medicine? Do I pay the utilities today or do I get my medicine?

We don’t have that same sense of urgency that I hear from the families in Michigan. We need to have that. Our seniors can’t wait.

We don’t need smoke and mirrors. We don’t need a shell game. We don’t need to take the cure out of the trust fund. We need to be honest and upfront and say that we are willing to take just a small part—less than 7 percent of the tax cut being proposed—to be moved over and provide the seniors of our country help with prescription drug coverage.

The majority of seniors will not benefit from this tax cut. They won’t receive the tax cut. The tax cut that we can provide for them, and the money that they put back in the pockets is by giving them help with their medicine and giving them help with the cost of prescription drugs. That is money back in the pockets of the senior citizens and those with disabilities in our country. I think they deserve something in their pockets as well.

While I support a tax cut that is across the board and geared to middle-class taxpayers, small businesses, and family farmers, I think we can also, if we do this right and we are honest about it and if we put together the right priorities, make sure we keep the promise. If we do not do it now, when will we?
The PRESIDING OFFICER. Who yields time?
Mr. FRIST. I yield myself 12 minutes.
The PRESIDING OFFICER. The Senator from Tennessee is recognized for up to 12 minutes.
Mr. FRIST. How much time do I have?
The PRESIDING OFFICER. The Senator from Tennessee controls 16 minutes 15 seconds.
Mr. FRIST. Mr. President, I yield myself 12 minutes. Please notify me when 2 minutes are remaining.
Mr. President, as I mentioned earlier this morning, we have a tremendous opportunity, I believe. It is reflected by amendments on both sides of the aisle. That opportunity is to expand Medicare in terms of its benefit coverage; that is, adding prescription drugs, which is critically important. It is vital if we want to be able to look seniors and individuals with disabilities in the eye and say we are going to give you health care security.
That is what Medicare is all about. Why? Because prescription drugs, I believe, has to be a part of Medicare, just as the hospital bed or inpatient hospital patient got benefit coverage. We fill that responsibility. But to have health care security, it requires us, I believe, to do more than just add a benefit which none of us really know how to add on. None of us have developed the policy through which we can deliver it as yet. But adding that benefit alone on a structure which has, as good as it is, real problems, problems in terms of solvency—and what that means really is sustainability—is irresponsible. When you look at a 40-year-old, or a 50-year-old, or a 60-year-old, they want to know that the Medicare program is going to be there 20 years later. Today we cannot say that in good conscience, unless we modernize the system, improve the system, strengthen the system.
The way the debate has evolved over the course of the day, now we have two very clear choices. One adds prescription drugs in a right way and one does so in a wrong way. The right way, I believe, is Senator Grassley’s amendment. The wrong way is Senator Baucus’s amendment. I want to explain why.
We link the Grassley amendment to modernization, to strengthening the system by changing the Medicare system, including prescription drugs—something their amendment does not do. Theirs addresses only the prescription drug concept and does not, as was just said, link to that improvement, that strengthening, that modernization. We want to be able to respond to that individual’s needs. That is what Medicare reform is all about.
We believe strongly that reform must be a part of our response—and that is why it is spelled out in the Grassley amendment—where, yes, we are committed to spending an additional $150 billion. That is what the amendment does. But it says on top of that we will spend up to another $150 billion after the policy is formulated. Right now we do not have the policy.
The reason why it is so important to at least think about the policy—to make policy before we fund it—is because cause of this figure shows right here in relation to prescription drugs. This chart shows the prescription drug demand and the response to that demand from 1965 to 1999. This shows how much has been expended overall. The whole point of this figure is what you can look at what has happened over the last 4 to 5 years. There has been explosive growth of prescription drugs. And we are talking about trying to fund this in some way for seniors, but we do not have the policy yet. So the Grassley amendment says, if we develop that policy—when we develop that policy—either by the President of the United States or the Finance Committee, then let’s figure out how much it costs and place that into the budget for up to $500 billion, or $300 billion that has been costed out, so we will know what that policy is going to cost the taxpayers.
Why? If you look ahead on this chart—and on the red chart I showed you to 1999, we have been spending; I showed you the explosive growth here—if we do not do it right, with the right policy, if we do not include prescription drugs in Medicare, and integrate it in such a way that we have the tools that in some way we can control the cost, constrain the cost, look at what is going to happen. This chart shows what is projected to happen if we do not do anything; explosive growth.
So what we are layering—again, for all people, not just seniors; seniors are about a third of this—if we superimpose, without the policy, a program of prescription drugs on Medicare, and we ought to seize that opportunity, the Senate that prescription drugs are important, that is what Medicare reform is all about. It is because we are deficit spending. We are spending more in Medicare today. If you look at Part A and Part B, Medicare in the whole, we are spending more today than we are taking in. We are deficit spending even in the Part A. The hospital trust fund will be deficit spending in 2016, but today we are running a deficit. If we superimpose a policy, a program of prescription drugs on Medicare without reform, I believe we are behaving irresponsibly, if we are looking at the sustainability of Medicare long-term.
Medicare’s problem today: Just look at Part A. It is going bankrupt by 2029. Deficit spending in just 15 years. It only covers 53 percent today of beneficiaries’ health care costs. That is right now. And that is going to get worse over time unless we modernize the system.
There is no coverage for prescription drugs. It is a generational timebomb.
We are going to be doubling the number of seniors coming into the system over the next 30 years. Congressional mandates right now through HCFA have resulted in 155,000 pages of regulations governing that doctor-patient relationship. Medicare has simply not kept pace, in terms of quality, access, and the delivery of health care, with our private systems.
So in about 15 minutes we are going to have a choice. The choice is between two amendments, both of which address prescription drugs on the part of the Senate, in the effort, the commitment to include prescription drugs as a part of Medicare. Something, I think just about everybody agrees on. But, again, there is a right way and a wrong way.
I support Senator Grassley’s amendment because it says, yes, let’s spend the $153 billion that is in the underwriting bill. And once we come up with the policy, which we do not have—nobody in this body has it—through the Finance Committee or from the President of the United States, if it is going to cost up to $300 billion, we will be working through Senator Domenici and the Budget Committee, to add another $150 billion, for a total of $300 billion; but it has to be tied to reform, to modernization, to strengthening the system itself.
I oppose the Baucus amendment in large part because it does not tie it to reform in any way. It does not basically say, to engage prescription drugs responsibly and integrate it into the system, you have to modernize the system itself.
Secondly, it unnecessarily takes money out of the taxpayers’ pocket. Basically, the way they have theirs worded versus the Grassley amendment, Grassley comes out of the contingency fund. The Baucus amendment takes the money away from the taxpayer by cutting the tax relief which every hard-working taxpaying American deserves today. I believe this is an important issue. I believe it does demonstrate the overall commitment on behalf of the Senate that prescription drugs are important, that we have an opportunity to strengthen, to improve, and to modernize the health care system for seniors, for individuals with disabilities; and we ought to seize that opportunity. But we should not behav irresponsibly and throw additional money at a problem that we have not even fully developed. We ought to modernize it.
With that, I urge my colleagues to support the Grassley amendment and to defeat the Baucus amendment when that comes forward.
I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?
Mr. CONRAD. I yield 2 minutes to Senator Baucus.
The PRESIDING OFFICER. The Senator from Montana is recognized for up to 2 minutes.

Mr. BAUCUS. Mr. President, I listened very closely to my good friend
from Tennessee. I, first, want to make it very clear that the amendment I am offering does contemplate reform, because I do believe we need to move this year to begin Medicare reform at the same time we are providing prescription drug benefits. I want to clear the air on that.

Second, I do not want to belabor this argument. We will be voting very soon. But just to remind Senators, there is a big difference between my amendment and the amendment on the other side. We have the same number of dollars, $300 billion for a prescription drug benefit. But the amendment offered by Senator Graham and I is definite. It prescribes a prescription drug benefit. The other amendment says "maybe," and maybe out of a contingency fund.

I want to make this point because it is so glaringly true. We all know there "ain't" no money in the contingency fund. There just "ain't." And the reason is because it has been called for so many other things for such readily available things as agricultural provisions, disaster assistance or other provisions in the tax code. There isn't going to be a contingency fund by any stretch of the imagination. It is just a hope and a prayer, and it is a hope and a prayer someone else makes it come out of the hospital insurance trust fund. And, of course, that is not a great option.

So essentially what it comes down to is this: You have a choice, Senators: You vote for a prescription for prescription drugs, or you say: Call me in the morning. That is the choice.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Iowa.

Mr. GRASSLEY. I think I have 8 minutes left. I yield myself 4, and then Senator Frist wants to speak again.

I will address some of the things the Senator from North Dakota and the Senator from Montana have touched on. They express the philosophy behind the way we have handled this amendment, saying that the Senate budget chairman can plug in a figure after the Senate Finance Committee has produced a bill. The basis of this is that we ought to develop the policy and then put in the amount of money it takes to carry out the policy.

I have no crystal ball to tell me what amount might be necessary for a bill. My friends on the other side have this crystal ball telling them we must have $311 billion for Medicare. They are going to develop a policy around a certain amount of money. I don't think that is the way to do business.

Another difference between these approaches is that they are going to reduce the amount of tax relief that goes to working men and women by some $158 billion. We will use the reserve fund, meaning the money that is left over. After we take out $353 billion of the surplus for Medicare and $1.6 trillion of the surplus for Social Security, there is still $158 billion left. Ever since the President proposed his budget, we all understood that some of this left over money would be used for prescription drugs. We are not going to deny the working men and women of this country a tax break that they deserve. We have the money to fund this, but we don't know how much money we need just yet.

We link it to raise the level of the policy directly and then pay for the policy you develop, rather than putting up X number of dollars, such as our opposition does, and then building some policy around it.

Now, reading my amendment, my opponent came up with the idea that this amendment is too flexible. Well, flexibility does not mean inaction. Our Senate Finance Committee is going to produce a prescription drug program for senior citizens and at the same time make incremental improvements and changes to Medicare. So he may speak about flexibility. The insinuation is that that is an excuse for no action. The last election was all about prescription drugs. The last election was all about Medicare policy. This President is committed to delivering on that, and we are going to.

I yield myself 1 more minute. I point out to my friend from Montana that his amendment doesn't guarantee a prescription drug program. It allows one. It could be a contingency fund or it could be $300 billion a year. We leave opportunities to develop Medicare policy just as they do. Now, let me just chime in for a second and thank Senator SMITH of Oregon for joining me on this amendment.

Now let me address the accusation by my colleague from North Dakota that the amendment I offer today raids the Medicare trust fund. This is absolutely ludicrous. I want to make clear that under my amendment the Medicare surplus will continue to go into the Medicare trust fund. The Medicare trust fund is just like a bank account. When you make a deposit, it increases the balance in your account, and only you can take that money out. But this does not mean that the bank can't use that money to make loans and pay expenses. In fact, that is exactly what any good bank does. At the end of the day, when you go to take your money out of the bank, it is there, because the bank has to make good. When it comes to the Medicare trust fund, the Government has to make good too. My amendment does nothing to change that.

I yield the remainder of the time we have to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. Frist. Mr. President, how much time remains?

The PRESIDING OFFICER. Two minutes 30 seconds.

Mr. Frist. On the other side?

The PRESIDING OFFICER. Three minutes 12 seconds.

Mr. Frist. Mr. President, I very briefly will summarize again my support for the Grassley amendment and my opposition to the amendment offered by the Senator from Montana.

Very quickly: What does the Domenici substitute have in it? It is very important because this reflects the commitment of President Bush and the Senate budget proposal that is before us.

No. 1, in year 1, fiscal year 2002, for Medicare, we will be spending $230 billion. In year 10, when we march out of this place with $1.5 trillion, that is an increase of 111 percent, an average annual increase of over 7 1/2 percent. That means over the next 5 years in Medicare, in hopefully a modernized, strengthened, improved program, we will be spending $450 billion and, over the next 10 years, $3.3 trillion.

What the Grassley amendment does is basically this. It says in this process of modernization—it is carefully linked to modernization—we can have up to another $150 billion over that period of time after the policy is formulated by the President of the United States or by the Senate Finance Committee. That is acting responsibly. It recognizes the fact that we should have a credible prescription drug benefit. That is a significant advance. No. 2, frankly, there is no disagreement with the fact that we should strive to reform Medicare. We all start with exactly the same language, which is on page 49 of the amendment, which talks about policy. It has not been discussed to the degree it needs to for us to do anything to work on what coverage for prescription drugs will be.

I support the Grassley amendment because it allows a total of $300 billion over 10 years, if we modernize, and it right in the amendment. I oppose Senator Bau-cus's approach because it takes the money from the taxpayers unnecessarily—that same $300 billion. And No. 2, it does not link it to modernization. We need to have that, but if you read it, nowhere in the Bauer amendment does it say anything about mod-ernizing, strengthening or improving the program.

I am very pleased, very proud of the amendment before us. I urge the support of all of our colleagues for the Grassley amendment, with opposition to the Bau-cus amendment.

I reserve the remainder of our time.

Mr. CONRAD. Mr. President, I yield 1 minute to the Senator from Florida.

Mr. GRAHAM. Mr. President, in my 60 seconds let me say there are two areas of agreement. Apparently we have now agreed that it is going to take in the range of $300 billion over 10 years to have a credible prescription drug benefit. That is a significant advance. No. 2, frankly, there is no disagreement with the fact that we should strive to reform Medicare. We all start with exactly the same language, which is on page 49 of the amendment, which talks about policy. It has not been discussed in the Senate Finance Committee.

What we also heard in our most recent hearing on this subject is that the most anybody has ever suggested that reform could amount to would be approximately $50 billion in a $3 trillion Medicare program over the next 10 years. Let's not exaggerate what kind of savings we are going to get.

Where we disagree is how we are going to finance this. The PRESIDING OFFICER. The Senator's time has expired.

Mr. CONRAD. I yield an additional 30 seconds to the Senator from Florida.
Mr. GRAHAM. Where we disagree is how we should finance this. What the Republicans are saying is we should do this by essentially using the Part A trust fund. That is the trust fund which people have paid into in through their payroll tax, which they pay in expectation of receiving—to read from the Medicare benefits booklet—hospital stays, skilled nursing facilities, home health care, hospice care, and blood care—all the things which are financed out of the Part A trust fund. That is what is going to be raided as we try to now finance a major prescription drug benefit.

We should stay with the proposal of the Senator from Montana to finance this responsibly by reducing by less than 10 percent the projected tax reduction.

The PRESIDING OFFICER (Mr. Smith of Oregon). The Senator from Maine.

Ms. SNOWE. Mr. President, I am delighted to co-sponsor this amendment with Senator DOMENICI, the distinguished chairman of the Budget Committee, and Senator GRASSLEY, chairman of the Committee. This amendment has a simple but critical purpose: to increase by $147 billion the reserve fund in this resolution for a Medicare prescription drug benefit and Medicare reform. That is, this amendment would nearly double the reserve fund to $300 billion, with monies coming from the on-budget surplus.

Let me note that nothing in this amendment commits Congress to spend the entire reserve fund. Indeed, in truth we do not yet know what additional resources will be needed. We will know better when the Congressional Budget Office reports estimates several weeks from now on a variety of Medicare reform and prescription drug proposals.

In short, this additional reserve amount will help ensure that the President and Congress will have sufficient resources to enact both a prescription drug benefit and badly needed Medicare improvements this year.

I am sure my colleagues are very aware of the need for prescription drug coverage, I think the facts underlying the national problem for our nation's senior citizens bear repeating.

When Medicare was created in 1965, it emphasized the private health insurance model of the time, inpatient health care. In fact, the original Johnson Medicare bill was only for hospital care. Doctor's services, and other outpatient care, was added by Congress as a voluntary program.

Today, thirty-six years later, Medicare, although a great blessing to our nation's seniors, is sadly out of date. It is past time to bring Medicare "back to the future" by providing our seniors with prescription drug coverage. Indeed, hardly a day goes by without some announcement of a new and exciting breakthrough in drug therapy, breakthroughs that promise better care for millions of Americans.

The lack of a prescription drug coverage benefit is the biggest hole, a black hole really, in the Medicare system. HCFA will tell you that up to 65 percent of Medicare beneficiaries have drug coverage from other sources. But that number simply doesn't tell the whole story.

Specifically, fourteen percent of Medicare beneficiaries get drug coverage from one of the three Medigap policies that cover drugs. Two of these policies require a $250 deductible and then only cover 25 percent of the cost of the drug with a $1,250 cap. Needless to say, you can reach that cap awfully fast with today's drug prices.

The third policy provides a cap of $3,000, but the premium ranges anywhere from $1,999 to $3,171 depending on where you live. That is a lot of money for someone living on a fixed income.

About 15 percent of seniors get drug coverage from participating in Medicare HMOs. However, we know the Medicare+Choice program has been under great pressure over the past few years, making this source of prescription drugs less reliable.

And another 18 percent receive coverage from Medicaid. Of course, to do that, they must first begin with and may have to spend a great deal out of pocket for their drugs, what we commonly refer to as "spending down", before they are eligible in a given year for coverage. Finally, there are those lucky enough, 29 percent, to have employer sponsored drug coverage through their retiree program.

Medicare fails today's elderly patients in other ways. The preventive care services offered under Medicare, while greatly expanded, are still insufficient to help seniors remain healthy, and therefore avoid more expensive care later. And routine services such as annual physicals, vision tests and hearing aids are still paid out of pocket.

Medicare also only provides limited financial protection. Indeed, we must always remember that Medicare is not just about health care, but protection against potentially high costs of health care. The program has a fee-for-service cost-sharing structure that still leaves seniors vulnerable to high costs. Indeed, the traditional fee-for-service Medicare program covers only 53 percent of the average senior's annual medical expenses.

Moreover, management of the Medicare program is burdened by vast bureaucratic complexity and operates in a non-competitive, inefficient manner. It lacks the flexibility to operate differently.

Medicare's financing and accounting is confusing. Medicare currently maintains separate trust funds, one for inpatient hospital and post-acute care, and one for physician fees and other outpatient costs. This separation leads to misleading assessments of Medicare's financial status and again reflects a different era of medicine. There is irrefutable evidence that Medicare's finances are not sustainable or affordable in the long-term.

I daresay that no one in this chamber would disagree that Medicare needs improvements. This amendment will make reform possible.

I want to take this opportunity to acknowledge the leadership of the President on Medicare reform. The President has laid down six principles, which in my view are the starting point for our efforts. The President is preserving committed Medicare's guarantee of access to seniors. Every Medicare recipient must have a choice of health plans, including the option of purchasing a plan that covers prescription drugs. Medicare must cover expenses for low-income seniors. Reform must provide streamlined access to the latest medical technologies. Medicare payroll taxes must not be increased. And reform must establish an accurate measure of the solvency of Medicare.

The funding for this amendment would come from the on-budget surplus. I know that is a particular problem for some Members across the aisle, because that surplus represents cash that could otherwise be provided Medicare outpatient drug provisions, those provisions would have been funded directly from the HI payroll tax.

I urge all Senators who believe as I do that we must add a Medicare prescription drug plan and improve Medicare in other ways to vote for this amendment.

Mr. CONRAD. Mr. President, how much time is remaining on our side?

The PRESIDING OFFICER. One minute 15 seconds.

Mr. CONRAD. Mr. President, it has come down to this: We both agree roughly on the amount of money needed to fund a meaningful prescription drug benefit. Our friends on the other side of the aisle are $300 billion; we are at $311 billion. There is not much difference there.

There is a profound difference on how to fund that amount of money. We say do not use the trust funds of Social Security or Medicare. Our friends on the other side of the aisle say raid the Medicare trust fund, which we believe is a profound mistake. We ought to fund this proposal, but we ought to do it the right way. We ought to do it the fiscally responsible way. We ought to do it without raiding a dime of trust fund money.

That is our proposal. That. I believe, deserves the support of our colleagues. I reserve the remainder of my time.

Mr. DOMENICI. Mr. President, how much time does the Senator have remaining?

The PRESIDING OFFICER. Eighteen seconds. Who yields time? The Senator from Iowa.
Mr. GRASSLEY. Mr. President, I yield myself the rest of the 18 seconds.

Remember, our amendment uses Medicare money for Medicare. Part A Medicare money is going to be used for Medicare. Part B Medicare money is going to be used for Medicare. We are even going to put general fund money in there to use for Medicare.

How much more do you want? We're putting medicare money aside for Medicare and we're putting extra money aside for Medicare. How much plainer can it be?

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

Mr. CONRAD. It could be clearer if you did not raid the Medicare trust fund for a new benefit, a new promise, when you need the Medicare trust fund money to keep the previous promises.

That is how clear it is.

Mr. GRASSLEY. Have you ever heard money is fungible?

The PRESIDING OFFICER. The question is on agreeing to amendment No. 173. The clerk will call the roll.

The assistant legislative clerk called the roll.

The VICE PRESIDENT. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 50, as follows:

[Rollcall Vote No. 66 Leg.]

YEAS—50

Akaka  Baucus  Bayh  Bingaman  Boxer  Breaux  Byrd  Cantwell  Carnahan  Carper  Conrad  Corzine  Daschle

Allard  Allen  Bennett  Bond  Brownback  Burns  Campbell  Cochran  Collins  Craig  Crapo  DeWine  Domenici  Ensign  Enzi  Fitzgerald

NAYS—50

Akaka  Baucus  Bayh  Bingaman  Boxer  Breaux  Byrd  Cantwell  Carnahan  Carper  Conrad  Corzine  Daschle

Allard  Allen  Bennett  Bond  Brownback  Burns  Campbell  Cochran  Collins  Craig  Crapo  DeWine  Domenici  Ensign  Enzi  Fitzgerald

The VICE PRESIDENT. On this vote, the yeas are 50 and the nays are 50. The Senate being equally divided, the Vice President votes in the affirmative, and the amendment is agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 172

The VICE PRESIDENT. Under the previous order, there will now be 2 minutes of debate on the Baucus amendment.

The Senator from Montana is recognized.

Mr. DOMENICI. I ask unanimous consent that the next vote be 10 minutes.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

The Senator from Montana is recognized.

Mr. CONRAD. Mr. President, I think at this point it would be appropriate to welcome the Vice President to the Chamber. We are glad you are here. We hope you will stick around to break the next tie.

The VICE PRESIDENT. I say to the Senator from North Dakota that is my intention.

Mr. DOMENICI. Mr. President, don't say that. The next time we want you in the Chair, we will spread the word to you.

The VICE PRESIDENT. Who yields time? The Senator from Montana.

Mr. BAUCUS. Mr. President, I congratulate those who voted for this amendment, because we have now established that we will put $300 billion of prescription drug benefit plan over 10 years. Several hours ago, we were at $153 billion. According to the budget resolution, we are now at $300 billion. So there is agreement.

The amendment now pending basically says, OK. Since we have agreement in theory on what the amount should be, let's now lock it in and make sure that the money is, in fact, there. The amendment offered by Senator Graham and I does that. It locks in the money by telling the Finance Committee to come up with a prescription drug bill, by taking just a small sliver $158 billion out of the $1.6 trillion tax bill for prescription drugs. That, with the $153 billion already in the budget resolution, provides $311 billion to give seniors what they need—a meaningful prescription drug benefit.

Now that we have established $300 billion, let's make sure that we put our money where our mouth is. Let's lock the money away instead of providing a hope and prayer that the dollars are going to be there for the prescription drug benefit.

The PRESIDING OFFICER (Mr. Smith of Oregon). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, let me just say this is a typical amendment from that side of the aisle. They would say to our President that we don't like your tax cut, and we want to take $156 billion of it and we want to spend it. They would say they are spending it for some very special purpose. But we can accomplish the same without diminishing what our taxpayers should be getting. They should be getting the President's $11.6 trillion over the next 10 years.

It is plain and simple. This amendment reduces that by $156 billion and puts it in an account to be spent, whatever they are going to spend it for. It is the beginning of a tax-and-spend approach on the floor for the remaining 2½ or 3 days.

I hope on our side we stay fast. We all voted. We ought to vote the same way. In this instance, it is a "no" vote on our side, and they will not prevail, if you will just do what you did. Do it one more time.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. BAUCUS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The clerk will call the roll.

The legislative clerk called the roll.

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

The result was announced—yeas 50, nays 50, as follows:

[Rollcall Vote No. 66 Leg.]
The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, on behalf of the leader and after conferring with the minority, I ask unanimous consent that Senator GRASSLEY be recognized to offer an amendment relative to agriculture and to follow the reporting by the clerk, the amendment be laid aside and Senator Johnson be recognized to offer an amendment regarding agriculture.

I further ask unanimous consent that the debate tonight run concurrently on both first-degree amendments and the Senate resume debate at 9 a.m. on Wednesday, and the time between 9 a.m. and 10:30 a.m. be equally divided for closing remarks on the agriculture issue.

I further ask unanimous consent that no amendments be in order prior to the votes just described, the votes occur in a stacked sequence beginning at 10:30 a.m., with 2 minutes prior to each vote for explanation, and the first vote occur in relation to the Grassley amendment, to be followed by a vote in relation to the Johnson amendment.

I also ask unanimous consent that following those votes, Senator Harkin be recognized to offer an amendment relative to education.

Finally, I ask unanimous consent that when the Senate resumes consideration of the concurrent resolution on Wednesday, there be 35 hours remaining for further debate.

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

Mr. DOMENICI. Mr. President, on behalf of the leader, I make the following statement for the information of all Senators. In light of this agreement, there will be no further votes this evening. Any Senator with an interest in agriculture and agricultural issues is urged to remain tonight to debate the issue. The next votes will occur in a stacked sequence at 10:30 a.m. tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I thank the chairman of the Budget Committee for working through this procedure in a fair way and an efficient way. We have used the time relatively well today.

We now have scheduled the next two amendments, or really three amendments because there will be two first-degree amendments on agriculture and then we will go to an education amendment. We also are scheduled to vote on agriculture with time to debate that both this evening and tomorrow.

I want to send a clear message to those colleagues who are concerned about agriculture, as the chairman described. My colleagues need to be here tonight to discuss this issue because there will be limited time tomorrow morning. We will have only an hour and a half when we come back in tomorrow morning to conclude debate on this important set of amendments.

If there are colleagues on either side of the aisle who are concerned about agriculture and want to participate in that debate, they need to know tonight affords the best opportunity because there will be limited time tomorrow.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, obviously I am going to yield to my overused colleague who was asked to offer the last amendment because it came within the jurisdiction of his Finance Committee. Tonight we ask that we offer the Republican amendment, the bipartisan amendment on behalf of agriculture, because he is an expert on agriculture and a lot of people listen attentively to what he has to say.

I yield the floor to Senator GRASSLEY, and he can offer the amendment we have been discussing.

AMENDMENT NO. 174

Mr. GRASSLEY. Mr. President, I send an amendment to the desk for myself, Senator MILLER, and Senator DOMENICI.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Iowa, Mr. [GRASSLEY], for himself, Mr. MILLER, and Mr. DOMENICI, proposes an amendment numbered 174.

Mr. GRASSLEY. 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:

On page 5, line 1, increase the amount by $5,112,000,000.00.
On page 4, line 2, increase the amount by $7,810,000,000.00.
On page 5, line 3, increase the amount by $8,202,000,000.00.
On page 4, line 4, increase the amount by $8,658,000,000.00.
On page 5, line 5, increase the amount by $9,129,000,000.00.
On page 4, line 6, increase the amount by $9,611,000,000.00.
On page 5, line 7, increase the amount by $10,101,000,000.00.
On page 4, line 8, increase the amount by $8,591,000,000.00.
On page 5, line 9, increase the amount by $8,047,000,000.00.
On page 4, line 10, increase the amount by $7,470,000,000.00.
On page 5, line 11, increase the amount by $7,885,000,000.00.
On page 4, line 12, increase the amount by $5,112,000,000.00.
On page 5, line 13, increase the amount by $7,810,000,000.00.
On page 4, line 14, increase the amount by $8,202,000,000.00.
On page 5, line 15, increase the amount by $8,658,000,000.00.
On page 4, line 16, increase the amount by $9,129,000,000.00.
On page 5, line 17, increase the amount by $9,611,000,000.00.
On page 4, line 18, increase the amount by $8,591,000,000.00.
On page 5, line 19, increase the amount by $8,047,000,000.00.
On page 4, line 20, increase the amount by $7,470,000,000.00.
On page 5, line 21, increase the amount by $7,885,000,000.00.
On page 4, line 22, increase the amount by $5,112,000,000.00.
On page 5, line 23, increase the amount by $7,810,000,000.00.
On page 4, line 24, increase the amount by $8,202,000,000.00.
On page 5, line 25, increase the amount by $8,658,000,000.00.
On page 4, line 26, increase the amount by $9,129,000,000.00.
On page 5, line 27, increase the amount by $9,611,000,000.00.
On page 4, line 28, increase the amount by $8,591,000,000.00.
On page 5, line 29, increase the amount by $8,047,000,000.00.
On page 4, line 30, increase the amount by $7,470,000,000.00.
On page 19, line 2, increase the amount by $350,000,000.
On page 19, line 3, increase the amount by $350,000,000.
On page 19, line 6, increase the amount by $350,000,000.
On page 19, line 7, increase the amount by $350,000,000.
On page 19, line 10, increase the amount by $350,000,000.
On page 19, line 11, increase the amount by $350,000,000.
On page 19, line 15, increase the amount by $5,000,000,000.
On page 19, line 16, increase the amount by $5,000,000,000.
On page 19, line 19, increase the amount by $7,000,000,000.
On page 19, line 20, increase the amount by $7,000,000,000.
On page 19, line 23, increase the amount by $7,000,000,000.
On page 19, line 24, increase the amount by $7,000,000,000.
On page 20, line 2, increase the amount by $7,000,000,000.
On page 20, line 3, increase the amount by $7,000,000,000.
On page 20, line 6, increase the amount by $7,000,000,000.
On page 20, line 7, increase the amount by $7,000,000,000.
On page 20, line 10, increase the amount by $6,000,000,000.
On page 20, line 11, increase the amount by $5,000,000,000.
On page 20, line 14, increase the amount by $5,000,000,000.
On page 20, line 15, increase the amount by $5,000,000,000.
On page 20, line 18, increase the amount by $5,000,000,000.
On page 20, line 19, increase the amount by $5,000,000,000.
On page 20, line 22, increase the amount by $4,000,000,000.
On page 20, line 23, increase the amount by $4,000,000,000.
On page 21, line 2, increase the amount by $3,000,000,000.
On page 21, line 3, increase the amount by $3,000,000,000.
On page 21, line 6, increase the amount by $3,000,000,000.
On page 21, line 7, increase the amount by $3,000,000,000.
On page 21, line 11, increase the amount by $112,000,000.
On page 21, line 16, increase the amount by $112,000,000.
On page 21, line 19, increase the amount by $460,000,000.
On page 21, line 20, increase the amount by $460,000,000.
On page 21, line 23, increase the amount by $460,000,000.
On page 21, line 24, increase the amount by $852,000,000.
On page 22, line 2, increase the amount by $1,308,000,000.
On page 22, line 3, increase the amount by $1,308,000,000.
On page 22, line 6, increase the amount by $1,779,000,000.
On page 22, line 7, increase the amount by $1,779,000,000.
On page 22, line 10, increase the amount by $2,261,000,000.
On page 22, line 11, increase the amount by $2,261,000,000.
On page 22, line 14, increase the amount by $2,751,000,000.
On page 22, line 15, increase the amount by $2,751,000,000.
On page 22, line 18, increase the amount by $3,241,000,000.
On page 22, line 19, increase the amount by $3,241,000,000.
On page 22, line 23, increase the amount by $3,241,000,000.
On page 22, line 24, increase the amount by $3,241,000,000.
On page 23, line 2, increase the amount by $3,241,000,000.
On page 23, line 3, increase the amount by $3,241,000,000.
On page 23, line 6, increase the amount by $4,120,000,000.
On page 23, line 7, increase the amount by $4,120,000,000.
On page 23, line 11, increase the amount by $4,535,000,000.
On page 23, line 12, increase the amount by $4,535,000,000.
On page 23, line 15, increase the amount by $4,535,000,000.
On page 23, line 16, increase the amount by $4,535,000,000.
On page 23, line 19, increase the amount by $4,535,000,000.
On page 23, line 20, increase the amount by $4,535,000,000.

Mr. GRASSLEY. Mr. President, I rise to offer a fair and very generous bipartisan agricultural amendment. I am a family farmer. To be fair to my son, my son makes most of the decisions and does most of the work; I try to help him on weekends. I see my role on weekends as being a hired man for my son because I don’t live with it every day as he does and I want to rely upon his expertise. But I do have that background and I bring that background to my colleagues to show some understanding and sensitivity that we all ought to have toward the family farmer and agriculture in general.

I know what the agricultural community is currently going through. I think the plan in this amendment will address the immediate need to stabilize net income, provide enough funding to significantly strengthen a future counter-cyclical program, offer additional money for regulatory relief, enhance conservation efforts, and is fiscally responsible.

Some Members might wonder why it is tough to be a farmer in our current agricultural community. Why, without Government assistance, net income, cash income for the farm is projected to fall to $50.7 billion, which is $4.1 billion below the 1990 to 2000 average of $54.8 billion.

I will lay out some factors. First, input cost. Natural gas prices have recently hit record highs, directly impacting farm fertilizer prices and availability. Almost all of the nitrogen we get for the record corn crops we raise in our State comes from anhydrous ammonia, made from natural gas. The cost is passed through to the farmer. Due to the past administration’s inability to enact a workable energy policy, farmers were left to cope with significant fluctuations in price and demand. These fluctuations have dramatically increased the cost of hydrogen fertilizers and these increased input costs will certainly have a substantial impact on corn producers across the Nation during the coming growing season.

After input costs, it is legitimate to bring up the issue of regulations and their increased costs. We have the Environmental Protection Agency preparing to implement new rules for concentrated animal feeding operations which will impact an estimated 376,000 confined livestock operations in our country. For example, the costs incurred for compliance for cattlemen could average well over $100,000 per farm. The costs would involve structural measures, engineering fees, and the development of a comprehensive nutrient management plan.

After regulations comes low commodity prices. These are probably the most obvious of all things that people in the city read about regarding the farm income situation. Today in my hometown of New Hartford, IA, where we deliver our corn and soybeans, the cash price for corn is $1.78 and $4.03 for soybeans. These are not lucrative margins. The lack of profitability and production hurts. Three years in a row of low prices—except for fuel—have been lower than ever before. These low prices have been the rule for the last 3 years. These low prices can actually take some of the best farmers to the breaking point.

After low commodity prices, we have the frustration with the international trade of agricultural products. The European Union still spends a huge amount on agricultural export subsidies. These subsidies of the European Community are the most trade distorting, even trade disruptive, of all agricultural policies. They depress the prices that would otherwise apply to commercial trade. In so doing, they harm the ability of our farmer to compete with European farmers in third country markets. They also reduce the incentive to engage in more efficient production.

The truth is, until we get the European Union to agree to reduce its excessive spending on export subsidies, we will not be as competitive as we could be and should be in world agricultural markets. As a result, our farmers will continue to get lower prices in world agricultural products as long as the American farmer is competing against the German treasury, as opposed to competing against the German farmer. We can’t against that farmer, but it is very difficult to compete against the German treasury.

The best way we can address this problem is to launch a comprehensive new round of multilateral trade negotiations at the World Trade Organization ministerial meeting in Qatar and engage the Europeans directly on this issue. Successfully launching a new round of global trade talks is hardly a sure thing. We have a lot of work to do before we can make this happen. I am not certain we have the necessary international political consensus on this point. Even if we were to advance that new round right now, it would still be a few years before we would see the economic impact, assuming—and you cannot always assume—that American agriculture will win at the bargaining table the way we hope we will.

We do get victories. Over a period of time we have seen trade distorting practices on agriculture and tariffs on agriculture come down—quite frankly, not as much in agricultural area as they have come down in almost every other area of manufactured products and services.
We have another trade frustration, and that is the country of China. Currently, negotiations on China’s access to the World Trade Organization are stalled in Geneva because China is insisting on claiming developing country status as it relates to their agriculture. This would mean that China would be entitled to exempt a higher proportion of trader distorting domestic support spending from the agreed upon caps on such spending than it would be if China is considered to be a developed country.

Higher domestic support for agriculture and China would mean less excess for American farm products to China. Although this is of prospective harm, not one we are facing immediately, it certainly will not help our farmers if we don’t get China to change its position. This isn’t something for which we have to wait 5 years. These sorts of negotiations of China’s access to the World Trade Organization are going on at various times now or in certain periods of the near months we are in and the months that have passed. This is something that China is going to have to agree to if they expect to get in the World Trade Organization, that they are going in as a developed nation to fully meet their responsibilities in the World Trade Organization, not begging for some special treatment.

The list of factors affecting our agricultural economy does not detail all of the reasons that our agricultural economy is failing. But it does lay out a number of good reasons why we should be concerned about the strength of the family farms. Our amendment adds $63.5 billion to agriculture’s mandatory Commodity Credit Corporation price supports, related programs, and conservation.

Adding this $63.5 billion to the existing $94.2 billion already in the baseline will add $1.6 trillion in support for the agricultural economy over the next 10 years of this budget resolution. I believe the additional budget authority provided in the baseline will allow the Agriculture Committee to begin the process of establishing the parameters for our next farm bill. In the interim, the $5 billion provided in fiscal year 2001, the year we are in now, and the $7.35 billion provided for economic assistance, will help farmers survive.

I know my friends and neighbors of Iowa need assistance and a better counter-cyclical program; that is, improvements in the farm program. When we use the word “counter-cyclical,” that implies that there will not have to be a dependence upon Congress from year to year voting additional money, but there would be a program that would kick in under circumstances of lower prices.

I also know we need to provide this assistance in a fashion that improves our fiscal responsibility. Massive cash infusions are not the long-term answer to the challenges facing the American farmer. The 1996 farm bill was not created under the assumption that it was the only tire on the wagon. When we passed the 1996 bill, it was supposed to be supported by tax relief and assistance, like the farmers savings accounts legislation that I have continuously introduced the President vetoed last year, and hopefully will be in a bill the new President will sign.

In addition to that, we promised in 1996 increased trade opportunities but, in the period of time since then, we failed to pass trade promotion authority for the President. We also took too long to give farmers new and improved risk management options which, just last year, years later, after it was promised, we finally passed a new crop insurance program.

Due to partisan opposition regarding free trade and tax relief, the only additional wheel that has been placed on this wagon is the crop insurance reform. A crisis in the 1985 and 1984, 1986, in that period of time when we put the “payment in kind” program into effect. I ask my colleagues to support this amendment so that it is passed on the floor. I want to make sure that the Congress will pass before the 2001 deadline.

Second, many family farmers cannot pass on the farm to their children because the death of their spouse makes it more difficult for farmers who rent ground to make a profit. The assistance we provide should not lead to more problems for the family farmers. If government spending is fiscally irresponsible, we will continue to witness artificial land prices and inflated housing rents. This doesn’t serve the family farmer. It only makes it more difficult for farmers who rent ground to make a profit.

I ask my colleagues to support this amendment. I particularly thank Senator MEK of Georgia for his co-sponsorship of this amendment so that it is in fact a bipartisan amendment.

I yield the floor.

Mr. REID, Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally.

The PRESIDING OFFICER. Is there objection?
Without objection, it is so ordered. The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

Mr. JOHNSON. Mr. President, I ask unanimous consent that the order for the question be suspended.

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

Mr. JOHNSON. Mr. President, I will be offering an amendment to the budget resolution pertaining to agriculture to accommodate the amendment of the Senator from Iowa discussing the changes needed relative to agriculture itself. This amendment is cosponsored by my colleague, Senator CONRAD of North Dakota.

This amendment will provide permanency of farm aid for this crop year and will increase the budget for the next 10 years so that Congress can begin to fashion a new farm bill.

This amendment includes $9 billion in emergency farm assistance for fiscal year 2001 and $88 billion in additional agricultural assistance above the Congressional Budget Office baseline over the years 2002 to 2011, including a minimum of $8.4 billion for farm conservation programs. The amendment is roughly a 6-cent increase over the baseline funding for conservation.

Finally, of the $88 billion in additional funds provided to agriculture during fiscal years 2002 through 2011, $58 billion is provided for the fiscal years 2003 through 2007, assumed to be the first 5 years of the new farm bill and also the period when the need for additional assistance, frankly, will be greatest.

We have found an immense shortcoming in the existing farm legislation, and we have augmented that funding in recent years—3 years in a row now—with ad hoc disaster legislation. We seek to make room in this year’s budget debate for the eventuality of the need for an additional augmentation to address this year’s disaster in the same manner as we have in the past years.

Frankly, the budget numbers contained in this amendment will be less than what many of the farm organizations are coming to Washington contending they will need. Nonetheless, it will assure the ability of Congress to address these issues both for the coming fiscal year and during the duration of the new farm bill.

I know there are those who will suggest that there is a contingency fund, and we can turn to that in the event that Congress will ensure economic security for family farmers, ranchers, and rural communities now and into the future. It is clear that the 1996 farm bill’s promise to create a bridge to prosperity and less dependence upon Government assistance for farmers has been broken.

Three years of costly ad hoc disaster and economic aid programs illustrate the need to revise our farm policy now and to do it in a financially responsible way.

I believe Congress can and should amend current farm policy immediately to provide a more predictable and secure safety net for family farmers. Our amendment also will provide for that opportunity.

I am pleased to join the ranking member of the Budget Committee, Senator CONRAD, to include funding in the fiscal year 2002 budget resolution so that Congress can enact changes to the underlying farm bill and provide a more predictable and responsible safety net for our farmers and ranchers throughout this Nation.

There will be tax relief, and there will be significant deficit cutting. But while the President is correct that the budget surplus, to the extent that it exists, is the American people’s money, it is also the American people’s farm problem, the American people’s education problem, the American people’s debt reduction problem, the American people’s crisis in any number of other areas which must be addressed in a thoughtful and responsible manner in the course of putting together this budget resolution.

It is my hope, rather than this unending partisan head knocking that has gone on here for far too long, that in fact we can reach some bipartisan-ship in the creation of this budget resolution which will set the framework then for the budget and tax discussions for the remainder of this 107th Congress.

It makes no sense to me that there has been such a lack of willingness to negotiate, such a lack of willingness to bring both sides together in a bipartisan fashion. What we have here is the people’s budget problem. It is one that is solvable if people of good faith will work together in a constructive fashion, understanding there is give-and-take that will be necessary on both sides.

It seems to me what is not constructive, what is not helpful, is where either side takes a “my way or the highway,” “nothing is negotiable,” “one side has the wisdom in the world” kind of approach, either to agricultural policy or to any other aspect, any other component of the budget issues facing us in America today.

So I look forward to offering this amendment and to continuing debate in the future on the financial aspects of what will be required to bring rural America into the level of prosperity
and opportunity that the rest of America has enjoyed and experienced over this past decade.

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

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. Does the Senator withhold the suggestion of the absence of a quorum?

Mr. JOHNSON. Yes, I withdraw my suggestion.

The PRESIDING OFFICER. Who yields time?

Mr. DORGAN. Mr. President, I yield myself such time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from North Dakota.

Mr. DORGAN. Mr. President, the underlying amendment offered by Senator GRASSLEY from Iowa and the amendment that will be offered as a counter to it is exactly what needs to be discussed when we talk about the Federal budget. What are our priorities? What do we think is important in this country? What do we as Senators and Members of the House believe ought to be done? What ranks near the top?

We come, those of us from farm country, to the Congress saying family farming is important to this country. We believe that family farming contributes something very substantial to America; it always has. There was an author who died some years ago named Critchfield who described what family farming provides to our country. He described the origin of family values and the way they have a restaurant in their town.

Another community had a grocery store close up, and so the city council decided the town had not built a grocery store. I was there the day they opened it with a high school band playing on Main Street in this little town of Tuttle, ND, proud as the dickens at the new grocery store they had built for themselves. Some would call it socialism because it is not a private grocery store. The town decided to put together a little nonprofit group, and they built their own grocery store because they lost the store they had. Wonderful things happen in rural America where family farms support small towns.

In my home county, some long while ago, there was a robbery. In my little town a robbery is almost unheard of. It prompted the county sheriff, after investigating, to say that there had been no sign of forced entry for the cash that was stolen because the people had gone on vacation for 2 weeks and had not locked their home. Let me repeat that. The people had gone on vacation for 2 weeks and had not locked their home. Why? Because they didn’t have a key for their home in any event.

The county sheriff of my home county put out a missive to all the folks in the county saying, if you are going to vacation, you should consider locking your home. And a good many people in my hometown said that was a real problem because they didn’t have locks. Then he said something very radical. He said: When you park your vehicle on the main street in Hettinger County, they are out in the yard with the keys of the vehicle. A couple of ranchers observed to the county newspaper that they wondered what if people needed to use their pickup trucks. That happens in rural America. That is a rural culture. That is something that is important. That comes from family farms dotting the landscape, providing the economic blood vessels by which small towns survive and thrive. This country has too often family farmers are hanging on by their finger-tips, struggling during tough times with collapsed commodity prices. Small towns are shrinking and dying as people leave this country.

I have a map that I haven’t brought to the floor. I will bring it to the floor when I offer an amendment in a couple of days that shows the counties in this country that have lost 10 percent of their population in the last 25 years. It is blocked out in red. It is a big egg-shaped area from North Dakota down to Texas. We are depopulating rural America. The middle part of America is losing its population, a century after we homesteaded rural America, a century after we told them to get out and if you take 160 acres of land and improve that land and build a farm, we will give you the 160 acres. That was under the Homestead Act. That is how people went to the Dakotas at that time. It is how people in this country that family farmers matter, that we want our food produced with a broad network of food producers, families living out there with the yard light shining on a yard and contributing to a culture of the type I have just described that is something unique and wonderful in this country or are we going to take the position that some take that the family farm is similar to the little old diner that got left behind when the interstate came through and we have fond memories of it—but so long. This country that family farmers matter to this country. The space between New York and Los Angeles is not just air time. It is a lot of good country. When you get to the middle of America, you find a lot of good open country. They struggle to produce crops against all the odds.

Some say: Why do you need something special for farmers? Farmers are no different than the hardware store in town. But farmers are very different. A farmer borrows money to put a seed in the ground in the spring, borrows money to fuel the tractor to put that seed in the ground, and then fertilizes...
CONGRESSIONAL RECORD — SENATE

April 3, 2001

S3332

that seed and hope it grows. If it grows, it is good luck, that crop. If it grows, it is good luck for the farmer. But it might get eaten by insects, it might be destroyed by hail, disease, all number of elements over which farmers have no control. That crop. And perhaps if the farmer is lucky enough to take that crop off in the fall and haul it to an elevator, in a world in which half the people are hungry, the grain trade now tells that farmer the food you struggled to raise has no value.

Think of that. In a world in which 500 million people go to bed with a severe ache in their belly every night because it hurt to be hungry and in a world in which half the people don’t have enough to eat, our farmers are told their food has no value. It somehow is not a national asset. There is something fundamentally bankrupt about that kind of thing.

My point on this amendment and on this bill is this: Are we going to keep skipping around here, just sort of doing enough to avoid the charge that we are not doing anything or is this Congress going to do enough of one of its priorities is to do something to help family farmers so we have family farmers in our future? Does agriculture or family farming matter? We will see.

We know what matters to some. We know to some the only thing that matters is a $1.6 trillion tax cut. I am for tax cuts. It is not exactly political heavy lifting to be for tax cuts. That is zero gravity in politics. You want to go out and be heavy for tax cuts? That is not exactly heavy lifting. I am for tax cuts. I am not for $1.6 trillion. I am not for taking money out of the Medicare trust fund in order to do it. I am not for tax cuts at the expense of education or for family farming. I am not for tax cuts at the expense of paying down the debt. I am for tax cuts that make sense for our country, that allow us also to pay down the Federal debt, to improve our schools, to help our farmers, and other things we need to do in this country to make this a good place in which to live.

This is all about priorities and balance. We are going to have a couple of amendments offered on the issue of funding agriculture. One is going to be short. The other, shorter than I would like, will address this issue in a much more robust way. We can choose what is our priority.

Look in the rear-view mirror a few years and dig out the debate in the CONGRESSIONAL RECORD that preceded the most recent debate on Freedom to Farm. See who said what. Those who said they were friends of family farmers spoke towards the lock and the valley; I see a day in the golden sunset in which farmers will no longer be dependent on the Government and we will have robust, aggressive, decent prices for family farm products all across the country; farmers will be able to make a good living.

They said that when wheat was $5.50 a bushel. And they put in place a farm program that said: We have a new theory. Our theory is, we don’t need countercyclical help for farmers. When we have a price valley, let farmers fall into the valley. We don’t need a bridge across that price valley.

So Congress passed that legislation. I didn’t vote for it. Congress passed that legislation. The price of wheat collapsed, from $5 right off the table. It just flat collapsed.

Every single year since that time, the so-called Freedom to Farm bill has been demonstrated a failure. It doesn’t work. We are going to transition for 7 years with transition payments or so-called AMTA payments out of any kind of support for family farmers. That never made sense. If a country says family farming doesn’t matter, then that is the route to take. But I expect most in this country believe family farming matters a great deal. Certainly most in this Chamber profess they believe that.

If that is the case, let us finally put together a farm program that works. Let’s stop shadowboxing. This is all political shadowboxing. Let’s decide this is a priority. And on this day and in this way, we will put together a program that says to family farmers: You matter, too. You are part of our future. We care about family farming.

I am not going to be apologetic for saying this is important to my State and to our country. This is important to our entire Nation.

As I indicated when I began, Europe has already made this decision, and good for them. This country ought to as well. Europe long ago decided they were hungry once and they will not be again.

How do you make certain you are not hungry? You make certain you have a network of food producers dotting the land, family farms producing America’s food. Producing Europe’s food. You decide you are going to pay people who work hard on family farms a decent return on that which they produce.

As I said earlier, it is inconceivable to me that which we produce in such great abundance and that which the world needs so desperately—food, coming from our family farms—is deemed to have so little value by the grain trade.

Part of this is an issue some of us will work on together as well, and that is all the monopolies in every direction farmers face. Do you want to put your grain on a railroad? Guess what. The railroads are in monopoly or near monopoly. They are very few. They will tell you where you are going to be and what they are going to charge.

Do you want to sell your grain? It does not matter what kind of milling you are talking about selling it into. The top three or four firms are going to control almost all of them.

Do you have some animals you want to sell—fat steers or hogs? Sell them into the production cycle, and guess what. Two, three, or four firms are going to control 70 or 80 percent of all of the processing.

In every direction farmers face monopolies. They have their fist around the neck of the marketing bottle in a way that chokes family farmers every year and every way. We need to do something about that. It is time for this country to stand up for some antitrust enforcement and bust some trusts and break some monopolies.

Today we are talking about the priorities. With this budget, what are we committing to decide we are going to have a nation of family farmers in our future? I hope we will make the decision to do enough.

The amendment offered by my colleague from Iowa and absent from this debate and the so-called contingency fund. David Copperfield is on television with his special, talking about illusions. He has that lock in this cupboard, talking about illusions. We have been hearing about this mythical contingency fund for hours and hours, and we will hear about it all week. It is an illusion.

To the extent any part of it is real, a significant part comes from that Medicare trust fund which was supposed to have been in a lockbox. So now we are talking about Houdini, not David Copperfield, because somebody opened the lockbox and put it in the so-called contingency fund.

We can do a lot better than that. Let us decide this is a priority, that family farmers matter, that family farmers are a priority for this country, and fund it the way it should be funded. We should reject the amendment offered by the Senator from Iowa and accept the amendment to be offered by my colleague from South Dakota and my colleague from North Dakota tonight or tomorrow morning.

Mr. CONRAD. Mr. President, this is a place where we have some fundamental agreement and yet some disagreement on how to accomplish the goal.

We face a crisis in American agriculture. It is deep, it is abiding, and it is devastating.

Let me put up a chart that shows what USDA tells us will happen to net farm income in the period from 2000 to 2002, the last 2 years on this chart. One can see that net farm income is going to plunge unless we take action.

Senator GRASSLEY is to be commended for taking action by offering his amendment. I disagree with some of the specifics, but I commend him for standing up for American agriculture at a time of extreme need.

The next chart shows what our major competitors are doing in comparison to what we are doing to support our production control.

The European Union, our biggest competitors in world agriculture, is providing $333 an acre of support per
year to their producers. By comparison, we are providing $38 an acre for our producers. Europe is doing nearly 10 to 1 over and above what we are doing—nearly 10 to 1. Those are the very difficult circumstances our farmers face.

We are telling our farmers: You go out there and compete against the French farmer and the German farmer, and while you are at it, take on the French Government and the German Government.

That is not a fair fight. That is just the first part of the equation. Let us go to export assistance. This chart shows that the European Union is flooding the world with agricultural export subsidies. The blue part of this chart is the European share of world agricultural export assistance. One can see the Europeans account for 83.5 percent of all the world's agricultural export assistance. In 1991, the European Union provided the resources for agriculture. We say, no. We want to provide the resources for agriculture. We have an amendment at the desk to do it. We provide the resources for agriculture. We have an amendment at the desk to do it. We provide the resources for agriculture.

The Europeans are outgunning us on export assistance 30 to 1 to 1 on domestic support, internal support, and 30 to 1 on export assistance, and it is wondering why American agriculture is in trouble. We worry why Europe is gaining world market share. It is very clear if one does an analysis of why that is occurring it is because they are providing much greater assistance to their producers than we are to ours.

Let us go to the next chart. Here is the history from 1991 to the year 2000. The green line is the prices farmers pay for inputs. That line goes up, up, and away. The red line is the prices farmers have received.

One can see that the peak of what farmers received was in 1996, right before we enacted the last farm bill. Since then, prices farmers have received have gone down, almost straight down.

The gap between the prices farmers pay and the prices on what they sell is growing, is dramatic, and is devastating. That is what has led to the crisis in American agriculture. That is what requires a response. That is why the Senator from Iowa is proposing this amendment. That is why we will propose an alternative that we think is superior, that is better, that has more funding because, very frankly, what the Senator from Iowa has proposed is inadequate: $63.5 billion over 11 years will not come close to matching what the Europeans are doing. It will not come close.

Our amendment provides $97 billion over that 11-year period. We fund it in the Grassley plan. We have $97 billion over 11 years. The important difference is we will not raid the Medicare trust fund to do it. In the first year, this current fiscal year, we take it out of the $96 billion of nontrust fund surplus that is available, and in the succeeding years, we take it by reducing slightly the President’s proposed tax cut.

**AMENDMENT NO. 176**

(Purpose: To provide emergency assistance to producers of commodities in fiscal year 2001, and additional funds for farm and conservation programs during fiscal years 2002 through 2011.)

Mr. CONRAD. Mr. President, I call up the Johnson amendment.

The PRESIDING OFFICER. The Grassley amendment is laid aside. The clerk will report the amendment.

Mr. CONRAD. Mr. President, I ask unanimous consent reading of the amendment be dispensed.

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

(The text of the amendment is printed in today’s Record under “Amendments Submitted.”)

Mr. CONRAD. I ask unanimous consent Senator Johnson be shown as the primary sponsor, that I be shown as a co-sponsor, along with Senators DASCHLE, HARKIN, DORGAN, and LINCOLN.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for discussion be waived.

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

**MORNING BUSINESS**

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for discussion be waived.

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

**THE CRISIS IN CHINESE-AMERICAN RELATIONS ON HAINAN ISLAND**

Mr. AKAKA. Mr. President, the only way to resolve the current crisis in American-Chinese relations is the prompt and safe return of the 24 American airmen being detained by the Chinese military on Hainan Island and the swift return of U.S. Navy’s plane. Only after their return can we begin to discuss other issues with China over this and other incidents affecting our relations.

I am deeply disturbed by the delay in allowing American embassy personnel to meet with our service personnel, and I am concerned about press reports that they are being detained in separate areas. I understand our bilateral consular agreement requires the Chinese to provide full access to American citizens within four days but nothing precludes them from giving such access sooner. Indeed our consular agreement with China requires consular access to all American citizens within 48 hours of receipt of official notification of their detention. As Chinese officials issued statements concerning their detention on April 1, China may already be in violation of its consular agreement with us. The fact that American consular officials are already present on Hainan Island and the extraordinary circumstances surrounding our plane’s emergency landing on Hainan provide the Chinese authorities with an opportunity to demonstrate their good will.
Press reports that Chinese personnel have entered our plane and removed equipment are also deeply disturbing. Under international law, the plane enjoys sovereign immune status as the incident took place in international airspace and the plane should not have been entered or tampered with. There is no doubt about the location of the incident as even the Chinese Foreign Ministry press spokesman, Mr. Zhu Bang Zao, acknowledged that it took place 104 kilometers, or 65 miles, at sea.

This incident is the most recent in a series of serious episodes in American-Chinese relations since the establishment of diplomatic relations between our two countries. When the Chinese embassy was mistakenly bombed in Belgrade, we moved quickly to assume responsibility and to make appropriate amendments. I hope that the Chinese are now willing to take similar steps to defuse the situation and restore the trust between the two nations. It behooves both countries to exercise restraint and respect for each other. The first step towards resolution is for China to release our detained personnel and equipment. Perhaps they do not realize how profoundly affected Americans are by the perception that their fellow citizens are being mistreated or misused as tools of political propaganda. The seizure of the U.S.S. Pueblo by North Korea and the takeover of the American Embassy in Iran, as examples, are sharply focused in the American psyche. We deeply resent the mistreatment of Americans for simply being Americans doing their duty under the protection of international law and agreements. We can also understand China’s concern over the loss of its pilot and plane. We regret their loss but prolonging this crisis can benefit neither country nor lead to a reconciliation between us.

A first step needs to be taken. I hope the leaders of both nations do so soon by opening a dialogue. May God bless our servicemen and women who are now suffering this time of trial. Our thoughts and prayers are with them constantly.

THE BIPARTISAN CAMPAIGN
REFORM ACT OF 2001

Mr. KERRY. Mr. President, yesterday, the United States Senate voted to take a first step toward reforming our campaign finance system. This long awaited vote comes after years of partisan delay tactics which have long prevented us from taking up-or-down vote on this bill. It also comes after an election in which $3 billion was spent in an effort to elect or defeat candidates. Today we have the chance to pass reform which at the very least demonstrates that we’ve learned a lesson from years of scandal and year upon year of runaway spending.

But let me be clear about something: despite the rhetoric we have heard on the Senate floor, the bill we vote on today is not sweeping reform that will give one party or the other the edge when it comes to funding campaigns. Instead, this bill simply restores, to a certain degree, the campaign finance reform law that we enacted more than 25 years ago. Back then, in the post-Watergate era, we recognized that it was time to prevent secret stashes of cash from infiltrating our political system. We succeeded in that effort, and I believe reasonably well for some time, until the recent phenomena of soft money and sham issue advocacy overtook the real limits we had established for our campaign system.

I want to take a minute, to talk about how we got to this point in which our system so desperately needs this modest reform bill. Federal law has prohibited corporations from contributing to federal candidates since 1907. The nearly hundred-year-old ban was enacted in recognition of the fact that corporations accumulate great wealth that could be used to distort electoral outcomes. Labor unions likewise have been barred from contributing to candidates since 1943. In addition, the campaign finance law capped individual contributions to candidates, parties and PACs. These limits were put in place after the country learned a hard lesson about the corrupting influence of money in politics.

Unfortunately, the Federal Election Commission and the courts opened the loopholes that ultimately eviscerated our reform efforts. Soft money first came into play in 1976 when the FEC, the toothless watchdog of our campaign finance laws, opened the door to the cascade of soft money by giving the Kansas Republican State Committee permission to use corporate and union funds to pay for a voter drive benefitting federal candidates. The costs of the drive were to be split between hard money raised under federal law and soft money raised under Kansas law. The FEC’s decision in the Kansas case opened the flood gates to more so-called issue advocacy in later elections, resulting in the unprecedented costs of issue ads that influenced the 2000 elections.

Sham issue advocacy became predominant features of our campaign finance system even though the law was intended to play a role in our campaigns when the post-Watergate reform laws were written. The result? Last year approximately $1 billion in soft money contributions and sham issue ad expenditures influenced our federal elections. Many who oppose reform will argue that both soft money and sham issue ads are constitutionally protected and should be allowed to continue unfettered. I would like to take just a moment to address those arguments.

We have been told that the ability to donate hundreds of thousands of dollars in soft money is constitutionally protected. The truth is, banning soft money contributions does not violate the Constitution. The Supreme Court in Buckley held that limits on individual campaign contributions do not violate the First Amendment. If a limit of $1000 on contributions by individuals was upheld as constitutional, then a ban of contributions of $10,000, $100,000 or $1 million is also going to be upheld. It simply cannot be said that the First Amendment provides an absolute prohibition of any and all restrictions on speech. When state interests are more important than unfettered free speech, speech can be narrowly limited. Speech is limited in cases of false advertising and obscenity. In addition, we are not, as the saying goes, free to yell “fire” in a crowded movie theater. In those cases, there is a compelling reason to limit speech. Buckley, too, said that the threat of corruption was a compelling reason to limit the appearance of corruption warranted limits on individual campaign contributions. Soft money contributions to political
parties can be limited for the same reason.

In addition, in Nixon v. Shrink Missouri PAC, the Supreme Court recently justified its decision to uphold a $1050 contribution limit for elections in Missouri. It was considered with "the broader threat from politicians too compliant with the wishes of large contributors." It went on to say: "Leave the perception of impropriety unanswered, and the cynical assumption that large donors will pull the tune could jeopardize the willingness of voters to take part in democratic governance." I think the Supreme Court's language bodes well for the likelihood that a soft money ban will be upheld.

Likewise, I believe that the electioneering provisions of the bill will be upheld. It's a trickier case, but I would submit that the bright line test in McCain-Feingold satisfies the Supreme Court's holding in Buckley. The so-called "magic words" test of express advocacy, generally provided to provide a wholly unworkable test that I believe was never the intention of the Court. The magic words test elevates form over substance, and in practice has proven meaningless. The proof of that is in the tens of millions of dollars spent on sham issue ads that were aired last year.

I would add that the test in this bill does not stop any advertisements. Advertisements that simply discuss issues, without naming candidates, have always been after elections that air within 30 days of a primary or 60 days of a general election can discuss issues, as long as the ads do not depict a particular candidate. And any advertisement can be aired at any time, as long as it is paid for with hard money.

A final argument opponents of reform like to make is that we spend less on campaigns than we do on potato chips or laundry detergent. But I would ask the proponents of this argument whether what we are seeking in our democracy is electioneering that has no more depth or substance than a snack food commercial. Because, despite the ever-increasing sums spent on campaigns, we have not seen an improvement in campaign discourse, issue discussion or voter education. More money does not mean more ideas, more substance or more depth. Instead, it means more of what voters complain about: thirty-second spots, more negativity and an increasingly longer campaign period. Less money might actually improve the quality of discourse, requiring candidates to more cautiously spend their resources. It might encourage more debates, as was the case in my own race against Bill Weld in 1996, and it would certainly focus the candidates' voter education efforts during the period shortly before the election, when most voters are tuned in, instead of starting the campaign 18 months before election day.

The American people don't buy the arguments made by opponents of reform. The American people want us to forge a better system. A national survey conducted by the Gallman Group in April of 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. That same survey also 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 from this survey is that overwhelming majorities think that 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 the members' "a lot." Even when asked about their own representatives, the survey again found that voters overwhelmingly believed that money influences their behavior. Eighty-two percent believe campaign contributions affect their own members, and 47 percent thought their representatives were affected "a lot."

McCain-Feingold is an important piece of legislation that begins to tackle the problems of soft money and issue advocacy I have outlined. I support this legislation, but I would note one serious shortcoming of the bill. It won't curb the rampant spending that drives the campaign. And unfortunately, we all recognize that creating spending limits is not a simple proposition. In the 1996 Buckley case, the Supreme Court struck spending limits as an unconstitutional restriction of political speech. An important caveat to its decision is that spending limits could be imposed in exchange for a public benefit. I wish we had at our disposal a number of bargaining chips, public benefits that we could trade in exchange for spending limits. However, campaign contributions are as bad for democracy as they are for themselves. I am certain not expecting in the future, we must accept that if we want to limit the amounts spent on campaigns, we must provide candidates with some sort of public grant.

The votes we have taken on various amendments addressing public funding make it clear that a lot of my colleagues aren't ready to embrace public funding as a way to finance our campaigns. Nonetheless, the proposals themselves are themselves, something I am certainly not expecting in the near future, we must accept that if we want to limit the amounts spent on campaigns, we must provide candidates with some sort of public grant. The public grants that we have taken on various amendments addressing public funding make it clear that a lot of my colleagues aren't ready to embrace public funding as a way to finance our campaigns. Nonetheless, the proposals themselves are themselves, something I am certainly not expecting in the near future, we must accept that if we want to limit the amounts spent on campaigns, we must provide candidates with some sort of public grant.

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reform, and I will therefore support it. I have one serious reservation about the bill, however, and that is its increase in the hard money limits. Although I fully understand the argument that the limits have not kept up with inflation, I am concerned that the increase in individual limits, and most especially, aggregate limits, do not take us in the right direction of decreasing the amount of money in elections. Moreover, this increase simply enables the tiniest percentage of the population that currently contributes large contributions to contribute even more. This increase does nothing at all to increase the role the average voter plays in our election process.

New, with the vote yesterday is a victory for reform—but it needs to be the first vote, not the last. I want to offer my congratulations to my friends Russell Feingold and John McCain on this victory for reform, passage of a bill to get money from the checking account and will help us restore the dwindling faith the average American has in our political system. For too long we've known that we can't go on leaving our citizens with the impression that those of little influence and no money in American politics is the kind you yield with a checkbook. This bill reduces the power of the checkbook and I am proud to support it.

STATEMENT OF INTENT

Mr. SPECTER. Mr. President, I concur with the statement of supporters of the Bipartisan Campaign Reform Act of 2001 with respect to the discussion of the intent of the Specter amendment.

VIOLENCE AND SUBSTANCE ABUSE

Mr. LEVIN. Mr. President, the Josephson Institute of Ethics, a nonpartisan, nonprofit organization, recently released its survey on violence and substance abuse in the United States. The survey finds that a disturbing number of young people have easy access to guns and have brought those guns and other weapons to school in the past year.

According to those surveyed, 47 percent of all high school students and 22 percent of all middle school students reported having easy access to guns. Of those students who reported drinking at school in the past 12 months, those with guns jumped to 71 percent, that's an astonishing 71 percent for high school students and 59 percent for middle school students.

Furthermore, 14 percent of high school students and 11 percent of middle school students admitted that they brought weapons to school in the past 12 months. Again, those numbers increased dramatically among students who also reported drinking at school at some point in the last year to 48 percent for high school students and 57 percent for middle school students.

Easy access to guns among our young people is dangerous, but access to guns paired with access to alcohol or drugs is recipe for disaster. And while the vast majority of students will be safe in their classrooms, our youth's easy access to firearms makes 36 percent of high school students and 39 percent of middle school students feel unsafe at school. Fortunately, unless Congress and acts to curb youth access to guns, in some cases, that fear may become a reality for more and more students.

CONGRESSMAN NORMAN SIISKY

Mr. LIEBERMAN. Mr. President, I rise today to pay my respects to my dear friend, Congress- Norman Sisisky. Like many of my colleagues, I was shocked and saddened at hearing the news of his sudden passing last Friday. We have lost a respected and treasured colleague; the people of Virginia have lost one of the most committed and effective men ever to serve in the U.S. House of Representatives, and America has lost a distinguished member of what Tom Brokaw has called the greatest generation.

Norm Sisisky was a classic example of the devoted public official our founders envisioned serving in the people's house. For Norm was a man of the people, someone who worked hard, played by the rules and maintained a steadfast commitment to his family and community. That he excelled in politics is no surprise to those of us who knew him. He genuinely liked and respected people and they returned that with the trust and affection. His trademark grin and infectious laugh drew people to him. Norm never took himself too seriously, and always took great delight in good-natured banter. But he did take his job seriously. He was an aggressive advocate for his constituents in Virginia's 4th Congressional district for the past 18 years. He never forgot his roots, and never wavered in his commitment to fighting for the little guy, and he never lost sight of his role as their voice in our great system.

But of all his many and important public accomplishments, Norm Sisisky was probably proudest of his service in the U.S. Navy, and of his advocacy in Congress for our servicemen and women. Those of us who have had the privilege of serving in Norm's battle on behalf of our armed services from his position on the House Armed Services Committee were always impressed by his extensive knowledge and keen insight. And we were inspired by his determination to keep our defenses strong, even in the Senate occasion- ally had to face his formidable presence in disagreement in conference.

I will forever remember Norm Sisisky as a man of considerable skill, decency, humor, and honor. He leaves behind a loving family, devoted friends, and a strong nation. That is his proud legacy.

CHILD ABUSE PREVENTION MONTH

Mr. FEINGOLD. Mr President, as we welcome the blooms of spring this April, we should also take a moment to focus on the well-being of our most precious resource, our children. Since 1983, April has been nationally recognized as Child Abuse Prevention Month. Since then, organizations like Prevent Child Abuse America have been passionate advocates for our children and have raised awareness of this egregious problem. In my own state of Wisconsin, the local chapter of Prevent Child Abuse America in Madison has been an effective leader in the fight against child abuse.

Child abuse is an urgent national problem. According to Prevent Child Abuse America, more than three million children were reported to child protective service agencies as alleged victims of child abuse or neglect in 1998, and about one million of these reports were confirmed. And these numbers just reflect those cases that were reported. Undoubtedly, many more cases go unreported.

Child abuse is not only physical harm, but it can also include emotional abuse and mental damage resulting from physical abuse. The documented physical and emotional harm to children includes chronic health problems, low self-esteem, physical disabilities, and the inability to form healthy relationships with others.

Protecting our children should be a national priority. I urge my colleagues and others to support child abuse prevention efforts to protect our nation's greatest resource, our children. Working together, we can help end child abuse.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, April 2, 2001, the Federal debt stood at $5,745,399,258,826.83, Five trillion, seven hundred forty-five billion, three hundred ninety-nine million, two hundred eighty-three dollars and eighty-three cents.

Five years ago, April 2, 1996, the Federal debt stood at $5,120,563,000,000, Five trillion, one hundred twenty billion, five hundred sixty-three million.

This evening, the Federal debt stands at $5,146,108,258,826.83, Five trillion, one hundred forty-six billion, one hundred forty-six million, which reflects a debt increase of $244,545,258,000, Two hundred twenty-six dollars and eighty-three cents.

Fifteen years ago, April 2, 1986, the Federal debt stood at $3,464,021,000, Three trillion, four hundred sixty-four billion, twenty-one million.

Twenty-five years ago, April 2, 1976, the Federal debt stood at $2,509,291,000,000, Two trillion, five billion, seven hundred fifty-three million.

Ohio debt was $2,509,291,000,000, Two trillion, five billion, seven hundred fifty-three million.

The average American has behind a loving family, devoted friends, and a strong nation. That is his proud legacy.
thousand, eight hundred twenty-six dollars and eighty-three cents during the past 25 years.

ADDITIONAL STATEMENTS

THE GRAND OPENING OF THE ABERDEEN COMMUNITY BASED OUTPATIENT CLINIC

Mr. JOHNSON. Mr. President, I would like to congratulate the veterans of the Aberdeen Community on the opening, on April 11, 2001, of their new Aberdeen Community Based Outpatient Clinic. This important event brings the health benefits that our veterans so richly deserve closer to home. I would like to commend Ron Porzio, the chief operating officer of the Veterans Administration Medical and Regional Office Center in Sioux Falls, the area veterans service officers, Brown County Veterans Service Officer Tom Gohn, veterans service organizations and the Aberdeen area veterans who have done such an outstanding job of making this project a reality.

I was pleased to hear that Avera United Clinic was named the provider for the new VA outpatient clinic in Aberdeen. Avera has made a solid investment in the community and the state, and it was only logical that the clinic should provide quality health care services to our veterans in the Aberdeen area. This is good news for veterans in southeastern South Dakota because they will be able to receive many medical services at the clinic without having to drive several hours to the Sioux Falls veterans hospital.

Congratulations also need to go to Avera St. Luke's Hospital, Dr. Steve Redmond, Physician's Assistant Kevin Vaughan, Clinic Administrator Leonard Severson, the clinic's support staff, and CR Associates on their new partnership with the VA.

Veterans are our country's heroes, and their actions will inspire generations of Americans yet to come. Our country must honor its commitments to veterans, not only because it is the right thing to do, but also because it is the smart thing to do. I will continue to lead efforts to ensure that our nation's military retirees and veterans receive the benefits they were promised years ago. While I am pleased with some improvements in military funding, the budget cut into law last year, I am concerned that more needs to be done. Assuredly, I will continue to fight for military retirees and veterans programs throughout this session of Congress.

HONORING THE CENTRAL Bucks EAST CHORUS OF Bucks COUNTY, Pennsylvania

Mr. SANTORUM. Mr. President, I would like to take a few moments to recognize an outstanding group of young people from Bucks County, PA. The Central Bucks East Choirs, under the direction of E. Scott Teschner and the String Orchestra, under the direction of Eileen Telly, traveled to Washington, DC and Virginia to be adjudicated in Music Festivals throughout the weekend of March 30, 2001. The 25-member String Orchestra performed at Lanier Middle School in Fairfax, VA on March 31, and the choirs sang at W.T. Woodson High School, also in Fairfax. These choirs include a 165-voice Concert Choir, 16-voice Varsity Singers, 16-voice Men's Ensemble and Women's Ensemble. Later that evening, these talented students celebrated at an awards banquet and dance, and on Sunday, April 1, 2001, they traveled to the West Terrace of the United States Capitol for a public performance.

This group of students has been recognized for their outstanding choral abilities in Washington, Williamsburg, Orlando, Boston, and Montreal. In addition, they have been recognized since 1991 as the "Outstanding Choral Program" in every festival in which they have participated. Performances are judged according to National Standards of Excellence by college choral directors as being outstanding. Bucks East Choirs consistently earn "Superior" ratings. In addition, they are frequently honored with the "Special Adjudicators Award for Distinguished Performance," presented only to the elite choirs in the nation. These singers have also received the "Spirit of the Festival Award" for the last 2 years, which is awarded to the organization that bests represents their community and that is the most cooperative and enthusiastic during the festival.

It is without a doubt that this group is an outstanding representation of young people in Pennsylvania and across the country. They have demonstrated tremendous talent both musically and through their leadership and maturity. I enthusiastically congratulate the Choirs and String Orchestra of Central Bucks East and extend my best wishes for their future success.

IN RECOGNITION OF MRS. ARBELIA GREER PENNINGTON WOOD

Mr. LEVIN. Mr. President, I am delighted to rise today to acknowledge and congratulate Mrs. Arbelia Greer Pennington Wood, a resident from my home State of Michigan, who will be celebrating her 116th birthday on Friday, April 6, 2001. The child of a sharecropper, Mrs. Wood, who is affectionately called "Ma" by her nephews and nieces, was born in Caledonia, MS in 1885. Raised in Alabama, she moved to Detroit in 1934. Throughout her life, she has been guided by devotion to her family and a deep and abiding faith. Though widowed twice, Mrs. Wood has never been alone. She has been actively involved in the lives of her extended family, which includes not only her nieces and nephews, but also children in her neighborhood. Family members and friends have all commented on her cooking abilities and her ability to teach families about cooking, grammar and even carpentry.

In addition to a multitude of nieces and nephews, Mrs. Wood has been blessed to be part of a family noted for its longevity. Her mother lived to be ninety-three years old. A brother of hers lived to be eighty-nine and many of her younger siblings are currently in their eighties and nineties. One of her nieces has designed a website dedicated to her beloved "Ma." On that website is posted a verse from the Book of Genesis: "Sarah lived to be 127 years old." I cannot help but think that this verse has not only been an inspiration but also a challenge to Ardelia's family.

Mrs. Wood has seen the turn of two centuries. She has also displayed immense courage throughout her life. Twice she has successfully battled breast cancer. In addition, she has participated as a civil rights activist. As a child, Mrs. Woods refused to take the advice of her white doctors to identify herself as being Caucasian. Later in life, she demanded that a Mt. Clemens, MI restaurant serve herself and her darker skinned husband whom they were denying service. The restaurant eventually relented. Arbelia has witnessed the many changes that have affected our society. By caring for her family, actively participating in her church and serving as a midwife, Arbelia Greer Pennington Wood has quietly worked to make this country a better place. Such daily acts of commitment and civic duty are the foundation upon which this nation is built.

Mrs. Arbelia Greer Pennington Wood can take pride on the occasion of her 116th birthday. I am honored to join in celebrating her strength, wisdom and happy birthday. I hope my Senate colleagues will join me in congratulating Mrs. Arbelia Greer Pennington Wood.

TRIBUTE TO AMERICAN RED CROSS, MID-RIO GRANDE CHAPTER

Mr. DOMENICI. Mr. President, I rise to pay tribute to an organization that celebrates a special anniversary in New Mexico this month. The Red Cross, Mid-Rio Grande Chapter this April celebrates its 85th anniversary of being a humanitarian presence in my home state.

Last May, the devastating Cerro Grande wildfire destroyed hundreds of homes in Los Alamos and caused the evacuation of more than 25,000 people in the region. New Mexico residents, following the lead of state leaders and local agencies generously responded to support a relief effort. But one agency stood out as a leader in the swift response to meet emergency needs of the thousands of families affected: the American Red Cross.

The Albuquerque-based Mid-Rio Grande Chapter serves as the Red Cross' lead unit for disaster services in New Mexico. As such, the Mid-Rio...
Grande Chapter, working with sister chapters in Los Alamos and Santa Fe, coordinated more than 2,000 volunteers to help ensure that shelters were opened, meals were served, and mental health counselors, nurses, caseworkers and others were available to work with families and individuals who had been affected by disasters. In some cases, I was able to fly in to see the devastation firsthand and was amazed by the resilience of the people of New Mexico and the nation.

I commend the efforts of the Mid-Rio Grande Chapter of the American Red Cross. I encourage everyone to learn more about the Red Cross and its support services. It is a great organization that relies on public support to ensure that it remains strong and ready to respond to emergency and public safety needs in Albuquerque, the state, the nation, and the world. It is hard to imagine what this country might have been like without the great contributions of one of the world’s oldest and largest humanitarian organizations—the American Red Cross.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying reports and documents, which were referred as indicated:

EC-1297. A communication from the Regulatory Contact of the Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Fees for Official Commodity and Rice Inspection Services” (RIN0590–GA13) received on March 30, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1296. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, 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 Norway; to the Committee on Foreign Relations.

EC-1299. A communication from the Acting Assistant Secretary of the Federal Emergency Management Agency, Department of State, 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 Russia; to the Committee on Foreign Relations.

EC-1300. A communication from the General Counsel for the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled “List of Communities Eligible for the Sale of Flood Insurance” (FEMA Doc. 77756) received on March 29, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-1301. A communication from the Council for Rural Development, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Allocation of the Farm Operating Loan Cap” (RIN0525–AA14) received on March 30, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-1302. A communication from the General Counsel of the National Tropical Botanic Garden, transmitting, pursuant to law, a report concerning the financial statements and schedules for 1999 and 2000; to the Committee on the Judiciary.

EC-1303. A communication from the President of the Foundation of the Federal Bar Association, transmitting, pursuant to law, the report of a rule entitled “Protection of Human Subjects; Delay of Effective Date” (RIN0938–AJ96) received on March 29, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-1304. A communication from the Executive Secretary of the Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Opioid Addiction Treatment Services” (RIN0910–AA52) received on March 29, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-1305. A communication from the Director of the Drug Enforcement Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medical Device, Exemption From Premarket Notification; Class II Devices” (RIN0938–AA52) received on March 29, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-1306. A communication from the Assistant Secretary of Defense, Policy, Health Affairs, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medical Device, Exemption From Premarket Notification; Class II Devices” (RIN0938–AA52) received on March 29, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-1307. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC-1308. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC-1309. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC-1310. A communication from the Assistant Secretary of Defense, Economic Resource Management Policy, transmitting, pursuant to law, a report on the appropriated funds for recruiting functions; to the Committee on Armed Services.

EC-1311. A communication from the Executive Secretary to the Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; Use of Restraint and Seclusion in Residential Treatment Facilities Providing Inpatient Psychiatric Services to Individuals Under Age 21; Delay of Effective Date” (RIN0938–AJ96) received on March 29, 2001; to the Committee on Finance.

EC-1312. A communication from the Executive Secretary to the Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare and Medicaid Programs; Hospital Conditions of Participation; Anesthesia Services; Delay of Effective Date” (RIN0938–AK08) received on March 29, 2001; to the Committee on Finance.

EC-1313. 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 “BLS–LIPO Department Store Indexes—February 2001” (Rev. Rule. 2001–18) received on March 29, 2001; to the Committee on Finance.

EC-1314. 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 “Announcement and Report Concerning Advance Pricing Agreements” received on March 29, 2001, to the Committee on Finance.

EC–1315. A communication from the Acting Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for the Arkansas Basin Population— the Arkansas River Shiner” (RIN1018–AG12) received on March 29, 2001, to the Committee on Environment and Public Works.

EC–1316. A communication from the Acting Vice President of Communications, Tennessee Valley Authority, transmitting, pursuant to law, the report on statistical data for Fiscal Year 2000; to the Committee on Environment and Public Works.

EC–1317. A communication from the Director of the Federal Emergency Management Agency, transmitting, pursuant to law, a report concerning the emergency funding for the State of Michigan; to the Committee on Environment and Public Works.

EC–1318. A communication from the Senior Trial Attorney, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, a report of a rule entitled “Extension of Computer Reservations System Regulations” (RIN2105–AD00) received on March 29, 2001, to the Committee on Commerce, Science, and Transportation.

EC–1319. A communication from the Administrator of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report concerning the alternative power sources for flight data recorders and cockpit voice recorders; to the Committee on Commerce, Science, and Transportation.

EC–1320. 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—Inseason Adjustment (opens B season pollock fishery in Statistical Area 616, Gulf of Alaska, for 12 hours)” received on March 29, 2001, to the Committee on Commerce, Science, and Transportation.

EC–1321. 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—Modification of a Closure (opens pollock fishery in the West Yakutat District, Gulf of Alaska)” received on March 29, 2001, to the Committee on Commerce, Science, and Transportation.

EC–1322. 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 Pacific Cod Fishing by Vessels 60 ft. Length Overall and Greater Using Pot Gear in the Bering Sea and Aleutian Islands Area” received on March 29, 2001, to the Committee on Commerce, Science, and Transportation.

EC–1323. 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 Pacific Cod Fishing by Catchers 70 ft. or Greater Using Hook-and-Line Gear in the Bering Sea and Aleutian Islands Area” received on March 29, 2001, to the Committee on Commerce, Science, and Transportation.

EC–1324. A communication from the Chairman of the Federal Maritime Commission, transmitting, pursuant to law, the Annual Program Performance Report concerning the Commission’s Activities for Fiscal Year 2000; to the Committee on Commerce, Science, and Transportation.


EC–1327. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled “Fisheries of Off West Coast States and in the Western Pacific; Coastal Pelagic Fisheries; and Groundfish for Pacific Makereil” received on April 2, 2001, to the Committee on Commerce, Science, and Transportation.

EC–1328. 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; Pacific Cod by Catcher Vessels 80 feet Length Overall and Longer Using Hook-and-Line Gear in the Bering Sea and Aleutian Islands” received on April 2, 2001, to the Committee on Commerce, Science, and Transportation.

EC–1329. A communication from the Secretary of State, transmitting, pursuant to law, the Annual Program Performance Report for Fiscal Year 1999; to the Committee on Governmental Affairs.

EC–1330. A communication from the Secretary of the Department of Housing and Urban Development, transmitting, pursuant to law, a report relating to the Government National Mortgage Association for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1331. A communication from the Director of the Federal Housing Enterprise Oversight, transmitting, pursuant to law, the Annual Program Performance Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1332. A communication from the Acting Administrator of the Agency for International Development, transmitting, pursuant to law, the Accountability Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1333. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Annual Program Performance Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1334. A communication from the Chairman of the Federal Credit Reform Act Commission, transmitting, pursuant to law, the Annual Program Performance Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1335. A communication from the Acting Chief Executive Officer of the Corporation for National Service, transmitting, pursuant to law, the Annual Program Performance Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1336. A communication from the Acting Assistant Secretary of Policy, Management and Budget, and Chief Financial Officer of the Department of the Interior, transmitting, pursuant to law, the Annual Accountability Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1337. A communication from the Chairmain of the Chief Executive Officer of the Farm Credit Administration, transmitting, pursuant to law, the Annual Accountability Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1338. A communication from the President of the African Development Foundation, transmitting, pursuant to law, the Annual Report concerning the Foundation’s Financial Statements, Internal Controls, and Compliance for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1339. A communication from the Secretary of Labor and Chairman of the Board, and the Acting Executive Director of the Pension Benefit Guaranty Corporation, transmitting jointly, pursuant to law, the Program Performance Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1340. A communication from the Executive Director of the District of Columbia Responsibility and Management Assistance Authority, transmitting, pursuant to law, a report concerning the Financial Responsibility and Management Assistance for Fiscal Year 2000; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HELMS, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 27: A resolution to express the sense of the Senate regarding the 1949 deportation of the Chechen people to central Asia, and for other purposes.

S. Res. 60: A resolution urging the immediate release of Kosovar Albanians wrongfully imprisoned in Serbia, and for other purposes.

S. Con. Res. 23: A concurrent resolution expressing the sense of Congress with respect to the involvement of the Government in Libya in the terrorist bombing of Pan Am Flight 103, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committee were submitted:

By Mr. HELMS for the Committee on Foreign Relations.

William Howard Taft, IV, of Virginia, to be Chief of Protocol, Department of State, to fill a vacancy for the term expiring January 3, 2005, and for other purposes.

Mr. HELMS. Mr. President, for the Committee on Foreign Relations, I report favorably in the Foreign Service
the nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nomination lie at the Secretary's desk for the information of Senators.

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

Foreign Service nominations beginning E. Cecile Adams and ending William G. L. Gaskill, which nominations were received by the Senate and appear in the CONGRESSIONAL RECORD on March 13, 2001.

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. BOND:

S. 678. A bill to amend the Federal Water Pollution Control Act to establish a program for financial aid against income tax, restoration, and enhancement, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CLELAND:

S. 679. A bill to establish the Arabia Mountain National Heritage Area in the State of Georgia, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HUTCHINSON:

S. 680. A bill to amend the Housing and Community Development Act of 1994 to authorize communities to use community development block grant funds for construction of tornado-safe shelters in manufactured home parks; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CRAPO (for himself, Mr. BAUCUS, Mr. CRAIG, Mr. INHOFE, Mr. MURKOWSKI, Mr. BINDER, Mr. STEVENS, and Mr. BURNS):

S. 681. A bill to help ensure general aviation aircraft access to Federal land and to the airspace over that land; to the Committee on Energy and Natural Resources.

By Mr. MCCAIN (for himself, Mr. DODD, Mr. JOHNSON, Mr. WARNER, Mr. DAmato, Mr. EDWARDS, Mr. BREAUX, Mr. HELMS, Mrs. MURRAY, Mr. Reid, Mr. SARBANES, Mr. WELLSTONE, Mr. Hollings, Mr. Smith of Oregon, Mr. COCHRAN, Mr. Reid, Mr. MUKULSKI, Mr. SCHUMER, Mr. THURMOND, Ms. SNOWE, Mrs. LINCOLN, Mr. FITZGERALD, Mr. SHEELY, Mr. CLELAND, Mr. BROWNSACK, and Ms. COLLINS):

S. 682. A bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test; to the Committee on Finance.

By Mr. SANTORUM (for himself, Mr. THURBER, and Mr. SMITH of New Hampshire):

S. 683. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refund against income tax for the purchase of private health insurance, and to establish State health insurance safety-net programs; to the Committee on Finance.

By Mr. BACH (for himself, Mr. AKAKA, Mrs. BOXER, Mr. DURBIN, Mr. INOUYE, Mr. KENNEDY, Mr. KERRY, Mr. LEAHY, Ms. MIKULSKI, Ms. MURRAY, Ms. STABENOW, Mr. TORRICELLI, Mr. WELLSTONE, and Mr. FRINGOLD):

S. 684. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes; to the Committee on Health, Education, Labor, and Pension.

By Mr. BAYH (for himself, Ms. SNOWE, Mr. GRAHAM, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LANDRIEU, Mr. KOHL, Mr. JOHNSON, Mr. BREAUX, Mr. ROCKEFELLER, Mrs. CLINTON, and Mr. CARPER):

S. 685. A bill to amend title IV of the Social Security Act to strengthen working families, and for other purposes; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 449

At the request of Mr. ENZI, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 149, a bill to provide authority to control exports, and for other purposes.

S. 311

At the request of Mr. DOMENICI, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 311, a bill to amend the Elementary and Secondary Education Act of 1965 to provide for partnerships in character education.

S. 318

At the request of Mr. DASCHLE, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 318, a bill to prohibit discrimination on the basis of genetic information with respect to health insurance.

S. 321

At the request of Mr. GRASSLEY, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 321, a bill to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the medicaid program for such children, and for other purposes.

S. 361

At the request of Mr. MURKOWSKI, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 361, a bill to establish age limitations for airmen.

S. 409

At the request of Mrs. HUTCHINSON, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor 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. 414

At the request of Mr. CLELAND, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 414, a bill to amend the National Telecommunications and Information Administration Organization Act to establish a digital network technology program, and for other purposes.

S. 448

At the request of Mr. DOMENICI, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 448, a bill to provide permanent appropriations to the Radiation Exposure Compensation Fund to make payments under the Radiation Exposure Compensation Act (42 U.S.C. 2210 note).

S. 449

At the request of Mr. DOMENICI, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 449, a bill to ensure the timely payment of benefits to eligible persons under the Radiation Exposure Compensation Act (42 U.S.C. 2210).

S. 466

At the request of Mr. HAGEL, the names of the Senator from New Jersey (Mr. CORZINE) and the Senator from California (Mrs. FEINSTEIN) 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 Wyoming (Mr. THOMAS) 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. 500

At the request of Mr. BURNS, the names of the Senator from Wyoming (Mr. THOMAS), the Senator from New Mexico (Mr. BINGAMAN), and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 500, a bill to amend the Communications Act of 1934 in order to require the Federal Communications Commission to fulfill the sufficient universal service support requirements for high cost areas, and for other purposes.

S. 534

At the request of Mr. CAMPBELL, the names of the Senator from Virginia (Mr. ALLEN) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors 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. 543

At the request of Mr. WELLSTONE, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 543, a bill to provide for equal coverage of mental health benefits with respect to health insurance coverage unless comparable limitations are imposed on medical and surgical benefits.

S. 567

At the request of Mr. SESSIONS, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 567, a bill to amend the Internal Revenue Code of 1986 to provide capital
At the request of Mr. FITZGERALD, the name of the Senator from Illinois (Mr. DUBIN) was added as a cosponsor of S. 581, a bill to amend title 10, United States Code, to authorize Army arsenals to undertake to fulfill orders or contracts for articles or services in advance of the receipt of payment under certain circumstances.

At the request of Mr. CONRAD, the name of the Senator from Georgia (Mr. MILLER) and the Senator from Vermont (Mr. LEARY) were added as cosponsors of S. 587, a bill to amend the Public Health Service Act and title XVIII of the Social Security Act to sustain access to vital emergency medical services in rural areas.

At the request of Mr. FEINGOLD, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 612, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to develop and implement an annual plan for outreach regarding veterans benefits, and for other purposes.

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 643, a bill to implement the agreements establishing a United States-Jordan free trade area.

At the request of Mr. BAUCUS, the name of the Senator from West Virginia (Mr. ROCKEFEELLER) was added as a cosponsor of S. 665, a bill to amend the Internal Revenue Code of 1986 to repeal individual's 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.

At the request of Mr. ABERCROMBIE, B LUNT, B OEHLERT, P ALLONE, S AXTON, S TENHOLM, and WHITFIELD. Joining us last year for the kickoff were representatives of the Fishable Waters Coalition and a special guest, a fishing enthusiast who some may know otherwise as a top-ranked U.S. golfer, David Duval. Why am I here? I like to fish. I've done it as long as I can remember," Duval said. “I want my kids to be able to have healthy habitats for fish. I want my grandkids and my great-grandkids to be able to do what I enjoy so much, and I think this could make a big difference.”

This bipartisan and consensus legislation is intended to capture opportunities to build on the success of the Clean Water Act. It enables local stakeholders to get together with farmers who own 70 percent of our nation’s land to design local water quality projects that will be eligible for some $350 million in federal assistance for the benefit of our fisheries and water quality.

Instead of Washington saying, “you do this and you pay for it” and instead of Washington saying, “you do this but we’ll help you pay for it”, this legislation lets local citizens design projects that can be eligible for federal assistance, with farmers who own 70 percent of our nation’s land to design local water quality projects that will be eligible for some $350 million in federal assistance for the benefit of our fisheries and water quality. Instead of Washington saying, “you do this and you pay for it” and instead of Washington saying, “you do this but we’ll help you pay for it”, this legislation lets local citizens design projects that can be eligible for federal assistance, with farmers who own 70 percent of our nation’s land to design local water quality projects that will be eligible for some $350 million in federal assistance for the benefit of our fisheries and water quality.

Put simply, this legislation enables local stakeholders to get together to design water quality projects in their own areas that will be eligible for some $350 million in federal assistance to implement for the benefit of our fisheries and water quality. It does not change any existing provisions, regulatory or otherwise, of the Clean Water Act.

The Fishable Waters Act complements existing clean water programs that are designed to encourage, rather than coerce the participation of landowners. This legislation will work because it will empower people at the local level who have a stake in its success and who own the hands-on involvement in its implementation. It is supported by members of the Fishable Waters Coalition which includes the American Sportfishing Association, Trout Unlimited, the Izaak Walton League of America, the National Corn Growers Association, the National Council of Farmer Cooperatives, the Bass Anglers Sportsman Society, the American Fisheries Society, the International Association of Fish and Wildlife Agencies, and the Pacific Rivers Council. These groups have labored quietly but with great determination for several years to produce this consensus proposal to build on the success of the Clean Water Act.

As my colleagues understand, it is at great peril that anyone in this town undertakes to address clean water-related issues but the need is too great and this approach too practical to not embrace it, introduce it, and work to achieve the wide-spread support it merits.

A companion bill, H.R. 325, has been introduced by Congressman JOHN TANNER in the House. That bipartisan measure is cosponsored by Representa-

At the request of Mr. Wellstone, the name of the Senator from Illinois (Mr. DUBIN), the Senator from Georgia (Mr. MILLER), the Senator from Wisconsin (Mr. FEINGOLD), and the Senator from North Carolina (Mr. EDWARDS) were added as cosponsors of S. Res. 55, a resolution designating the third week of April as “National Shaken Baby Syndrome Awareness Week” for the year 2001 an all future years.

At the request of Mr. CAMPBELL, the name of the Senator from South Carolina (Mr. HOLLINGS) 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.

At the request of Mr. Kennedy, his name was added as a cosponsor of S. Res. 65, a resolution honoring Neil L. Rudenstine, President of Harvard University.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOND:

S. 678. A bill to amend the Federal Water Pollution Control Act to establish a program for fisheries habitat protection, restoration, and enhancement, and for other purposes; to the Committee on Environment and Public Works.

Mr. BOND. Mr. President, I rise today to introduce the Fishable Waters Act with 50 cosponsors. As former Senator LINCOLN, I ask unanimous consent that Senator LINCOLN be listed as a cosponsor. This is consensus legislation from a uniquely diverse spectrum of interests to establish a comprehensive, voluntary, incentive-based, locally-led program to improve and restore our fisheries.

Put simply, this legislation enables local stakeholders to get together to design water quality projects in their own areas that will be eligible for some $350 million in federal assistance to implement for the benefit of our fisheries and water quality. It does not change any existing provisions, regulatory or otherwise, of the Clean Water Act.

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S. CON. RES. 8

At the request of Mr. Corzine, his name was withdrawn as a cosponsor of S. Con. Res. 8, a concurrent resolution expressing the sense of Congress regarding subsidized Canadian lumber exports.

S. RES. 55

At the request of Mr. WELSTONE, the name of the Senator from Illinois (Mr. DURBIN), the Senator from Georgia (Mr. MILLER), the Senator from Wisconsin (Mr. FEINGOLD), and the Senator from North Carolina (Mr. EDWARDS) were added as cosponsors of S. Res. 55, a resolution designating the third week of April as “National Shaken Baby Syndrome Awareness Week” for the year 2001 an all future years.

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A companion bill, H.R. 325, has been introduced by Congressman JOHN TANNER in the House. That bipartisan measure is cosponsored by Representatives ABERCROMBIE, BLINT, BOEHLERT, ALLEN, CLEMENT, NATHAN, DINGELL, ENGLISH, CHRISTOPHER, JOHNSON, LEACH, PALLONE, SAXTON, TENHOLM, and WHITFIELD.

Joining us last year for the kickoff were representatives of the Fishable Waters Coalition and a special guest, a fishing enthusiast who some may know otherwise as a top-ranked U.S. golfer, David Duval. "Why am I here? I like to fish. I've done it as long as I can remember," Duval said. "I want my kids to be able to have healthy habitats for fish. I want my grandkids and my great-grandkids to be able to do what I enjoy so much, and I think this could make a big difference."

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Instead of Washington saying, “you do this and you pay for it” and instead of Washington saying, “you do this but we’ll help you pay for it”, this legislation lets local citizens design projects that can be eligible for federal assistance, with farmers who own 70 percent of our nation’s land to design local water quality projects that will be eligible for some $350 million in federal assistance for the benefit of our fisheries and water quality.

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While one can expect a great deal of controversy surrounding any comprehensive Clean Water effort, the consensus that has built around this approach is cause for great optimism that this legislation will be the vehicle to make significant additional progress in improving water quality.

I am pleased to continue work on the Fishable Waters Act with the broad coalition to move the legislation forward to passage and I thank my colleagues Senator LINCOLN and Congressman TANNER. This bipartisan approach empowers people at the local level who have the greatest understanding and the most at stake in the success of environmental protection. I will be working with new members of the Bush Administration aggressively because I believe that this is philosophically consistent with their modern approach to environmental protection.

I congratulate members of the Coalition for producing and supporting this consensus legislation and I look forward to working with Senator LINCOLN and my other Senate colleagues to move this legislation forward.

I ask unanimous consent to print the text of a one-page summary of the bill in the RECORD.

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

**Fishable Waters Act Bill Summary in Brief**

This legislation begins with the premise that while great progress has been made in improving water quality under the Clean Water Act, more opportunities remain. The policy of the United States to protect, preserve, and enhance fisheries habitat and water quality needs.

The findings include that it shall be the policy of the United States to protect, preserve, and enhance fisheries habitat and water quality needs.

The findings also include that it shall be the policy of the United States to protect, preserve, and enhance fisheries habitat and water quality needs.

The legislation includes the establishment of voluntary and local Watershed Councils to consider the best available science to plan and implement a program to protect and restore fisheries habitat with the consent of affected landowners.

Each comprehensive plan must consider the following elements: characterization of the water bodies with fisheries habitat; identification of critical fisheries habitat; development of non-point source pollutant load reduction strategies for non-point source pollutants including sediments impairing waterways.

Projects and measures that can be implemented or strengthened with the consent of affected landowners include improving fisheries habitat, streamflow restoration, riparian improvement and new projects.

**With the consent of affected landowners, those projects, initiatives, and restoration measures identified in the approved plan become eligible for funding through a Fisheries Habitat Account.**

Funds from the Fisheries Habitat Account may be used to provide up to 15 percent for non-federal matching requirement under existing authorized programs, including the following:

- The Wetlands Reserve Program
- The Environmental Quality Incentives Program
- The National Estuary Program
- The Emergence Protection Program
- The Farm Bill Conservation Program
- The Conservation Reserve Program
- The Wildlife Habitat Incentives Program
- The North American Wetlands Conservation Act, Federal Aid in Sportfish Restoration Program
- The Flood Hazard Mitigation and Riverine Ecosystem Restoration Program
- The Environmental Management Program
- The Missouri and Middle Mississippi Enhancement Project

The Secretary of the Interior is authorized to develop an urban waters revitalization program ($25m/yr) to improve fisheries and related recreational activities in urban areas with funding projects located in and benefiting low-income or economically depressed areas.

$250 million is authorized annually through Agriculture and related implementation of projects contained in approved plans.

States with approved programs may, if they choose, provide up to 20 percent of the funds provided to each state through the Clean Water Act’s $200 million Section 319 non-point source program to implement approved projects.

Up to $25 million is authorized annually through Interior for measures to restrict livestock access and provide alternative watering opportunities and $50 million is authorized annually to provide for the cooperation of landowners, minimum increase, and distribution planning and land quantization.

Mrs. LINCOLN, Mr. President, I rise today to join my neighbor and colleague from Missouri, KIT BOND, in introducing the Fishable Waters Act. This bill is aimed at restoring and maintaining clean water in our Nation’s rivers, lakes, and streams. This legislation would provide needed funding for programs with a proven track record of conserving land, cleaning up the environment, and promoting clean and fishable waters.

This legislation takes the right approach to reducing non-point source pollution. It is voluntary. Its incentive-based. And it encourages public-private partnerships.

Our State Motto, "The Natural State," reflects our dedication to preserving the unique natural landscape that we are blessed with. We have towering mountains, rolling foothills, an expansive Delta, countless pristine rivers and lakes, and a multitude of timber varieties across our state. From expansive evergreen forests in the South, to the nation’s largest bottomland hardwood forest in the East, as well as one of this nation’s largest remaining hardwood forests across the Northern one-half of the state, Arkansas has one of the most diverse ecosystems in the United States. Most important, Arkansas rivers originate or run through our timberlands and are sources for water supplies, prime recreation, and countless other uses. We also have numerous outdoor recreational opportunities and it is vital that we take steps to protect the environment.

This bill utilizes current programs within the U.S. Department of Agriculture that have a proven track record for reducing non-point source pollution and promoting clean and fishable waters through voluntary conservation measures. Existing USDA programs like the Wetlands Reserve Program, the Environmental Quality Incentives Program, the Conservation Reserve Program, and the Wildlife Habitat Incentives Program, assist farmers in taking steps towards preserving a quality environment.

CRP and WRP are so popular with farmers that they will likely reach their authorized enrollment cap by the end of 2001. Farmers wouldn’t flock to these programs unless there was an inherent desire to ensure that they conserved and preserved our Nation’s water resources.

Arkansas ranks second in the number of enrolled acres in USDA’s Wetlands Reserve Program because our farmers have recognized the vital role that wetlands play in preserving a sound ecological and efficient production.

WRP is so popular in AR that we have over 200 currently pending applications that we cannot fill because of lack of funding. That’s over 200 farmers that want to voluntarily conserve wetland areas around rivers, lakes, and streams. We need to fill that void in funding for these beneficial programs.

This bill will help farmers in Arkansas and across the nation to voluntarily conserve sensitive land areas and provide buffer strips for runoff areas.

Farmers make their living from the soil and water. They have a vested interest in ensuring that these resources are protected. I don’t believe that our Nation’s farmer have been given enough credit for their dedicated efforts to preserve a sound environment for future generations.

As many of you know, farming has a special place in my heart because I was raised on a seventh generation farm family. I know first hand that farmers want to protect the viability of their land so they can pass it on to the next generation. This bill is about more than agriculture through. It strikes the right balance between our agricultural industry and another pastime that I feel very strongly about, hunting and fishing.

Over the years many people have been surprised when they learn that I am an avid outdoorsman. I grew up in the South where hunting and fishing are not just hobbies, they’re a way of life. My father never differentiated between taking his son or daughters hunting or fishing, it was just assumed that we would all take part. For this, I will be working with my colleagues and friends to ensure that we are able to enjoy the outdoors, and the time I spent hunting and fishing is a big part of who I am today. We are blessed in...
Arkansas to have such bountiful outdoor opportunities. For these opportunities to continue to exist we must take steps to ensure that our nation’s waters are protected. Trout in Arkansas’ Little Red River and mailards in the rivers of the Mississippi Delta both share a common need of clean water. And that is what we are ultimately striving for with this legislation: an effective, voluntary, incentive based plan to provide funding for programs that promote clean water.

I would like to stress the importance of voluntary programs.

We cannot expect to have success by using a heavy-handed, top-down approach to regulate our farmers, ranchers, and foresters into environmental compliance. Trying to force people into a permitting program to reduce the potential for non-point runoff may actually discourage responsible environmental practices.

I agree with the EPA’s objective of cleaning up our nation’s impaired rivers, lakes, and streams, but firmly believe that a permitting program is not the best solution to the problem of maintaining clean water. Placing another unnecessary layer of regulation upon our nation’s local foresters will only slow down the process of responsible farming and forestry and implementation of voluntary Best Management Practices.

This legislation takes the right approach to clean and fishable waters. It’s voluntary. It’s incentive-based. And it encourages public-private partnerships to clean up our Nation’s rivers, lakes, and streams.

I encourage my colleagues to join us in the fight for clean and fishable waters.

By Mr. CLELAND:

S. 679. A bill to establish the Arabia Mountain National Heritage Area in the State of Georgia, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. CLELAND. Mr. President, today I am introducing legislation to establish the Arabia Mountain National Heritage Area in the State of Georgia. The significance of this area and the need to act now is underscored by Metro Atlanta’s unprecedented rate of growth. In fact, it has been said that Atlanta is the fastest growing city in civilization. The area surrounding Arabia Mountain is located only 20 minutes east of Atlanta, near my home town of Lithonia. I speak from personal experience when I say that this area has seen the effects of Metro Atlanta’s unbridled expansion, particularly in the past decade. As a result, vital open spaces and farmlands have all but disappeared.

I believe it is essential to preserve what remains of significant natural, cultural, and historic resources in this region. Surrounding Arabia Mountain contains a diverse ecosystem consisting of rare plant species, wetlands, pine and oak forests, streams and a lake. Additionally, this area is home to many historic sites, structure, and cultural landscapes, including the last remaining farm in DeKalb County. On a personal note, I can remember when this town was known as the dairy belt of Georgia. Now, we are down to a single working farm and Stone Mountain possesses sites that display the history of granite mining as an industry and culture in Georgia, and the impact of that industry on the United States.

My legislation reflects what has been a real grassroots effort to preserve this vital landscape. Over the past several years, local citizens have been working in conjunction with city, county, and State officials to move forward with plans to preserve these resources. In fact, this project has already benefited from significant private contributions of land, money, and professional services which have enabled the Arabia Mountain Heritage Area Alliance to produce a detailed feasibility study which was released on February 28, 2001. However, local efforts to protect and preserve the resources of the area will not fully materialize without the technical assistance of Federal agencies.

Under my bill, the National Park Service, NPS, will be authorized to provide essential technical support in order to develop and implement a plan to manage the natural, cultural, historical, scenic, and recreational resources of the heritage area. Taking into account the diverse interests of the governmental, business, and non-profit groups within the area, the management plan will assist the local government, private landowners and the public in adopting land use policies which maximize the many resources of the region.

I have personally visited this area, and I must reiterate my strong interest in this important preservation effort. I ask unanimous consent that the text of the bill be printed in the RECORD, and urge my colleagues to join me in enacting this legislation.

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

S. 679
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 “Arabia Mountain National Heritage Area Act of 2001”.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Arabia Mountain area contains a variety of natural, cultural, historical, scenic, and recreational resources that together represent distinctive aspects of the heritage of the United States that are worthy of recognition, conservation, interpretation, and continuing use;

(2) the best methods for managing the resources of the Arabia Mountain area would be through partnerships between public and private entities that combine diverse resources and active communities;

(3) Davidson Valley Nature Preserve, a 535-acre park in DeKalb County, Georgia—

(A) protects granite outcrop ecosystems, wetland, and pine and oak forests; and

(B) includes federally-protected plant species;

(4) Panola Mountain, a national natural landmark, located in the 860-acre Panola Mountain State Conservation Park, is a rare example of a pristine granite outcrop; and

(5) the archeological sites of Arabia Mountain possess sites that display the history of granite mining as an industry and culture in Georgia, and the impact of that industry on the United States;

(7) the community of Klondike is eligible for designation as a National Historic District; and

(8) the city of Lithonia has 2 structures listed on the National Register of Historic Places.

(b) PURPOSES.—The purposes of this Act are—

(1) to recognize, preserve, promote, interpret, and make available for the benefit of the public the natural, cultural, historical, scenic, and recreational resources in the area that includes Arabia Mountain, Panola Mountain, Miners Creek, and other significant sites and communities; and

(2) to assist the State of Georgia and the counties of DeKalb, Rockdale, and Henry in the State in developing and implementing an integrated cultural, historical, and land resource management program to protect, enhance, and interpret the significant resources within the heritage area.

SEC. 3. DEFINITIONS.

In this Act:

(1) HERITAGE AREA.—The term “heritage area” means the Arabia Mountain National Heritage Area established by section 4.

(a) ESTABLISHMENT.—There is established the “Arabia Mountain National Heritage Area” for the purpose of carrying out the purposes described in section 2.

(b) DUTIES.—The term “management entity” means the Arabia Mountain Heritage Area Alliance or a successor of the Arabia Mountain Heritage Area Alliance.

(c) MANAGEMENT PLAN.—The term “management plan” means the management plan for the heritage area developed under section 6.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(5) STATE.—The term “State” means the State of Georgia.

SEC. 4. ARABIA MOUNTAIN NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is established the Arabia Mountain National Heritage Area in the State.

(b) BOUNDARIES.—The heritage area shall consist of certain parcels of land in the counties of DeKalb, Rockdale, and Henry in the State, as generally depicted on the map entitled “The Preferred Concept” contained in the document entitled “Arabia Mountain National Heritage Area Feasibility Study”, dated February 28, 2001.

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(d) MANAGEMENT ENTITY.—The Arabia Mountain Heritage Area Alliance shall be the management entity for the heritage area.

SEC. 5. AUTHORITIES AND DUTIES OF THE MANAGEMENT ENTITY.

(a) AUTHORITIES.—For purposes of developing and implementing the management plan, the management entity may—

(1) make grants to, and enter into cooperative agreements with, the State, political subdivisions of the State, and private organizations;

(2) hire and compensate staff; and

(3) enter into contracts for goods and services.

(b) DUTIES.—

(1) MANAGEMENT PLAN.—
SEC. 6. MANAGEMENT PLAN.

(a) In General.—The management entity shall develop a management plan for the heritage area that—

(1) is prepared by a qualified entity (as defined in subsection (b));

(2) is developed in consultation with the management entity; and

(3) is submitted to the Secretary for approval not later than 90 days after the date on which a revision is submitted under subsection (e).

(b) Contents.—The management plan shall—

(1) be prepared by a qualified entity;

(2) be developed in consultation with the management entity; and

(3) be submitted to the Secretary for approval.

(c) Four-Year Period.—The management plan shall be updated at least once every four years.

(d) Submission.—The management plan shall be submitted to the Secretary not later than 90 days after the date on which a revision is submitted under subsection (e).

(e) Approval and Disapproval of Management Plan.—

(1) IN GENERAL.—Not later than 90 days after the date on which a revision is submitted under subsection (e), the Secretary shall—

(A) review the management plan; and

(B) submit to the Secretary, for review and approval, a revised management plan.

(2) EFFECT OF FAILURE TO SUBMIT.—If a management plan is not submitted to the Secretary by the date specified in paragraph (1), the Secretary shall—

(A) review the management plan; and

(B) submit to the Secretary for review and approval a revised management plan.

SEC. 7. TECHNICAL AND FINANCIAL ASSISTANCE.

(a) In General.—The Secretary may provide technical and financial assistance to the management entity, or to any other entity, in connection with the development and implementation of the management plan.

(b) Authorization of Appropriations.—The Secretary is authorized to make grants, loans, and/or contracts to provide technical and financial assistance to the management entity, or to any other entity, in connection with the development and implementation of the management plan.

(c) Allocation.—The Secretary shall allocate technical and financial assistance in accordance with the management plan.
By Mr. CRAPO (for himself, Mr. BAUCUS, Mr. CRAIG, Mr. INHOFE, Mr. MURkowski, Mr. BENNETT, Mr. ENZI, Mr. STEVENS, and Mr. BURNS):

S. 681. A bill to help ensure general aviation aircraft access to Federal land and to the airspace over that land; to the Committee on Energy and Natural Resources.

Mr. CRAPO. Mr. President, I am pleased to introduce today the Backcountry Landing Strip Access Act of 2001. Last year, Senators CRAIG and BURNS, and I introduced similar legislation. Although the legislation did not pass, we were able to successfully attach a modified one-year version of our bill to the Interior Appropriations Conference Report for FY 2001, prohibiting federal funds from being used to close any airstrips on lands administered by the Department of the Interior. The legislation I introduce today represents a comprehensive, long-term solution to the problem of backcountry airstrips being temporarily or permanently closed. This bill will preserve our nation’s airstrips and require a public review and comment period before closure of these airstrips.

Idaho is home to more than fifty backcountry airstrips and the state is known for its air access to wilderness and primitive areas. Unfortunately, many backcountry airstrips have been closed or rendered unserviceable through neglect by federal agencies responsible for land management. These closures occur without providing the public with a justification for such action or an opportunity to comment on them.

Our bill would address this situation by preventing the Secretary of Interior and the Secretary of Agriculture from permanently closing airstrips without first consulting with state aviation agencies and users. The legislation would also require that proposed closures would be published in the Federal Register with a ninety-day public comment period. The bill directs the Secretary of Interior and the Secretary of Agriculture, after consultation with the FAA, to adopt a nationwide policy governing backcountry aviation. I would like to mention that Congressmen C.L. “BUTCH” OTTER and Jim HANSEN are also promoting backcountry aviation access in the other body.

This bill and its House companion in the Judiciary Committee would also require that proposed closures be published in the Federal Register with a ninety-day public comment period. The bill directs the Secretary of Interior and the Secretary of Agriculture, after consultation with the FAA, to adopt a nationwide policy governing backcountry aviation. I would like to mention that Congressmen C.L. “BUTCH” OTTER and Jim HANSEN are also promoting backcountry aviation access in the other body.

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For aerial firefighters backcountry airstrips are analogous to fire engines in a firehouse. In addition, other general aviation craft depend on backcountry strips to provide a safe haven in the case of emergency. Without the airstrips, these pilots would have little chance of survival while attempting an emergency landing. Furthermore, access to the strips ensures a fundamental American service—universal postal delivery. Without access to backcountry airstrips, citizens who live and work in remote areas would not receive their mail.

Pilots often discover that an airstrip has been closed only when they attempt to use it. This represents a grave danger to those who have not been made aware of an airstrip’s closure. This bill would ensure that everyone with an interest in backcountry aviation remains informed of a proposed closure and is allowed to comment on it.

This bill is simply about safety and general aviation access. It does not redefine the State in which an airstrip already has been closed, nor does it burden federal officials with the responsibility to operate and maintain these sites. In fact, pilots themselves regularly maintain backcountry strips.

The Backcountry Landing Strip Access Act does not harm our forests or our wilderness areas. In fact, backcountry airstrips are regularly used by forest officials to maintain forests and trails, conduct ecological management projects, and produce aerial mapping. Airstrips are located in remote, rugged areas of the west where there are few visitors. Many landing strips have no more than 3-6 takeoffs and landings in a year, and are mainly used for emergency landings.

When the Frank Church Wilderness Act was established in Idaho, it incorporated a provision that existing landing strips cannot be closed permanently or rendered unserviceable without the written consent of the State of Idaho. This bill extends the success of the Frank Church Wilderness Act provision nationwide to preserve airstrips in Idaho as well as other states. In Idaho, we have evolved into a cooperative relationship with federal land managers. I believe the rest of the country can benefit from this philosophy of cooperation.

I urge my colleagues to join with us in our efforts to preserve the remaining backcountry strips.

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. 681

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 “Backcountry Landing Strip Access Act”.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Aircraft landing strips serve an essential safety role as emergency landing areas.

(2) Aircraft landing strips provide access to people who would otherwise be physically unable to enjoy national parks, national forests, and other Federal lands.

(3) Aircraft landing strips serve an essential role in firefighting and disaster relief.

(4) Aircraft landing strips serve an essential role in search and rescue, forest and ecological management, research, and aerial mapping.

(5) The Secretary of the Interior and the Secretary of Agriculture should adopt a nationwide policy for governing backcountry aviation issues related to the management of Federal land under the jurisdiction of those Secretaries and should require regional managers to adhere to this policy.

SEC. 3. PROCEDURE FOR CONSIDERATION OF ACTIONS AFFECTING AIRCRAFT LANDING STRIPS.

(a) IN GENERAL.—Neither the Secretary of the Interior nor the Secretary of Agriculture shall take any action which would permanently close or render or declare as unserviceable any aircraft landing strip located on Federal land under the administrative jurisdiction of either Secretary unless—

(1) the head of the aviation department of each Secretary responsible for land over which the aircraft landing strip is located has approved the action;

(2) notice of the proposed action and the fact that the action would permanently close or render or declare as unserviceable the aircraft landing strip has been published in the Federal Register; and

(3) a 90-day public comment period on the action has been provided after the publication under paragraph (2); and

(b) any comments received during the comment period provided under paragraph (3) have been taken into consideration by the Secretary of the Interior or the Secretary of Agriculture, as the case may be, and the head of the aviation department of each Secretary responsible for land over which the affected aircraft landing strip is located.

(b) NATIONAL POLICY.—Not later than 2 years after the date of the enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture shall—

(1) adopt a nationwide policy that is consistent with the resource values of the adjacent area.

(2) seek and consider comments from State governments and the public.

(d) MAINTENANCE OF AIRSTRIPS.—

(1) IN GENERAL.—The Secretary of the Interior and the Secretary of Agriculture shall consult with—

(A) the head of the aviation department of each State in which an aircraft landing strip is located; and

(B) other interested parties, to ensure that such aircraft landing strips are maintained in a manner that is consistent with the resource values of the adjacent area.

(2) COOPERATIVE AGREEMENTS.—The Secretary of the Interior and the Secretary of Agriculture may enter into cooperative agreements with interested parties for the
My intent when I sponsored the Senior Citizens Freedom to Work Act was not to break the link between blind people and the senior population. If we reversed the link, we would cancel out the Social Security benefits of seniors. In 1996, time constraints and fiscal considerations forced me to focus solely on raising the unfair and burdensome earnings test. After the bill was enacted and H.R. 5, the Social Security Earnings Test Elimination bill, finally eliminated this unfair tax on earnings for seniors 65 to 69 years of age. This law is allowing millions of seniors to continue contributing to society as productive workers.

Now we should work together in the spirit of fairness to ensure that this same opportunity is given to the blind population. We should provide blind people the opportunity to be productive and “make it” on their own. We should not continue policies which discourage these individuals from working and contributing to society.

The bill I am introducing today is identical to one I sponsored in the last two Congresses. If we do not reinstate the link between the blind and the seniors, blind people will be restricted to earning $14,800 in the year 2002 in order to protect their Social Security benefits.

There are very strong and convincing arguments in favor of reestablishing the link between these two groups and increasing the earnings limit for blind people.

First, the earnings test treatment of our blind and senior populations has historically been identical. Since 1977, blind people and senior citizens have shared the identical earnings exemption threshold under Title II of the Social Security Act.

Now, senior citizens will be given greater opportunity to increase their earnings without losing a portion of their Social Security benefits; the blind, however, will not have the same opportunity.

The Social Security earnings test imposes a work disincentive for blind people. In fact, the earnings test probably provides a greater aggregate disincentive for blind individuals since many blind beneficiaries are of working age, 18-65, and are capable of productive work.

Blindness is often associated with adverse social and economic consequences. It is often tremendously difficult for people with disabilities to find sustained employment or any employment at all, but they do want to work. They take great pride in being able to work and becoming productive members of society. By linking the blind with seniors in 1977, Congress provided a great deal of hope and incentive for blind people in this country to enter the workforce. Now, we are taking that hope away from them by not allowing them the same opportunity to increase their earnings as senior citizens. If we reinstate the bill, the blind will be placed at a disadvantage and will be favorably to an increase in the earnings test by working more, which will increase their tax payments and their purchasing power and allow the blind to make a greater contribution to the general economy. In addition, encouraging the blind to work and allowing them to work more without being penalized would bring additional revenue into the Social Security trust funds as well as the Federal treasury. In short, restoring the link between blind people and senior citizens for treatment of Social Security benefits would help many blind people become self-sufficient, productive members of society.

I am pleased that this Congress will be focusing on the overall structure of the Social Security system and working together for solutions which would strengthen the system for seniors of today and tomorrow without placing an unfair burden on working Americans. It is absolutely crucial that we include raising the earnings test for blind individuals as a part of any Social Security bill we enact this year.

I urge each of my colleagues to join me in sponsoring this important measure to restore fair and equitable treatment for our blind citizens and to give the blind community increased financial independence. Our nation would be better served if we restore equality for the blind and provide them with the same freedom, opportunities and fairness as our nation’s seniors.

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. 682. A bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without disqualifying ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test; to the Committee on Finance.

By Mr. McCAIN (for himself, Mr. DODD, Mr. JOHNSON, Mr. WARNER, Mr. DEWINE, Ms. LANDRIEU, Mr. EDWARDS, Mr. BREAUX, Mr. HELMS, Mrs. MURRAY, Mr. REID, Mr. SARBANES, Mr. WELSTON, Mr. HOLLINGS, Mr. KENNEDY, Mr. HAGEL, Mr. SMITH, of Oregon, Mr. COCHRAN, Mr. REED, Ms. MIKULSKY, Mr. SCHUMER, Mr. THURMOND, Ms. SNOWE, Mrs. LINCOLN, Mr. FITZGERALD, Mr. SHELDY, Mr. CLELAND, Mr. BROWNBACK, and Mrs. COLLINS):

SEC. 2. RESTORATION OF LINK BETWEEN RULES RELATING TO SUBSTANTIAL GAINFUL ACTIVITY FOR BLIND INDIVIDUALS AND RULES RELATING TO EXCESS EARNINGS UNDER THE EARNINGS TEST.

Section 223(d)(4) of the Social Security Act (42 U.S.C. 422(d)(4)) is amended, in the second sentence, by striking “1996” and inserting “1997”.

SEC. 3. EFFECTIVE DATE.

The amendment made by section 2 shall apply to determinations of an ability to engage in substantial gainful activity made on or after the date of enactment of this Act.

By Mr. SANTORUM (for himself, Mr. TORRICEILLI, and Mr. SMITH of New Hampshire):

S. 683. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance, and to establish State health insurance safety-net programs; to the Committee on Finance.

By Mr. SANTORUM, Mr. President, I rise to the Committee on Finance. Mr. President, I rise to the Committee to introduce the bipartisan Fair Care for the Uninsured Act of 2001, legislation
aimed at ensuring that all Americans, regardless of income, have a basic level of resources to purchase health insurance. I am pleased that House Majority Leader DICK ARMEDY of Texas and Representative BILL LIPINSKI of Illinois have joined in introducing companion legislation in the House of Representatives.

As we all know, the growing ranks of uninsured Americans, currently 43 million, remains a major national problem that needs to be addressed. This Congress considers improvements to our healthcare delivery system. The uninsured are three times as likely not to receive needed medical care, at least twice as more likely to need hospitalization for avoidable conditions like pneumonia and diabetes, and four times more likely to rely on an emergency room or have no regular source of care as compared to Americans who are privately insured.

The Fair Care for the Uninsured Act represents a monthly step toward helping the uninsured obtain health insurance coverage through the creation of a new refundable tax credit for the purchase of private health insurance, a concept which enjoys bipartisan support.

This legislation directly addresses one of the main barriers which now inhibits access to health insurance for millions of Americans: discrimination in the tax code. Most Americans obtain health insurance through their place of work. For some reason, workers who receive their employer’s contribution toward health insurance completely free from federal taxation, including payroll taxes. This is effectively a $120 billion per year federal subsidy for employer-provided health insurance. By contrast, individuals who purchase their own health insurance get virtually no tax relief. They must buy insurance with after-tax dollars, forcing many to earn twice as much income before being able to purchase the same insurance. This hidden health tax penalty effectively punishes people who try to buy their insurance outside the workplace.

The Fair Care for the Uninsured Act would remedy this situation by creating a parallel system for working families who do not have access to health insurance through the workplace. Specifically, this legislation creates a refundable tax credit of $1,000 per adult and up to $3,000 per family, indexed for inflation, for the purchase of private health insurance; would be available to individuals and families who don’t have access to coverage through the workplace or a federal government program; enables individuals to use their credit to shop for a basic plan that best suits their needs which would be portable from job to job; and allows individuals to buy more generous coverage with after-tax dollars. And of course the states could supplement the credit.

This legislation complements a bipartisan consensus which is emerging around this means for addressing the serious problem of uninsured Americans: Instead of creating new government entitlements to medical services, tax credits provide public financing to help uninsured Americans buy private health insurance. President Bush has proposed a proposal for health insurance coverage, and Senators Jeffords and Breaux have introduced their own health insurance tax credit proposal here in the Senate. I applaud their efforts for advancing this important goal, and look forward to working with them to develop a clear mandate for helping America’s uninsured.

I would like to apprise our colleagues of a couple of improvements which we have added to last session’s bill that I believe will help bring about an even more positive impact on America’s uninsured population. First, in an effort to keep premiums affordable for older, sicker Americans, our Fair Care legislation calls for the creation of safety-net arrangements administered at the state level and funded by assessments on insurers. Often called high-risk pools, such arrangements currently exist in 28 states and would be expanded to all 50. In addition, our Fair Care legislation this session would further reduce premiums by permitting the creation of Individual Membership Associations, through which individuals can obtain basic coverage free of costly state benefit mandates.

In reducing the amount of uncompensated care that is offset through cost shifting to private insurance plans, and in substantially increasing the insurance base, a health insurance tax credit will help relieve some of the spiraling costs of our health care delivery system. It would also encourage insurance companies to write policies geared to the size of the credit, thus offering premiums that make it possible for low income families to obtain coverage without paying much more than the available credits.

It is time that we reduced the tax bias against those who do not have access to coverage through their place of work or existing government programs, and to encourage the creation of an effective market for family-selected and family-owned plans, where Americans have more choice and control over their health care dollars. The Fair Care for the Uninsured Act would create tax fairness where currently none exists by requiring that all Americans receive the same tax encouragement to purchase health insurance, regardless of employment.

It is my hope that our colleagues will join Senators TORRICELLI, SMITH and me in endorsing this bipartisan legislation to provide people who purchase their own health insurance their own similar tax treatment as those who have access to insurance through their employer.

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:

SEC. 101. REFUNDABLE CREDIT FOR HEALTH INSURANCE COVERAGE.

(a) IN GENERAL.—Subpart C of part IV of chapter I of the Internal Revenue Code of 1986 (relating to refundable credits) is amended by redesignating section 35 as section 36 and by inserting after section 35 the following new section:

"SEC. 35. HEALTH INSURANCE COSTS.

"(a) IN GENERAL.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this subtitle an amount equal to the amount paid during the taxable year for qualified health insurance for the taxpayer, his spouse, and dependents.

"(b) LIMITATIONS.—

"(1) IN GENERAL.—The amount allowed as a credit under subsection (a) to the taxpayer for the taxable year shall not exceed the sum of—

"(I) the monthly limitations for coverage months during such taxable year for each individual referred to in subsection (a) for which the taxpayer paid during the taxable year any amount for coverage under qualified health insurance.

"(2) MONTHLY LIMITATION.—

"(A) IN GENERAL.—The monthly limitation for an individual for each coverage month of such individual during the taxable year is the amount equal to 1/12 of—

"(i) $1,000 if such individual is the taxpayer,

"(ii) $1,000 if—

"(I) such individual is the spouse of the taxpayer,

"(II) the taxpayer and such spouse are married as of the first day of such month, and

"(III) the taxpayer files a joint return for the taxable year, and

"(iii) $500 if such individual is an individual for whom a deduction under section 151(e) is allowable to the taxpayer for such taxable year.

"(B) LIMITATION TO 2 DEPENDENTS.—Not more than 2 individuals or 1 individual and 1 dependent shall be taken into account by the taxpayer under subparagraph (A)(ii).

"(C) SPECIAL RULE FOR MARRIED INDIVIDUALS.—In the case of an individual—

"(i) who is married (within the meaning of section 7703) as of the close of the taxable year but does not file a joint return for such year, and

"(ii) who does not live apart from such individual’s spouse at all times during the taxable year,

the limitation imposed by subparagraph (B) shall be divided equally between the individual and the individual’s spouse unless they agree on a different division.

"(d) COVERAGE MONTH.—For purposes of this subsection—

"(A) IN GENERAL.—The term ‘coverage month’ means, with respect to an individual, any month in—

"(i) as of the first day of such month such individual is covered by qualified health insurance and

"(ii) the premium for coverage under such insurance for such month is paid by the taxpayer.

"(B) EMPLOYER-SUBSIDIZED COVERAGE.—

"(i) IN GENERAL.—Such term shall not include any month for which such individual is eligible to participate in any subsidized health insurance plan (within the meaning of section 162(l)(2)) maintained by any employer of the taxpayer or of the spouse of the taxpayer.
CONGRESSIONAL RECORD — SENATE

April 3, 2001

S3348

"(ii) PREMIUMS TO NONSUBSIDIZED PLANS.—If an employer of the taxpayer or the spouse of the taxpayer maintains a health plan which is not a subsidized health plan (as so defined), the amount which constitutes qualified health insurance, employee contributions to the plan shall be treated as amounts paid for qualified health insurance.

(5) CAFETERIA PLAN AND FLEXIBLE SPENDING ACCOUNT BENEFICIARIES.—Such term shall not include any month during a taxable year if any amount is not includible in the gross income of the taxpayer for such year under section 106 with respect to—

(i) a benefit chosen under a cafeteria plan (as defined in section 125(d)), or

(ii) a benefit provided under a flexible spending or similar arrangement.

(D) MEDICARE AND MEDICAID.—Such term shall be interpreted as including any month during a taxable year with respect to an individual if, as of the first day of such month, such individual—

(i) is entitled to any benefits under title XVIII of the Social Security Act, or

(ii) is a participant in the program under title XIX or XXI of such Act.

(E) CERTAIN OTHER COVERAGE.—Such term shall be interpreted as including any month during a taxable year with respect to an individual if, at any time during such year, any benefit is provided to such individual under—

(i) chapter 89 of title 5, United States Code,

(ii) chapter 55 of title 10, United States Code,

(iii) chapter 17 of title 38, United States Code, or

(iv) any medical care program under the Indian Health Care Improvement Act.

(F) PRISONERS.—Such term shall not include any month with respect to an individual if, as of the first day of such month, such individual is imprisoned under Federal, State, or local authority.

(G) INSUFFICIENT PRESENCE IN UNITED STATES.—Such term shall not include any month during a taxable year with respect to an individual if such individual is present in the United States on fewer than 183 days during such year determined in accordance with section 7701(b)(7).

(4) COORDINATION WITH DEDUCTION FOR HEALTH INSURANCE COSTS OF SELF-EMPLOYED INDIVIDUALS.—In the case of a taxpayer who is eligible to deduct any amount under section 162(l) for the taxable year, this section shall apply only if the taxpayer elects not to claim any amount as a deduction under such section for such year.

(5) QUALIFIED HEALTH INSURANCE.—For purposes of this section—

(1) IN GENERAL.—The term ‘qualified health insurance’ means insurance which constitutes medical care as defined in section 213(d) without regard to—

(A) paragraph (1)(C) thereof, and

(B) subparagraph (i)(D) thereof as relates to qualified long-term care insurance contracts.

(2) EXCLUSION OF CERTAIN OTHER CONTRACTS.—Such term shall not include insurance if a substantial portion of its benefits are excepted benefits (as defined in section 9832(c)).

(1) IN GENERAL.—For purposes of this section, the taxable year which is equal to the amount of credit allowed for such taxable year by reason of this subsection.

(c) SPECIAL RULES FOR COORDINATION WITH MEDICAL EXPENSE DEDUCTION.—The amount which would (but for this paragraph) be taken into account by the taxpayer under section 213 for the taxable year shall be reduced by the credit (if any) allowed by this section to the taxpayer for such year.

(2) DENIAL OF CREDIT TO DEPENDENTS.—No credit shall be allowed under this section to any individual with respect to whom a deduction under section 151 is allowable to another taxpayer during the taxable year beginning in the calendar year in which such individual’s taxable year begins.

(3) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in a calendar year after 2002, each dollar amount contained in subsection (b)(2)(A) shall be increased by an amount equal to—

(A) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by calendar year 2001 for ‘calendar year 1992’ in subparagraph (B) thereof.

Any increase determined under the preceding sentence shall be rounded to the nearest multiple of $5 ($25 in the case of the dollar amount in subsection (b)(2)(A)(ii)).

(b) MAINTENANCE OF EFFORT REQUIREMENT.—Section 162 of such Code (relating to trade or business expenses) is amended by redesignating subsection (p) as subsection (q) and by inserting after subsection (o) the following new subsection:

'(p) GROUP HEALTH PLAN MAINTENANCE OF EFFORT.—No deduction shall be allowed under this chapter to an employer for any amount paid or incurred in connection with a group health plan (as defined in subsection (o)(3) for any taxable year in which the aggregate of the amounts so paid or incurred during any calendar year does not exceed 10 percent of the average of the amounts so paid or incurred in each of the 3 preceding calendar years unless such plan covers at least 60 percent of the employees of such employer (or of such plan at such time as the Secretary may prescribe).

กลับมา(2) The table of sections for subpart C of part II of subchapter B of chapter 1 of such title is amended by striking the period at the end of the last subparagraph and inserting ’(3) CREDIBLE HEALTH INSURANCE.—For purposes of this section, the term ‘creditable health insurance’ means qualified health insurance (as defined in section 35(c)) other than—

(1) insurance under a subsidized group health plan maintained by an employer, or

(2) to the extent provided in regulations prescribed by the Secretary, any other insurance covering an individual if no credit is allowed under section 35 with respect to such coverage.

(4) STATEMENTS TO BE FURNISHED TO INDIVIDUALS WITH RESPECT TO WHOM INFORMATION IS REQUIRED.—Every person required to make a return under subsection (b) shall furnish to each individual whose name is required under subsection (b)(2)(A) to be set forth in such return a written statement showing—

(1) the name and address of the person required to make such return and the phone number of the information contact for such person,

(2) the aggregate amount of payments described in subsection (a) (received by the person required to make such return from the individual to whom the statement is required to be furnished, and

(3) the information required under subsection (b)(2)(B) with respect to such payments.

The written statement required under the preceding sentence shall be furnished on or before January 31 of the year following the calendar year for which the return under subsection (a) is required to be made.

(5) RETURNS WHICH WOULD BE REQUIRED TO BE MADE BY 2 OR MORE PERSONS.—Except to the extent provided in regulations prescribed by the Secretary, in the case of any amount received by any person on behalf of another person, only the person first receiving such amount shall be required to make the return under subsection (a).

(2) ASSESSABLE PENALTIES.—(A) Subparagraph (B) of section 6724(d)(1) of such Code (relating to definitions) is amended by redesignating clauses (xi) through (xvii) as clauses (xii) through (xviii), respectively, and by inserting after clause (x) the following new clause:

'(xii) returns to which section 6507T (relating to returns relating to payments for qualified health insurance) applies.

(B) Paragraph (2) of section 6724(d) of such Code is amended by striking “or” at the end of the next to last subparagraph, by striking the period at the end of the last subparagraph and inserting “and” and by adding at the end the following new subparagraph:

'(BB) section 6662A(d) (relating to returns relating to payments for qualified health insurance)."

(3) CLEWRAL AMENDMENT.—The table of sections for subpart B of part III of subchapter A of chapter 61 of such Code is amended by striking the item relating to sections 6650S the following new item:

'Sec. 6650T. Returns relating to payments for qualified health insurance.'.

(d) CONFORMING AMENDMENTS.—(1) Paragraph (2) of section 3124(b) of title 31, United States Code, is amended by inserting ‘before the period ’, or from section 35 of such Code”.

(2) The table of sections for subpart C of part II of subchapter B of chapter 1 of such Code is amended by striking the last item and inserting the following new items:

'Sec. 35. Health insurance costs.

'Sec. 36. Overpayments of tax.’.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.
SEC. 102. ADVANCE PAYMENT OF CREDIT FOR PURCHASERS OF QUALIFIED HEALTH INSURANCE.

(a) In General.—Chapter 77 of the Internal Revenue Code of 1986 (relating to miscellaneous provisions) is amended by adding at the end the following new section:

"SEC. 7527. ADVANCE PAYMENT OF HEALTH INSURANCE CREDIT FOR PURCHASERS OF QUALIFIED HEALTH INSURANCE.

"(a) General rule.—In the case of an eligible individual, the Secretary shall make payments to the provider of such individual’s qualified health insurance equal to such individual’s qualified health insurance credit advance amount in accordance with this section.

"(b) Eligible individual.—For purposes of this section, the term ‘eligible individual’ means an individual—

"(1) who purchases qualified health insurance (as defined in section 35(c)), and

"(2) for whom a qualified health insurance credit eligibility certificate is in effect.

"(c) Qualified Health Insurance Credit Eligibility Certificate.—For purposes of this section, a qualified health insurance credit eligibility certificate is a statement furnished by an individual to the Secretary which—

"(1) certifies that the individual will be eligible to receive the credit provided by section 35 for the taxable year,

"(2) estimates the amount of such credit for such taxable year, and

"(3) provides such other information as the Secretary may require for purposes of this section.

"(d) Qualified Health Insurance Credit Advance Amount.—For purposes of this section, the term ‘qualified health insurance credit advance amount’ means, with respect to any provider of qualified health insurance, the Secretary’s estimate of the amount of credit allowable under section 35 to the individual for the taxable year which is attributable to the insurance provided to the individual by such provider.

"(e) Regulations.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this section.

(b) Clerical Amendment.—The table of sections for chapter 77 of such Code is amended by adding at the end the following new item:

"Sec. 7527. Advance payment of health insurance credit for purchasers of qualified health insurance.

(c) Effective Date.—The amendments made by this section shall take effect on January 1, 2002.

TITLE II—ASSURING HEALTH INSURANCE COVERAGE FOR UNINSURABLE INDIVIDUALS

SEC. 201. ESTABLISHMENT OF HEALTH INSURANCE SAFETY NETS.

(a) In General.—

(1) Requirement.—For years beginning after 2002, each health insurer, health maintenance organization, and health service organization shall be a participant in a health insurance safety net program (in this title referred to as a ‘‘safety net’’) established by the State in which it operates.

(2) Functions.—Any safety net shall assure, to the extent practicable, the availability of qualified health insurance coverage to uninsured individuals.

(3) Funding.—Any safety net shall be funded by an allocation against health insurers, health service organizations, and health maintenance organizations on a pro rata basis of premiums collected in the State in which it operates.

The amount of such assessment may be added by a health insurer, health service organization, or health maintenance organization to the costs of its health insurance or health coverage provided in the State.

(b) Guaranteed Renewability.—Coverage under a safety net shall be guaranteed renewable except for nonpayment of premiums, material misrepresentation, fraud, or other similar conditions.

(c) Cost Sharing.—Any safety net shall provide coverage consisting only of stop-loss, excess of loss, or reinsurance coverage.

(d) Special Assistance.—The Secretary shall provide special assistance to States that fail to meet the requirements of this section.

SEC. 202. UNINSURABLE INDIVIDUALS ELIGIBLE FOR CREDIT.

(a) Uninsurable and Eligible Individual Defined.—In this title—

"(1) Uninsurable Individual.—The term ‘uninsurable individual’ means a citizen or national of the United States (or an alien lawfully admitted for permanent residence) who is a resident of the State for at least 90 days in a calendar year, or has been declared by the Secretary of Health and Human Services to be otherwise eligible for other public or private health care programs (including programs that pay for directly, or reimburse, other insurance and maintain eligibility for other public or private health care programs).

(b) Exception.—An individual is not an ‘eligible individual’ if the individual—

"(1) is covered by or eligible for benefits under a State medicaid plan approved under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.),

"(2) is an alien lawfully admitted for permanent residence or a citizen or national of the United States (or an alien lawfully admitted for permanent residence) who is a resident of the State for at least 90 days in a calendar year, or has been declared by the Secretary of Health and Human Services to be otherwise eligible for other public or private health care programs (including programs that pay for directly, or reimburse, other insurance and maintain eligibility for other public or private health care programs).

"(3) is an inmate in a public institution, or an inmate in a public institution who is not an inmate in a public institution, or a health care program that is not a health care program.

"(4) is a member of the IMA, makes available health benefits to the individual under the safety net plan.

For purposes of this paragraph, the term ‘health insurance’ does not include insurance against stop-loss, excess of loss, or reinsurance coverage.

(2) Exception for Individuals with Uninsurability Conditions.—The State shall provide special assistance to States that fail to meet the requirements of this section for which an individual shall be eligible for safety net plan coverage without applying for health insurance or establishing proof of uninsurability under paragraph (1).

SEC. 203. QUALIFIED HEALTH INSURANCE COVERAGE UNDER SAFETY NET.

In this title, the term ‘qualified health insurance coverage’ means—

(a) the insurance provided to the individual under the safety net plan.

SEC. 205. ADMINISTRATION.

(a) In General.—A safety net in a State shall be administered through a contract with 1 or more insurers or third party administrators operating in the State.

(b) Authorization of Appropriations.—There are authorized to be appropriated such sums as may be necessary to reimburse States for their costs in administering this title.

TITLE III—INDIVIDUAL MEMBERSHIP ASSOCIATIONS

SEC. 301. EXPANSION OF ACCESS AND CHOICE THROUGH INDIVIDUAL MEMBERSHIP ASSOCIATIONS (IMAs).

The Public Health Service Act is amended by adding at the end the following new title:

"TITLE XXVIII—INDIVIDUAL MEMBERSHIP ASSOCIATIONS

"SEC. 3001. DEFINITION OF INDIVIDUAL MEMBERSHIP ASSOCIATION (IMA).

"(a) In General.—For purposes of this title, the term ‘individual membership association’ means the individual membership association (as defined in section 2804(1)).

"(b) Offering Health Benefits Coverage.—

"(A) Different Groups.—The IMA, in conjunction with those health insurance issuers that offer health benefits coverage through the IMA, makes available health benefits coverage in the manner described in subsection (b) to the IMA and the dependents of such members in the manner described in subsection (c)(2) at rates
that are established by the health insurance issuer on a policy or product specific basis and that may vary only as permissible under State law.

"(3) PROHIBITION OF DISCRIMINATORY COVERAGE.—

"(a) IN GENERAL.—Subject to clause (ii), the IMA may not offer health benefits coverage to a member of an IMA unless the same coverage is offered to all similarly situated members of the IMA.

"(b) EXCEPTIONS.—Nothing in this title shall be construed as requiring or permitting a health insurance issuer to provide coverage outside the service area of the issuer, as approved by law, or preventing a health insurance issuer from excluding or limiting the coverage on any individual, subject to the requirements of section 2791.

"(4) NO FINANCIAL UNDERWRITING.—The IMA provides health benefits coverage only through contracts with health insurance issuers and does not assume insurance risk with respect to such coverage.

"(a) IN GENERAL.—Nothing in this title shall be construed as requiring the establishment and operation of more than one IMA in any area or as limiting the number of IMAs that may operate in any area.

"(B) PROVISION OF ADMINISTRATIVE SERVICES TO PURCHASERS.—

"(A) IN GENERAL.—The IMA may provide administrative services for members. Such services may include accounting, billing, and enrollment information.

"(B) CONSTRUCTION.—Nothing in this subsection shall be construed as requiring an IMA from serving as an administrative service organization to any entity.

"(5) FILING INFORMATION.—The IMA files with the Secretary information that demonstrates the IMA's compliance with the applicable requirements of this title.

"(6) HEALTH BENEFITS COVERAGE REQUIREMENTS.—

"(1) COMPLIANCE WITH CONSUMER PROTECTION REQUIREMENTS.—Any health benefits coverage offered through an IMA shall—

"(A) be written by a health insurance issuer that—

"(i) is licensed (or otherwise regulated) under State law,

"(ii) meets all applicable State standards relating to consumer protection, subject to section 2802(2), and

"(iii) offers the coverage under a contract with the IMA in accordance with the applicable requirements of this title;

"(B) be constructed in accordance with a preferred provider organization.

"(2) EXAMPLES OF TYPES OF COVERAGE.—

The benefits coverage made available through an IMA may include, but is not limited to, any of the following if it meets the other applicable requirements of this title:

"(A) Coverage through a health maintenance organization.

"(B) Coverage in connection with a preferred provider organization.

"(C) Coverage in connection with a licensed provider-sponsored organization.

"(D) Indemnity coverage through an insurance company.

"(E) Coverage offered in connection with a contribution into a medical savings account or flexible spending account.

"(F) Coverage that includes a point-of-service option.

"(G) Any combination of such types of coverage.

"(3) HEALTH INSURANCE COVERAGE OPTIONS.—An IMA shall include a minimum of 2 health insurance coverage options. At least 1 option shall meet all applicable State benefit minimum requirements.

"(4) WELLNESS BONUSES FOR HEALTH PROMOTION.—Nothing in this title shall be construed as precluding a health insurance issuer offering health benefits coverage through an IMA from establishing premium discounts or rebates for members or from modifying enrollee applicable cost-sharing requirements or deductibles in return for adherence to programs of health promotion and disease prevention so long as such programs are agreed to in advance by the IMA and comply with all other provisions of this title and do not discriminate among similarly situated members.

"(5) MEMBERS; HEALTH INSURANCE ISSUERS.—

"(1) MEMBERS.—

"(A) IN GENERAL.—Under rules established to carry out this title, with respect to an individual who is a member of an IMA, the individual may apply for health benefits coverage (including coverage for dependents of such individual) offered by a health insurance issuer through the IMA.

"(B) RULES FOR ENROLLMENT.—Nothing in this paragraph shall preclude an IMA from establishing rules of enrollment and re-enrollment of members. Such rules shall be applied consistently to all members within the IMA and shall not be based in any manner on the individual's health status.

"(2) HEALTH INSURANCE ISSUERS.—The contract between an IMA and a health insurance issuer shall provide, with respect to a member enrolled with such coverage, that the premium for such coverage offered by the issuer through the IMA, for the payment of the premiums collected by the issuer.

"SEC. 2802. APPLICATION OF CERTAIN LAWS AND REQUIREMENTS.

"State laws insofar as they relate to any of the following are superseded and shall not apply to health benefits coverage made available through an IMA:

"(1) Benefit requirements for health benefits coverage offered through an IMA, including (but not limited to) requirements relating to coverage of specific providers, specific services or conditions, or the amount, duration, or scope of benefits, but not including requirements to the extent required to implement title XXVII or other Federal law and to the extent the requirement prohibits an exclusion of a specific disease from such coverage.

"(2) Any other requirements (including limitations on compensation arrangements) that, directly or indirectly, preclude (or have the effect of precluding) the offering of such coverage through an IMA, if the IMA meets the requirements of this title.

Any State law or regulation relating to the composition, or organization of an IMA is preempted to the extent the law or regulation is inconsistent with the provisions of this title.

"SEC. 2803. ADMINISTRATION.

"(a) IN GENERAL.—The Secretary shall administer this title and is authorized to issue such regulations as may be required to carry out this title. No rule shall be subject to Congressional review under the provisions of chapter 8 of title 5, United States Code. The Secretary shall incorporate the process of 'deemed file and use' with respect to the information filed under section 2801(a)(5)(A) and shall determine whether information filed by an IMA demonstrates compliance with the applicable requirements of this title. The Secretary shall exercise authority under this title in a manner that fosters and promotes the development of IMAs in order to ensure access to health care and coverage and services.

"(b) PERIODIC REPORTS.—The Secretary shall submit to Congress a report every 30 months, during the 10-year period beginning on the effective date of the rules promulgated by the Secretary to carry out this title, on the effectiveness of this title in promoting coverage of uninsured individuals. The Secretary may provide for the production of such reports through one or more contracts with appropriate private entities.

"SEC. 2804. DEFINITIONS.

"For purposes of this title:

"(1) ASSOCIATION.—The term 'association' means an employer with respect to health insurance coverage offered in a State, an association which—

"(A) has been actively in existence for at least 5 years;

"(B) has been formed and maintained in good faith for purposes other than obtaining insurance;

"(C) does not condition membership in the association on any health status-related factor relating to an individual (including an employee of an employer or a dependent of an employee); and

"(D) does not make health insurance coverage offered through the association available other than in connection with a member of the association.

"(2) DEPENDENT.—The term 'dependent', as applied to health insurance coverage offered by a health insurance issuer licensed (or otherwise regulated) under State law, shall have the meaning applied to such term with respect to such coverage under the laws of the State relating to such coverage and such an issuer.

"(3) IMA.—The term 'IMA' includes any entity.

"(4) INDIVIDUAL MEMBERSHIP ASSOCIATION.—The terms 'IMA' and 'individual membership association' are defined in section 2791(b)(1).

"(5) MEMBER.—The term 'member' means, with respect to an IMA, an individual who is a member of the association to which the IMA is offering coverage.

By Mr. HARKIN (for himself, Mr. AKAKA, Mrs. BOXER, Mr. DURBIN, Mr. INOUYE, Mr. KERRY, Mr. LEAHY, Ms. MIKULSKI, Ms. MURRAY, Ms. STABENOW, Mr. TORRICELLI, Mr. WELLSTONE, and Mr. Feingold):

S. 694. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.
inequities: African American women earn only 62-cents on the dollar, Hispanic women only 54 cents.

Earlier today, I released a draft report by the Department of Labor’s Women’s Bureau that helps to explain the wage gap and gives us insight into fixing it.

This report was done based on my request in the FY 2000 Labor-HHS Appropriations bill. I asked the Women’s Bureau to analyze wage data from federal contractors collected over the last two years, focusing on the causes of the wage gap between men and women. This is the first time in at least a decade that such a comprehensive review and analysis of wage data was conducted.

This three-part draft report, finalized by the Department of Labor in January, used updated wage data, including detailed data gathered from a sample of nearly 5,000 of our nation’s federal contractors.

This report confirms that the wage gap is real, it’s caused in large part by discrimination and women in female-dominated jobs suffer the most. Specifically, the report found that at least one-third, or about 11 cents on the dollar, of the pay gap is caused by pay discrimination against women.

How do we get there? The study found if you compare women and men, in the same jobs, in the same firm, with the same experience and skills, they are still paid 99 cents for every dollar a man earns. That 11-cent gap is unexplained, and is what we believe is pay discrimination.

But if you look at women’s overall pay against men, when you take into account all of the women who are segregated into what’s considered “women’s work” and receive lower wages, the pay gap becomes 28 cents.

If this kind of occupational segregation were eliminated, the wage gap would fall below 10 and 40 percent, according to this report.

It doesn’t have to be this way. We can start closing the gap right now by simply paying women what they’re worth. That’s where the Fair Pay Act comes in.

The Fair Pay Act would require that employers pay their workers based on skills, effort, responsibility and effort, regardless if the job is considered so-called “women’s work.”

Midnight is the latest today work in so-called “women’s jobs,” as secretaries, child care workers, social workers and nurses. These jobs are often “equivalent” in skills, effort, responsibility and working conditions to similar jobs dominated by men. But these women aren’t paid the same as the men. Work that women have traditionally done continues to be undervalued and underpaid.

That’s what the Fair Pay Act would address.

Our bill says that pay discrimination based on the number of women in a job is not only un-American, but it is also illegal.

It doesn’t make sense that a nurse practitioner earns less than a physician’s assistant. Or that a lead administrative assistant makes less than a city bus driver. Or that a social worker earns less than a parole officer.

I’ve heard that we don’t need the Fair Pay Act, that “market forces” will eventually take care of it. The market can’t and isn’t supposed to take care of everything. You can’t fix discrimination with the “invisible hand.”

Take a look at this chart of the wage gap over the last 20 years. If we continue to rely on “market forces,” it will be another century before there’s true pay equity for women.

In fact, this study accounts for market forces, and it says that pay in women’s jobs has increased, but not nearly enough.

If we had relied on market forces in the past, our country never would have set a minimum wage and we wouldn’t be taking Family Medical Leave to care for our newborns or loved ones. We never would have had the Equal Pay Act or the Americans with Disabilities Act.

Some argue that its impossible to compare the wages of different jobs. But, it’s done all the time by labor consultants who use “point systems” based on skills, responsibility and effort required to determine the value of a job. Jobs that are different may still receive the same total score, meaning, the jobs should be paid about the same.

Companies would also develop their own evaluation systems and set their own wages.

My state and 19 others have “fair pay” laws and policies in place for their public employees, and my state has never been stronger.

Fair pay is not just a women’s issue. It’s a working family issue. It’s a retirement issue. When women aren’t paid what they’re worth, we all get cheated. And national polls show that fair pay is a top women’s issue.

So I urge my colleagues to support the Fair Pay Act, we owe it to America’s working women and their families.

Mr. WELLSTONE, Mr. President, I am pleased to join as a cosponsor of the Fair Pay Act. I hope that this is the Congress that will see this important piece of legislation enacted. I fear the consequences if we do not.

For this reason, since enactment of the Equal Pay Act in 1963, we have been striving to close the pay gap between men and women. We have made some progress, but not nearly enough.

Today, despite all efforts, women on average earn only 77 cents for each dollar that men earn. That’s simply not acceptable. As Susan Dailey, U.S. President of the National Business and Professional Women said, “Is it acceptable then for women to leave at 1:48 on Thursday afternoon because that’s three quarters of a work week?” No, these differentials are simply not acceptable.

Due to the wage gap, it is estimated that the average 25-year-old woman will lose approximately $500,000 over her working lifetime.

That’s unfair, it’s unjust. And for that reason alone, we need to support legislation that will address the root causes of this pay disparity.

But not only is it unjust to women, it’s unfair to the whole family. It is estimated that the wage gap annually costs America’s working families $200 billion. Over ten years that’s $2 trillion in lost income to families as a result of wage disparities. That’s more than the entire tax cut the Bush Administration is anxious to give back to the wealthiest 1 percent of the population!

This bill can lift families out of poverty. If married women were paid the same as men, their families’ rate of poverty would fall by more than 60 percent. If single working mothers earned as much as their male counterparts, their poverty rates would be cut in half.

That’s what this bill is about, paying everyone a decent wage, the wage they deserve, so that they can support their families with dignity.

I’m proud that my home state of Minnesota is a leader on this issue. Our state comparable worth law is one of the strongest on the books and serves as a model for other states. In Minnesota, under our law, both state and municipal employees get the benefits of this important protection.

I hope we can follow suit on the federal level. I urge my colleagues to act swiftly on this important measure.

By Mr. BAYH (for himself, Ms. SNOWE, Mr. GRAHAM, Mr. LIEBERMAN, Mrs. LINCOLN, Ms. LANDRIEU, Mr. KOHL, Mr. JOHNSTON, Mr. BREAUX, Mr. ROCKEFELLER, Mrs. CLINTON, and Mr. CARPER):

S. 685. A bill to amend title IV of the Social Security Act to strengthen working families, and for other purposes; to the Committee on Finance.

Mr. BAYH. Mr. President, I rise today to introduce legislation that will increase a working family’s chances to remain self-sufficient and off of Welfare. Given the dramatic decline in the welfare caseload since 1996, the question remains whether individuals leaving welfare will remain off welfare. In addition, to fortify successful welfare reform efforts of the last five years, I along with a bipartisan group of Senators have brought together a legislative package designed to honor work, personal responsibility and strengthen a family’s chance to stay self-sufficient.

The Strengthening Working Families Act includes six initiatives designed to support the efforts of families who have made it off welfare, but are at risk of falling backward—especially in a weak economy. As a result of this package, the provisions of the package include: (1) Promotion of Responsible Fatherhood; (2) Distribution of Child Support Directly to Families;
(3) Expansion of the EITC for Larger Families; (4) Restoration of the Social Services Block Grant; (5) Encouragement of Employer-sponsored Child Care; and (6) Reauthorization of The Safe and Stable Families Act.

The Strengthening Working Families Act of 2001, a bill I introduced earlier this Congress with Senator Domenici. Many of America’s mothers, including single moms, are heroic in their efforts to make ends meet while raising good, responsible children. Many dads are too. But an increasing number of men are not doing their part, or are absent entirely. The decline in the involvement of fathers in the lives of their children over the last forty years is a troubling trend that affects us all. We must teach our children about respect, honor, duty and so many of the values that make our communities strong.

The number of children living in households without fathers has tripled since 1960. Just over 3 million homes, or 6.6 million children, over 5 million in 1960 to more than 17 million today. Today, the United States leads the world in fatherless families, and too many children spend their lives without any contact with their fathers. As a senator, I have visited many city and suburban centers in Wisconsin, and they are so often state-of-the-art facilities that significantly enhance early childhood education. And just as importantly, parents are more productive at work when they know that their children have safe, reliable child care.

This bill is aimed at increasing the supply of child care for working families. We provide a 25 percent tax credit to businesses who are willing to take actions to increase the supply of quality child care, including the construction and operation of an on-site or near-site child care center, or providing child care subsidies for their employees.

Increasing the supply of affordable child care is just one part of the fight to help working families succeed, and this bill makes businesses a true partner in that effort.

I am also pleased that the Strengthening Working Families bill also includes “The Child Support Distribution Act,” which is similar to legislation I’ve been working on since 1998, the “Children First Child Support Reform Act.”

This bill takes significant steps toward ensuring that children receive the child support money they are owed and deserve. In Fiscal Year 1999, the public child support system paid child support payments for only 37 percent of its caseload, up from 23 percent in 1998. Obviously, we still need to improve, but States are making real progress. It’s time for Congress to take the next step and help States overcome a major obstacle to collecting child support for families.

There are many reasons why non-custodial parents may not be paying support for their children. Some are not able to pay because they don’t have jobs or have fallen on hard times. Others may not pay because they are unfairly prevented from spending time with their children.

But other fathers don’t pay because the public system actually discourages them from paying. Under current law, over $2 billion in child support is retained every year by the State and Federal governments as repayment for welfare benefits, rather than delivered to the children to whom it is owed. Of the money doesn’t benefit their kids, families: money from paying. And mothers have no incentive to push for payment since the support doesn’t go to them.
It’s time for Congress to change this system and encourage States to distribute more child support to families. My home State of Wisconsin has already been doing this for several years and is seeing great results. In 1997, I worked with my State to institute an innovative way of passing through child support payments directly to families. Preliminary results show that when child support payments are delivered to families, non-custodial parents are more apt to pay, and to pay more. In addition, Wisconsin has found that overall, this policy does not increase government costs. That makes sense because “passing through” support payments to families means they have more of their own resources, and are less apt to depend on public help to meet other needs such as food, transportation or child care.

We now have a key opportunity to encourage all States to follow Wisconsin’s example. Title II of the Strengthening Families through Child Support and Maltreatment Prevention Act would provide States options and strong incentives to send more child support directly to families who are working their way off, or are already off, public assistance. Not only will this create the right incentives for non-custodial parents to pay, but it will also simplify the job for States, who currently face an administrative nightmare in following the complicated rules of the current system.

We know that creating the right incentives for non-custodial parents to pay support and increasing collections has long-term benefits. People who can count on child support are more likely to stay in jobs and stay off public assistance.

This legislation finally brings the Child Support Enforcement program into the post-welfare reform era, shifting its focus from recovering welfare costs to increasing child support to families in crisis and maintaining self-sufficiency. After all, it’s only fair that if we are asking parents to move off welfare and take financial responsibility for their families, then we in Congress must make sure that child support payments actually go to the families to whom they are owed and who are working so hard to succeed.

Last year, a House version of this bill passed by an overwhelming bipartisan vote for 405 to 18. We must keep the momentum. The Senate passed this legislation and finally make child support meaningful for families. Again, I want to thank Senators SNOWE and BAYH for working with me on this issue and for including it in this package.

Mr. ROCKEFELLER, Mr. President, I am proud to join my colleagues in supporting the Working Families package to invest in a series of bipartisan initiatives to support and encourage families that are “playing by the rules,” but struggling to make ends meet as they raise their children.

This legislation combines key legislative proposals to help working families, including a targeted expansion of the Earned Income Tax Credit, EITC, for families with three or more children. It is simple common sense that parents with more children need more help in making ends meet. This bill would give the most needy families up to an additional $200 million a year to help working families live with dignity. Our legislation also includes key provisions to streamline and improve the EITC, which is one of our most effective programs to combat child poverty.

Another key component of this package would reauthorize and expand the Safe and Stable Families Act with an additional $200 million a year, as proposed by President Bush. I helped to create this program in 1993 with Senator Bond, and it was expanded and improved in 1997 as part of the Adoption and Safe Families Act. Since this act became law, we have dramatically increased the number of adoptions from foster care. Therefore, we need to improve the adoption services, and to help the children and their new families overcome the years of abuse and neglect. Further, the bill would improve the Chafee Independent Living program by offering a $5000 scholarship to teens from foster care to encourage them to attend college or pursue vocational training. Abused and neglected children are among the most vulnerable in our society and they deserve our support and care.

For many years, I have worked closely with Senator GRAHAM and a bipartisan coalition to restore funding to the Social Service Block Grant, a flexible program to enable States to provide support for needy children, families, seniors and the disabled. During the welfare reform debates, we promised flexibility to the states and full funding of the Social Services Block Grant at $2.38 billion, and we should keep that promise and restore funding.

Providing provisions to improve our child support system payments to the families first has been a long-standing priority for me. Fatherhood is a major issue for our families, and from my work on the National Commission on Children over a decade ago, I know that children do best in families with committed, caring parents. Investing in quality child care is an obvious concern as we continue our efforts on welfare reform and face the challenges of our new economy in which most mothers work.

We should be working together to help our children and our families, so I hope that we will be able to promote this package of bipartisan initiatives that are targeted to some of our most vulnerable families, who are working hard but need help to raise their children with dignity.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 172. Mr. BAUCUS (for himself, Mr. GRAHAM, Mr. KENNEDY, Mr. ROCKEFELLER, Ms. STABENOW, Ms. MIKULSKI, Mrs. MURRAY, Mr. DAYTON, Mr. WYDEN, Mrs. CLINTON, Mr. REED, Mrs. CARNAHAN, Mr. NELSON, of Florida, Mr. SARBANES, and Mr. LEVIN) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to 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.

SA 173. Mr. GRASSLEY (for himself, Ms. SNOWE, Mr. DOMENICI, Ms. COLLINS, Mr. FRIST, Mr. SMITH, of Oregon, and Mr. GRAMM) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra.

SA 174. Mr. GRASSLEY (for himself, Mr. MILLER, Mr. DOMENICI, Mr. HATCH, and Mr. HAGEL) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra.

SA 175. Mr. WARNER (for himself, Mr. HUTCHINSON, Mr. ROBERTS, Mr. INHOFE, Ms. COLLINS, Mr. MILLER, and Mr. KYL) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 176. Mr. JOHNSEN (for himself, Mr. CONRAD, Mr. DASCHELLE, Mr. HARKIN, Mr. DORGAN, and Mrs. LINDA) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra.

SA 177. Mr. DOMENICI (for Mr. WELLSTONE) proposed an amendment to the bill S. Res. 55, designating the third week of April as “National Shaken Baby Syndrome Awareness Week” for the year 2001 and all future years.

SA 178. Mr. DOMENICI (for Mr. WELLSTONE) proposed an amendment to the bill S. Res. 55, supra.

**TEXT OF AMENDMENTS**

SA 172. Mr. BAUCUS (for himself, Mr. GRAHAM, Mr. KENNEDY, Mr. ROCKEFELLER, Ms. STABENOW, Ms. MIKULSKI, Mrs. MURRAY, Mr. DAYTON, Mr. WYDEN, Mrs. CLINTON, Mr. REED, Mrs. CARNAHAN, Mr. NELSON of Florida, Mr. SARBANES, and Mr. LEVIN) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to 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; as follows:

On page 2, line 16, decrease the amount by $2,500,000,000.

On page 2, line 17, decrease the amount by $11,975,000,000.

On page 2, line 18, decrease the amount by $7,900,000,000.

On page 3, line 1, increase the amount by $2,418,000,000.

On page 3, line 2, increase the amount by $13,399,000,000.

On page 3, line 3, increase the amount by $13,863,000,000.

On page 3, line 4, increase the amount by $22,894,000,000.

On page 3, line 5, increase the amount by $29,509,000,000.
SA 174. Mr. GRASSLEY (for himself, Ms. SNOWE, Mr. DOMENICI, Ms. COLLINS, Mr. FRIST, Mr. SMITH of Oregon, and Mr. GRAMM) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to 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; as follows:

On page 4, line 1, increase the amount by $5,112,000,000.

If the Committee on Finance of the Senate reports a bill or joint resolution, or a conference report thereon is submitted, which reforms the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) and improves the access of beneficiaries under that program to prescription drugs, the Chairman of the Committee on Finance and other appropriate budgetary aggregates and allocations of new budget authority (and the outlays resulting therefrom) in this resolution by the amount provided by that bill, joint resolution, or conference report but not to exceed $300,000,000,000 for the period of fiscal years 2002 through 2011. The total adjustment made under this section for any fiscal year may not exceed the Congressional Budget Office’s estimate of the President’s Medicare reform and prescription drug plan (or, if such a plan is not submitted in a timely manner, the Congressional Budget Office’s estimate of a comparable plan submitted by the Chairman of the Committee on Finance).

SEC. 203. RESERVE FUND FOR PRESCRIPTION DRUGS AND MEDICARE REFORM IN THE SENATE.

On page 4, line 16, decrease the amount by $11,073,000,000.

On page 4, line 17, decrease the amount by $7,900,000,000.

On page 4, line 18, increase the amount by $2,418,000,000.

On page 4, line 19, increase the amount by $13,339,000,000.

On page 4, line 20, increase the amount by $18,863,000,000.

On page 4, line 21, decrease the amount by $22,694,000,000.

On page 4, line 22, increase the amount by $24,898,000,000.

On page 4, line 23, increase the amount by $29,509,000,000.

On page 4, line 24, increase the amount by $34,483,000,000.

On page 4, line 25, increase the amount by $30,953,000,000.

On page 4, line 26, increase the amount by $30,953,000,000.

On page 4, line 27, decrease the amount by $2,500,000,000.
On page 5, line 19, increase the amount by $5,112,000,000.
On page 5, line 20, increase the amount by $12,922,000,000.
On page 5, line 21, increase the amount by $21,124,000,000.
On page 5, line 22, increase the amount by $29,782,000,000.
On page 5, line 23, increase the amount by $38,911,000,000.
On page 5, line 24, increase the amount by $47,522,000,000.
On page 5, line 25, increase the amount by $56,625,000,000.
On page 6, line 1, increase the amount by $65,215,000,000.
On page 6, line 7, increase the amount by $5,112,000,000.
On page 6, line 8, increase the amount by $12,922,000,000.
On page 6, line 9, increase the amount by $21,124,000,000.
On page 6, line 10, increase the amount by $29,782,000,000.
On page 6, line 11, increase the amount by $38,911,000,000.
On page 6, line 12, increase the amount by $47,522,000,000.
On page 6, line 13, increase the amount by $56,625,000,000.
On page 6, line 14, increase the amount by $65,215,000,000.
On page 6, line 23 increase the amount by $350,000,000.
On page 7, line 24, increase the amount by $350,000,000.
On page 8, line 2, increase the amount by $350,000,000.
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On page 8, line 6, increase the amount by $350,000,000.
On page 8, line 7, increase the amount by $350,000,000.
On page 8, line 10, increase the amount by $350,000,000.
On page 8, line 11, increase the amount by $350,000,000.
On page 8, line 14, increase the amount by $350,000,000.
On page 8, line 15, increase the amount by $350,000,000.
On page 8, line 18, increase the amount by $350,000,000.
On page 8, line 19, increase the amount by $350,000,000.
On page 8, line 22, increase the amount by $350,000,000.
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On page 9, line 7, increase the amount by $350,000,000.
On page 9, line 10, increase the amount by $350,000,000.
On page 9, line 11, increase the amount by $350,000,000.
On page 9, line 15, increase the amount by $5,000,000,000.
On page 9, line 16, increase the amount by $5,000,000,000.
On page 9, line 19, increase the amount by $7,000,000,000.
On page 9, line 20, increase the amount by $7,000,000,000.
On page 9, line 23, increase the amount by $7,000,000,000.
On page 9, line 24, increase the amount by $7,000,000,000.
On page 10, line 2, increase the amount by $7,000,000,000.
On page 10, line 3, increase the amount by $7,000,000,000.
On page 10, line 6, increase the amount by $7,000,000,000.
On page 10, line 7, increase the amount by $7,000,000,000.
On page 10, line 10, increase the amount by $7,000,000,000.
On page 11, line 11, increase the amount by $7,000,000,000.

SA 176. Mr. JOHNSON (for himself, Mr. CONRAD, Mr. DASCHLE, Mr. HARKIN, Mr. DORGAN, and Mrs. LINCOLN) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to 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 ordered to lie on the table; as follows:

On page 4, line 1, increase the amount by $8,500,000,000.
On page 4, line 2, increase the amount by $8,400,000,000.
On page 4, line 10, increase the amount by $8,500,000,000.
On page 4, line 11, increase the amount by $8,400,000,000.
On page 4, line 16, increase the amount by $8,500,000,000.
On page 4, line 18, increase the amount by $8,400,000,000.

SA 175. Mr. WARNER (for himself, Mr. HUTCHINSON, Mr. ROBERTS, Mr. INHOFE, Ms. COLLINS, Mr. MILLER, and Mr. KYL) submitted an amendment intended to be proposed by him to 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 ordered to lie on the table; as follows:

On page 4, line 2, increase the amount by $8,500,000,000.
On page 4, line 10, increase the amount by $8,400,000,000.
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On page 4, line 18, increase the amount by $8,400,000,000.
On page 4, line 23, increase the amount by $8,500,000,000.
On page 4, line 2, increase the amount by $8,400,000,000.
On page 4, line 6, increase the amount by $8,400,000,000.
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**SA 178.** Mr. DOMENICI (for Mr. WELLSSTONE) proposed an amendment to the bill S. Res. 55, designating the third week of April as “National Shaken Baby Syndrome Awareness Week” for the year 2001 and all future years; as follows:

Amend the title so as to read: Designating the third week of April as “National Shaken Baby Syndrome Awareness Week” for the year 2001.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, April 3 at 9:30 a.m. to conduct an overnight hearing. The committee will consider national energy policy with respect to impediments to development of domestic oil and natural gas components.

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

**COMMITTEE ON FINANCE**

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, April 3, 2001 to hear testimony on Medicare and Managed Care: Finding Successful Solutions.

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

**COMMITTEE ON FOREIGN RELATIONS**

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, April 3, 2001 at 10:30 a.m. to hold a business meeting.

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

**COMMITTEE ON THE JUDICIARY**

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Tuesday, April 3, 2001 at 10:00 a.m., in SD226.

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

**SELECT COMMITTEE ON INTELLIGENCE**

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, April 3, 2001 at 2:30 p.m. to hold a closed hearing on intelligence matters.

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

**SUBCOMMITTEE ON IMMIGRATION**

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Immigration be authorized to meet to conduct a hearing on Tuesday, April 3, 2001, at 2:00 p.m. in Dirksen 226.
The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Democratic leader, pursuant to Public Law 106-310, announces the appointment of the following individuals to serve as members of the Commission on Indian and Native Alaskan Health Care: Sara DeCoteau, of South Dakota and Carole Anne Heart, of South Dakota.

The PRESIDING OFFICER. The Chair, on behalf of the Democratic Leader, pursuant to Public Law 106-333, announces the appointment of the following Senators to serve as members of the Congressional Recognition for Excellence in Arts Education Awards Board: The Senator from Hawaii (Mr. Akaka) and the Senator from South Dakota (Mr. Johnson).

NATIONAL MURDER AWARENESS DAY

Mr. DOMENICI. Mr. President, I ask unanimous consent that Lindsay Crawford, Carlo Moreno, Annabelle Bartsch, and Chris Levy, interns on the Democratic staff of the Senate Finance Committee, be granted floor privileges throughout the Senate debate on the budget resolution.

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

Mr. GRASSLEY. I ask unanimous consent that the following be printed in the Record:

H. Res. 55

The resolution, with its preamble, reads as follows:

Whereas murder has a devastating effect on the families of victims throughout our great country; and

Whereas local community involvement can help eliminate the incidence of murder; and

Resolved, That the Senate—

(1) designates April 4, 2001 as “National Murder Awareness Day”; and

(2) requests the President issue a proclamation urging local communities throughout the United States to remember the victims of murder and carry out programs and activities to help eliminate the incidences of murder.

NATIONAL SHAKEN BABY SYNDROME AWARENESS WEEK

Mr. DOMENICI. Mr. President, I ask unanimous consent that Lindsay Crawford, Carlo Moreno, Annabelle Bartsch, and Chris Levy, interns on the Democratic staff of the Senate Finance Committee, be discharged from consideration of S. Res. 55, and the Senate proceed to its consideration.

Mr. DOMENICI. Senator WELLSTONE has an amendment at the desk. I ask for its consideration and that the amendment be agreed to.

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

The amendment (No. 177) was agreed to, as follows:

On page 4, line 4 strike “and all future years”.

Mr. DOMENICI. I ask unanimous consent that the amendment be read, and its preamble be agreed to, and, if the motion to reconsider be laid on the table, the amendment be in order, and the motion to reconsider be laid on the table, all without intervening action.

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

The resolution (S. Res. 55), as amended, was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

[The resolution was not available for printing. It will appear in a future edition of the Record.]

The amendment (No. 178) was agreed to, as follows: Amend the title as to read: Designating the third week of April as “National Shaken Baby Syndrome Awareness Week” for the Year 2001.
TRALLI G. COLEY, 0000
KATHERINE M. COOCH, 0000
STEPHEN J. CORY, 0000
GREGORY L. CRISTOL, 0000
MARK A. CUNNINGHAM, 0000
MELBURN R. DAYTON, 0000
WILLIAM A. DELUCA, 0000
M. A. DIMBROOK, 0000
BRIAN K. DEVIN, 0000
PHILLICIA L. DIXON, 0000
TROY A. DIXON, 0000
STEVEN J. DOSCH, 0000
CHRISTOPHER R. DOUGHERTY, 0000
BRINT N. DURBIN, 0000
BRINO G. EICKLORD, 0000
RICHARD C. ENGELSTAD, 0000
PATRICK M. FLYNN, 0000
CALVIN T. FREELAND, JR., 0000
GINA L. FRENZ, 0000
CHRISTOPHER R. FRIESE, 0000
JEFFREY R. FRYE, 0000
TYSON V. GADDESEN, 0000
STEVEN M. GARCIA, 0000
RILEY A. GATEWOOD, 0000
TANYA L. GILES, 0000
PETTER S. GILLIAM, 0000
RICHARD GONZALEZ, 0000
MELISSA J. HARPER, 0000
CHRISTOPHER P. HOUCHESCHILD, 0000
LINDA M. HOBROSTER, 0000
TAMGER P. HOBROSTER, 0000
THOMAS A. JACOBSON, 0000
KARIN S. JOHANSON, 0000
PETTER B. JONES, 0000
ANDREA KATZENSTEIN, 0000
BRIAN R. KOEY, 0000
LON N KISSINGER, 0000
JAMIE R. KNAPP, 0000
KURT R. KUPFERSMITH, 0000
ANDREW B. LIGHT, 0000
SIMON A. MAPLE, 0000
JOSHD B. MANTENSENN, 0000
ELIZABETH A. MCNAMARA, 0000
RANDY F. MEADOR, 0000
DWAYNE L. MEEKINS, 0000
M. D. METCALF, 0000
MATTHEW W. MESSIMAN, 0000
SANDRA J. MIRACLE, 0000
DONALD F. MONTEIRO JR., 0000
MARTIN J. MUELLER, 0000
DAVID R. MIEL, 0000
CRAG D. NEUHECKER, 0000
PETTER S. NILES III, 0000
KATHERINE M. NILES, 0000
MICHELE L. OBRENSHAPI, 0000
JADILONE L. OKEE, 0000
DIANE L. FERREY, 0000
PETTER A. FETRVA, 0000
EDWARD H. FORNER, 0000
CARMEN A. FUSTELL, 0000
JASON J. RAMOS, 0000
JOHN D. REX, 0000
KEVIN B. REDD, 0000
ERIC A. RERHTH, 0000
RICHLI A. ROBINSON, 0000
NICOLLE R. ROBINSON, 0000
SEAN T. ROHOZ, 0000
BRINDA M. RODEKING, 0000
CHRISTOPHER A. ROSE, 0000
KATHRYN D. RUCKLER, 0000
CONSTANCE F. RUCKSTUHL, 0000
ROSWARD M. RUSSELL, 0000
RUDOLPH D. RUSCO, 0000
DAWN M. RUDESIL, 0000
DAN T. SOMMA, 0000
EDWARD L. SOLOMON, 0000
ALEXIS L. TUNE, 0000
MICHAEL A. TURNER, 0000
DANIEL W. VANBUSKIRK JR., 0000
PAUL G. VOGEL, 0000
STEVEN F. WALSIE, 0000
WILLBORN E. WATSON, 0000
MOLLY A. WEAVER, 0000
SOLOMON J. WILLIAMS, 0000
TRENCIE J. WILLIAMS, 0000
TARIK L. WILLIAMS, 0000

Mr. DOMENICI. Just so we get to look at it during the debate in the morning.

Mr. CONRAD. We will be happy to provide it. We do not have a copy at this point ourselves.

Mr. DOMENICI. If there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:22 p.m., adjourned until Wednesday, April 4, 2001, at 9 a.m.
THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S. CODE, SECTION 531:

To be lieutenant

KYLE P. DURAND, 0000
JOSEPH J. HILDRETH, 0000
PATRICK J. GIBBONS, 0000
SCOTT G. JOHNSON, 0000
JAMES E. LANDIS, 0000
SALVATORE M. MAIDA, 0000
JAMES A. OUCELLETTE, 0000
MICHELLE M. PETTIT, 0000
JEFFREY J. TRUITT, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be captain

EDUARDO C CUISON, 0000
PAUL R DROHAN, 0000
HAROLD A FRAZIER II, 0000
IGOR A JERCINOVICH, 0000
DOUGLAS H MCNEILL, 0000
JESUS A OLCESE, 0000
MARY E WASHBURN, 0000
RICHARD C YAGESH, 0000

To be commander

JOHN J LEE, 0000
LEE R MANDER, 0000

To be lieutenant commander

GREGORY L ACHATIENSON, 0000
ANTHONY J CLAPP, 0000
JEFFREY J GRAY, 0000
DAVID R JONES, 0000
RICHARD L KAY, 0000
LENORE E LANGIANS, 0000
ROBERT K MCGAAHA, 0000
justice for victims of international terrorism

HON. KEN BENTSEN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. BENTSEN. Mr. Speaker, today I am introducing legislation to better coordinate the Federal Government’s response to terrorism. Each year, hundreds of thousands of U.S. citizens work and travel overseas, including a growing number of U.S. employees who work on behalf of the energy industry. Regrettably, as we have seen in recent years, U.S. citizens are increasingly at risk by terrorist organizations who hope to exact revenge for U.S. policies, or in the name of greed. Because of a confusing maze of differing of diplomatic and law enforcement concerns, the U.S. victims of such acts are often unable to attain justice, even when the whereabouts of the perpetrators are known by federal authorities.

While the Department of State and the Justice Department can work effectively with nations sharing an extradition treaty with the U.S., too often the lack of such treaties or diplomatic barriers have allowed terrorists to hide from justice behind layers of bureaucracy. Worse still, there is little effective coordination between State and Justice to provide updated information to victims and their families, and neither agency compiles a complete report accounting the federal government’s efforts to bring terrorists to justice.

Under this legislation, the Secretary of State would be required to designate an existing Assistant Secretary of State to monitor efforts to bring justice to U.S. victims of terrorism abroad. I believe this provision provides the Department of State with the necessary flexibility to designate the tasks required under this bill without dictating the creation of a new post, or elevating the Office of Counterterrorism with duties most appropriately performed at the level of the Assistant Secretary.

Under this bill, the Assistant Secretary would be required to work directly with the Justice Department and other applicable Federal agencies to identify and track terrorists living abroad who have killed Americans, or engaged in acts of terrorism that have directly affected American citizens. In addition, the Assistant Secretary would provide an annual report to Congress on the number of Americans kidnapped, killed or otherwise directly affected by the actions of international terrorists. Also included in the Annual Report to Congress would be a thorough detailing of what actions State and Justice are undertaking to obtain justice for U.S. victims of international terrorism, and a current list of terrorists living abroad.

One of the most important components of this legislation is the direct assistance of State and Justice in defining outdated or ineffective laws that prevent the aggressive pursuit of international terrorist by the Federal Government. To that end, as part of the Annual Report, the Assistant Secretary would work with the Justice Department to make specific recommendations to Congress on legal remedies needed to bring individual terrorists to justice in the U.S. Should enforcement problems exist, the Assistant Secretary would provide Congress with proposed changes to U.S. law that would allow Justice and State to bring terrorists to justice in the U.S. Further, the Annual Report would work with State to detail known international terrorists, and make recommendations to Congress on best methods of pursuing host governments—such as cutting off aid, or imposing sanctions. To maintain adequate safeguards, the President would be provided with a national security interest waiver, which must be accompanied with an explanation to Congress when executed.

As Members of Congress, we have a profound duty to provide an effective response when our constituents have been the victims of international terrorists while traveling or working abroad. Through passage of this legislation, we can take important steps in coordinating the Government’s response, and ensuring that we have the information necessary to address our laws or diplomatic policies to provide for the aggressive pursuit of terrorists. We can not stand back while our citizens are victimized, or let the lack of coordination between agencies dictate a denial of justice.

I urge my colleagues to better safeguard our citizens by supporting this legislation.

TRIBUTE TO SUSAN TRESKY TOERGE
HON. CONSTANCE A. MORELLA
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mrs. MORELLA. Mr. Speaker, I rise today to salute the American Mothers, Inc., 2001 Maryland Mother of the Year, Susan Tresky Toerge. A resident of Potomac, MD, Mrs. Toerge is an example of a truly altruistic individual, as shown through her efforts to her family and to her students.

As an English as a Second Language (ESL) teacher, Mrs. Toerge has impacted the lives of many children across the country educating them on the ways of our country during a point in time when many of these children are most likely frightened and uncertain of their new surroundings. Through her comforting and valuable life lessons, Mrs. Toerge helps these children overcome the challenges faced with being in a new country. In her work and home life, Mrs. Toerge demonstrates that it is possible for women to balance the role of a devoted parent with a full time job and still participate actively in her community. She is truly a role model for women everywhere.

The Maryland Mother of The Year program is sponsored by American Mothers, Inc. (AMI) which was founded on the objective to “develop and strengthen the moral and spiritual foundation of the home, the community, the nation and the world.” AMI is also the official sponsor of Mother’s Day and has developed outreach programs that include parenting workshops, tutoring and literacy programs.

Mr. Speaker, please join me in saluting Susan Tresky Toerge, whose contributions to her family, state and community have made her truly deserving of the title of Maryland Mother of the Year.

CONGRATULATIONS TO YOKUM CHAPEL AFRICAN METHODIST EPISCOPAL CHURCH
HON. IKE SKELTON
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. SKELTON. Mr. Speaker, let me take this opportunity to congratulate the Yokum Chapel African Methodist Episcopal Church, of Malta Bend, Missouri, which will be celebrating its 120th anniversary on May 20, 2001.

Yokum Chapel Church may not have the largest membership but it has continued to serve the people of Malta Bend for the last twelve decades. Malta Bend is a small town with an African-American population of less than five percent. This church and its dedicated congregation have become an integral part of the community that it calls home.

Mr. Speaker, I wish to extend my congratulations to the congregation of Yokum Chapel African Methodist Episcopal Church for their outstanding accomplishment. It is with great pride that I honor their achievement on their one hundred and twentieth anniversary.

CAPITAL GAINS TAX RATE REDUCTION ACT
HON. MAC COLLINS
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. COLLINS. Mr. Speaker, today I rise to introduce the Capital Gains Tax Rate Reduction Act. If enacted, this legislation will reduce the top capital gains tax rate from 20% to 10%. Additionally, the lower rate of 10% would be reduced to 5%. The measure would also repeal the 5-year holding rule.

This legislation is needed to spur today’s ailing economy. From past rate reductions, we know that the economy responds to the lowering of rates. The impact of reducing the tax burden on investments is to increase activity in the markets. When the tax is reduced, individuals have an incentive to sell assets. These sales spur economic growth, as well as generate revenue for the federal coffers.

Please join me in cosponsoring this important tax rate reduction bill.
EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE NORMAN SISKY, MEMBER OF CONGRESS FROM THE COMMONWEALTH OF VIRGINIA

SPEECH OF
HON. TIM ROEMER
OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2001

Mr. ROEMER. Mr. Speaker, the death last week of our friend and colleague Norm Sisky claimed one of our great leaders, and took away one of my respected and personal friends in Congress. Norm symbolized the very best there is in public service. A good family man, Norm was widely respected for his honesty and integrity. He was also one of the most wonderful, witty and funny people I have known.

On the Intelligence Committee, where I had the privilege to serve with Norm, you could always count on him to give everyone a hard time. Whether he was grilling the director of the FBI, or just kidding around with staff, Norm was relentless when it came to dispensing good humor and well-intentioned grief. But he always did so in the most embracing and engaging way. With a sparkle in his eye, Norm always had the unique ability to say the right thing to break the tension and put a human face on our work.

But there was so much more to Norm Sisky than just his great sense of humor. When it comes to military and national defense matters, there was no one more knowledgeable or more committed than Norm. His expertise in military affairs enabled him to serve both his district and our nation well.

As a member of the Armed Services Committee and the Intelligence Committee, Norm led the fight to improve our nation’s military readiness, enhance our national security, and ensure America’s leadership in the world. We owe a great debt of gratitude to Norm for his persistent and visionary leadership on defense matters. Clearly, our military and intelligence communities have lost a great friend.

Norm came to Congress after a long and successful career in the private sector. He put his business skills and knowledge to work in many productive ways, especially helping lead the fight for a balanced budget and smaller government. Norm epitomized the kind of public servant our founding fathers had in mind when they wrote the Constitution: a skilled and successful businessman giving back to his community, and leading Congress with his thoughtful and pragmatic advice.

We will miss Norm’s knowledge, his leadership and his wonderful sense of humor. Our friend from Virginia made a huge impact in Congress, both as a leader and as a friend. My sympathies go out to Norm’s wife Rhoda, their four sons Richard, Mark, Stuart and Terry, and their entire extended family.

COMMENDING THE 3M FOUNDATION FOR ITS PRESERVATION EFFORTS

HON. BILL LUTHER
OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. LUTHER. Mr. Speaker, I would like to take this opportunity to mention a recent action by a corporation based in my home State of Minnesota that will go a long way toward improving the quality of life of our residents. On March 20, 2001, the 3M Foundation gave the Nature Conservancy of Minnesota a gift of $3.2 million to preserve and restore two areas of grassland in the State. Appropriately, it was also the first day of spring. This is the largest gift ever given to the state chapter. The gift will be used to purchase prairie and forest land and to promote community-based conservation efforts. This effort will have a significant and long-lasting impact on Minnesota’s wildlife and vegetation. 3M’s gift is one that will truly keep giving, offering current and future generations access to some of Minnesota’s finest natural treasures.

I commend 3M for its commitment to preserving Minnesota and I look forward to what the good work 3M does will serve as a national example to increase corporate giving and involvement in communities across the country.

THE 15TH NATIONAL DISABLED VETERANS WINTER SPORTS CLINIC

HON. CLIFF STEARNS
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. STEARNS. Mr. Speaker, I recently had the privilege to participate in an extraordinary event, the 15th National Disabled Veterans Winter Sports Clinic. This year it was held at Snowmass Village at Aspen, CO. Sponsored by the Disabled American Veterans, the Department of Veterans Affairs, and others, this event provides severely disabled veterans the chance to engage in various outdoor and indoor sports activities.

More than 300 severely disabled veterans took to the ski slopes, tackled rock climbing, went scuba diving, or played sledge hockey. This wonderful program is much more than a source of fun and athletic challenges; it is designed to assist in the rehabilitation of veterans with severe disabilities. Physical activities are essential to improving physical fitness, refining motor skills, and building self-confidence.

Many of these men and women at one time thought that their disability ended hopes for an active, vibrant life. Instead of viewing their physical condition as a barrier to recreation, these individuals saw the opportunity to overcome the obstacles posed by their disability.

The men and women at the clinic did not dwell on adversity; rather they eagerly engaged in the physical trial of sports. This event demonstrated the courage and abilities of these veterans. It also serves as an inspiration to others to be bold in redefining what the disabled can do.

I had the privilege of being Chairman of the Veterans’ Health Subcommittee and I now serve as its Vice Chairman. I worked with the VA, the DAV, and other wonderful groups in strengthening the services provided to veterans and I look forward to continuing this cooperation. The Veterans are the only group of Americans that have earned their benefits, they didn’t just happen to be here, they earned it on the battlefield, they earned it in service to America.

Serving America’s veterans mean exploring new options for enhancing their quality of life. The Winter Sports Clinic exemplifies an innovative approach to honoring the men and women who served in uniform.

CONGRATULATIONS
STANLEY GWIAZDOWSKI—2001 PAL JOEY AWARD WINNER

HON. GERALD D. KLECZKA
OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. KLECZKA. Mr. Speaker, I rise today in tribute to fellow Milwaukeean Stanley Gwiazdowski, the St. Joseph Foundation, Inc. 2001 Pal Joey Award winner. Stan will be honored April 23rd at the annual Pal Joey dinner.

Stan is a worthy recipient of the prestigious Pal Joey Award as he has served his country, church, community and family faithfully for many years. He graduated from St. Hyacinth School and South Division High School. Drafted into the Army in 1941, Stan was chosen to attend infantry officers school at Fort Benning, Georgia. Sent overseas for the first time, Stan joined the 34th Infantry Division in Africa. His later Army assignments led him to units in Italy, North Africa and France. Stan received numerous military honors, including the Purple Heart with two Oak Leaf Clusters. Upon his return to the United States, Stan transferred to the Army Reserve. He retired from the Reserve in 1980, after nearly 35 years of military service to his country.

In 1946, Stan was sworn in as a City of Milwaukee police officer. He proudly served in all of the southside Milwaukee districts and was promoted to patrol sergeant and desk sergeant positions. He retired in May of 1980.

Throughout the years, Stan also found time to serve his community. He is the current secretary of the South Side Business Club, a member of the Milwaukee Society, the St. Josephat Foundation, the secret International Mushroom Pickers Society (IMPS), the Reserve Officers Association and Retired Officers Association.

Stan married Rose Kalinowski in 1946. The couple has been blessed with seven children and 12 grandchildren. An avid sheepshead player, Stan is quick with a joke and to volunteer whenever and wherever he may be needed.

It is my distinct pleasure to join Stan’s many friends and family members to saluting his many years of service to the Milwaukee community and especially the St. Joseph Foundation, Inc. May God continue to bless you and your family, Stan. Sto lat!
Mr. TANCREDO. Mr. Speaker, today I want to tell you about a great American who resides in Colorado’s 6th Congressional District. Mr. Kent A. “Bo” Cottrell has one of the most diverse and unique histories of any individual that I can think of. He has been, and still is, a fine musician, he has been a police officer, a fund raiser for charities, he has run for elected office and has been elected for multiple terms as the chairman of the Arapahoe County Grand Old Party. Bo has worked for the governor of our great State in a wide variety of positions and ultimately came to rest as part of a unique business venture.

He attended Indiana State University and was promptly drafted to serve his country in 1963 where he served in Europe with the Military Police. Bo went on to serve in the Jefferson County sheriffs office as an investigator in the late 1960s and worked in law enforcement for six years. During that time, he formed and wrote for a musical group known then and now as “The Lawmen,” made up of law officers. They toured and even has a hit single called “Lawman” and performed in the “West End of the Country” in an area which so popular that the group went to the White House for a visit with President Nixon.

In 1970, a leading local paper in Jefferson County named Bo Cottrell as their pick for the “Man of the County.” Connections in the entertainment industry were leveraged to help Easter Seals in their battle to raise funding and awareness of children’s health issues and eventually vaulted him to the Board of Directors for the Make A Wish Foundation where he served as its special events director. He worked together with prominent members of the business and entertainment community to raise hundreds of thousands of dollars for charity. He formed Kops and Kids, the Easter Seals Golf Tournament, the Make A Wish Golf Tournament and always strives to better the communities around him.

Due to all of his charitable efforts, in 1990, Bo was presented the “Point of Light” Award by President Bush, Sr., in a White House presentation. In 1996 he was a candidate to the Colorado State House in Arapahoe County and, although he did not prevail, he was soon elected to the position of Chairman to the Arapahoe County Grand Old Party from 1997 until 2001.

Another one of my constituents, Colorado Governor Bill Owens, selected Bo to become a representative on the Parole Board where he presided as Chairman. Bo was soon asked to work with the Colorado Office of Economic Development. In a true expression of his belief in the free-market, Bo gathered his experience dealing with people, both parolees and members of the business community, and began a new and unique business venture. He is now the marketing director of Pure Colorado, a company that bottles our wonderful, and very clean, Rocky Mountain Spring water, and packages it in a unique and innovative way for distribution nationwide.

Bo Cottrell’s travels from Military Police officer, to musician, to Marketing Director are diverse and amazing examples in pursuit of the American Dream. He was a compassionate conservative before anyone had even heard of such a thing, he is a great individual and I consider him a good friend.

Mr. Speaker, I am honored to join the Arapahoe County GOP in extending my appreciation to the kindness and good deeds of Mr. Bo Cottrell.

FORTY-FIFTH ANNIVERSARY OF TUNISIAN INDEPENDENCE

HON. KEN BENTSEN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. BENTSEN. Mr. Speaker, I rise today to acknowledge the anniversary of the 45th year of independence for the Republic of Tunisia. It is appropriate to note that Tunisia was formally established as an independent country.

Over the years, Tunisia has forged a strong and solid relationship with the United States that spans beyond bilateral ties to cover issues related to world peace and economic partners.

The U.S. relationship with Tunisia has survived civil, regional and global conflict. During World War II, Tunisia supported the United States and allied forces as they landed in North Africa. During the cold-war years, Tunisia established itself as a steadfast ally in the strategically important Mediterranean Sea.

As we moved into the post-cold-war years, the Republic of Tunisia has remained a friend and ally of the U.S. and taken steps to develop closer military and economic ties with European allies and NATO.

Today, the Republic of Tunisia continues to make important progress toward democracy by broadening political debate, advancing social programs, developing economic programs and enhancing foreign trade. Tunisia has also been a leader in the area of women’s rights and the protection of human rights.

Mr. Speaker, let me take this opportunity to congratulate Mr. Robert F. Dolan on his service and contributions to the United States and the world. Mr. Dolan is a lifetime advocate of junior golf and a co-founder of several inner-city youth golf programs. He has always viewed golf as a vehicle for teaching young people the values of discipline, determination, honesty, patience, and good sportsmanship.

The award was given for Mr. Dolan’s ongoing work with our nation’s youth. Through this dedication, he provides opportunities and experiences for children of all ages and abilities to learn, to play, and to enjoy the game of golf.

Bob’s devotion to junior golf programs is reflected in his long history of service. He has worked for many years with the Paul Berry Neediest Kids Get Hooked on Golf Program and served as a member of the advisory board, promoter, and instructor. Since 1996, Bob has been involved as a “Coach the Coaches” instructor, a program he created to work with Washington, D.C. public school coaches on the proper techniques for teaching golf. He has been the Kermer Open Junior Golf Clinic lead instructor since 1991. Bob is also co-founder and instructor for the “Summer in the City” inner-city youth golf program, a four-week instructional program for the youth of Washington, D.C.

Mr. Speaker, I am honored to join the House of Representatives in honoring Mr. Robert F. Dolan on this day and his ongoing contributions to junior golf in Montgomery County and the nation. He is a wonderful role model for junior golfers and a true ambassador for the game of golf.

TRIBUTE TO REAR ADMIRAL JAMES CUTLER DAWSON, JR.

HON. CONSTANCE A. MORELLA
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mrs. MORELLA. Mr. Speaker, I rise to honor and congratulate Robert F. Dolan, a lifelong resident of Montgomery County, Maryland and the Head Golf Professional at Columbia Country Club in Chevy Chase, Maryland. On November 10, 2000, he was named the 2000 PGA of American Junior Golf Leader, one of the organization’s highest service awards.

Mr. Dolan is a long-time advocate of junior golf and a co-founder of several inner-city youth golf programs. He has always viewed golf as a vehicle for teaching young people the values of discipline, determination, honesty, patience, and good sportsmanship.

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Mr. Speaker, I am honored to join the House of Representatives in honoring Mr. Robert F. Dolan on this day and his ongoing contributions to junior golf in Montgomery County and the nation. He is a wonderful role model for junior golfers and a true ambassador for the game of golf.
Rear Admiral Dawson worked well with Congressional offices and created widespread opportunities to promote the Navy’s message. He executed an outreach plan allowing senior Naval leaders to visit over sixty percent of the Members of Congress. He effectively managed a workshop, allowing district staff members to more efficiently perform casework, and he also managed difficult public relations issues and provided advice and counsel during more than 50 Congressional hearings.

Recently it was announced that Rear Admiral Dawson has been nominated and will be appointed to vice admiral. He will be assigned as commander, United States Naval Forces, Central Command and command the Fifth Fleet in Bahrain.

Mr. Speaker, I wish to expand my congratulations to Rear Admiral James Cutler Dawson, Jr., for achieving such success during his time as Chief of Legislative Affairs. I wish him continued success with his new assignment as Commander of the Fifth Fleet. I know that my colleagues in the House will join me in saluting this fine sailor.

TIMBER TAX SIMPLIFICATION ACT

HON. MAC COLLINS
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. COLLINS. Mr. Speaker, I rise to introduce legislation which corrects an inequity in the Internal Revenue Code which affects the sale of certain assets.

Under current law, landowners who are occasional sellers of timber are often classified by the Internal Revenue Service as “dealers.” As a result, the seller is forced to choose between a “lump sum” payment method or a pay-as-cut contract which often results in an under-realization of the fair value of the contract. While electing the pay-as-cut contract option provides access to capital gains treatment, the seller must comply with special rules in Section 631(b) of the Internal Revenue code. The provisions of Sec. 631(b) require these sellers to “retain an economic interest” in their timber until it is harvested. Under the retained economic interest requirement, the seller bears all the risk and is only paid for timber that is harvested, regardless of whether the terms of the contract are violated. Additionally, since the buyer pays for only the timber that is removed or “scaled” there is an incentive to waste poor quality timber, to undersell the wood to the first professional buyer, and to remove the timber without scaling.

The legislation I am introducing will provide greater consistency by removing the exclusive “retained economic interest” requirement in IRC Section 631(b). This change has been supported or suggested by a number of groups for tax simplification purposes, including the Internal Revenue Service. I urge my colleagues to join in this tax simplification effort and strongly urge its passage.

LAVELLE RETIRING AFTER 23 YEARS AS JUDGE

HON. PAUL E. KANJORSKI
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to John P. Lavelle, who is retiring after 23 years as a judge of Carbon County, Pennsylvania in January 1980 when he served as the county’s only judge.

Judge Lavelle, the son of Irish immigrants, was born in 1931, grew up in Philadelphia and earned his bachelor of arts degree from Niagra University in 1953. He went on to get his law degree from Villanova University in 1958, holding the distinction of being a member of the first class held at the Villanova School of Law in 1953. He interrupted his law studies for two years to serve his country in the Army in Italy and Austria. The same year he graduated from law school, he married Marianne Shutack of Nesquehoning, who can claim a first in her own right as the first woman admitted to the Carbon County bar.

He began his career in the Philadelphia law offices of renowned criminal lawyer Morton Witkin and also worked briefly for the firm of Bennett & Bricklin. He also indulged his love of classical language by teaching Latin as a part-time professor at Villanova.

In 1959, he moved to Carbon County and began an active general law practice with his wife and his father-in-law, George Shutack. His roots and upbringing gave him a natural empathy for the underdog, and many of his general highly publicized cases during his first term in November 1979, he made the unprecedented decision to call off and nullify the general election in Carbon County because the voting machines used throughout the county would not permit cross-voting. He also presided at the 1982 murder trial of Robert “Mudman” Simon, a motorcycle gang member who was convicted of killing an 18-year-old girl whose body was not found until seven years after her death. He also presided over a 1985 murder trial, which was the first time the battered-widow syndrome defense was used, resulting in an acquittal by the jury.

The Pennsylvania Supreme Court recognized his abilities by appointing him to preside over the two long and complex 1991 civil libel trials of a state Supreme Court justice against the Philadelphia Inquirer. He did not hesitate to file suit against the county commissioners in 1989 when they had refused raises for court employees and removed funds from the court budget. He successfully lobbied the state Legislature the following year to add a second judgeship for the county to handle the court system’s heavy workload.

In 1991, he completely revised and adopted new rules of civil procedure, and in 1992 and 1993, he launched new case management systems to expedite the handling of both civil and criminal cases.

On occasion, Judge Lavelle has issued unusual and creative orders to see that justice is done. Including sentencing a woman with a long record of calling in false fire alarms to the Lehighton Fire Company to clean the fire trucks for six months. In 1984, he became one of the first trial judges in the state to order a school board and striking teachers to negotiate daily to end a contract impasse.

Judge Lavelle and his wife have four children, who have every reason to be proud of their father’s distinguished career.

Mr. Speaker, I am pleased to call to the attention of the House of Representatives the long history of Judge John Lavelle’s service to the people of Carbon County and all of Pennsylvania, and I wish him all the best in retirement.

TRIBUTE TO CHRISTIAN JOS. BECKER, LIFETIME VOLUNTEER FIREMAN

HON. ELIOT L. ENGEL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. ENGEL. Mr. Speaker, today I recognize one of my constituents, Mr. Christian Jos. Becker, for his lifetime of dedicated service to the Westchester County Volunteer Firemen’s Association. Mr. Becker began his volunteer work at the age of 42, when he moved from the city of Yonkers to the village of Ardsley.
Over his 33 years of service, Chris has achieved numerous accomplishments, all of which have greatly improved the Westchester area. In 1971, Mr. Becker received the Aardsley Fire Department Fire Fighter of the Year Award for his unwavering dedication in responding to nearly every alarm within his village. Mr. Becker also served as the Department’s first Secretary for five years.

Though Mr. Becker’s firefighting days were caused to come to a close in 1975 due to an illness, his volunteer activities continued on. As Aardsley Fire Department’s Delegate to the Fireman’s Association in the state of New York and the Westchester County Volunteer Firemen’s Association, Chris’s services persevered. One of his greatest accomplishments occurred in 1970 when he founded “The Westchester Volunteer,” a bimonthly newsletter which supplies relevant news to firefighters throughout the county.

Mr. Becker also sits on both the Public Relations Committee and the Legislative Committee for the Firemen’s Association in the state of New York, where he championed notable legislation such as the Cigarette Fire Safety Act and the Requiring of Adoption of the Fire and Building Codes. For all of the good he has brought to their community, the people of Westchester County will forever be indebted to this selfless volunteer.

I am certain that all of my colleagues in the House of Representatives will join me in extending a sincere offer of congratulations, as well as gratitude, to Mr. Christian Jos. Becker. It is a pleasure to recognize such a dedicated man who has used his life to benefit those around him.

BACK COUNTRY LANDING STRIP ACCESS ACT

HON. C.L. “BUTCH” OTTER
OF IDAHO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. OTTER, Mr. Speaker, today I introduced the “Back Country Landing Strip Access Act.” This bill, which was introduced in the last Congress by Chairman Hansen of the Resources Committee, will prohibit the federal government from closing airstrips on public lands without the consent of the state aviation authorities. Without the consent of the state aviation authorities, the federal government can never close an airstrip unless it is necessary to do so for public safety.

Mr. Speaker, I know this bill will work if enacted because we in Idaho have been working with this system for years. When Congress established the Frank Church River of No Return Wilderness Area in 1980, a provision was added that prohibited the federal government from closing any airstrip in the wilderness without the express written concurrence of the State of Idaho. This provision has not ruined the wilderness area. To the contrary, it has allowed the elderly, the handicapped and children to enjoy wilderness areas they would otherwise be unable to reach. It has preserved the ability of outfitters to bring sportmen to the heart of the wilderness with a minimum of disruption. In short, it is a model for what we seek to accomplish in this bill.

This bill is a common sense measure to restore cooperation between federal and state governments. It does not force the reopening of closed airfields. It does not require the federal government to spend extra money to maintain back country strips. In fact, this bill authorizes the Departments of Agriculture and Interior to enter into cooperative agreements with local groups to maintain back country strips.

America’s public lands should not be allowed to become “no-fly zones.” I urge my colleagues to join me in supporting this vital legislation, and I am pleased to introduce it today.

TRIBUTE TO PETTY OFFICER 2ND CLASS SCOTT CHISM & SEAMAN CHRIS FERREBY

HON. JACK QUINN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. QUINN. Mr. Speaker, I am very saddened to rise today in memory of Petty Officer 2nd Class Scott Chism and Seaman Chris Ferreby.

As seamen assigned to the Coast Guard Station of Niagara, these two young men tragically lost their lives serving their community and their nation. This tragedy happened on a routine patrol voyage in which Scott Chism and Chris Ferreby, along with fellow crewmembers Michael Moss and William Simpson, were tossed into the frigid waters of Lake Ontario when their boat was overturned by a large wave.

Scott Chism had served three years and seven months in the Coast Guard. With the upcoming completion of his enlistment, he and his wife had planned to return to California. He leaves behind his wife, Lissa, a daughter, Kelsey, and a son, Caleb.
Chris Ferreby was raised outside of Rochester, in Fairport. He is survived by a wife, Amy and a newborn child, Tyler. Amy recalls her husband as being able to “always make you laugh” and willing to “do anything for his friends.”

Our thoughts and prayers are with the families of these two men. Their heroism, bravery and selfless dedication to our country will not be forgotten.

COMMENDING THE ACADEMIC ACHIEVEMENTS OF STUDENTS FROM WILLISTON NORTHAMPTON SCHOOL IN EASTHAMPTON, MA

HON. JOHN W. OLVER
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. OLVER, Mr. Speaker. I rise to congratulate the students of Williston Northampton School in Easthampton, MA for their excellence in academic competition. Under the tutelage of Mr. Peter Gun, these young people have shown an acute knowledge of the Constitution and its Amendments, in particular the Bill of Rights.

On April 21–23, 2001 more than 1200 students from across the country will be in Washington, DC to demonstrate their expertise in American government and represent their home states as part of the “We the People...The Citizen and the Constitution” program, sponsored in part by the U.S. Department of Education. I am pleased to announce the class from Williston Northampton School will participate on behalf of the Commonwealth of Massachusetts.

Mr. Gun’s students have taken a strong interest in the principles that govern our nation. Through their studies, they have become aware of the founders’ efforts to fashion an enduring republic. Through their accomplishments, they have shown a keen understanding of the political process, its participants and the laws that will ensure America’s continued vitality.

It is an honor to recognize such a meritorious group.

SHED LIGHT ON HIDDEN FEES

HON. LUIS V. GUTIERREZ
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. GUTIERREZ, Mr. Speaker, on March 29 I introduced the “Wire Transfer Fairness and Disclosure Act of 2001,” a bill to require additional disclosures relating to exchange rates in transfers involving international transactions. Sixty-two representatives currently support this important legislation.

Immigrants throughout the United States work hard, save money and send billions of dollars to relatives living in foreign countries. The money sent home helps finance basic needs ranging from food and medicine to education to new homes. Unfortunately, customers wiring money to Mexico are often losing millions of dollars to undisclosed “currency conversion fees” charged by giant firms such as Western Union and MoneyGram.

Wire Transfer companies aggressively target audiences in immigrant communities with ads promising low rates for international transfers. However, such promises are grossly misleading particularly for those with ties to Mexico or other Latin American countries, since companies do not always clearly disclose extra fees charged when sending dollars into Mexican pesos. While large wire service companies typically obtain pesos at bulk bargain rates, they charge a significant currency conversion fee to their U.S. customers. The exchange rate charged to customers sending U.S. dollars to Mexico routinely varies from the benchmark rates by as much as 15 percent. The profits from these hidden currency conversion fees are staggering, allowing companies to reap millions of dollars more than they make from service fees.

To address these problems, this Act requires full disclosure of all fees involved in all money-wiring transactions. More specifically, the bill requires that any financial institution or money transmitting business which initiates an international money transfer on behalf of a consumer disclose the following information required to be disclosed under this section:

- The exchange rate used by the financial institution or money transmitting business in connection with such transaction.
- The exchange rate prevailing at a major financial city of the country whose currency is involved in the transaction, as of the close of business on the business day immediately preceding the date of the transaction (or the official exchange rate, if any, of the government or central bank of such foreign country).

All commissions and fees charged by the financial institution or money transmitting business in connection with such transaction.

The exact amount of foreign currency to be received by the recipient in the foreign country, which shall be disclosed to the consumer before the transaction is consummated and printed on the receipt given to the consumer.

Mr. Speaker, I submit the full text of this pro-consumer legislation for the record and urge my colleagues to support this important legislation.

H.R. 1306

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

SEC. 1. SHORT TITLE.

This Act may be cited as the “Wire Transfer Fairness and Disclosure Act of 2001”.

SEC. 2. DISCLOSURE OF EXCHANGE RATES IN CONNECTION WITH INTERNATIONAL MONEY TRANSFERS.

(a) In general.—The Electronic Fund Transfer Act (15 U.S.C. 1693 et seq.) is amended—

(1) by redesigning sections 918, 919, 920, and 921 as sections 919, 920, 921, and 922, respectively; and

(2) by inserting after section 917 the following new section:

“SEC. 918. DISCLOSURE OF EXCHANGE RATES IN CONNECTION WITH INTERNATIONAL MONEY TRANSFERS.

(a) Definitions.—

(1) International money transfer.—The term ‘international money transfer’ means any money transmitting service involving an international transaction which is provided by a financial institution or a money transmitting business.

(2) Money transmitting service.—The term ‘money transmitting service’ has the meaning given to such term in section 5330(d)(2) of title 31, United States Code.

(3) Money transmitting business.—The term ‘money transmitting business’ means any business which—

(A) provides check cashing, currency exchange, or money transmitting or remittance services, or issues or redeems money orders, travelers checks, and other similar instruments; and

(B) is not a depository institution (as defined in section 5313(g) of title 31, United States Code).

(b) Exchange rate and fees disclosures required.—

(1) In general.—Any financial institution or money transmitting business which initiates an international money transfer on behalf of a consumer (whether or not the consumer maintains an account at such institution or business) shall provide the following disclosures in the manner required under this section:

(A) The exchange rate used by the financial institution or money transmitting business in connection with such transaction.

(B) The exchange rate prevailing at a major financial center for the country whose currency is involved in the transaction, as of the close of business on the business day immediately preceding the date of the transaction (or the official exchange rate, if any, of the government or central bank of such foreign country).

(C) All commissions and fees charged by the financial institution or money transmitting business in connection with such transaction.

(2) The exact amount of foreign currency to be received by the recipient in the foreign country, which shall be disclosed to the consumer before the transaction is consummated and printed on the receipt referred to in paragraph (3).

(3) Prominent disclosure inside and outside the place of business where an international money transfer is initiated.—The information required to be disclosed under subparagraphs (A), (B) and (C) of paragraph (1) shall be prominently displayed on the premises of the financial institution or money transmitting business both at the interior location to which the public is admitted for purposes of initiating an international money transfer and on the exterior of any such premises.

(4) Prominent disclosure in all receipts and forms used in the place of business where an international money transfer is initiated.—The information required to be disclosed under paragraph (1) shall be prominently displayed on all forms and receipts used by the financial institution or money transmitting business when initiating an international money transfer in such premises.

(c) Advertisements in print, broadcast, and electronic media and outdoor advertising.—The information required to be disclosed under subparagraphs (A) and (C) of section (b)(1) shall not—

(1) in any advertisement, announcements, or solicitation which is mailed by the financial institution or money transmitting business and pertains to international money transfer; or

(2) in any print, broadcast, or electronic medium or outdoor advertising display not on the premises of the financial institution or money transmitting business and pertaining to international money transfer.

(2) in any advertisement, announcements, or solicitation which is mailed by the financial institution or money transmitting business and pertains to international money transfer; or

(2) in any print, broadcast, or electronic medium or outdoor advertising display not on the premises of the financial institution or money transmitting business and pertaining to international money transfer.

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the end of the 3-month period beginning on date of enactment of this Act.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect at the end of the 3-month period beginning on the date of enactment of this Act.

TRIBUTE TO SAINT PATRICK’S PARISH IN SAN FRANCISCO, CA

HON. TOM LANTOS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join today in paying tribute to a Saint Patrick’s Parish in San Francisco, California, which is celebrating its 150th Anniversary. From its humble beginnings, Saint Patrick’s Parish has blossomed into a San Francisco institution that has weathered wars, troubled times, and the occasional earthquake. Despite those hardships, for the last 150 years Saint Patrick’s Parish has remained a structure of faith for its parishioners.

Shortly after Fr. John Maginnis celebrated the first mass in a rented hall on June 9, 1851, a temporary Church was constructed, and Saint Patrick’s had established a foot hold in San Francisco. During this time, California was experiencing the Gold Rush, which brought the proliferation of industry and commerce to the area, and resulted in the population rapidly growing. The Parish responded to this expansion by purchasing a lot on Mission Street, between Third and Fourth Streets and started construction of a magnificent new Church. After two years, construction was completed, and the new Church was dedicated on March 17, 1872 at which time its founding, Saint Patrick’s Parish was estimated at 30,000 parishioners.

Having overseen the construction of the Church, Fr. Maginnis now set his sights on new projects, and soon founded both the St. Vincent School for Girls and the St. Patrick’s School for Boys. Both schools were taught by the Daughters of Charity from Emmitsburg, Maryland, and served the Parish until 1964. After the schools closed, the site was later transformed into the Alexis Apartments for the elderly.

Mr. Speaker, for the first fifty-four years after its founding, Saint Patrick’s Parish knew only success. Father John Maginnis, Fr. Maginnis was succeeded by the Reverend Monsignor John Rogers in 1905. Shortly thereafter, the San Francisco earthquake and fire of 1906 struck, and the Church was reduced to rubble. This catastrophe of biblical proportions was met head on by Msgr. Rogers and the parishioners of St. Patrick’s. After establishing a men’s shelter named Tif-na-Nog, which is Gaelic for Land of Youth, Msgr. Rogers began the reconstruction of the Church. The reconstruction was completed and the Church was rededicated in 1914. An impressive brick structure, Saint Patrick’s Church still stands majestic as a living memorial to the un-daunted perseverance of people who gave of themselves in times of personal hardship to build this institution.

Mr. Speaker, for the last century and a half years Saint Patrick’s Parish has provided for the spiritual needs of the community, as well as run programs to aid the elderly, youth, and the marginalized. I ask all my colleagues to join me in honoring Saint Patrick’s Parish in marking their sesquicentennial.

TRIBUTE TO DAVE MCELHATTON

HON. TOM LANTOS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me today in paying tribute to a most beloved and enduring San Francisco Bay Area icon—Dave McElhatton of KPIX Channel 5 television and KCBS radio. His distinguished 50-year career in broadcast journalism is being celebrated at an extraordinary tribute dinner at the Palace Hotel in San Francisco on April 21, 2001, for the benefit of his alma mater, San Francisco State University.

David McElhatton, who was born and raised in Oakland, California, enrolled at San Francisco State University on the GI Bill. After graduation, he was drafted into the U.S. Army. Only two weeks after graduating with a degree in Broadcast & Electronic Communication Arts, Dave was employed at KCBS radio. He quickly became a prominent radio personality in the Bay Area. His first introduction to Bay Area radio listeners was as the host of KCBS’s “Music ‘Til Dawn” and “Masters of Melody”—the last live network music program to originate from San Francisco. He hosted the Bay Area’s first all-inclusive talk show, “Viewpoint” and the last local audience-participation radio program, “McElhatton in the Morning.” As KCBS’ morning anchor for a quarter century, Dave became one of the Bay Area’s best known and best regarded radio personalities, and he was instrumental in developing the KCBS News/Radio format.

For the second quarter century of his career in broadcast journalism, Dave McElhatton was the host of the KPIX 5 Eyewitness News, where his credibility and affability made it easy for him to move seamlessly from radio to television. His superior journalistic skills and his excellent delivery led to a distinguished television news career marked by a multitude of journalistic awards and a multitude of faithful viewers.

Dave McElhatton is the recipient of the rarely-bestowed “Governor’s Award” from the Board of Governors of the Northern California Emmy Awards, which is given in recognition of truly outstanding and unique individual achievements of long duration. He has also received numerous awards from the Associated Press, United Press International, the Press Club of San Francisco, the Peninsula Press Club, the Northern California Television and Radio News Directors Association, the 19th Annual Radio Award Fellow of the University of San Francisco, the James J. Streibing Memorial Award, a Special Award for Excellence from the American Society of Anesthesiologists, and the highest honor of the Aviation Writers’ Association. In 1997, Dave McElhatton was inducted into the San Francisco State University Hall of Fame. For many years, Dave taught broadcasting at his alma mater, San Francisco State University, where I was a professor of economics for three decades.

Since retiring from broadcasting, Mr. McElhatton continues to contribute to our community by serving as master of ceremonies and keynote speaker at fund-raising events for Bay Area non-profit and charitable organizations. He also can be seen in California’s skies, where he enjoys piloting his own plane.

Mr. Speaker, I urge my colleagues to join me today in paying tribute to Dave McElhatton for a distinguished 50-year career in journalism. We wish Dave and his wife, Karen, a retirement replete with richly deserved good health and happiness.

HONORING KELVIN TORBERT

HON. DALE E. KILDEE
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. KILDEE. Mr. Speaker, I rise today to congratulate and acknowledge the accomplishments of Kelvin Torbert, a senior at Flint Northwestern High School. Kelvin was chosen out of more than 542,000 high school boys basketball players to be named the 2001 Gatorade National High School Boys Basketball Player of the Year. This is one of the highest awards conferred upon a high school student athlete. In addition to both academic and athletic excellence, recipients must also maintain high moral character. Kelvin is an outstanding young man who personifies the criteria, and I am proud to be honoring him here today.

Kelvin has a strong sense of teamwork and can play any position on the court. His remarkable athletic skills have made him the highest scorer in Northwestern’s history, with a record 1,978 points. As a four year starter on the varsity team, he has been the recipient of numerous honors and awards including McDonalds All-American, Parade Magazine All-American, three time 1st team All-State player, and most recently, the Mr. Basketball award, given to the state’s best player by the Basketball Coaches Association of Michigan.

Not only is Kelvin an exceptional athlete, but he has also maintained 3.1 GPA. He is an active member of student government, demonstrating positive leadership qualities in his school extending well into the Flint community. Since balancing academics with athletics, he will be an asset to the student body at Michigan State University next fall. He is an outstanding example of the teamwork and high moral character stressed in Flint public schools.

Constantly maintaining high standards for himself, Kelvin has become a role model for young and young people working with young people at the local Boys and Girls Club and at summer basketball camp. He teaches them the importance of teamwork and dedication on the court and its implications throughout life.

Mr. Speaker, I am happy to honor an exemplary individual like Kelvin Torbert, and the contributions he has made to his team. He is an example of what can be accomplished by encouragement and reinforcement of a student’s talents, and belief in his or her ability to excel.
THE HERO OF CHESTNUT HILL

HON. BARNEY FRANK
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. FRANK. Mr. Speaker, on April 17, one of the leading educational institutions in America, Boston College, will honor Dr. Francis B. Campanella as he prepares to retire this year from his job as Executive Vice President. Dr. Campanella has been an extraordinary asset not just to Boston College, but to the Greater Boston community, and to higher education in America through his extraordinarily creative and diligent work at Boston College. Last September, David Warsh appropriately described Dr. Campanella’s work in an excellent article in the Boston Globe. I am delighted to have this chance to join in honoring this very distinguished educational leader on the occasion of his well earned second retirement, and I ask that Mr. Warsh’s column about him be printed here as an example of what commitment at its best means to our broader community.

[From the Boston Globe, Sept. 12, 2000]

Thin Hero of Chestnut Hill

By David Warsh

Anyone strolling across the densely built and sparkling campus of Boston College would find it hard to believe that there was a time when the school was nearly bankrupt. Yet in the early 1970s, Boston College came very close to failing. The school had run major deficits for five years in a row. Its net worth was negative. Its endowment was a paltry $2 million.

BC had a sympathetic banker in Waltham, Giles Mosher. But only by temporarily dipping into the pension fund for Jesuit professors was the administration able to keep doors open from year to year. In a memorable report, economist Edward Kane warned the faculty that BC soon might find that its (then) spacious campus had become the University of Massachusetts at Chestnut Hill.

It was about that time that the trustees hired Donald Monan, S.J. Within a year Monan persuaded professor Frank B. Campanella to leave the faculty where he had been teaching finance and take over the school’s internal management instead. The rest is history.

Boston College took off like a rocket and the University of Massachusetts built its new campus at Amherst.

Last week Campanella, 64, said he would return to teaching at the end of the current academic year. That $5 million endowment has grown to $1.3 billion, the 30th largest in the country. (In contrast, Boston University says the market value of its endowment currently is about $980 million.)

Faculty salaries which in 1973 had been at the 50th percentile of category I institutions, are in the 90th percentile. Undergraduate applications, which had totaled 8,400, last year were 21,000, for the first time making BC the fifth most heavily applied-to university in the country.

And on the 1991 list of BC’s top 12 application overlaps—meaning those schools to which a prospective BC student also had applied—the names of Fairfield University, Providence University, and UMass had been eliminated off by 1997 by Harvard, Penn, and Brown.

Campanella was a logical, if not an obvious choice for executive vice president. He had been born in Jamaica Plain, then graduated from Boston College High School in 1954. After earning an engineering degree at Rensselaer Polytechnic Institute and serving three years as a Marine Corps lieutenant he worked for five years in the construction industry.

Low margins and chronic uncertainty led him to retool as a finance professor, beginning as a night school MBA at Babson College, then as a doctor of business administration in the Harvard Business School. (He tested Harry Markowitz’s portfolio theory for his dissertation; Rober Glauber was his supervisor.) He had been teaching for three years when Monan took the job in 1973. He had the confidence of the faculty.

Campanella’s strategy from the first was to run the university as a standard business practice—a standard business practice but among the first in the nation at a university—which freed up cash for investment. Then he set out to build the college’s balance sheet.

He borrowed as much money as possible, taking advantage of the bargain rates available to tax-exempt institutions. He used it for bricks and mortar, budgeting debt service as an expense. With the physical plant growing, he lobbied the faculty to increase enrollment, and plowed the growing surpluses into endowments. He invested aggressively as well.

Then came “enrollment management,” a set of yield management practices more or less invented in education at BC. The offices of admissions and financial aid were combined, making it possible to purposefully compete with other institutions on price. BC’s application process included a tax-free emergency account—a standard business practice but among the first in the nation at a university—which freed up cash for investment.

And on the 1991 list of BC’s top 12 application overlaps—the names of Fairfield University, Providence University, and UMass had been eliminated off by 1997 by Harvard, Penn, and Brown.

Campanella retired for the first time in 1991. It didn’t take. In 1994, the trustees hired him to stay long enough to get new BC president William Leahy, S.J. settled in his job. “He’s a man who understands the world of higher education, the world of business too,” Leahy said. “He’ll be a very difficult man to replace.”

A TRIBUTE TO CARMELA C. RODRIGUEZ

HON. EDOLPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. TOWNS. Mr. Speaker, I rise today to honor Carmela C. Rodriguez of Brooklyn, New York. Ms. Rodriguez is a deeply religious person who has dedicated herself to serving her church, her community and her native culture.

Ms. Rodriguez was born and raised in Panama City, Panama. She migrated to the United States in 1963. Nevertheless, she maintains deep roots in Panama. She has expressed this pride through service. She is President of the Day of Independence Committee of Panamanians in New York and she organized the first Panamanian Independence Day Parade.

Ms. Rodriguez is also committed to her religion and her community. She is a Eucharistic Minister of Service at Our Lady of Charity Church; she is the First African American woman to be inducted as a Franciscan Friar in the Immaculate Conception Province, and she is the Grand Lady of the Knights of Peter Claver Ladies Auxiliary. In addition, she serves her community by conducting AIDS education workshops and donating food as well as clothing for needy children.

Mr. Speaker, Ms. Carmela C. Rodriguez is a woman of deep conviction whose religious and community involvement illustrate that she does not believe it is enough simply to live in a community, but rather one must serve that community as well. As such, she is more than worthy of receiving our recognition today, and I hope that all of my colleagues will join me in honoring this truly remarkable woman.

MAKE SUBPART F LAW PERMANENT

HON. JIM MCCREERY
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. MCCRERY. Mr. Speaker, today I am pleased to introduce a bill on behalf of myself, Mr. Neal of Massachusetts, and 24 of our colleagues from the Ways and Means Committee. Current law contains a temporary active financial services provision in Subpart F. This provision makes sure that active business income of a U.S. financial services company operating overseas is not subjected to U.S. tax until that income is distributed to the U.S. parent. If this temporary provision were allowed to expire at the end of 2001, American financial services companies would be placed on an unequal footing with their foreign competitors.

Our legislation would make the active financial services provision permanent, securing international parity for our financial services industry and providing it with treatment comparable to that afforded other segments of the U.S. economy.

This legislation is important not only to U.S. financial services companies but also to the U.S. businesses that they service internationally. As just one example, U.S. banks and finance companies support the international sales growth of U.S. manufacturers and distributors. Additionally, Mr. Speaker, because U.S. employees provide support services for the overseas operations of our financial services companies, this legislation will also enhance the creation and preservation of U.S. jobs that depend on these international operations.

The growth of American finance and credit companies, banks, securities firms, and insurance companies is impaired by the uncertainty of an “on-again, off-again” practice of annual extensions of the active financial services provision. Making this provision a permanent part of the law will allow our financial services companies to make long-term plans for their international growth. Without this legislation, American financial services companies will be deprived of the certainty that their foreign-based competitors enjoy when operating outside of their home countries.

Mr. Speaker, this legislation will ensure U.S. tax policy does not handicap the ability of our financial services companies to compete in the international marketplace. The permanent extension of the active financial services provision is particularly important today, if the U.S. financial services industry is to continue as a global leader in international markets. The highly competitive and global nature of many of the businesses that will benefit from this legislation highlights the need to ensure greater parity between U.S. tax laws and those of
most other industrialized nations. Any disparity enhances the ability of foreign competitors to engage in a wider range of financial activities than U.S. companies.

In closing, making this provision a permanent part of the law would provide for an equitable and stable international tax regime for the U.S. financial services industry. We hope that this legislation will receive every possible consideration.

MAKE SUBPART F LAW PERMANENT

HON. RICHARD E. NEAL
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. NEAL. Mr. Speaker, I am very pleased to join Representative Jim McCrery and a majority of the Ways and Means Committee in introducing legislation to make permanent the exclusion from Subpart F of the Internal Revenue Code for active financial services income of U.S. businesses operating in foreign markets. This provision permits American financial services firms doing business abroad to pay U.S. tax on their foreign earnings only when those earnings are returned to the U.S. parent. The provision expires at the end of this year.

This rule for active financial services is the same rule that applies to most other types of U.S. companies, and is the general rule in most of the industrialized world. Most competitors of U.S. financial institutions operate under tax regimes that generally do not tax currently active financial income earned outside their home countries. Making the Subpart F rule for active financial services permanent means that U.S. financial services companies will be on a level playing field throughout the life of the contract for which they are competing when they seek to compete in overseas markets with foreign-based financial services companies. While taxes are clearly not the only factor in determining the competitiveness of U.S. financial companies abroad, they do make a difference. In an increasingly global world with increasingly sophisticated competition, we cannot afford to put our financial services companies at such a disadvantage any longer.

Mr. Speaker, my colleagues and I believe it is vital to make the active financing provisions of current law permanent, to provide stability to our American service industries and all who work for them.

A TRIBUTE TO SHERYL BOYCE

HON. EDOLPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. TOWNS. Mr. Speaker, I rise today to honor Sheryl Boyce of Canarsie, for her many years of leadership in the civic and religious communities.

Ms. Boyce believes that to live in the community it is important to serve your community as well. For this reason she has spent nearly two decades as an active community resident. She has been an active member of the Bay View Tenants Association, serving as the financial secretary, recording secretary, and editor of the Association Newsletter. In addition, she organized the Association’s first clean up day. Ms. Boyce has taken a particular interest as a mentor, serving as a Girl and Boy Scout Leader and a chaperon numerous occasions. She is also an active member of the St. Albas’ Episcopal Church. She is on the Altar Guild and serves as a treasurer of the Episcopal Church Women. She has been elected to the Vestry for the third time and serves as a mentor to the altar girls and boys.

Mr. Speaker, Ms. Sheryl Boyce is a woman of deep religious conviction who has served her community and her church with the same level of dedication. As such, she is more than worthy of receiving our recognition today, and I hope that all of my colleagues will join me in honoring this truly remarkable woman.

FREEDOM OF THE MEDIA IN RUSSIA

HON. STENY H. HOYER
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. HOYER. Mr. Speaker, I participated recently in a Congressional delegation to Russia, led by my friend CURT WELDON, where we met with government officials and others to assess the economic and political situation in that country and U.S.-Russian relations. As Co-Chairman of the Duma-Congress Study Group on which I serve with Mr. WELDON, and as former Chairman and Ranking Member of the Helsinki Commission, I have traveled to Russia and the former Soviet Union frequently since the early 1990s.

We are encouraged by Russia’s continued progress, however tentative it may appear at times, towards becoming a democratic state that guarantees the inalienable rights, including religious freedom and respect for human rights and the rule of law, of all its citizens. That is why it is important to see an important tenet of democracy—freedom of the media—being threatened by federal government actions and by local officials as well.

The seriousness of this problem has been addressed by both the Clinton and Bush Administrations and has received widespread attention in the Western press, including recent editorials in The Wall Street Journal and The Washington Post. In Moscow, we were briefed by Ambassador Jim Collins, who told us about the threats to the media, particularly NTV and its holding company, Media Most, and we also met with Evgeny Kiselev, head of NTV—the only independently operated television station in Russia—who described incidents of harassment and intimidation directed against himself and other NTV personnel.

Moreover, and as we have seen in the past, journalists in Russia are under threat of physical attacks, even murder, at the hands of unknown assailants if they offend the wrong people with their reporting.

Mr. Speaker, I would like to bring to the attention of my colleagues of the military Robert Donorter’s Country Report on Human Rights Practices-2000, just sent to the Congress by the Bureau of Democracy, Human Rights, and Labor, as required by law. It is a valuable document that assesses human rights conditions, country by country, around the world and has proven a reliable source of information for Members to better understand how individual governments treat their own citizens.

The section on Russia, which covers 45 pages, states that the government “generally does not tolerate the exposure of human rights violations in many areas,” but that “serious problems remain, including independence and freedom of the media. . . .” The report goes on to state “Federal, regional, and local governments continued to exert pressure on journalists by: initiating investigations by the federal tax office, FSB, and MVD of media companies such as independent Media-Most. . . .”

The report also provides an account of the government harassment of and threats to Mr. Vladimir Goussinsky, founder and chairman of Media-Most, which owns NTV, and his arrest and detention in a Moscow prison. Today, Mr. Goussinsky is confined in Spain, awaiting the disposition of a Russian prosecutor’s request for extradition, as Kremlin authorities have been engaged in a series of actions to shut down the country’s only privately owned television station, or have it taken over by a government-controlled company.

Sadly, Mr. Speaker, these efforts have come to fruition today. Press reports indicate that, in an apparent boardroom coup, the current NTV board, including Mr. Goussinsky, was ousted by the Russian gas firm Gazprom, which says it owns a controlling stake of the station. Mr. Kiselev has been replaced by an associate of the Gazprom directors. Russia’s only other nationwide television stations, ORT and RTR, are already controlled by the government.

Mr. Speaker, I urge the government of the Russian Federation to strengthen democratic institutions and the rule of law by guaranteeing and supporting media pluralism and independence in Russia. Clearly, the foundation of a free and democratic society is a well informed citizenry. That foundation crumbles when freedom of speech and freedom of the media are suppressed. I also urge my colleagues to review the State Department’s report on human rights conditions, particularly the section on Russia.

INTRODUCTION OF THE DEPOSIT INSURANCE FUNDS MERGER ACT OF 2001

HON. JOHN J. LAFLACE
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. LAFLACE. Mr. Speaker, today I introduce legislation that merges the FDIC’s Bank Insurance Fund (BIF) and the Savings Association Insurance Fund (SAIF) on January 1, 2002. I am joined by Representative Maxine Waters as an original cosponsor. A merger of the BIF and SAIF would clearly benefit the deposit insurance system by creating a single, more diversified fund that is less vulnerable to regional economic problems.

In addition, a merger of the funds would more accurately reflect the reality of today’s financial services industry, in which over 40 percent of the SAIF deposits are held by commercial banks and FDIC-regulated state savings banks. In fact, the funds have lost their

HON. HOWARD L. BERMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. Speaker, Nikki Antoinette Bethel is a dedicated young woman of tremendous achievement. As such she is more than worthy of receiving our recognition today, and I hope that all of my colleagues will join me in honoring this truly remarkable woman.

A TRIBUTE TO NIKKI ANTOINETTE BETHEL

HON. EDOLPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. TOWNS. Mr. Speaker, I rise today to honor Nikki Antoinette Bethel of Brooklyn, New York. Ms. Bethel has been a leader throughout her young life both in her academic as well as her professional careers.

Ms. Bethel is a product of the New York City Public School System, having attended St. Mark's Day School, PS 383—Philipa Schuyler Middle School and Edward R. Murrow High School. Ms. Bethel's academic performance led to her election into Whose Who in American High Schools for three consecutive years, she represented New York as a Congressional scholar and she received the “Progress through Justice” Award from the District Attorney of Kings County. After high school, Nikki went to college at the University of Maryland where she again exhibited her leadership abilities: serving as a resident assistant for each of her four years, the Vice-President of the Black Women’s Student Council, a teaching assistant, a section leader of the Honors 100 Colloquium, a delegate of the Black Student Union, and a member of the University’s honor program. After graduating with honors, Nikki went on to receive her Master of Education at Harvard University.

One year of her preparation was complete, Nikki brought her leadership skills and penchant for achievement to Merrill Lynch’s Human Resources Management Training Program. After becoming an Assistant Vice-President, Nikki went in search of new challenges as an MBA Recruiter for Investment Banking Sales and Trading at Morgan Stanley Dean Witter.

Mr. Speaker, Nikki Antoinette Bethel is a dedicated young woman of tremendous achievement. As such she is more than worthy of receiving our recognition today, and I hope that all of my colleagues will join me in honoring this truly remarkable woman.

The Patent Improvement Act of 2001 would establish an administrative “Opposition” process where parties can challenge a granted business method patent in an expeditious, less costly alternative to litigation. The bill creates a rebuttable presumption that a business method invention constituting a non-novel computer implementation of an existing invention is obvious, and thus, not patentable.

The PTO funding Resolution creates a point of order regarding any legislation that does not allow the PTO to spend all fees collected in the year in which they are collected. Some may consider the coordinated introduction of these three bills an unusual approach. Indeed, it will be noted that the first two bills overlap—that is, they contain many of the same provisions applied to different, but overlapping types of patents. We have chosen this approach because we consider all the bills to be improvements over current law, and are new in the sense which bills require sufficient support to be enacted this Congress. Further, we consider the PTO funding Resolution to be a necessary element of any plan to improve patent quality, but recognize that such legislation will generate its own debate. I have decided to forge ahead through these thorny issues because my concerns about the quality and effects of business method patents have not dissipated or diminished during the past year. The pace of business method patenting has picked up dramatically. While in FY 1999, the PTO received 2650 business method patent applications, in FY 2000 it received 7800 such applications. The PTO reports that the first quarter of FY 2001 has seen business method applications running 18–20% higher than in Q1 of FY 2000. I commend the PTO for reducing the proportion of business method patents granted through its Business Method patent Initiative, but there is some concern that this Initiative will extend patent pendancies further.

We will not know what business methods are approved in these applications for at least eighteen months after filing, and in all probability for at least twenty-six months. Some consider this a problem in itself, as technology businesses attempting to move at Internet speed may invest enormous sums of ever-dwindling venture capital only to find important elements of their business plan covered by a business method patent. This is an unfortunate by-product of the patent system, but I do not believe we should address it by prohibiting patents on business methods or requiring publication upon filing.

Of greater concern to me is assuring the highest quality of business method patents being issued. Unfortunately, those business methods patents of which we are aware do...
not give us much confidence about the quality of those yet to be published. Last year, I cited as examples of concern a patent granted for a method of allowing automobile purchasers to select options for cars ordered over the Internet, and a patent that purportedly covered the selling of music and movies in electronic form over the Internet. This year I add to that list a patent for a method of operating a fantasy football league over the Internet, a patent covering incentive programs using the Internet, a patent covering the use of targeted banner advertising over the Internet, and a patent covering a system for previewing music samples over the Internet.

I do not pretend to know whether any of these patents are valid or invalid. However, many respectable parties, including patent lawyers, patent-holding technology companies, and academics, have expressed serious concerns about the quality of such patents.

I would like to see a patent system that subjects these patents to more rigorous review, and thus provide greater assurance that they are valid when issued. If there may be ways to improve the prior art available to patent examiners before they issue a patent, we should explore them. If there are ways to decrease the costs of challenging bad patents, we should enact them into law. And if retention of fees will result in better trained, more experienced examiners with access to better resources, we should let the PTO keep the fees.

As I said last Congress: “The bottom line in this: there should be no question that the U.S. patent system produces high quality patents. Since questions have been raised about whether this is the case, the responsibility of Congress is to closely look at the functioning of the patent system in this very new, and rapidly growing area of patenting.”

A TRIBUTE TO DIANA B. WOOTEN

HON. EDOLPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. TOWNS. Mr. Speaker, I rise today to bring special recognition to one of Brooklyn’s shining stars, Diana B. Wooten.

Diana is the daughter of Joseph and Coun-
woman Priscilla Wooten and a life long resi-
dent of the East New York community of Brooklyn. She is a prominent part of the Brooklyn community of Diana is always involved in assisting the community. On the record and off the record, Diana is always involved in assisting others. She currently serves as Chief Executive Officer of the Greater Bright Light Home Care Services in East New York. She has worked for the Health Science Center of New York, Laurelton Hospital and Cumberland Diagnostic and Treatment Center.

Diana is well known but is still a very private person. She does so many good deeds anonymously to better the lives of others. One among the many is currently serving as President of Single Working Parents, a group that gives respite care to single working parents of children from ages 5 to 13. She is a life-long member of the Grace Baptist Church where the current pastor is the Rev. Jacob N. Under-

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been completed on bills designating wilderness in the Spanish Peaks area of the San Isabel National Forest as well as in the Black Canyon of the Gunnison National Park, the Gunnison Gorge, and the Black Ridge portion of the Colorado Canyons National Conservation Area. Work is needed to continue making progress regarding wilderness designations for deserving lands, including other public lands in our state that are managed by the Bureau of Land Management. And the time is ripe for finally resolving the status of the lands within Rocky Mountain National Park that are dealt with in this bill.

All Coloradans know that the question of possible impacts on water rights can be a primary point of contention in Congressional debates over designating wilderness areas. So, it's very important to understand that the designation of water rights for Rocky Mountain National Park wilderness is entirely different from many considered before, and is far simpler. To begin with, it has long been recognized under the laws of the United States and Colorado, including a decision of the Colorado Supreme Court, that a wilderness in a national park already has extensive federal reserved water rights arising from the creation of the national park itself.

Division One of the Colorado Water Court, which has jurisdiction over the portion of the park that is east of the continental divide, has already decided how extensive the water rights are in its portion of the park. In December, 1993, the court ruled that the park has reserved rights to all water within the park that was unappropriated at the time the park was created. As a result of this decision, the eastern half of the park there literally is no more water for either the park or anybody else to claim. This is not, so far as I have been able to find out, a controversial decision, because there is a widespread consensus that there should be no new water projects developed within Rocky Mountain National Park. And, since the park sits astride the continental divide, there's no higher land around from which streams flow into the park, so there is no possibility of any upstream diversions.

As for the western side of the park, the water court has not yet ruled on the extent of the park's existing water rights there, although it has affirmed that the park does have such rights. With all other rights to water arising in the park and flowing west already claimed, as a practical matter under Colorado water law, this wilderness designation will not restrict any new water claims. And it's important to emphasize that any wilderness water rights amount only to guarantees that water will continue to flow through and out of the park as it always has. It does not affect the hydrologic environment of the park, but it doesn't affect downstream water use. Once water leaves the park, it will continue to be available for diversion and use under Colorado law regardless of whether or not lands within the park are designated as wilderness.

These legal and practical realities are reflected in my bill—as in my predecessor's—by inclusion of a finding that because the park already has these extensive reserved rights to water, there is no need for any additional reservation of such right, and an explicit disclaimer that the bill affords any such reservation. Some may ask, why should we designate wilderness in a national park? Isn't park protection the same as wilderness, or at least as good? The answer is that the wilderness designation will give an important additional level of protection to most of the park.

Our national park system was created, in part, to recognize and preserve prime examples of outstanding landscape. At Rocky Mountain National Park, management, a park, Park Service management over the past 83 years has kept most of the park in a natural condition. And all the lands that are covered by this bill are currently being managed, in essence, to protect their wilderness character. Formal designation will no longer leave this question to the discretion of the Park Service, but will make it clear that within the designated areas there will never be roads, visitor facilities, or other manmade features that interfere with the spectacular natural beauty and wilderness character. This kind of protection is especially important for a park like Rocky Mountain, which is relatively small by western standards. As nearby land development and alteration has accelerated in recent years, the pristine nature of the park's backcountry becomes an increasingly rare feature of Colorado's landscape. Further, Rocky Mountain National Park's popularity demands definite and permanent protection for wild areas against possible pressures for development within the park. While there are currently about 100 claims in the portion of the park west of the Continental Divide and east of the park boundary, this bill designates about 1,000 acres as potential wilderness until non-conforming structures are removed; provide that if non-federal inholdings within the wilderness boundary are sold by the United States, they will become part of the wilderness and managed accordingly.

The bill would not:

- create a new federal reserve water right; instead, it includes a finding that the Park's existing federal reserved water rights, as decided by the Colorado courts, are sufficient to protect certain lands in the park as wilderness, including Trail Ridge and other roads used for motorized travel, water storage and conveyance structures, buildings, developed areas of the park, some private inholdings.

**EXISTING WATER FACILITIES**

Boundaries for the wilderness are drawn to exclude existing storage and conveyance structures assuring continued use of the Grand River Ditch and its right-of-way; the east and west portals of the Adams Tunnel and gauging stations of the Colorado-Big Thompson Project, Long Draw Reservoir, and lands owned by the St. Vrain & Left Hand Water Conservancy District—including Copeland Reservoir.

The bill includes provisions to make clear that its enactment will not impose new restrictions on already allowed activities for the operation, maintenance, repair, or reconstruction of the Adams Tunnel, which diverts water under Rocky Mountain National Park (including lands that would be designated by the bill) or other Colorado-Big Thompson Project facilities, and that additional activities for normal operations will be allowed should they be necessary to respond to emergencies and subject to reasonable restrictions.

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**IN MEMORY OF CHIEF RONALD “REDBONE” VAN DUNK**

**HON. BENJAMIN A. GILMAN**

**OF NEW YORK**

**IN THE HOUSE OF REPRESENTATIVES**

**Tuesday, April 3, 2001**

Mr. GILMAN. Mr. Speaker, I rise today to memorialize Chief Ronald "Redbone" Van Dunk, grand chief of the Ramapough Mountain Tribe, from Hillburn, New York, in my congressional district.

In his role as the grand chief of the 3,000 member Ramapough Mountain Tribe, Chief Redbone served his people with distinction and dignity, and honorably led his tribe in their long sought campaign for Federal recognition. Although the Ramapough Tribe has been recognized by both the states of New York and New Jersey, the Federal government, to date, has denied their request for recognition of their heritage.

Chief Redbone was a dedicated champion of the tribe’s efforts to acquire such native tribal recognition.

Chief Redbone organized his tribal members to incorporate themselves, and in 1979, after he was elected chief, the Ramapough Tribe filed their petition for federal recognition, which is now pending before the U.S. Appellate Court.

Chief Redbone wanted the best for his people, especially for their children, believing that the Ramapough and their heritage would offer the tribe’s children the opportunity to have an identity, a history, and a true pride in themselves as a people.

**THE BILL**

The bill is based on one introduced by Rep. Udall in the 106th Congress and similar legislation proposed by former Congressman David Skaggs and others in previous years. It would:

- designate about 249,562 acres within Rocky Mountain National Park, or about 94 percent of the Park, as wilderness, including Longs Peak—the areas included is based on the recommendations prepared over 23 years ago by President Nixon with some revisions in boundary to correct omissions and other changes since that recommendation was submitted.
Moreover, the service of Chief Redbone was not limited to his people. He was a veteran, having served the United States in Germany from 1953 to 1955.

Grand Chief Ronald “Redbone” Van Dunk was a hero, a gentleman, a soldier, a distinguished leader, and a friend. His passing is not only a loss to his family, but to his tribe and to our Hudson Valley region. His legacy is his hope and dedication for the pride of a people, known as the Ramapoughs.

Our prayers and condolences go out to his family and friends, during their time of mourning.

IN TRIBUTE TO YOSHI HONKAWA

HON. HOWARD L. BERMAN
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. BERMAN. Mr. Speaker, I rise today to congratulate an extraordinary individual, Yoshi Honkawa, who will be honored on April 17th as the recipient of the Allen and Weta Mathies Award for Vision and Excellence in HealthCare Leadership. This prestigious award is presented by the Partner in Care Foundation, an organization dedicated to creating new methods of dealing with long term health care problems.

This innovative foundation could never have found a more perfect individual to honor for leadership in health care policy. Yoshi’s career in this extremely important field—as an advocate, administrator, and mentor—spans decades and has been recognized by most of the leading health care organizations in California and in the nation.

In 1964, Yoshi joined the staff of the Los Angeles County/University of Southern California Medical Center. Many years later, he and his wife, May, endowed their fellowship fund in health policy and management at the University of Southern California. This act is typical of Yoshi’s generosity with all of his resources, including his precious time, with young people entering the health care field. As mentor and teacher, there is no greater friend of graduate medical education than Yoshi Honkawa.

He took special note of the need to increase diversity in health care professionals, serving as a founding member of the Board of the Institute for Diversity in Health Care Management. He is also a member of the Board of Directors of the Japanese American Cultural and Community Center, and works with that organization to preserve and promote an appreciation for Japanese and Japanese-American heritage and cultural arts.

Yoshi’s expertise in health care policy led to his appointment as a Commissioner on California’s Health Policy and Data Advisory Commission. From this post, where he served from 1987 to 1997, he helped shape California’s health policy.

It was while he served at Cedars-Sinai that I really came to know Yoshi well and to appreciate his integrity, his knowledge, his ability and his humanity. As the vice-president for government and industry relations, and then as consultant for health care advocacy, I was privileged to visit with Yoshi both in Los Angeles and during his trips to Washington, where he was a tireless advocate for this prestigious medical center.

Yoshi is, to put it simply, a wonderful person and I am honored to express the gratitude of the community for his tireless service and to congratulate him on this recognition of his outstanding leadership.

RECOGNIZING EQUAL PAY DAY

HON. JANICE D. SCHAKOWSKY
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Ms. SCHAKOWSKY. Mr. Speaker, while I am not proud about the gender disparity of wages in the United States, I am proud today to join with my colleagues as a co-sponsor of the Paycheck Fairness Act.

It is unbelievable that women still earn only a percentage of what men earn for comparable work. In the 21st century, women earn 72 cents for every dollar a man earns. In communities of color, the gap is wider: black women earn 66 cents for every dollar and Latinas earn only 55 cents for each dollar a man earns.

According to these numbers, the average woman must work an additional 12 weeks a year to make up the disparity in income. The pay gap has a significant impact on entire families; it is estimated that American families lose $200 billion each year. Both the AFL–CIO and the Institute for Women’s Policy Research report that, if women were paid the same as comparable men, their family incomes would rise by nearly 6 percent. Poverty rates would drop by more than 5 percent.

Unequal pay is unjustified for equal work. It hurts individuals, families, and communities. We must do better to support hard working women and their families. We must pass the Paycheck Fairness Act; it is the only right and fair thing to do.

LEGISLATION TO PROVIDE FOR A COOPERATIVE LANDSCAPE CONSERVATION PROGRAM

HON. MARK UDALL
OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. UDALL of Colorado. Mr. Speaker, today I am introducing a bill to authorize a program to help states, local governments, and private groups protect open space while enabling ranchers and other private landowners to continue to use their lands for agriculture and other traditional uses. The bill, entitled the “Cooperative Landscape Conservation Act,” is based on provisions that were passed by the House last year as part of the Conservation and Reinvestment Act (“CARA”) but on which the Senate did not complete action.

I think the program that this bill would establish would be good for the entire country—and it would be particularly important for Colorado.

In Colorado, as in some other states, we are experiencing rapid population growth. That brings with it rising land values and property taxes. This combination is putting ranchers and other landowners under increasing pressure to sell lands for development. By selling conservation easements instead, they can lessen that pressure, capture much of the increased value of the land, and allow the land to continue to be used for traditional purposes. That’s why conservation easements are so important for our state. It’s why the state and many local governments are interested in acquiring conservation easements on developed lands. It is also why non-profit organizations like the Colorado Cattlemen’s Agricultural Land Trust and the Nature Conservancy—to name just two of many—work to help ranchers and other property owners to make these arrangements and so avoid the need to sell agricultural lands to developers.

I strongly support this approach. Of course, by itself it is not enough—it is still important for government at all levels to acquire full ownership of land in appropriate cases. But in many other instances acquiring a conservation easement is more appropriate for conservation and other public purposes, more cost-effective for the taxpayers, and better for ranchers and other landowners who want to keep their lands in their own name.

But while it is usually less costly to acquire a conservation easement than to acquire full ownership, it is often not cheap—and in some critical cases can be more than a community or a nonprofit group can raise without some help. That is where my bill would come in.

Under the bill, the Secretary of the Interior would be authorized to provide funds, on a 50 percent match basis, to supplement local resources available for acquiring a conservation easement. For that purpose, the bill would authorize appropriation of $100 million per year for each of the next 6 fiscal years—similar to the amount that would have been authorized by the CARA legislation that the House passed last year.

The bill provides that the Secretary would give priority to helping acquire easements in areas—such as Colorado—that are experiencing rapid population growth and where increasing land values are creating development pressures that threaten the traditional uses of private lands and the ability to maintain open space. Within those high-growth areas, priority would go to acquiring easements that would provide the greatest conservation benefits while maintaining the traditional uses—whether agricultural or some other uses—of the lands involved.

The bill would not involve any federal land acquisitions, and it would not involve any federal regulation of land uses—conservation easements acquired using these funds would be governed solely under state law.

Mr. Speaker, the national government has primary responsibility for protecting the special parts of the federal lands and for managing those lands in ways that will maintain their resources and values—including their undeveloped character—as a legacy for generations. Regarding other lands, the challenge of responding to growth and sprawl is primarily the responsibility of the states and tribes, the local governments, and private organizations and groups—but the federal government can help.

This bill would provide help, in a practical and cost-effective way. For the information of our colleagues, I am attaching a summary of its main provisions.

I am attaching a recent article from the DENVER POST about how the Larimer Land Trust has helped ranchers near Buckeye, Colorado to assure that their lands, with their resources of habitat for a wide variety of wildlife.
and many geographic and cultural treasures, will remain undeveloped and will continued to be used for grazing and other agricultural uses. I think this article shows the importance of the program that would be established by the bill.

DIGEST OF “COOPERATIVE LANDSCAPE CONSERVATION ACT”

The bill is based on provision included in the House-passed Conservation and Reinvestment Act (CARA) legislation of the 106th Congress. It would provide federal financial assistance to states, local government, Indian tribes, and private landowners to preserve open space by acquiring conservation easements.

BACKGROUND: In Colorado and other rapidly-growing states, rising land values and property taxes are putting farmers and ranchers (and other landowners) under increasing pressure to sell their lands for development. By selling conservation easements instead, they can lessen that pressure, capture much of the increased value of the land, and allow the land to continue to be used for traditional purposes. The party acquiring the conservation easement would have an enforceable property right to prevent development.

WHAT THE BILL WOULD DO:

Program—The bill would establish the “Cooperative Landscape Conservation Program,” to be administered by the Department of the Interior. The program would provide grants to assist qualified recipients to acquire conservation easements.

Funding—Bill would authorize appropriations of $100 million/year for fiscal years 2002 through 2007. Funds would be used for grants, would be on a 50 percent-50 percent matching basis, for purchase of conservation easements on private lands in order to provide wildlife, fisheries, open space, recreation, or other public benefits consistent with the continuation of traditional uses by the private landowners. Up to 10 percent of annual funds could be used by Interior Department to provide technical assistance.

Priority—(1) Priority for grants would be to help acquire easements in areas where rapid population growth and increasing land values are creating development pressures that threaten traditional uses of land and the ability to maintain open space. (2) Easements in areas that would provide the greatest conservation benefits while maintaining traditional uses of lands.

Eligibility Recipients—would be agencies of state or local government, tribes, and tax-exempt organizations operated principally for conservation.

Enforcement—Only an entity eligible for a grant could hold and enforce an easement acquired with program funds; at time of application, state Attorney General would have to certify that an easement would meet the requirements of state law.

WHAT THE BILL WOULD NOT DO:

Bill would NOT involve any federal land acquisition.

Bill would NOT involve any federal regulation of land use.

FROM THE Denver Post, April 2, 2001

RANCHER’S LEGACY TO STAY WIDE OPEN

By Coleman Cornelius

April 1, 2001—BUCKEYE—Chuck Miller gazed at his ranch from under the brim of a battered felt cowboy hat. His cows and their new calves lolled nearby, soaking in the sun. A spring breeze swept over a rocky ridgeline, open grazing land, an irrigated alfalfa field, a glittering lake.

"I never knew a day when I didn’t want to ranch on my own," Miller said as he recently surveyed his land in the Buckeye community, 20 miles north of Fort Collins. "I don’t ever remember when that wasn’t my goal in life."

Miller, whose Sunnybrook Cattle Co., includes about 450 acres and about 100 Angus and Longhorn cattle, soon will mark his 85th birthday. So he has pondered the future of his land and has wondered whether his ranching lifestyle will continue in fast-growing northern Larimer County. Withing the Larimer Land Trust, the Buckeye ranchers have protected 500 acres through conservation easements, meaning the land can never be developed.

It’s not a lot of land in this rugged and breathtaking territory, which is home to the county’s largest cattle ranches. In several cases, ranches have expanded more than 10,000 acres, according to county records.

Yet, the newly protected acreage is significant, conservationists said.

That’s in part because it represents a growing alliance between ranchers and conservationists. These camps, often at odds in the past, face a way of life that has waned as encroaching development has spawned tensions and has ratcheted up land prices.

“It’s really clear that if you want to protect Colorado’s open space, you’ve got to help ranchers and farmers stay on the ground," said Alisa Wade, executive director of Larimer Land Trust. “If we don’t start working together now it’s going to be too late."

The Buckeye ranchland is in the foothills of the Laramie Mountains and is part of an ecological hinge between the mountains and plains.

It hosts a rich variety of plants and wildlife, including deer, elk, pronghorns, bears, mountain lions, bobcats, coyotes, raptors and rattlesnakes. The land also holds geographic and cultural treasures, including fossilized dinosaur tracks and American Indian artifacts. Some of the West’s first white settlers came through the area on the Cherokees Overland trails. Miller once found an oxen shoe dropped by an animal pulling a pioneer’s wagon.

The conservation project is significant, too, because it’s a first step in what could become a vast stretch of protected ranchland.

“The Buckeye is one of the last remaining regions of large, contiguous ranchlands in Larimer County, so it’s an important piece of long-term ranching viability in the county,” Wade said.

The Nature Conservancy of Colorado, which owns a 2,000-acre preserve in the foothills of the Laramie Mountains, has identified northern Larimer County as a priority area for land conservation and contributed most of the money for the Buckeye project.

The organization’s leaders hope other ranchers will decide to follow.

“We’d love to see some of those big ranches up there in some kind of conservation program,” said John Stokes, the Nature Conservancy’s northeast Colorado program manager.

Conservation easements increasingly are used to preserve valuable open lands, and the provisions vary from deal to deal. But most of these legal agreements have one thing in common: Acreage in a conservation easement has been stripped of development rights and must remain undeveloped.

As part of the Buckeye project, the Larimer Land Trust paid participating ranchers for the development rights on their property. But because they’ve chosen to use their land in conservation, they accepted about 30 percent of the value of those development rights and donated the remaining value, Wade said.

“The value of their donation is about $400,000. It’s a significant donation,” she said.

The Larimer Land Trust, which negotiated the easements, spent $254,000 on the Buckeye project, Wade said.

The ranchers still own their property, and its agricultural use—primarily for cattle grazing—will not change.

Like other private landowners, the participating ranchers may sell or bequest their property. But the conservation easements remain even when the land changes hands; new owners cannot develop the protected property.

That means the land’s eventual sale price would be reduced. And it assures the protected acreage, if used at all, would be used for farming and ranching, Wade said.

While the value of protected land drops, the ranchers have pocketed some cash and will reap tax benefits from the conservation easements.

That’s a satisfying financial trade-off, they said.

But more satisfying for these ranchers is knowing their land will remain undeveloped for the enjoyment of heirs or other future owners, they said.

“I’m sure we could make much more money if we sold the land for development, but we didn’t want to do that,” said Kathy DeSmith, who raises hay and cattle. She and her ranching partner put 179 acres in an easement as part of the conservation project.

Miller, who protected 105 acres, said it pleases him to watch his 8-year-old grandchildren ride horses, fish and wade in the creek on his ranch. He hopes others will someday find the same carefree joys on his land.

The rancher said he’s been offered more than $1 million for his property. But the money did not entice him or his three children, especially because they knew development would almost certainly follow, Miller said.

“What would I do with a big pile of money, living in town with nothing to do? That doesn’t suit me at all,” he said. “I don’t make a great deal of money—cash—but look at what I’ve got.”

Edie Yates, 53, who with her husband owns the 530-acre Park Creek Ranch, agreed that she has found many rewards living on land that has been unchanged over time. The Yatees put 215 acres in an easement.

The couple knew they could profit from their land, but they “couldn’t swallow the idea of houses built all over it,” Yates said. “Your conscience falls in somewhere.”

As she led a tour of her ranch, Yates stood on a ridgeline and gazed at the striking landscape of canyons, meadows and towering rock formations.

“To me, to stand out here right now, it’s good for your soul,” she said.
EQUAL PAY DAY

HON. DANNY K. DAVIS
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. DAVIS of Illinois. Mr. Speaker, I rise to recognize Equal Pay Day. A woman would have to work until today, April 3, 2001 in order to earn the same salary of her male counterparts through December 31, 2000. Regrettably, the gap is even wider for Black and Hispanic women.

Perhaps even more troubling than the actual disparities is the poor explanations used to justify the situation.

Some blame pay inequity on women because they enter less lucrative professions. This assertion ignores the fact that traditionally female professions are purposely very underpaid. Professions such as teaching and nursing are undervalued and low-paying because they are traditionally female. Furthermore, the inequity exists within traditionally female fields. For example, elementary school teachers still make 70 dollars a week less than men in the same position. Clearly, this reason is not a sound one.

Another popular justification assumes that equal pay for women translates into financial inequity within the family. Let’s respect pay inequity this year, and render Equal Pay Day 2002 obsolete.

Representatives GEPHARDT, SKELTON, FRANK, and render Equal Pay Day 2002 obsolete.

Tuesday, April 3, 2001

This persistent myth states that equality will justify the situation.

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Defense will increase their level of scrutiny and prevent them from making such poor decisions in the future.

GOVERNORS ISLAND PRESERVATION ACT, H.R. 1334

HON. BENJAMIN A. GILMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. GILMAN. Mr. Speaker, today I rise to introduce H.R. 1334, the Governors Island Preservation Act. This legislation is a historic opportunity to preserve and protect the third and final jewel of New York Harbor, Governors Island.

Governors Island was owned and operated as a military facility by the British and American Armed Forces for more than 200 years. This national treasure has played an important role in the Revolutionary War, the War of 1812, the American Civil War, World Wars I and II, as well as hosting the site of the 1988 Reagan-Gorbachev summit, during the Cold War.

In 1800, in order to provide for the national defense, the people of the state of New York ceded control of Governors Island to the Federal government, then, in 1958, transferred the island outright for only $1.00.

The U.S. Coast Guard has now vacated Governors Island because of the high costs involved in maintaining its base there. This now vacated island is being maintained by General Services Administration with an annual appropriation and, by law, which must be disposed of by 2002.

At the end of last year, the first important step to preserving this national treasure was taken when Castle William and For Jay were designated national monuments.

Now, both New York State and New York City need our help to preserve and protect one of our nation’s most important and beautiful landmarks, and to be able to turn Governors Island into a destination with significant open and educational spaces for public use.

The State and the City of New York have worked out a detailed plan which will protect the historic nature of the island while transforming the southern tip into a 50-acre public open space. The plan includes creating a public and private partnerships in its twofold mission of advocacy and the delivery of quality services.

Throughout its history, South Shore ARC has been a leader in the community, utilizing public and private partnerships in its two-fold mission of advocacy and the delivery of quality services. The organization has fought tirelessly for the rights of individuals with disabilities, and has been instrumental in the passage of legislation improving and expanding special needs education.

Mr. Speaker, I invite you and our colleagues to join with me in congratulating the South Shore Association for Retarded Citizens for their decades of hard work, and wish them many more years of success.

INTRODUCTION OF THE RESPONSIBLE OFF-ROAD VEHICLE ENFORCEMENT AND RESPONSE (“ROVER”) ACT

HON. MARK UDALL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. UDALL of Colorado. Mr. Speaker, I am today introducing a bill to improve the ability of the Bureau of Land Management and the Forest Service to respond to a serious problem affecting federal lands in Colorado and other states.

Throughout the west, and especially in Colorado, increased growth and development has resulted in an increase in recreational use of our public lands. These recreational uses have, in some cases, stressed the capacity of the public land agencies to adequately control and manage such use. As a result, areas of our public lands are being damaged.

One of the uses that cause the greatest impacts are recreational off-road vehicles. The results can include: damage to wildlife habitat; increased run-off and sediment pollution in rivers and streams; damage to sensitive high-altitude tundra, desert soils, and wetlands; creation of ruts and other visual impacts on the landscape; loss of quiet and secluded areas of the public lands; and adverse effects on wildlife.

Recreational off-road vehicle use on our public lands should be allowed to continue, but it must be managed to minimize or avoid these problems, by appropriate restrictions and putting some sensitive areas off-limits to vehicle use.

Most vehicle users are responsible—they stay on designated roads and trails, they are respectful of the landscape and they endeavor to tread lightly. However, there are a number of such users who do not obey the rules. Given the nature of this use (large, powerful motorized vehicles that are able to penetrate deeper and deeper into previously-secluded areas), even a relatively few who violate management requirements can create serious damage to public land resources.

For example, under BLM’s basic law, the Federal Land Policy and Management Act of 1976, fines for violations of regulations—including regulations governing ORV uses—are limited to $1,000. That figure has remained unchanged for a quarter of a century, and does not reflect the fact that in many cases the damage from violations will cost thousands more to repair.

The bill I am introducing today would provide for increased fines for such violations—to $10,000 or the costs of restoring damaged lands, whichever would be greater.

The need for this legislation is well shown by a recent article in The Denver Post by Penelope Purdy that outlines problems in New Mexico, Utah, and Idaho as well as some recent events in Colorado. As she reports, last August, two recreational off-road vehicle users ignored closure signs while four-wheel driving on Bureau of Land Management land high above Silverton, Colorado. As a result, they got stuck for five days on a 70 percent slope at 12,500 feet along the flanks of Houghton Mountain.

At first, they abandoned their vehicles. Then, they returned with other vehicles to pull their vehicles out of the mud and off the mountain. The result was significant damage to the high alpine tundra, a delicate ecosystem that may take thousands of years to recover.

As noted in a Denver Post story about this incident, “Alpine plant life has evolved to withstand freezing temperatures, nearly year-round frost, drought, high winds and intense solar radiation, but it’s helpless against big tires.”

Despite the extent of the damage, the violators were only fined $600 apiece—hardly adequate to restore the area, or to deter others. Another example was an event that occurred last year above Boulder, Colorado, that has become popularly known as the “mudefest.”

Two Denver radio personalities announced that they were going to take their off-road four-wheel-drive vehicles for a weekend’s outing on
an area of private property along an existing access road used by recreational off-road-vehicle users. Their on-air announcement resulted in hundreds of people showing up and driving their vehicles in a sensitive wetland area, an area that is prime habitat of the endangered boreal toad. As a result, some 18 acres were seriously damaged. Estimates of the costs to repair the damage ranged from $66,000 to hundreds of thousands of dollars.

Most of the "mudfest" damage occurred on private property. However, to get to those lands, the vehicle users had to cross a portion of the Arapaho-Roosevelt National Forest—but the Forest Service only assessed a $50 fine to the two radio disc jockeys for not securing a special use permit to cross the lands. Again, this fine is not commensurate to the seriousness of the violation or the damage that ensued, or stands as much of a deterrent for future similar behavior.

These are but two examples. Regrettably, there are many more such examples not only in Colorado but also throughout the west. These examples underscore the nature of the problem that this bill would address. If we are to deter such activity and recover the damaged lands, we need to increase the authorizations of the federal public land agencies. My bill would do just that. Specifically, my bill would amend the Federal Lands Policy and Management Act and relevant laws governing the Forest Service to authorize these agencies to assess greater fines on recreational off-road vehicles for violations of management, protection, and recreation requirements. The bill would authorize the Secretary of the Interior and the Secretary of Agriculture to assess up to $10,000 in fines, or 12 months in jail, or both, for violations of road and trail closures and other management regulations by recreational off-road vehicles. The bill also would authorize the Secretary of the Interior and the Secretary of Agriculture, in lieu of a specific dollar fine, to assess fines equal to the costs required to rehabilitate federal public lands from damage caused by recreational off-road vehicles.

In addition, the bill would authorize the Secretary of the Interior and the Secretary of Agriculture to apply any funds acquired from recreational off-road vehicle violations to the area that was damaged or affected by such violations, and to increase public awareness of the need for proper use of vehicles on federal lands. This would give these agencies additional resources to recover damaged lands and areas that may be exposed to repeated violations.

The bill does not put any lands "off limits" to recreational off-road vehicle use. It does not affect any specific lands in any way. The bill also does not provide for increased fines for other activities that can damage federal lands. There may or may not be a need for legislation along these lines, but in the meantime I am seeking only to address this one problem.

Mr. Speaker, I fear that that improper use of recreational vehicles is a problem of growing seriousness throughout the west. My intention with this bill is to help address this problem so that all recreational users of our public lands can have a rewarding, safe and enjoyable experience. Everyone’s experience is diminished when a few bad actors spoil the resources and the beauty of our lands. I think this bill can help provide the BLM and the Forest Service with better tools to respond to the problems by allowing appropriate recreational use of our public lands while also protecting the resources and values of these lands that belong to all the American people.

For our colleagues, I am attaching a fact sheet about the bill as well as an editorial and other material from the Denver Post:

RESPONSIBLE OFF-ROAD VEHICLE ENFORCEMENT AND RESPONSE ("ROV-EHR")

Background: In Colorado and throughout the west increased population growth has brought increased recreational use of federal lands. This has made it harder for land-managing agencies to adequately control and manage such use.

Recreational and other use of off-road vehicles (ORVs) can present serious problems. This use should be allowed to continue, but must be managed and controlled to minimize or avoid adverse effects. That involves closing off some sensitive areas and other regulations. Improper use of vehicles can result in serious damage to the national forests and the public lands managed by Land Management (BLM). This can involve damage to wildlife habitat; increased run-off and sediment pollution in rivers and streams; damage to cultural, historical, and other visual impacts to the landscape; loss of quiet areas due to the increased penetra-tion of off-road vehicles; previously se-closed areas of the public lands; and impacts to wildlife from noise and effects on migra-tion corridors.

Currently, the Forest Service and BLM do not always have clear authority to assess fines commensurate with the costs of enforcement and the damage that often results. For example, under the law governing BLM lands, federal officials can only impose up to $1,000 in fines while the damage that results could cost thousands more to address. The Forest Service’s authority also needs clarifying and strengthening.

The bill would provide new authority, in order to increase public awareness, deter violations, and help cover the costs of enforcing and damages to affected lands.

WHAT THE BILL WOULD DO

Allow Increased Fines: The bill would au-thorize the Secretary of the Interior and the Secretary of Agriculture to assess fines of up to $10,000 or the costs of restoration, whichever is greater, for violation of ORV regulations. The current provisions for imprisonment of 12 months in jail is retained.

Apply Fines to Enforcement and the Area Damaged: The bill would authorize the Secretary of the Interior and the Secretary of Agriculture to apply any funds acquired from recreational off-road vehicle violations to the costs of enforcing off-road violations, increasing public awareness of the problem, and to repair damages to lands affected by such violations.

WHAT THE BILL WOULD NOT DO

Increase Closures of Public Lands: The bill would not affect the particular lands that are designated as "off limits" to recreational off-road vehicle use. Decisions about which roads or trails will remain open to such use would continue to be made by land-management agencies.

Apply to Other Uses: The bill would not impose increased fines for violation of any regulations other than those applicable to use of vehicles.

Eliminate Fines for Other Violations: The bill would not affect the current ability of the federal public land agencies from assessing existing fines and penalties for other activities that violate management, use and protection requirements. Such fines would continue to apply to violations of other regulations.

[From the Denver Post, Feb. 11, 2001]

CURBING THE TRAFFIC

It’s obscene that motorized vehicles can legally drive wherever they please on so much public land, disrupting wildlife habitats and scarring fragile terrain. Some U.S. Bureau of Land Management districts and national forests require all motor vehicles to stay on main roads or approved trails—but many do not. The federal government must start requiring off-road vehicles to stay on roads and four-wheel-drive trails in all BLM and U.S. Forest Service holdings.

Most people who drive on BLM land and national forests already stay on designated routes. So the extensive, increasing damage to taxpayer property is being inflicted by a small percentage of off-road drivers. But because the raw numbers of ORVs has soared, the ecological damage has also increased.

Paradoxically, the regulatory system requires extensive environmental studies before it lets oil drillers, timber companies or ski areas build roads on public lands. Yet it continues to let ORVs carve up trails with no environmental assessment at all.

When the agencies do crack down on the worst abuses, some off-road drivers complain that the rules close off too much public land. Unfortunately, Congress gives too much credence to this vocal minority and remains ill-informed about the real damage happening on the ground.

It’s thus commendable that the Colorado BLM office is considering an interim order making all motorized vehicles stay on existing roads and trails. But citizens off the public lands. Unfortunately, Congress gives too much credence to this vocal minority and remains ill-informed about the real damage happening on the ground.

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asked the drivers to leave. They ignored both his pleas and orders from law enforcement officers. And they left one heck of a mess in the high-altitude wetland. The area is a potential habitat for the almost extinct boreal toad, and is home to more than a dozen species of migratory birds. In other case of wetland and habitat destruction, the feds reacted hesitantly.

For example, when the Vail ski area accidently built part of a temporary road through a seasonal wetland, not only did the U.S. Environmental Protection Agency insist that Vail fix the damage, but it’s also contemplating a substantial fine against the resort. The Vail wetland involved only a fraction of one acre. Yet faced with a case involving 25 acres near Boulder, the EPA says federal law doesn’t protect wetlands on private property from this vehicle-caused damage.

When building its new airport, Denver delayed construction of one runway because a pair of burrowing owls had nested in its path. Interfering with a migratory bird is a federal offense. But confronting the destruction of habitat for 13 migratory bird species at Caribou Flats, the U.S. Fish and Wildlife Service says it hands are tied. Many of the mudfest yahoos later excused their juvenile behavior by claiming they “didn’t know” they were on private property. This is not the first time officials have thought that if they were on public land, it’d be OK to spin their big wheels in the mud. It’s not OK.

The Arapahoe-Roosevelt National Forest is implementing a policy, already posted in many places, that drivers must stay on designated routes. Yet the U.S. Forest Service, across whose land the scofflaws at Caribou Flats had to travel to reach the scene, only imposed a minimum $50 fine on the disc jockeys for holding a large gathering without a permit. Even the Colorado Division of Wildlife says it likely can do nothing in the matter.

A criminal inquiry is under way by the Boulder sheriff, with help from the Colorado attorney general. But they probably won’t do anything.

The inequality in pay is not just morally wrong; it renders real harm on American families and our national economy. This gender wage gap means $4,000 less per American family and over $200 billion less in the American economy.

We need to act now, and that is why I support H.R. 781, “The Paycheck Fairness Act,” authored by my distinguished colleague, the distinguished gentle lady from Connecticut, ROSA DELAUR. This bill creates stronger enforcement, greater measurement, and better incentives against discrimination in wages based on gender.

These are the facts, and they challenge our national integrity. They challenge our commitment to equal pay for equal work. They challenge us to action. The majority of Americans support equal pay for equal work. It is time for Congress and the President to finally hold our nation accountable to the promises and ideals embedded in our Constitution.

In my state of California, families lose a staggering 21 billion dollars of income annually to the wage gap. If women in California received equal pay, poverty in single mom households would go from 19.2 percent to 9.2 percent.

Women in the Inland empire for example lose on average 4 thousand dollars every year because of unequal pay.

This is money that can’t buy groceries, housing, child care, clothing for their families. I ask my colleagues to support H.R. 781, The Paycheck Fairness Act and the Fair Pay Act, legislation currently pending in Congress that is designed to help eliminate the wage gap that still exists between men and women. Many working women lack the basic benefits they need in order to care for their families.

They are our mothers, grandmothers, wives, sisters, daughters, and colleagues.

They are our doctors, lawyers, teachers, caregivers, and leaders.

Women lawyers earn $300 less than male attorneys.

Female doctors make $500 less than their male colleagues.

Nurses earn $146 less per week than male nurses who only make up 5 percent.

Women lawyers earn $300 less than male lawyers.

Women nurses earn 76 cents for each dollar earned by the average man.

The median wages of female college graduates fall behind those of male college graduates by $14,665.

This pay disparity applies for all age groups. For example, women ages 35–44 earned about 72 cents per dollar and women ages 45–54 earned about 70 cents per dollar, compared to men’s 84 cents.

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Waitresses weekly earnings are $50 less than waiters earnings.

The situation is even worse for women of color. African American women earn only 67 cents and Latinas 58 cents for every dollar that men earn.

They wage gap impacts women’s retirement also. Women have less to save for their futures and with smaller pensions than men.

We need to recognize working women and we need to pay them equally.

On the job, working women are looking for higher pay, better benefits and, most of all, the three “Rs”: Respect, Recognition and Reward for a job well done.

Half of all older women receive a private pension in 1998 got less than $3,486 per year, compared with $7,020 per year for older men. Before the end of this year, let’s pass this legislation to finally make the work of American women valued, fair, equitable and just.

Let’s work to bring equal pay to every woman in America. They deserve it and their families deserve it.

Let’s get the job done.

Tribute to Jason Williams

Honorable Michael Ferguson

In the House of Representatives

Tuesday, April 3, 2001

Mr. FERGUSON. Mr. Speaker, I rise today to congratulate Plainfield, New Jersey’s own star, Jason Williams. Jason, who is an All-American basketball player for Duke University, led his team in their 82–72 NCAA National Championship victory over Arizona on Monday night, April 2, 2001.

All of Plainfield and New Jersey are proud of our hometown hero, Jason Williams. As a student athlete, he has shown tremendous leadership and dedication while playing at an incredible level—all while under the pressure of national spotlight.

The top-ranked Duke Blue Devils won the national title Monday night under the leadership of Jason Williams. The 6’2’’ point guard
CONGRESSIONAL RECORD — Extensions of Remarks

E527

April 3, 2001

TRIBUTE TO THE ARMADA FREE PUBLIC LIBRARY

HON. DAVID E. BONIOR
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. BONIOR. Mr. Speaker, today I would like to recognize an institution whose outstanding dedication and commitment to the service of its community has led to a great accomplishment. On Sunday, April 1, 2001, the Armada Free Public Library will celebrate its Centennial Anniversary, commemorating 100 years of civic excellence.

Located in Armada, Michigan, the Armada Free Public Library has always been a flourishing center of education and resources for families and friends of the community. With a great emphasis on community service, the Armada Library has opened its doors throughout the years to welcome patrons to civic gatherings, conferences, club meetings, and children’s hours.

Literature and books will always serve as the cornerstone of the Armada Library. But the library is expanding, by bringing in new levels of technology and resources. The community of Armada has dedicated its time and talents to bring the public library into the 21st Century with online databases, World Wide Web access, and an automated card catalog system.

Because of this community’s unwavering support, the Armada Free Public Library has become a center that will continue to cultivate its historic roots as well as reach out to younger generations.

The Armada Free Public Library is a true testament to the hard work and dedication of community members and their families. I applaud the Armada Free Public Library for its leadership, commitment, service, and I urge my colleagues to join me in congratulating them on this landmark occasion.

TRIBUTE TO FORMER MICHIGAN STATE REPRESENTATIVE MIKE PRUSI

HON. BART STUPAK
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. STUPAK. Mr. Speaker, I would like to pay tribute to Mike Prusi, a former representative to the Michigan House of Representatives from the 109th Representative District, which is made up of two counties, Marquette and Alger, in my congressional district.

Mike was first elected to the House in a special election in May 1995, following the death of one of Michigan’s great legislators and great spokesman for northern Michigan, Dominic J. Jacobetti. Mike has just concluded his service in the Michigan House because of the Michigan term limits law. This law was enacted at the will of the voters of Michigan, but I have to confess that in this case I believe the law has turned an excellent public servant out of office.

Mr. Speaker, the Upper Peninsula of Michigan, where Mike and I are from, is an area rich in natural wealth and scenic beauty. It is also an area that, because of its sheer size, offers a wealth of diverse social and political
issues. Because its population is sparse, however, its representation in Lansing is meager in numbers.

Spokesmen for this region must stand taller and speak more eloquently than their downstate counterparts. Mike served on the important Appropriations Committee in the Michigan House and on the Appropriations Committee in the Michigan Senate. Larry J. Jacobetti, before him, was an outstanding spokesman for the region.

Mike brought a profound understanding of the region with him when he went to Lansing. He was born in his district, was schooled there, and became a skilled legislator, eventually becoming president of a Steelworkers local. Like the red dirt that coats the clothing of miners, Mike carried the innate strength, pride and independence of Upper Michigan residents to his job as a state representative.

There have been many important issues affecting us an opportunity to work together. The round of military base closures under the BRAC Commission in the early 1990s affected a base in the Upper Peninsula, in the heart of what would become Mike’s district. Fighting to revive this economic heart of the Upper Peninsula has become one of my major efforts and concerns.

Today, we face the problem of illegal imports of steel—raw materials and finished projects—which have jeopardized the health of the U.S. steel industry. These illegal dumping products affect the entire industry, beginning with the very mines where Mike has worked. We are again joined in an important economic battle, this time to protect jobs and our vital national steel industry, from mining to final rolling of finished steel.

I wish Mike and his wife Sandra the best in his post-legislative career. He has my deep respect and friendship. The people of Michigan were well-served by Mike Prusi. They will miss him. I will miss him.

RECOGNIZING THE CONTRIBUTIONS OF DR. THOMAS E. STARZL IN THE FIELD OF ORGAN TRANSPLANTATION

HON. MICHAEL F. DOYLE OF PENNSYLVANIA IN THE HOUSE OF REPRESENTATIVES Tuesday, April 3, 2001

Mr. DOYLE. Mr. Speaker, I rise today to recognize the extraordinary career of Dr. Thomas E. Starzl, the pioneer in the field of organ transplantation, who turned seventy-five years old on March 11, 2001.

This year marks the 20th Anniversary of Dr. Starzl’s first liver transplant in Pittsburgh, Pennsylvania. Thirty transplants were performed in that year in 1981, which provided for the foundation for a liver transplant program at the University of Pittsburgh and the University of Pittsburgh Medical Center Health System (UPMC) that would become the largest in the world.

Dr. Starzl earned his baccalaureate degree in biology at Westminster College in Missouri and his medical degree at Northwestern University. Following postgraduate work at Johns Hopkins University, surgical fellowships, and residencies, Dr. Starzl served on the faculty at Northwestern University for four years before transferring to the University of Colorado School of Medicine. It was there that Dr. Starzl made history by performing the world’s first human liver transplant in 1963 and the first successful liver transplant in 1967.

While continuing to perform kidney and liver transplants, Dr. Starzl focused his work to develop ways to suppress the body’s immune system to prevent organ rejection. In 1981, Dr. Starzl established the School of Pittsburgh’s School of Medicine as a professor of surgery. It was there that he utilized his new anti-rejection drug cyclosporine, which propelled transplantation from an experimental procedure to an accepted form of treatment.

Under Dr. Starzl’s unmatched leadership, the transplant program at the University of Pittsburgh grew into the largest and most active program in the world. To date, more than 11,300 total transplants have been performed through this program with approximately 6,000 of those being liver transplants.

Dr. Starzl retired from clinical and surgical service in 1991 but continues to make important strides in the field of transplantation and transplant immunology. In addition, Dr. Starzl continues to share his knowledge of expertise in this field by remaining active as a professor. Dr. Starzl has had a tremendous impact and influence in the field of transplantation. He has received 21 honorary doctorates and more than 175 awards and honors, including most recently the 2001 King Faisal International Prize for Medicine.

Mr. Speaker, I ask my colleagues to join me in saluting Dr. Thomas E. Starzl, the Father of Transplantation. Through his commitment to furthering the capabilities of modern medical science, Dr. Starzl has not only saved countless lives, but he has helped establish the worldwide reputation that western Pennsylvania, the University of Pittsburgh, and the UPMC Health System all share in the field of medicine.

THERE IS A BILL INTRODUCING THE CHILD PROTECTION SERVICES IMPROVEMENT ACT

HON. FORTNEY PETE STARK OF CALIFORNIA IN THE HOUSE OF REPRESENTATIVES Tuesday, April 3, 2001

Mr. STARK. Mr. Speaker, I rise today to introduce the Child Protection Services Improvement Act.

This bill provides education loan forgiveness for child welfare workers who have been with an agency for at least 2 years. In addition, the bill provides States with $500 million in matching grants over 5 years to improve the quality of their child welfare workers. States can use these matching grants to improve child welfare services in States is the last line of defense in protecting these children. If these agencies falter, many of these children pay the price and sometimes that price is their life.

Child Welfare League of America, the National Association of Social Workers and the Catholic Charities of America have endorsed this bill.

Please join with us in supporting the Child Protection Services Improvement Act and provide much needed financial resources to our child welfare workforce to protect the most vulnerable children in our society.

TRIBUTE TO STEVE GIBBS

HON. ROB PORTMAN OF OHIO IN THE HOUSE OF REPRESENTATIVES Tuesday, April 3, 2001

Mr. PORTMAN. Mr. Speaker, I rise today to pay tribute to Steve Gibbs, a dear friend and community leader who will be recognized on April 21, 2001 by the FreeStore/FoodBank for 26 years of service with the organization.

The FreeStore/FoodBank was founded in Cincinnati in 1971. Steve has been a vital part of the organization as President and CEO nearly since its inception 30 years ago. Thanks to his dedication and hard work, the FreeStore/FoodBank has blossomed from a small, one-man operation into a thriving enterprise that literally has helped millions of people throughout Cincinnati, northern Kentucky and southeastern Indiana.

The mission of the FreeStore/FoodBank is “to provide food, products and services for those in need, and to further their self-reliance.” As one of the largest foodbanks in Ohio, it helps to feed more people in our area each year. It also provides clothes and housing and employment assistance to the needy, and fills the pantry shelves of over 550 agencies, soup kitchens and shelters with donated food. Last year, it distributed close to 9 million pounds of donated and salvaged food, valued at more than $22 million.

Also serving as President of the Ohio Association of Second Harvest Foodbanks, Steve's...
vision and ability to link sometimes unlikely partners also has helped to launch a number of innovative programs that continue to serve the needs of our community. One such partnership includes a joint venture between the FreeStore/FoodBank and the University of Cincinnati’s Health Resources Center to provide medical care to those who cannot afford it. Among other initiatives, he also established a relationship with Goodwill Industries to help increase donations.

Thanks to Steve’s efforts, the FreeStore/FoodBank is often recognized as one of Cincinnati’s most compelling charitable organizations. All of us in the Cincinnati area thank Steve for his dedication to improving the lives of others.

TRIBUTE TO MILLERSBURG, MICHIGAN ON THE OCCASION OF ITS COMMUNITY CENTENNIAL

HON. BART STUPAK
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. STUPAK. Mr. Speaker, I rise today to pay tribute to Millersburg, a small community in my congressional district, the 1st District of Michigan. On Labor Day this year the people of Millersburg will celebrate the centennial of their village. The history of their community is rich and complex, a story of growth and decline and several major changes in the core industry of the community. Like other centennials, however, this date marks more than a chronology of events. It is a history of family unity and old-fashioned values, and the centennial is a wish and prayer for the future of this small village, a hope that it will endure another 100 years.

Village president Bruce Doran and his wife Jo are assembling a book on the community as a reference for this historic event. Their account of the community’s beginning tells how on the morning of September 23, 1897, a party of land owners and railway men assembled near the spot where a primitive highway crossed the Ocqueoc River in Presque Isle County, Michigan, for the purpose of laying out a new town. Except for the openings along the river and along the highway, the unbroken forest extended for miles on every side. The line of the D&M Railroad was blazed on the trees, and in a few days the noise of railway trains would be heard for the first time in this primeval forest.

Many towns have been laid out like this in Michigan, Mr. Speaker, but, according to the Dorans’ research, Millersburg was probably one of the last Michigan communities deliberately planned in the forest. By noon the actual site was selected, and a gang of 35 choppers went to work. Axes flashed, and the mighty hemlocks, the giant elms, the majestic maples and the lofty basswoods were laid low, giving birth to the town of Millersburg.

The community took its name from Mr. Charles R. Miller of Adrian, Michigan, president of the commercial Savings Bank there. Mr. Miller had traveled through the area on business and had become interested in this area of Michigan. He watched the progress of the D&M Railroad with keen interest and decided to purchase a tract of land. With several logging branches planned, it was expected that the town of Millersburg would be the hub of activity.

In 1901 Millersburg became incorporated as a village. It grew and developed, with a variety of important local businesses, including four sawmills, one stave mill, five general stores and a newspaper. But when the forest and dependent on the forest can also be threatened by the forest. The decline of Millersburg as a lumbering town began with fires that swept the greater part of Presque Isle County in October 1908, inflicting a tremendous amount of damage. One fire threatened the village at the time of the mill, and every available man fought to keep it from entering the town. Their efforts were rewarded, and the town was saved. But thousands of acres of timber were lost.

By 1911 the population had dwindled to 850 from a high of more than 1,000, and in July a fire burned the community’s business section, the schoolhouse, the post office and numerous homes. Two sawmills and 26 boxcars were destroyed. The business section was never rebuilt and many of the merchants and dealers, realizing that the era of large-scale lumbering was over, chose to leave to try their fortunes elsewhere. By 1916 the town’s population leveled off at 300, a figure which has remained relatively unchanged to this day. Agriculture became the chief industry in the township until the 1950s, when many of the farmers where forced out of business due to rising prices.

Today tourism is becoming the mainstay of the community, marking the community’s willingness to adapt to new economic opportunities. Many people have come to the area to enjoy its lakes, streams and snowmobile trails.

One can look back over the community’s history, Mr. Speaker, and acknowledge that, yes, the town once had more local industry and a greater population. But one can also say that Millersburg, strengthened by its trails of fire, is as vigorous and forward-looking a community today as it once was, ready to utilize its local assets for the advancement of its citizens.

I ask my colleagues to join me in saluting the people of Millersburg and wishing them great joy in their celebration of 100 years as a community.

TRIBUTE TO THE ROMEO LODGE #41 FREE AND ACCEPTED MASONS OF THE STATE OF MICHIGAN

HON. DAVID E. BONIOR
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. BONIOR. Mr. Speaker, today I would like to recognize an organization whose outstanding dedication and commitment to the community has led to a great accomplishment. On Saturday, March 31, 2001, the Romeo Lodge #41 Free and Accepted Masons of the State of Michigan will celebrate their 150th anniversary, a milestone occasion that heralds the lifelong Masonic creed of Love of God, Love of Country, and Love of Freedom.

Since the Grand Lodge of Free and Accepted Masons recognized the start of the Romeo charter on January 9, 1851, the Romeo Lodge 

TRIBUTE TO THE UNIVERSITY OF NOTRE DAME WOMEN’S BASKETBALL TEAM

HON. MICHAEL FERGUSON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. FERGUSON. Mr. Speaker, on Sunday night, April 1, 2001, the University of Notre Dame Women’s Basketball Team won the national championship. As a proud alumnus, I stand before you today to offer my congratulations and to highlight this incredible accomplishment.

It was a storybook ending to a storybook season. In order to defeat a tough Purdue team and win their first national championship, the Notre Dame team rallied and overcame a double-digit deficit. Only four games have been decided by two points or less since the inception of the women’s national championship tournament in 1982.

I wish to congratulate the entire team for all their hard-work, dedication, and perseverance. This season truly was a team effort, beginning with this year’s coach of the year, Notre Dame’s coach Muffett McGraw.

I also wish to congratulate Notre Dame center Ruth Riley, who was so reliable in the clutch at the end of the championship game and all season long. Accordingly, she has been honored as both the consensus National Player of the Year and the tournament’s most outstanding player.

From the gritty play of guard Niele Ivey to the long range sharp-shooting of Alicia Ratay, this year Notre Dame had what it took to be the best. The other team members, including Amanda Barksdale, Imani Dunbar, Ericka Haney, Monique Hernandez, Jeneka Joyce, Meaghan Leitly, LeTania Severe, Kelley Simon and Karen Swanson, made this the most well-rounded team in the nation. Our hats are off to them as the 2001 National Champions.
TRIBUTE TO GINA THOMPSON

HON. WILLIAM O. LIPINSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to an amazing girl, my friend and neighbor Gina Thompson, who has overcome obstacles to become a starting point guard for the Hale School basketball team.

What makes Gina's accomplishment so momentous is that she is the only girl in a league of boys. Hale School doesn't have a girl's basketball team, but Gina, who just turned 14, is just too good a player to let that stand in the way. While other girls tried out this year, Gina was the only one to make the cut. As a starting point guard, she averages six points a game and has had no problem gaining her teammates' respect.

Most importantly, Gina has accomplished all this despite being diagnosed with juvenile diabetes at age nine. Just as she never let her gender become an obstacle in playing the game she loves, neither has Gina allowed diabetes to get in the way. She does have to give herself three insulin shots a day and continuously monitor herself to see that her sugar count remains normal, but Gina claims it is no big deal.

Gina has even extended her basketball activities beyond Hale School. She plays for the girls' team at St. Symphorsa (where she attends CCD) and the eighth-grade Windy City AAU club basketball team. After graduation, she plans on taking her game to Maria High School in Prospect School.

Gina is an incredible girl who has faced her challenges head-on to become a success at the game she loves. I whole-heartedly congratulate Gina and wish her all the best in the future.

DORENE LOWERY—TENNESSEE TEACHER OF THE YEAR

HON. ZACH WAMP
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. WAMP. Mr. Speaker, Dorene Lowery has been an employee of the Bradley County Schools for 17 years. During her tenure she has taught grades four, five and six at McDonald School, Prospect School and Black Fox School. She is currently serving as principal at Michigan Avenue Elementary School.

Ms. Lowery has been recognized as a Black Fox Elementary Teacher of the Year 2000, Bradley County Teacher of the Year 2000, District Teacher of the Year 2001 and most recently Tennessee Teacher of the Year 2001.

She indicates there are many reasons she decided to become a teacher—primarily heritage. Her parents were major influences in her life. Her mother, Mary Harris, instilled in her a love for books. Her father, Ron Harris, who has been a professor at Lee University for 35 years is responsible for instilling in her a love for teaching. He tells Dorene her favorite phrases were always, "How does it work?" and "Show me." Another reason she became a teacher was her love of school. She would love to come home from kindergarten and teach her younger brother the things she had learned that day.

"For me, there was never a career choice to make. I always knew I was a teacher. I have found through the years that the quest to be the agent of academic growth in students to witness their successes has not diminished. To help a child break the uncharted frontiers of their mind and experiences spurs me on and provides me with boundless joy. I affect eternity. No one can tell where my influence will stop. For this reason, I TEACH." Her husband is Steve Lowery. They have no children.

HONORING TOM STRICKLAND

HON. MARK UDALL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. UDALL of Colorado. Mr. Speaker, I rise to acknowledge and commend the work of Tom Strickland, who has served the federal government and Colorado with distinction as United States Attorney.

Tom Strickland was nominated by President Clinton and confirmed by the United States Senate to serve as U.S. Attorney for Colorado to a little over two years ago. Before that time he was a successful attorney with the law firm of Brownstein, Hyatt, Farber & Strickland, and prior to that was a senior advisor to Colorado Governor Dick Lamm.

Tom and his wife, Beth, have been good friends to my father and me. I have enjoyed his association and believe that his service as U.S. Attorney will be remembered for a high degree of professionalism and a commitment to the welfare of Colorado and the nation.

I believe Tom’s service as U.S. Attorney ought to be recognized in this House and I submit for the RECORD the following words from the March 28, 2001 addition of the Denver Post, which say better than I can how his service will be remembered.

GOOD WORK, TOM STRICKLAND

We’d like to tip our hats to U.S. Attorney Tom Strickland, who will be leaving office soon Saturday, for a job well done during the nearly two years he’s been in office.

Strickland was sworn in April 21, 1999—the day after the Columbine massacre—but in a relatively short period of time acquired a reputation as a tough, effective law-and-order prosecutor.

Strickland took the initiative in establishing Colorado’s version of Project Exile, a Virginia program aimed at keeping guns out of the hands of felons. Federal, state and local law enforcement cooperated in prosecuting the often-overlooked federal violation when felons used firearms.

Strickland enforced existing gun laws, prosecuting criminals in the jurisdiction with the toughest penalties. During Strickland’s tenure, the number of federal firearms prosecutions tripled from 54 defendants in 1999 to 147 in 2000. The successful program is a rare bit of common ground where such diverse factions as the National Rifle Association, Project Exile Control Inc. and SAFE Colorado can agree.

But Strickland also targeted other criminal groups, from the Sons of Silence outlaw motorcycle gang to big-time drug traffickers, and even a group of federal prison guards who were brutalizing inmates.

The University of Texas Law School graduate was an effective administrator and well-respected by veteran lawyers in his office.

Strickland is a Democrat who was asked for his resignation by President Bush, a Republican, John Suthers, former El Paso County district attorney, is considered the front-runner for Strickland’s post.

One of the unfortunate aspects of the spoils system is that positions such as U.S. Attorney are presidential appointments, and whenever the party in power in the White House changes, many able public servants are asked to leave. Strickland is a recent example; an earlier one is Richard Stacy, who was U.S. Attorney for Wyoming, had to resign when the Clinton administration took office, despite being an aggressive, effective prosecutor.

It’s a shame that well-qualified public servants like Strickland and Stacy are asked to resign instead of being given a second look, party affiliation notwithstanding.

THE INCREASE THE PEACE RESOLUTION

HON. HOWARD P. “BUCK” McKEON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. McKEON. Mr. Speaker, I rise today to introduce an important resolution which urges the House of Representatives to support “Increase the Peace Day” events throughout the country.

On April 20, 2000, on the one-year anniversary of the tragedy at Columbine High School, students, teachers, parents, and community leaders from Challenger Middle School in Lake Los Angeles, California hosted an “Increase the Peace Day” event.

The program featured the formation of a human peace sign and a presentation by a former skinhead who turned his life around and now works with the Simon Wiesenthal Center’s Museum of Tolerance.

The highlight of the day was when the 650 students of Challenger signed an “Increase the Peace Pledge” in order to avoid any similar acts of school violence. Among the promises in the Pledge were to find a peaceful solution to conflicts, to not spread rumors to an adult, to celebrate diversity, and to seek help when feeling lonely or confused.

I was proud to join the other supporters of “Increase the Peace Day” and be a part of this incredible event.

In fact, the event was so successful that Challenger is having their “Second Annual Increase the Peace Day” on April 20, 2001. They are expecting over 2,000 participants this year. Additionally, there is sponsoring an essay-writing contest in which the winner will be flown to Washington, D.C. to share their ideas on ensuring school safety with national leaders.

I would like to take a moment to recognize the outstanding efforts of teacher Bruce Galler, who came up with the original idea for “Increase the Peace Day” because he believes that something can be done. Through his efforts, Challenger Middle School students have promoted the ideals of peace in their school and throughout the community.

As such, I urge all my colleagues to support this resolution and to encourage their local communities to institute a similar program.
INTRODUCTION OF THE FAIR PAY ACT OF 2001

HON. ELEANOR HOLMES NORTON
OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Ms. NORTON. Mr. Speaker, today Senator Tom HARKIN and I are introducing the Fair Pay Act of 2001, a bill that would require employers to pay women and men performing equivalent work the same wages today.

A recent Labor Department study, requested by Senator HARKIN and voted by Congress last term bolsters the goals of the Fair Pay Act (FPA). The Labor Department studied wage trends among federal contractors. Its conclusion is that the segregation of women into female-gender occupations is about the same as it is for U.S. employers as a whole. The most important Labor Department finding is that the major cause of the gender gap is the segregation of women into female-gender occupations. The Department makes the startling finding that, “Since 1979, the contribution of occupational segregation to the pay gap has jumped from explaining 18 to 46 percent of the gap.” This finding virtually demonstrates our Fair Pay Act claim that the only way to combat pay discrimination today is to attack directly the practice of paying women less because they are doing “women’s work.” We cannot come to grips with the pay problems of the average American family without confronting the reality that the average woman works in an occupation that is 70 percent female, while the average man works in an occupation that is 29 percent female. Pay tracks gender.

Today, more many women have equivalent pay problems than traditional equal pay problems, thanks to the 1963 Equal Pay Act. Important as it is to update the EPA, it has been, at least, since I chaired the EEOC in the Carter Administration, that the EPA needs major revision to cope with the stubborn pay problems that trap most women and their families. The Fair Pay Act accomplishes the necessary revision without tampering with the market system. A woman would file a discrimination claim but, as in all discrimination cases, she would have to prove that the reason for the gender gap between herself and a male co-worker doing equivalent work in the same workplace is discrimination and not other reasons, such as legitimate market factors. Gender, of course, is not a legitimate market factor.

The good news from the Labor Department study is that gender segregation has fallen since 1970 because women with greater opportunities have moved into traditionally male occupations. The bad news is that there is a limit to how much we want to encourage teachers, nurses, and other indispensable workers to abandon these vital occupations in order to be paid a decent wage. The flighting flight of women from vital work and occupations has left children without teachers, hospitals without nurses, and communities and employers without other vital workers.

The Fair Pay Act recognizes that if men and women are doing comparable work, they should be paid a comparable wage. If a woman is an emergency services operator, a female-dominated profession, she should be paid no less than a fire dispatcher, a male-dominated profession, simply because each of these jobs has been dominated by one sex. If a woman is a social worker, a traditionally female-occupied job, she should earn less than a probation officer, a traditionally male job, simply because of the gender associated with each of these jobs.

The FPA, like the Equal Pay Act (EPA), will not tamper with the market system. As with the EPA, the Fair Pay Act remain plaintiff at risk to prove discrimination. She must show that the reason for the disparity is sex or race discrimination, not legitimate market factors.

As women’s employment has become an increasingly significant factor in the real dollar income of American families, fair pay between the sexes has escalated in importance. There are remaining Equal Pay Act problems in our society, but the greatest barrier to pay fairness for women and their families today is a line drawn in the workplace between men and women. Our women, who have paid our way with their work, have earned the right to pay for their support of the Fair Pay Act to pay women what they are worth so that their families may get what they need and deserve.

INTRODUCTION OF THE COLORADO NORTHERN FRONT RANGE MOUNTAIN BACKDROP PROTECTION STUDY ACT

HON. MARK UDALL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 3, 2001

Mr. UDALL of Colorado. Mr. Speaker, today I am introducing the Colorado Northern Front Range Mountain Backdrop Protection Study Act.

The bill intended to help local communities identify ways to protect the Front Range Mountain Backdrop in the northern sections of the Denver-metro area, especially the region just west of the Environmental Technology site. The Arapaho-Roosevelt National Forest includes much of the land in this backdrop area, but there are other lands involved as well.

Rising dramatically from the Great Plains, the Front Range of the Rocky Mountains provides a scenic mountain backdrop to many communities in the Denver metropolitan area and elsewhere in Colorado. The portion of the range within and adjacent to the Arapaho-Roosevelt National Forest also includes a diverse array of wildlife habitats and provides many opportunities for outdoor recreation.

The open-space character of this mountain backdrop is an important aesthetic and economic asset for adjoining communities, making them attractive locations for homes and businesses. But rapid population growth in the northern Front Range area of Colorado is increasing recreational use of the Arapaho-Roosevelt National Forest and is also placing increased pressure on the environment.

We can see this throughout Colorado and especially along the Front Range. Homes and shopping centers are sprouting up valleys and along highways that feed into the Front Range. This development then spreads out along the ridges and mountain tops that make up the backdrop. We are in danger of losing to development many of the qualities that have helped attract new residents. So, it is important to better understand what steps might be taken to avoid or lessen that risk—and this bill is designed to help.

Already, local governments and other entities have provided important protection for portions of this mountain backdrop, especially in the northern Denver-metro area. However, some portions of the backdrop in this part of Colorado remain unprotected and are at risk of losing their open-space qualities. This bill acknowledges the good work of the local communities to preserve open spaces along the backdrop and aims to assist further efforts along the same lines.

The bill does not interfere with the authority of local authorities regarding land use planning. It also does not infringe on private property rights. Instead, it will bring the land protection experience of the Forest Service to the table to assist local efforts to protect areas that are beyond the reach of the Forest Service. We are seeking to make sure that to the extent the Forest Service be involved with federal lands, it will work in collaboration with local communities, the state and private parties.

Mr. Speaker, I strongly believe it is in the national interest for the federal government to assist local communities to identify ways to protect the mountain backdrop in this part of Colorado. The backdrop beckoned settlers westward and presented an imposing impediment to their forward progress that suggested similar challenges ahead. This first exposure to the harshness and beauty of the Rocky Mountain West helped define a region. The pioneers’ independent spirit and respect for nature still lives with us to this day. We need to work to preserve it by protecting the mountain backdrop as a cultural and natural heritage for ourselves and generations to come. God may forgive us for our failure to do so, but our children won’t.

For the information of our colleagues, I am attaching a fact sheet about this bill.

COLORADO NORTHERN FRONT RANGE MOUNTAIN BACKDROP PROTECTION STUDY ACT

Generally: The bill would help local communities preserve the Front Range Mountain Backdrop in the northern sections of the Denver-metro area in a region generally west of the Rocky Flats Environmental Technology site.

Front Range Mountain Backdrop: The backdrop consists of the mountainous foothills, the Continental Divide and the peaks in between that create the striking visual backdrop of the Denver-metro area and throughout Colorado. Development in the Denver-metro area is encroaching in the Front Range backdrop area, and thus adversely affecting the scenic, wildlife, open space and recreational qualities of this geographic feature. Now is the time to shape the future of this part of the Front Range. There is a real but fleeting opportunity to protect both Rocky Flats—a “crown jewel” of open space and wildlife habitat—and to assist local communities to protect the scenic, wildlife, and other values of the mountain backdrop.

WHAT THE BILL DOES

Study and Report: The bill requires the Forest Service to study development patterns of the lands comprising the Front Range Mountain Backdrop in a region generally

April 3, 2001 CONGRESSIONAL RECORD — Extensions of Remarks E531
west of Rocky Flats, identify areas that are open and may be at risk of development, and recommend to Congress how these lands might be protected and how the federal government could help local communities and residents to achieve that goal.

Lands Covered: The bill identifies the lands in southern Boulder, northern Jefferson and eastern Gilpin Counties in the Second Congressional District, specifically, an area west of Rocky Flats and west of Highway 93, south of Boulder Canyon, east of the Peak-to-Peak Highway, and north of the Golden Gate Canyon State Park road.

What the Bill Would Not Do

Affect Local Planning: The bill is designed to complement existing local efforts to preserve open lands in this region west of Rocky Flats. It will not take the place of—nor disrupt—these existing local efforts.

Affect Private Property Rights: The bill merely authorizes a study. It will not affect any existing private property rights.

Affect the Cleanup of Rocky Flats: The bill would not affect the ongoing cleanup and closure of Rocky Flats nor detract from funding for that effort, and will not affect existing efforts to preserve the options for wildlife and open space protection of Rocky Flats itself.
**Daily Digest**

**Senate**

**Chamber Action**

*Routine Proceedings, pages S3289–S3359*

**Measures Introduced:** Eight bills were introduced, as follows: S. 678–685.

**Measures Reported:**
- S. Res. 27, to express the sense of the Senate regarding the 1944 deportation of the Chechen people to central Asia.
- S. Res. 60, urging the immediate release of Kosovar Albanians wrongfully imprisoned in Serbia.
- S. Con. Res. 23, expressing the sense of Congress with respect to the involvement of the Government in Libya in the terrorist bombing of Pan Am Flight 103.

**Measures Passed:**

- **National Murder Awareness Day:** Committee on the Judiciary was discharged from further consideration of S. Res. 41, designating April 4, 2001, as “National Murder Awareness Day”, and the resolution was then agreed to.

- **National Shaken Baby Syndrome Awareness Week:** Committee on the Judiciary was discharged from further consideration of S. Res. 55, designating the third week of April as “National Shaken Baby Syndrome Awareness Week” for the year 2001, and the resolution was then agreed to, after agreeing to the following amendments proposed thereto:
  - Domenici (for Wellstone) Amendment No. 177, to amend the resolution.
  - Domenici (for Wellstone) Amendment No. 178, to amend the title.

- **Congressional Budget Resolution:** Senate continued 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, taking action on the following amendments proposed thereto:
  - Grassley Amendment No. 173 (to Amendment No. 170), to revise certain provisions providing for a reserve fund for prescription drugs and medicare reform in the Senate.
  - Pages S3320–26
  - Baucus Amendment No. 172 (to Amendment No. 170), to establish a prescription drug benefit under Title XVIII of the Social Security Act, without using funds generated from either the Medicare or Social Security surpluses, that is voluntary; accessible to all beneficiaries; designed to assist beneficiaries with the high cost of prescription drugs, protect them from excessive out of pocket costs, and give them bargaining power in the market place; affordable to all beneficiaries and the program; administered using private sector entities and competitive purchasing techniques; and consistent with broader Medicare reform.
  - Pages S3298–3320, S3326
  - Domenici Amendment No. 170, in the nature of a substitute.
  - Pages S3290–S3333
  - Grassley Amendment No. 174 (to Amendment No. 170), to provide for additional agriculture assistance.
  - Pages S3327–33
  - Conrad (for Johnson) Amendment No. 176 (to Amendment No. 170), to provide emergency assistance to producers of agricultural commodities in fiscal year 2001, and additional funds for farm and conservation programs during fiscal years 2002 through 2011.
  - Page S3333
  - A unanimous-consent time agreement was reached providing for further consideration of Grassley Amendment No. 174 (to Amendment No. 170) and Johnson Amendment No. 176 (to Amendment No. 170), both listed above, at 9 a.m., on Wednesday, April 4, 2001, with votes to occur on or in relation to each amendment beginning at 10:30 a.m. Further, that following the votes, Senator Harkin be recognized to offer an amendment relative to education, and that when the Senate resumes the budget resolution on Wednesday, there be 35 hours remaining for consideration.
Appointments:

Commission on Indian and Native Alaskan Health Care: The Chair, on behalf of the Democratic Leader, pursuant to Public Law 106–310, announced the appointment of the following individuals to serve as members of the Commission on Indian and Native Alaskan Health Care: Sara DeCoteau, of South Dakota, and Carole Anne Heart, of South Dakota. Page S3357

Congressional Recognition for Excellence in Arts Education Awards Board: The Chair, on behalf of the Democratic Leader, pursuant to Public Law 106–533, announced the appointment Senators Akaka and Johnson to serve as members of the Congressional Recognition for Excellence in Arts Education Awards Board. Page S3357

Nominations Received: Senate received the following nominations:

Donna R. McLean, of the District of Columbia, to be an Assistant Secretary of Transportation.

James Andrew Kelly, of Hawaii, to be an Assistant Secretary of State (East Asian and Pacific Affairs), vice Stanley O. Roth.

Richard Nathan Haass, of Maryland, for the rank of Ambassador during his tenure of Service as Director, Policy Planning Staff, Department of State.

Stephen Goldsmith, of Indiana, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2005.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps, Navy. Pages S3358–59

Executive Communications: Pages S3338–39

Executive Reports of Committees: Pages S3339–40

Statements on Introduced Bills: Pages S3341–53

Additional Cosponsors: Pages S3340–41

Amendments Submitted: Pages S3353–56

Additional Statements: Pages S3337–38

Authority for Committees: Pages S3356–57

Privileges of the Floor: Page S3357

Record Votes: Two record votes were taken today. (Total—66) Page S3326

Adjournment: Senate met at 9 a.m., and adjourned at 7:22 p.m., until 9 a.m., on Wednesday, April 4, 2001. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on pages S3357–58.)

Committee Meetings

(Committees not listed did not meet)

ALZHEIMER’S DISEASE
Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies concluded hearings to examine issues related to the need for funding of medical research of Alzheimer’s Disease at various facilities, including the National Institutes of Health, the Alzheimer’s Clinical Research and Training Program, and the Alzheimer’s Matching Grant Programs, after receiving testimony from Representatives Chris Smith and Markey; Richard J. Hodes, Director, National Institute on Aging, National Institutes of Health, Department of Health and Human Services; and Steven T. Dekosky, University of Pittsburgh Medical Center Alzheimer’s Disease Center, Pittsburgh, Pennsylvania, Christine Frey, Peoria, Illinois, John Wagenaar, George, Iowa, and David Hyde Pierce, Saratoga Springs, New York, all on behalf of the Alzheimer’s Association.

NATIONAL RECONNAISSANCE, IMAGERY, AND MAPPING
Committee on Armed Services: Subcommittee on Strategic concluded hearings to examine the Report of the National Commission for the Review of the National Reconnaissance Office and the Report of the Independent Commission on the National Imagery and Mapping Agency, after receiving testimony from Representative Goss, Co-Chairman, Larry D. Cox, Member, Martin C. Faga, Member, and William Schneider, Jr., Member, all of the National Commission for the Review of the National Reconnaissance Office; and Peter Marino, Chairman, Kevin O’Connell, Executive Secretary, Evan Hineman, Member, and Gen. Tom Weinstein, Member, all of the Independent Commission on the National Imagery and Mapping Agency.

DOMESTIC OIL AND NATURAL GAS RESOURCES
Committee on Energy and Natural Resources: Committee concluded hearings to examine issues related to the development of a national energy policy for the next decade, focusing on impediments to domestic oil and gas production and its impact on availability and price of energy in the United States, after receiving testimony from P. Patrick Leahy, Associate Director for Geology, U.S. Geological Survey, Department of the Interior; David J. Hayes, Latham and Watkins,
CONGRESSIONAL RECORD—DAILY DIGEST

MEDICARE+CHOICE REFORM

Committee on Finance: Committee held hearings to examine ways to improve the relationship between Medicare and managed care, focusing on Medicare+Choice program reform, which was designed to expand health plans to markets where existing access was limited or non-existent and to offer new types of plans, in addition to controlling costs, receiving testimony from Madeleine Smith, Specialist in Social Legislation, Domestic Social Policy Division, Congressional Research Service, Library of Congress; Murray N. Ross, Executive Director, Medicare Payment Advisory Commission; Victor E. Turvey, UnitedHealthcare, Maryland Heights, Missouri; Kevin W. McCarthy, Towers Perrin, Pittsburgh, Pennsylvania; Thomas C. Buchmueller, University of California Graduate School of Management, Irvine; and Len M. Nichols, Urban Institute, Washington, D.C.

Hearings recessed subject to call.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. 219, to suspend for two years the certification procedures under section 490(b) of the Foreign Assistance Act of 1961 in order to foster greater multilateral cooperation in international counternarcotics programs, with an amendment in the nature of a substitute;

S. Res. 27, to express the sense of the Senate regarding the 1944 deportation of the Chechen people to central Asia;

S. Res. 60, urging the immediate release of Kosovar Albanians wrongfully imprisoned in Serbia;

S. Con. Res. 7, expressing the sense of Congress that the United States should establish an international education policy to enhance national security and significantly further United States foreign policy and global competitiveness, with an amendment in the nature of a substitute;

S. Con. Res. 23, expressing the sense of Congress with respect to the involvement of the Government in Libya in the terrorist bombing of Pan Am Flight 103; and

The nominations of William Howard Taft, IV, of Virginia, to be Legal Adviser of the Department of State, and a Foreign Service Officer promotion list.

ONLINE ENTERTAINMENT AND COPYRIGHT LAW

Committee on the Judiciary: Committee concluded hearings to examine issues related to progress being made in finding a balance between ever-advancing online entertainment technology and accessibility, and copyright law and the rights of the artists and entertainment industry, after receiving testimony from Representative Cannon; Richard D. Parsons, AOL Time Warner, Inc., Steve Gottlieb, TVT Records, and Edward P. Murphy, National Music Publishers’ Association, Inc., all of New York, New York; Jack Valenti, Motion Picture Association, Sally Greenberg, Consumers Union, and Hilary Rosen, Recording Industry Association of America, all of Washington, D.C.; Hank Barry, Napster, San Mateo, California; Ken Berry, EMI Recorded Music, Hollywood, California; Gerald W. Kearby, Liquid Audio, Inc., Redwood City, California; Robin Richards, MP3.com, Inc., San Diego, California; Mike Farrace, Tower Records/Books/Video, MTS., Inc., West Sacramento, California; Edmund Fish, Intertrust Technologies Corporation, Santa Clara, California; Don Henley, Santa Monica, California, on behalf of the Recording Artists Coalition; and Alanis Morissette, Beverly Hills, California.

NATIONAL SECURITY

Committee on the Judiciary: Subcommittee on Technology, Terrorism, and Government Information concluded hearings to examine the U.S. Commission on National Security/21st Century Hart-Rudman Report, which makes certain recommendations with regard to national security, based on a thorough analysis of the future global security environment and the development of the United States National Security Strategy to deal with that environment, after receiving testimony from former Senator Gary Hart, Co-Chair, former Senator Warren Rudman, Co-Chair, and former Representative Lee Hamilton, Commissioner, all of the U.S. Commission on National Security/21st Century.
House of Representatives

Chamber Action

Bills Introduced: 55 public bills, H.R. 1330–1384; 2 private bills, H.R. 1385–1386; and 7 resolutions, H. Con. Res. 93–96, and H. Res. 110, 112–113, were introduced.

Reports Filed: Reports were filed today as follows:

H.R. 768, to amend the Improving America’s Schools Act of 1994 to make permanent the favorable treatment of need-based educational aid under the antitrust laws (H. Rept. 107–32);

H.R. 642, to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, amended (H. Rept. 107–33);

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, amended (H. Rept. 107–34);

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 the Interior and Related Agencies Appropriations Act, 2001, to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service to facilitate the interagency cooperation required under the Endangered Species Act of 1973 in connection with wildland fire management (H. Rept. 107–35);

H.R. 182, to amend the Wild and Scenic Rivers Act to designate a segment of the Eight Mile River in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, amended (H. Rept. 107–36);

H.R. 8, to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period, amended (H. Rept. 107–37);

H.R. 974, to increase the number of interaccount transfers which may be made from business accounts at depository institutions, to authorize the Board of Governors of the Federal Reserve System to pay interest on reserves, amended (H. Rept. 107–38); and

H. Res. 111, providing for consideration of the bill (H.R. 8) to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period (H. Rept. 107–39).

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Aderholt to act as Speaker pro tempore for today.

Guest Chaplain: The prayer was offered by the Guest Chaplain, the Rev. Ronald F. Christian, Lutheran Social Services, Fairfax, Virginia.

Recess: The House recessed at 12:54 p.m. and reconvened at 2 p.m.

Committee on Judiciary—Permission to File Reports During Recess: The Committee on the Judiciary was given permission to have until Friday, April 20th to file reports on H.R. 392, Private Relief Bill for Nancy Wilson; H.R. 503, Unborn Victims of Violence Act; H.R. 863, Consequence for Juvenile Offenders Act; H.R. 1209, Child Status Protection Act; and H.J. Res. 41, Tax Limitation Constitutional Amendment.

Committee on Financial Services—Permission to File Report: The Committee on Financial Services received permission to have until midnight to file a report on H.R. 1088, to amend the Securities Exchange Act of 1934 to reduce fees collected by the Securities and Exchange Commission.

Suspensions: The House agreed to suspend the rules and pass the following suspensions:

Need-Based Educational Aid: H.R. 768, to amend the Improving America’s Schools Act of 1994 to make permanent the favorable treatment of need-based educational aid under the antitrust laws (passed by a yea and nay vote of 414 yeas with none voting “nay”, Roll No. 76);

Shaken Baby Syndrome Awareness: H. Con. Res. 59, expressing the sense of Congress regarding the establishment of National Shaken Baby Syndrome Awareness Week. Agreed to amend the title;

Human Rights Situation in Cuba: H. Res. 91, expressing the sense of the House of Representatives regarding the human rights situation in Cuba (agreed to by a yea and nay vote of 347 yeas to 44 nays with 22 voting “present”, Roll No. 77);

Human Rights Violations in China and Tibet: H. Res. 56, amended, 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.
(agreed to by a yea and nay vote of 406 yeas to 6 nays with 6 voting “present”, Roll No. 78); and

**Small Business Interest Checking**: H. R. 974, amended, to increase the number of interaccount transfers which may be made from business accounts at depository institutions, to authorize the Board of Governors of the Federal Reserve System to pay interest on reserves. Agreed to amend the title.

**Pages H1368–74, H1385–86**

**Suspensions**—**Proceedings Postponed**: The House completed debate on the following motions to suspend the rules. Further proceedings were postponed until Wednesday, April 5.

**Chesapeake Bay Office of NOAA**: H. R. 642, amended, to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration; and


**Committee to Attend the Funeral of the Late Honorable Norman Sisisky, a Representative from the Commonwealth of Virginia**: Pursuant to H. Res. 107, the Chair announced the Speaker’s additional appointment of the following members to the committee to attend the funeral of the late Honorable Norman Sisisky: Representatives Waxman, Frost, Sensenbrenner, Hoyer, Levin, Spratt, Condit, Edwards, Reyes, and Turner.

**Pages H1380–84**

**District Work Period**: The House agreed to H. Con. Res. 93, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

**Pages H1386**

**Quorum Calls**—**Votes**: Three yea-and-nay votes developed during the proceedings of the House today and appear on pages H1384, H1385, and H1385–86. There were no quorum calls.

**Adjournment**: The House met at 12:30 p.m. and adjourned at 9:44 p.m.

### Committee Meetings

**USDA DOMESTIC FOOD DISTRIBUTION PROGRAMS**

**Committee on Agriculture**: Subcommittee on Department Operations, Oversight, Nutrition, and Forestry held a hearing to review the USDA domestic food distribution programs. Testimony was heard from Representative Hall of Ohio; George A. Braley, Acting Administrator, Food and Nutrition Service, USDA; and public witnesses.

**DISTRICT OF COLUMBIA APPROPRIATIONS**

**Committee on Appropriations**: Subcommittee on District of Columbia held a hearing on Corrections and Related Activities. Testimony was heard from the following officials of the Department of Justice: Kathleen Hawk Sawyer, Director, Federal Bureau of Prisons; Don Horton, U.S. Marshal, U.S. District Court; and Todd Dillard, U.S. Marshal, D.C. Superior Court; the following officials of the District of Columbia: John L. Clark, D.C. Corrections Trustee; Jasper Ormond, Interim Director, Court Services and Offender Supervision Agency; and Cynthia Jones, Director, Public Defenders Service.

**LABOR, HHS AND EDUCATION APPROPRIATIONS**

**Committee on Appropriations**: Subcommittee on Labor, Health and Human Services and Education continued appropriation hearings. Testimony was heard from Members of Congress.

**DEPARTMENT OF EDUCATION**

**FINANCIAL MANAGEMENT**

**Committee on Education and the Workforce**: Subcommittee on Select Education held a hearing on Department of Education Financial Management. Testimony was heard from Lorraine Lewis, Inspector General, Department of Education; Jeffrey Steinhoff, Managing Director, Financial Management and Assurance Division, GAO; and a public witness.

**INFORMATION PRIVACY**

**Committee on Energy and Commerce**: Subcommittee on Commerce, Trade and Consumer Protection held a hearing on An Examination of Existing Federal Statutes Addressing Information Privacy. Testimony was heard from Richard Yarn, Chief Information Officer, State of Iowa; and public witnesses.

**PROTECTING AMERICAN INTERESTS ABROAD**

**Committee on Government Reform**: Subcommittee on National Security, Veterans Affairs and International Relations held a hearing on “Protecting American Interests Abroad: U.S. Citizens, Businesses, and Non-governmental Organizations.” Testimony was heard from the following officials of the Department of State: Peter Bergin, Director, Diplomatic Security Service, Co-Chairman, Overseas Security Advisory Council; Dianne Andруч, Managing Director, Overseas Citizen Services, Bureau of Consular Affairs; Leonard Rogers, Acting Assistant Administrator, Humanitarian Response, AID; and John McCarthy,
Co-Chairman, Overseas Security Advisory Council; and public witnesses.

MANAGING INFORMATION RESOURCES AND TECHNOLOGY

Committee on Government Reform: Subcommittee on Technology and Procurement held a hearing on “Enterprise-Wide Strategies for Managing Information Resources and Technology: Learning From State and Local Governments.” Testimony was heard from Dave McClure, Director, Information Technology Management Issues, GAO; the following officials of the State of Virginia: Donald W. Upson, Secretary of Technology; and David J. Molchany, Chief Information Officer, County of Fairfax; Charles F. Gerhards, Deputy Secretary, Information Technology, Office of Information Technology, State of Pennsylvania; and public witnesses.

OVERSIGHT—FOREST FUELS

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on Developing Economic Uses for Forest Fuels. Testimony was heard from Thomas Hamilton, Director, Forest Products Laboratory, Forest Service, USDA; and public witnesses.

OVERSIGHT—CALIFORNIA WATER

Committee on Resources: Subcommittee on Water and Power held an oversight hearing on California Water—A Regional Perspective. Testimony was heard from public witnesses.

DEATH TAX ELIMINATION ACT

Committee on Rules: Granted, by voice vote, a modified closed rule on H.R. 8, Death Tax Elimination Act of 2001, providing one hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that the amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The rule provides for consideration of the amendment in the nature of a substitute printed in the Rules Committee report accompanying the resolution, if offered by Representative Rangel or his designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment in the nature of a substitute. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Thomas and Representative Rangel.

VISION 2001: FUTURE SPACE

Committee on Science: Subcommittee on Space and Aeronautics held a hearing on Vision 2001: Future Space. Testimony was heard from public witnesses.

INTERNET ENTREPRENEURSHIP

Committee on Small Business: Subcommittee on Regulatory Reform and Oversight held a hearing on Internet Entrepreneurship. Testimony was heard from public witnesses.

VA HEALTH CARE SYSTEM

Committee on Veterans’ Affairs: Subcommittee on Health held a hearing on the state of the VA Health Care System. Testimony was heard from Thomas L. Garthwaite, M.D., Under Secretary, Department of Veterans Affairs; representatives of veterans organizations; and public witnesses.

WELFARE REFORM

Committee on Ways and Means: Subcommittee on Human Resources continued hearings on welfare reform issues. Testimony was heard from Vee Burke, Specialist, Income Maintenance, Congressional Research Service, Library of Congress; Jason A. Turner, Commissioner, Human Resources Administration, New York City; Douglas E. Howard, Director, Family Independence Agency, State of Michigan; and public witnesses.

2001 TAX RETURN FILING SEASON

Committee on Ways and Means: Subcommittee on Oversight held a hearing on the 2001 tax return filing season. Testimony was heard from the following officials of the Department of the Treasury: Charles O. Rossotti, Commissioner, and Nina Olson, National Taxpayer Advocate, Taxpayer Advocate Service, both with the IRS; and David C. Williams, Inspector General, Tax Administration; James R. White, Director, Tax Policy and Administration Issues, General Government Division, GAO; and public witnesses.

BRIEFING—PLAN COLOMBIA

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Plan Colombia. The Committee was briefed by departmental witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, APRIL 4, 2001

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: Subcommittee on SeaPower, to hold hearings on proposed legislation authorizing
funds for fiscal year 2002 for the Department of Defense and the Future Years Defense Program, focusing on shipbuilding industrial base issues and initiatives, 9:30 a.m., SR–222.

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Affairs, Foreign Commerce, and Tourism, to hold hearings to examine specific measures that have been taken in the United States to prevent bovine spongiform encephalopathy (BSE) “Mad Cow Disease” and assess their adequacy, 9:30 a.m., SR–253.

Committee on Finance: to hold hearings to examine certain issues with respect to international trade and the American economy, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings on the nomination of Argeo Paul Cellucci, of Massachusetts, to be Ambassador to Canada, 9:30 a.m., SD–419.

Committee on Governmental Affairs: to hold hearings on the state of the Presidential appointments process, 2 p.m., SD–342.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the constitutionality of employment laws, focusing on states rights and federal remedies, 9:30 a.m., SD–430.

Committee on Indian Affairs: business meeting to mark-up S.211, to amend the Education Amendments of 1978 and the Tribally Controlled Schools Act of 1988 to improve education for Indians, Native Hawaiians, and Alaskan Natives, 2:30 p.m., SR–485.

Select Committee on Intelligence: to hold closed hearings on intelligence matters, 2 p.m., SH–219.

Committee on the Judiciary: Subcommittee on Antitrust, Business Rights, and Competition, to hold hearings to examine competitive choices concerning cable and video, 10 a.m., SD–226.

Subcommittee on Immigration, to hold hearings to review certain issues with respect to immigration policy, 2 p.m., SD–226.

Committee on Veterans’ Affairs: to hold hearings on the nomination of Tim S. McClain, of California, to be General Counsel, Department of Veterans Affairs, 9:30 a.m., SR–418.

House

Committee on Agriculture, to continue hearings on Federal Farm Commodity Programs, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on the District of Columbia, on D.C. Courts; Police and Fire, 1:30 p.m., 2362 Rayburn.

Subcommittee on Interior, on National Endowment for the Humanities and National Endowment for the Arts, 10:30 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, and Education, to continue on NIH Theme hearings, 10 a.m., 2358 Rayburn.

Committee on Armed Services, to continue hearings on posture of U.S. military forces, 10 a.m., 2118 Rayburn.

Special Oversight Panel on Department of Energy, hearing on the reorganization plan of the National Nuclear Security Administration, 2 p.m., 2216 Rayburn.

Special Oversight Panel on Morale, Welfare and Recreation, hearing on morale, welfare and recreation programs of the Department of Defense, 2 p.m., 2212 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health and Environment and the Subcommittee on Oversight and Investigations, joint hearing on Patients First: A 21st Century Promise to Ensure Quality and Affordable Health Coverage, 10 a.m., 2123 Rayburn.

Subcommittee on Telecommunications and Internet, hearing on E-Rate and Filtering: A Review of the Children’s Internet Protection Act, 10 a.m., 2322 Rayburn.

Committee on Financial Services, Subcommittee on Capitol Markets, Insurance and Government Sponsored Enterprises and the Subcommittee on Financial Institutions and Consumer Credit, joint hearing on promotion of capital availability to American businesses, 10 a.m., 2128 Rayburn.

Committee on Government Reform, hearing on the “The U.S. Postal Service’s Uncertain Financial Outlook,” 10 a.m., 2154 Rayburn.

Committee on the Judiciary, to mark up the following measures: H.J. Res. 41, proposing an amendment to the Constitution of the United States with respect to tax limitations; and H.R. 1209, Child Status Protection Act of 2001, 10 a.m., 2141 Rayburn.

Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing on “Business Method Patents,” 2 p.m., 2141 Rayburn.

Committee on Resources, Subcommittee on Energy and Mineral Resources, and the Subcommittee on Forests and Wildlife, joint oversight hearing on Energy Impacts of the Roadless Rule, 1:30 p.m., 1324 Longworth.

Subcommittee on Fisheries, Conservation, Wildlife and Oceans, oversight hearing on the implementation of the Sustainable Fisheries Act and the reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act, 2 p.m., 1334 Longworth.

Committee on Science, hearing on Space Station Cost Overrun, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, hearing on Congestion in the U.S. Transportation System, 11 a.m., 2167 Rayburn.

Committee on Veterans’ Affairs, Subcommittee on Oversight and Investigations, hearing on Department of Veterans Affairs Information Technology Program, 10 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Health, hearing on the Nation’s Uninsured, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, briefing on Collection Issues, 2 p.m., H–405 Capitol.

Subcommittee on Technical and Tactical Intelligence, executive, briefing on ELINT Issues, 10 a.m., H–405 Capitol.
Next Meeting of the Senate
9 a.m., Wednesday, April 4

Senate Chamber

Program for Wednesday: Senate will continue consideration of H. Con. Res. 83, Congressional Budget Resolution, with votes to occur on or in relation to Grassley Amendment No. 174 (to Amendment No. 170), and Johnson Amendment No. 176 (to Amendment No. 170), beginning at 10:30 a.m.

Next Meeting of the House of Representatives
10 a.m., Wednesday, April 4

House Chamber

Program for Wednesday: Consideration of H.R. 8, Death Tax Elimination Act (modified closed rule, one hour of debate).

Extensions of Remarks, as inserted in this issue

Baca, Joe, Calif., E526
Bentsen, Ken, Tex., E509, E511
Berman, Howard L., Calif., E516, E521
Bono, David R., Mich., E527, E529
Capito, Lois, Calif., E513
Collins, Mac G., E509, E512
Conyers, John, Jr., Mich., E523
Davis, Danny K., Ill., E523
Delahunt, William D., Mass., E524
Doyle, Michael F., Pa., E528
Engel, Eliot L., N.Y., E512
Ferguson, Michael, N.J., E526, E529
Frank, Barney, Mass., E516
Gillum, Benjamin A., N.Y., E520, E524
Gutierrez, Luis V., Ill., E514
Honda, Mike, Calif., E526
Hoyer, Steny H., Md., E517
Jones, Walter B., N.C., E523
Kanjorski, Paul R., Pa., E512
Kildee, Dale R., Mich., E514
Kieckha, Gerald D., Wis., E519
LaFalce, John J., N.Y., E517
Lantos, Tom, Calif., E519, E515
Lipinski, William O., Ill., E530
Luther, Bill, Minn., E510
McCready, Jim, La., E516
McKern, Howard P., "Buck", Calif., E530
Maloney, Carolyn, N.Y., E519
Morella, Constance A., Md., E509, E511
Neal, Richard E., Mass., E517
Norton, Eleanor Holmes, D.C., E531
Olver, John W., Mass., E514
Otter, C.L., "Butch", Idaho, E513
Quinones, Jack, N.Y., E519
Pullman, Rob, Ohio, E528
Roemer, Tim, Ind., E516
Schakowsky, Janice D., Ill., E521
Skelton, Ike, Mo., E509, E511
Stark, Fortney Pete, Calif., E528
Stearns, Cliff, Fla., E510
Stupak, Bart, Mich., E527, E529
Tancredo, Thomas G., Colo., E511
Towns, Edolphus, N.Y., E516, E517, E518, E519
 Udall, Mark, Colo., E519, E521, E524, E527, E530, E531
 Udall, Tom, N.M., E520
 Wamp, Zach, Tenn., E530